

**MINUTES OF BOARD OF COUNTY COMMISSIONERS
OF GUILFORD COUNTY
WORK SESSION**

Greensboro, North Carolina
August 6, 2015

The Board of County Commissioners met in a duly noticed Work Session at 3:00 PM in the Blue Room, Old County Courthouse, 301 West Market Street, Greensboro, NC.

PRESENT: Chairman Hank Henning; Vice Chairman Jeff Phillips; Commissioners Kay Cashion, Alan Perdue, Justin Conrad, Ray Trapp, J. Carlvena Foster (in at 3:12 PM), Alan Branson (in at 3:15 PM) and Carolyn Q. Coleman (in at 3:25 PM).

ABSENT: None.

ALSO PRESENT: County Manager Marty Lawing; County Attorney Mark Payne; Deputy County Manager Clarence Grier; Robin Keller, Clerk to Board; Ariane Webb, Deputy Clerk to Board; Superior Court Judge Susan Burch; Chief Superior Court Judge Wendy Enochs; Jeff Fowler, Security Director; Sheriff BJ Barnes; Major CJ Williamson-Court Services, Sheriff's Department; Colonel KL Watkins-Detention Facility, Sheriff's Department; Wheaton Casey, Court Services Manager; Ben Kittleson, Sr. Budget Analyst; Alex Smith, Sr. Budget Analyst; and members of the media and community.

Welcome and Call to Order

Chairman Henning called the meeting to order at 3:08PM.

County Manager Marty Lawing shared that the purpose of the work session is to review all programs either directly or indirectly related to controlling the County's jail population. He noted that administrators are present to discuss their programs and associated costs, and suggested that the Budget department present their analysis of detention costs prior to presentations on services. Lawing stated he believed County staff are doing great things and will seek direction from the Board on next steps.

Analysis of Detention Costs

Ben Kittleson, Sr. Budget Analyst with Guilford County presented an analysis of detention costs. He noted the presentation references actual cost data from FY2014/2015. Kittleson stated that the commonly used amount for the cost of an inmate housed in the Greensboro jail is \$91 per day; \$57.65 of that being attributed to fixed costs required to operate the jail. He explained that the remaining amount was comprised of \$12.54 per day marginal (daily) costs that changed based upon the number of inmates in the jail, and \$20.81 per day step fixed costs which

accounted for costs required to operate a pod. Kittleson noted that the marginal, or daily, costs per inmates housed in the High Point jail is \$17.23.

Commissioner Trapp shared that he had never seen an analysis with costs so low, per day/ per inmate.

Kittleson reviewed the analysis and fixed costs; such as intake, booking, and transportation which are required for jail operations. He noted that this study is based upon one used by Milwaukee County, and that his analysis only included direct costs to the jail.

Commissioner Trapp requested feedback from Law Enforcement officials present in the meeting.

Major CJ Williamson, Court Services-Sheriff, stated that the figures are low, and the \$12.54 per day marginal costs does include personnel expenses.

Sheriff BJ Barnes described additional factors that should be included in daily costs, such as mental health screenings conducted at intake.

Commissioner Perdue questioned if personnel expenses were included in the fixed cost amount.

Kittleson replied that personnel costs were included in these figures (fixed costs) and reviewed the analysis, stating that \$91 per day is a “fully loaded” number encompassing all expenses required to maintain and operate the jail. He noted that adding an additional pod would require adding 4 and 2/3 full-time employees (FTE) to the staff.

Commissioner Coleman questioned if the jail’s debt service was included in these costs.

Kittleson stated debt service was not included because it was paid under a different accounting structure.

Chairman Henning clarified that the Board would need to determine if the fixed costs associated with the jail included all baseline jail operations.

Major Williamson noted that the costs analysis, as presented, does not identify or account for the officers that are not fixed to any one role. He stated that food service costs vary, with a regular tray costing \$1.34 per inmate versus specific dietary meals which have higher costs. Williams also noted that they do house inmates with exorbitant healthcare costs and these should all be considered when calculating fixed cost figure.

Kittleson discussed the cost per housing unit and noted that removing one prisoner only saves \$12.54 per day; the remaining amount would be expended towards fixed costs.

Commissioner Coleman questioned if Law Enforcement agreed with these figures.

Sheriff Barnes clarified that while fixed costs for one inmate includes required expenses such as food, uniforms and beds, some fixed, step fixed and marginal costs could be controlled via competitive contracting and reduced services.

Commissioner Cashion questioned how many pods are currently open.

Colonel KL Watkins, Detention Facilities-Sheriff, stated that they have 22 of 25 pods open currently.

Commissioner Trapp questioned the baseline needed to operate the jail versus the baseline needed to operate the jail, safely.

Kittleson stated the analysis accounts for staff medical leave and training time away from their posts.

Vice Chairman Phillips commented that the average stay for an inmate was approximately 16 days on average, and questioned the average stay for those potentially eligible for electronic monitoring.

Wheaton Casey, Court Services Manager, stated the average stay for eligible inmates was 10-11 days.

Vice Chairman Phillips questioned the potential savings to the County if these individuals could participate in electronic monitoring.

Sheriff Barnes reviewed the statistics of thirty-two (32) inmates who potentially qualify for electronic monitoring. He stated that the list shows inmates who are incarcerated for charges more serious than non-support, and several may have Mental Health issues.

Commissioner Coleman clarified that Electronic Monitoring would require specific qualifications. She noted that the Jail Population Committee also recommended additional funding for Mental Health care.

Sheriff Barnes noted that the Jail Population Committee recommendations made it clear that there are significant Mental Health issues in the jail, and as result, administration would be best served to placing emphasis on Mental Health, and Mental Health screening and follow-up versus electronic monitoring.

Commissioner Coleman commented that she hoped the Board would consider reviewing and accomplishing both goals versus targeting one or the other.

Commissioner Cashion expressed her support of the Sheriff's comments regarding the Mental Health needs of inmates.

Major Williamson reviewed the mental health assessments conducted upon entry into the jail. He stated there is a need for more in-depth assessments and follow-up should include connecting inmates with community resources.

Sheriff Barnes stated that there is currently no Mental Health follow-up program.

Commissioner Cashion echoed Barnes' concerns and noted there is a gap in services.

Specialty Court Programs

Judge Susan Burch introduced the topic and reviewed the history and current intake process for Specialty Courts. She noted that there are six courts, with three in High Point and three in Greensboro. Judge Burch reviewed the treatment model and discussed the compliance expectations of participants enrolled in the program. She noted that participants are tested three times a week and each program conducts regular case management meetings. Judge Burch discussed the relationship between the Specialty Courts and UNC-Greensboro (UNC-G), stating that case managers are not administering mental health or drug court services, but rather coordinating and mandating community resources. Burch reviewed the county's acceptance of fully funding the three court programs as result of defunding by the Administrative Office of the Courts (AOC).

Judge Burch stated that in September 2001, drug courts were implemented, with the County funding the program and the Administrative Office of the Courts (AOC) administering programs. As of October 2011, the State decided to defund the program and terminate employees within 60 days. She reviewed the County contract with UNC-G to administer services at no cost, which included management of funding and employees. Burch noted that this model provided better cost management and human services.

Judge Burch expressed her concerns with the presented budget analysis, stating it included base costs only and only accounted for prisoner #1 when evaluating expenses for additional prisoners. She noted that a more accurate measure would involve spreading total capitalized costs over the total capacity that could be accommodated within the jail.

Judge Burch concluded by reviewing the overall goal of the program which is to determine the underlying causes that fuel criminal behavior, develop resources to reduce or minimize this behavior, and decrease the incidence of arrest.

Chairman Henning shared that he attended the Adult Drug Court and encouraged his fellow commissioners to attend a session.

Commissioner Coleman questioned the Specialty Court referral process.

Judge Burch reviewed the process for enrollment.

Commissioner Cashion thanked Judge Burch and the Specialty Court staff for their efforts.

Carrie Munn, Specialty Courts Manager-UNCG, encouraged the Board to attend a court session and spoke to the benefits of the program.

Scott Fuller, One Step Further, shared that as a provider he has received clients from the program and spoke of its benefits.

Chairman Henning asked for a recommendation from Monarch, in regards to addressing the GAP in services for those individuals leaving the jail.

Court Services Monitoring

Wheaton Casey, Court Services Manager, reviewed the mission and history of the Court Services program within Guilford County, see attached PowerPoint. She reviewed the tasks associated with case management and their internal procedures. Casey discussed the collaborative efforts with the District Attorney's and Judge's offices in order to provide information for each inmate daily.

Chief Superior Court Judge Wendy Enochs, spoke to the benefits of Court Services as a tool for bond reduction and community safety. She stated that the information provided is very critical so judges can make informed decisions. Judge Enochs expressed her enthusiasm at Commissioner Perdue's visit to observe a Specialty Court session and thanked the Board for its funding and support.

Commissioner Cashion echoed Judge Enochs comments regarding Court Services and the assistance they provide in reducing the jail population and ensuring community safety.

Commissioner Perdue spoke to the benefits of Specialty Courts and praised Judge Enochs on the efficiency of her court session. He questioned if everyone was interviewed daily and if there was any value in interviewing those convicted of capital murder charges.

Judge Enochs noted that the interview should be conducted, regardless of charges, especially if the individual is found innocent.

Casey noted that Court Services has discovered several people held in the jail due to misfiled paperwork; a discovery that can be identified during the interview process.

Electronic Monitoring (EM)

Major Williamson, Court Services-Sheriff, reviewed the current program and shared that they have capacity for 30 inmates, however 24 are currently participating. He noted that during the last population assessment 50 individuals could potentially qualify for the program; however their bonds exceeded the requirements.

Major Williamson stated 4 deputies rotate through the EM unit and reviewed the eligibility requirements for the program. He shared that the current program is geared to a targeted population and designed to track offenders in the community versus jail population reduction. Williamson noted that the addition of 5 FTE could result in expanding program monitoring by 44 inmates

Sheriff Barnes reviewed a snap shot of the current inmates in jail and stated the existing program meets the needs of those potentially eligible for electronic monitoring.

Chairman Henning questioned the opportunities for expansion.

Major Williamson reviewed the potential for expansion.

Sheriff Barnes noted that the monitoring program in place is post arraignment. Barnes pointed out that they do not have dedicated staff for EM, but rather pull staff of assignments for a temporary training rotation.

Commissioner Coleman stated that the Jail Population Reduction committee did not recommend supporting Electronic Monitoring under its existing guidelines.

Chairman Henning questioned the recommended positions presented by the Jail Population Committee.

Casey stated that the original proposal recommended additional staff.

Commissioner Coleman stated that the committee recommended reviewing the existing Inmate Welfare fund and additional Mental Health personnel.

County Attorney Mark Payne clarified that the Jail Population Reduction Committee presentation discusses expanded criteria such as a Mental Health screening component and expanded program goals that mirror those implemented by the Greensboro Police Department, which has a jail population reduction component, but also emphasizes community involvement and safety. He reiterated that the Sheriff's program is currently focused on community safety.

Williamson stated that the expansion builds based upon the number of days each person remains in the program, and the numbers served will fluctuate.

Commissioner Coleman shared that the committee is working on establishing the criteria for inclusion into an EM expansion program.

Commissioner Trapp stated that there is a larger issue for those that are not eligible because they are homeless or have Mental Health issues. He spoke to the need to collaborate with local non-profits to eliminate homelessness, thereby making more inmates eligible for electronic monitoring. Trapp commended the committee for finding additional gaps in service that need to be addressed.

Commissioner Perdue questioned if the need to address Mental Health issues is greater than a need to expand the Electronic Monitoring program, and would it be more prudent to spend funds addressing Mental Health Services. He requested Wheaton Casey collect a matrix to identify inmates in need of mental health services.

Commissioner Trapp commented that the Mental Health component is a priority for any program.

Commissioner Coleman noted that the budget is available to address Mental Health needs, per the Jail Population Reduction Committee report.

Vice Chairman Phillips stated that if resources are to be allocated, then Mental Health needs should take precedence. He expressed his concerns with expanding the Electronic Monitoring when there was no data to support expansion.

Sheriff Barnes stated that he is not recommending additional staffing; however, noted he was most concerned with the Mental Health screenings in the jail.

Commissioner Coleman requested to hear from the Jail Population Reduction Committee on their review of updated data and to provide a new recommended budget for expanded Electronic Monitoring. She questioned the Court's criteria for evaluating who is potentially eligible for the program.

Judge Burch explained the Superior Court's criteria for Electronic Monitoring recommendations. She noted that recommendations are based upon multiple factors, including multiple failure to appear charges and domestic violence or violent offenders would not be recommended for the program. Burch stated that almost 70% of the population considered would be immediately excluded, and when numbers decrease further when you account for homelessness and Mental Health needs.

Casey questioned if Electronic Monitoring and Mental Health needs could be considered as separately.

Payne requested the committee present a more refined budget with defined criteria for electronic monitoring, mental health assessments and follow-up services.

Commissioner Coleman questioned if the committee could meet again to develop and provide a formal recommendation to the Board, then provide direction to the County Manager and Sheriff.

Lawing recommended the Budget Department included in the conversation, to provide a realistic analysis of costs.

Commissioner Branson questioned if there was Mental Health follow-up for homeless offenders.

Judge Burch stated investment should occur in management prior to the offender entering the criminal justice system.

Commissioner Branson questioned how many times public safety is compromised before follow-up occurs.

Judge Burch reiterated that treatment must occur prior to the crime.

One Step Further Programs

Susan Ayers, Grant Administrator with One Step Further, expressed apologies for the absence of Executive Director Yvonne Johnson. Ayers discussed the origins of their pre-trial program and their role in developing programs that would address future recidivism and behavioral management within Guilford County. She noted that One Step Further has received funding from Guilford County since 2007.

Scott Fuller, with One Step Further, discussed the pre-trial program administered by the agency. He stated that these programs are free to the client and noted that they focused on developing a sense of community around the client through referrals to community agencies and family intervention.

Fuller commented that 81 clients were referred to the program last year, with a 96% completion rate, based upon this community model. He noted that their programs are individualized for each client based upon their needs, and the agency receives referrals from specialty courts, Court Services, District Attorney's office, Department of Public Safety and direct bench referrals from judges.

Fuller stated that the program does not accept clients charged with heinous sexual crimes and molestation, and discussed the success of their employment readiness programs. He attributed the success of their pre-trial programs to Wheaton Casey and the Court Services team.

Commissioner Branson questioned if all referrals were received through Guilford County DA's, judges, etc.

Fuller responded that One Step Further does not accept any walk-ins, and the bulk of referrals were received through Court Services or directly from judges. He noted that the bulk of their clients reside in Greensboro.

Judge Enochs questioned the number of referrals received from Court Services last year.

Fuller stated 12 total referrals were received from Court Services.

Commissioner Phillips thanked the agency for their work and stated the Board continues to struggle with the question of funding the program. He questioned the total number of staff employed by the agency.

Ayers responded 3 FTE employees make up the staff for the pre-trial program, with a total budget of \$106,096. Guilford County responsible for funding \$100,000, and the unit cost for 2014 operations was \$540/client.

Commissioner Phillips questioned the total budget and employees across all One Step Further programs.

Ayers stated there are six (6) total programs with a combined budget of \$881,000. The total staff included eight (8) FTE and three (3) part-time employees.

Fuller thanked the Board for its contributions and support of One Step Further.

There being no further business, the Board adjourned by unanimous consent at 5:28PM.

Paul Henry "Hank" Henning, IV, Chairman

Clerk to Board