

Jail Population Management Subcommittee
of the
Sanford “Sandy” Krasnoff Criminal Justice Council

MEETING AGENDA

MONDAY, December 4, 2017

1:30pm – 3:00pm

-
- | | | |
|------|---|----------------------------------|
| I. | Opening | Judge Calvin Johnson |
| II. | Bond Review Institutionalization Update | Orleans Public Defenders |
| III. | NOPD Arrest Data Analysis | Benjamin Horwitz |
| IV. | Pre-booking Deflection | Corinna Yazbek, Commander Gernon |
| V. | Subcommittee Member Updates | Open to Members |

Criminal Justice Council Jail Population Management Subcommittee Minutes

December 4, 2017

On December 4, the Jail Population Management Subcommittee of the Criminal Justice Council convened at 1:37 pm in the 8th Floor Homeland Security Conference Room in City Hall. The following persons were present/absent:

Jail Population Management Subcommittee

Present:

Criminal Justice Commissioner Calvin Johnson –
Subcommittee Chair
Deputy Chief Paul Noel, New Orleans Police Department
Danny Engelberg, Orleans Public Defenders
Virginia Ryan, Orleans Parish Sherriff's Office
Chris Bowman, District Attorney's Office
Terrie Guerin, Clerk of Court's Office
Jonathan Wisbey, Chief Administrative Office
Al Christophe, Community Representative
Samantha François, Community Representative

Arrived Later:

Director Gary Maynard, Orleans Parish
Sherriff's Office
Judge Camille Buras, Criminal District Court
Councilmember Susan Guidry
Deputy City Attorney Charlene Larche-Mason

Absent:

District Administrator Steve Lassalle,
Probation & Parole
Judge Harry Cantrell, Criminal District Court
Karen Wong, Community Representative

Office of Criminal Justice Coordination

Sarah Schirmer
DuBois Winford
Sai Ramchander
Shelbi Flynn

Presenters

Corinna Yazbek, Vera Institute of Justice
Commander Nicholas Gernon, New Orleans
Police Department
Benjamin Horwitz, New Orleans Police
Department

I. Opening

Commissioner Johnson welcomed everyone and called the meeting to order at 1:37 p.m.

Gary Maynard, Judge Buras, and Councilmember Guidry arrived at 1:40 p.m.

II. Bond Review Institutionalization

Danny Engelberg spoke about the 7-day bond review Criminal District Court order that took effect on November 20th. He explained that the purpose of these bond reviews is to take a “second look” at low risk defendants who remain incarcerated merely for financial reasons. These reviews should take place 7 days from the defendant’s first appearance. The Judges and the District Attorney have signed off on this mechanism but it does not mean anyone will be automatically released, only that their bond amount will be revisited and potentially adjusted.

III. NOPD Arrest Data Analysis

Ben Horwitz, the Director of Analytics for NOPD, presented on arrest trends and practices, focusing on the second and third quarter of 2017.

In June, July, and August NOPD conducted a crime mitigation strategy called “Operation Summer Heat.” This involved officers working overtime to increase law enforcement presence, collaboration with U.S. Marshalls to clear outstanding violent crime warrants, and a city-wide “buy/walk” strategy aimed at drug-related crimes.

The data analysis reflected trends in the type and number of charges, not people arrested. Total charges increased by 5,700 from Q2 to Q3, with most of the increases taking place in 2 categories: “Property, non-violent, w/victim” and “Other, non-violent, no victim.” Since the numbers represent total charges, rather than individual arrests, it is difficult to make any concrete extrapolations based on the data.

Charlene Larche-Mason arrived at 1:51 p.m.

The presentation also highlighted trends in “proactive policing” as indicated by traffic stops, as well as increased proactivity in geographic “hotspots” with high levels of gun violence. Horwitz stated this approach is a research-proven way to fight crime using data analysis.

Councilmember Guidry asked what the traffic stops and hotspot approach resulted in. NOPD did not speak to specific results but noted that crimes such as armed robberies and murder declined during this period.

IV. Pre-Booking Deflection

Commander Nick Gernon of the 8th District and Corinna Yazbek from the Vera Institute of Justice co-presented on the soft launch of Law Enforcement Assisted Diversion (LEAD) in the 8th District. LEAD redirects individuals at risk for arrest due to addiction, mental illness, or trauma to intensive case management and services.

Yazbek began by thanking OCJC, NOPD, NOHD, the City Attorney, OPD, Probation and Parole, City Council, WWAV, MHSD, and EMS for their active participation and noted that the development and soft launch of the program would not have been possible without everyone’s engagement.

Commander Gernon noted that the 8th District is an ideal area for LEAD because, while it is the smallest geographic area, it has the highest concentration of people who could potentially benefit from the program. Historically, his officers only had three response options for responding to low-level, repeat

offenders: do nothing, issue summons, or make an arrest. LEAD gives officers another option to address underlying issues that lead to arrest- an option that may prove effective where others have failed.

The presentation gave an overview of the LEAD model and its goals, highlighting the harm reduction approach that informs case management services, as well as the goal to strengthen relationships between the community and law enforcement. LEAD has been proven effective in reducing arrests by addressing root causes.

The soft launch in the 8th District began November 29th and the program is scheduled to expand with the addition of case management staff next spring. Until the program's official launch next year, "officer referrals" will be used to connect repeat offenders with a social worker before they commit a crime. With the official launch, individuals who would otherwise be arrested on non-violent, municipal offenses will be eligible for diversion through the program. The 8th District is well prepared for the launch, with 57 officers trained in the LEAD model and a Department of Justice-approved policy in place to govern program operations.

Councilmember Guidry noted that there was a presentation on CIT in the Criminal Justice Committee meeting earlier in the day. The primary need for both CIT and LEAD to be successful long term is a crisis stabilization center. Guidry stated that the Subcommittee needs to think about how to make this happen.

A member of the public, Susan Lindsey, asked if the program participants would receive priority access to services. Yazbek responded that LEAD has a non-displacement policy, but the relevant service providers are aware of the program and are expecting referrals. Conversations with MHSD have indicated that their staff is only operating at 50-60% capacity due to a large number of missed appointments, indicating that there is an opportunity to strategize and serve more people.

Dr. François asked how the program is coordinating with service providers and how many new case managers will be hired. Yazbek indicated that the financial provisions are limited, so it will be up to the contracting entity to decide what combination of staff will be most effective.

A member of the public, Janet Hayes, asked how the program will ensure that people remain engaged in the program and go to their appointments. Yazbek noted that the program's approach emphasizes meeting the client where they are and developing a plan according to their goals and needs. A case manager will follow up repeatedly and work to eliminate any barriers, such as transportation, that prevent a person from making an appointment.

Judge Johnson reminded the group to think about the financial costs of continuing to respond to these issues in ways that are inappropriate or inadequate, citing Malcolm Gladwell's "Million-Dollar Murray." If we look at the people we could benefit from this program, we will see that the cost of putting them in jail or a hospital over and over comes close to one million dollars.

Councilmember Guidry asked about the timeline for expansion. Yazbek answered that the official pilot launch is slated for next spring, but expansion beyond the 8th District might take some time. Seattle ran the program for 5 years in the initial district prior to expanding. Sarah Schirmer also noted that funding has been secured for the first year of the pilot, but additional funding will be needed after the first year.

A member of the public, Dr. Peter Scharf, asked how we will sustain this given the current political climate and how we will adapt a model that was developed in Seattle, a city very different from New Orleans. Schirmer pointed out that we cannot rely on federal funding or outside support if we want LEAD to be successful and sustainable. Byrne Sherwood, who is leading the program in the New Orleans Health Department, noted that while Seattle is not like New Orleans, the sites that have implemented LEAD have all tailored the model to the specific needs of their community. New Orleans has the opportunity to utilize and adapt these tools in a way that fits our environment.

Lindsey asked if the program had a specific plan or targets. Commander Gernon responded that the program has a policy and the success of the program will be defined by progress towards the established goals.

V. Subcommittee Member Updates

Al Christophe asked if there were any updates on the use of summons by State Police. Chief Noel responded that there was not much progress and that State Police continue to use state charges. Councilmember Guidry commented that records indicate some use of municipal charges and summons by State Police, so the issue is the frequency of use rather than the absence of use. Chief Noel will speak to Colonel Reeves again about the issue.

A member of the public, Veronica Bard, informed the group that Court Watch NOLA is currently redoing their data collection process. Members were encouraged to contact Court Watch NOLA with any suggested data points to collect.

The meeting concluded at 2:54 p.m.