

**RESOLUTION OF THE JAIL POLICY COMMITTEE
FOR THE PURPOSE OF
JAIL POPULATION MANAGEMENT**

Whereas, research has demonstrated that implementation of evidence-based and data-driven practices in the criminal justice system can result in a reduction in offender recidivism and system costs while maintaining public safety; and

Whereas, jail crowding represents a condition to be managed rather than a problem to be solved; and

Whereas, the jail population is affected by policy decisions made across the entire criminal justice system;

Therefore, be it resolved that the undersigned members of the Jail Policy Committee, representing the key stakeholders in the Louisville Metro criminal justice system, have reached consensus on the following recommended actions to manage the population of Louisville Metro Corrections:

Collect, analyze and disseminate data on the jail population to identify trends and factors contributing to increases in the jail population

Institute an internal population target of 1,900 as a trigger for jail population management strategies

Encourage utilization of citations in lieu of arrest by law enforcement in accordance with departmental policy

Encourage increased utilization of the Monitored Conditional Release Program to provide pretrial supervision for individuals with misdemeanor and felony charges who are awaiting court appearances

Pursuant to RCr 4.38, Pretrial Services should inform the court in District Court cases of those defendants who have been unable to post financial bonds within 24 hours of arraignment, for the purpose of additional review for possible release or release under pretrial supervision. The County Attorney and defense counsel should be notified of any cases where review resulted in release or release under pretrial supervision.

Formalize a Circuit Court process for setting the least restrictive bail (non-jail option) at arraignment; conducting a prompt or automatic bail review hearings when appropriate; scheduling expedited hearings and trials for in-custody defendants; and promptly entering judgments of conviction and orders to move appropriate defendants into state custody as quickly as possible.

Implement a protocol to provide that new arrests on bench warrants in Circuit Court be arraigned the next business day in lieu of waiting until the next motion hour

Pursuant to RCr 11.22, KRS 431.215, KRS 532.100 and Campbell County v. Commonwealth, Kentucky Corrections Cabinet, 762 S.W.2d 6 (Ky. App. 1988), the Louisville Metro Department of Corrections will take whatever steps are necessary to ensure that all inmates who have been sentenced by the Jefferson Circuit Court are promptly transferred from the Jefferson County Jail to the custody of the Kentucky Department of Corrections and the state prison system.

Follow-up with the Family Court Term on a process to review commitments to jail on contempt charges, i.e. failure to pay child support, fines and program fees, or program violations for possible sentence modification

Implement a new Day Reporting Center Program for sentenced misdemeanants that will hold offenders accountable through reporting requirements and substance abuse testing while also linking individuals to needed services

Expand referrals to the Home Incarceration Program to include offenders with only cellular phone access

Provide regular information to the Jefferson County Attorney's Office and the criminal defense bar, through the Louisville Metro Public Defender's office, the Louisville Bar Association and the Kentucky Association of Criminal Defense Lawyers, about available slots for referral to the Misdemeanant Intensive Probation Program and the Home Incarceration Program

Encourage the criminal defense bar, through the Louisville Metro Public Defender's office, the Louisville Bar Association and the Kentucky Association of Criminal Defense Lawyers, to identify and attempt to resolve any pending District Court cases following Circuit Court sentencing to reduce the necessity for repeated transportation of offenders back to jail for court appearances. Once those cases are identified by defense counsel, the prosecution is encouraged to cooperate in the prompt and reasonable resolution of such cases


Continue to monitor the activity of the Kentucky Task Force on the Penal Code and Controlled Substances Act and evaluate the local impact of the Kentucky Public Safety and Offender Accountability Act (H.B. 463)

Develop legislative proposals for the 2012 session of the Kentucky General Assembly to provide specific statutory authority for the operation of a Day Reporting Center and to codify the provisions of the local jail capacity management plan

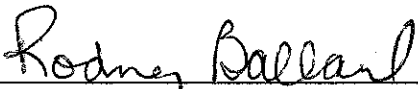
Collect and analyze data to evaluate outcomes, including failure to appear and reoffense rates, based on the identified jail population management strategies

Educate the public on systemic efforts to manage the jail population


Dated this 5th day of May, 2011:



Kim M. Allen, Chair
Jail Policy Committee
Louisville Metro Government



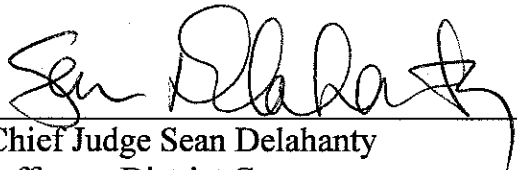
Rodney Ballard, Deputy Commissioner
Kentucky Department of Corrections



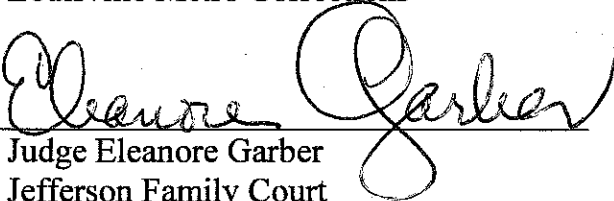
Judge Judith K. Bartholomew
Senior Status Judge



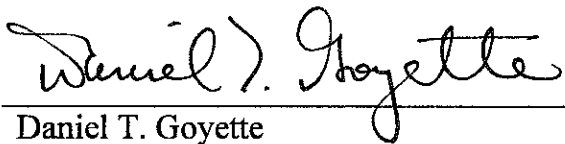
Mark Bolton, Director
Louisville Metro Corrections



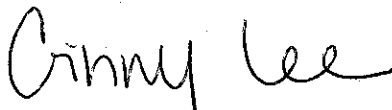
Chief Judge Sean Delahanty
Jefferson District Court




Judge Eleanore Garber
Jefferson Family Court



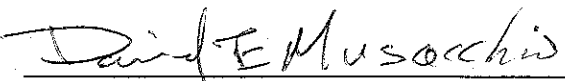
Daniel T. Goyette
Louisville Metro Public Defender



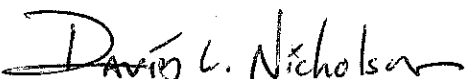
Ginny Lee, Urban Program Supervisor
Department of Pretrial Services



Carla Kreitman
Jefferson Court Administrator



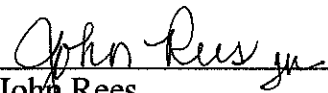
David Musacchio
Citizen Member




David L. Nicholson
Jefferson County Circuit Court Clerk




Mike O'Connell
Jefferson County Attorney



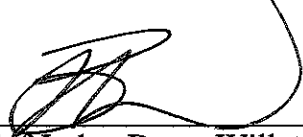
John Rees
Citizen Member



R. David Stengel
Jefferson Commonwealth's Attorney



Chief Robert White
Louisville Metro Police Department



Chief Judge Barry Willett
Jefferson Circuit Court