

Citizen's Advisory Committee Meeting
September 3, 2015
6:00 p.m. – Facility Inspection

- I. ANNUAL INSPECTION: Prior to calling the meeting to order, those present conducted the annual facility inspection.
- II. CALL TO ORDER/ROLL CALL: The meeting was called to order at 7:14 p.m. by Chairman Andrew Kozal. Roll call was taken with a quorum being present.
- III. APPROVAL OF THE MINUTES: Mr. Kozal presented the minutes from the May 7, 2015 meeting. Jane Hibbard made a motion to approve the minutes as written. The motion was seconded. The motion carried unanimously.
- IV. CCNO POPULATION STATISTICS/OPERATIONAL UPDATE: The average daily population in August was 581 or 91 percent of capacity. The day's population was 583 or 91 percent of capacity.

Dir. Dennis stated that the number of people on the electronic monitoring program is rising, but the program is still under capacity. The Toledo Municipal Court has been placing more pretrial offenders onto the CCNO electronic monitoring program as they await their trial. Mr. Kozal questioned whether a study has been completed on how often a person on an electronic monitoring program violates the rules of the program. Dir. Dennis responded that 90 percent of the people sentenced to an electronic monitoring program complete the program. All the people that have been placed pretrial have completed with no violations. Dir. Dennis noted that the pretrial offenders tend to have more restrictions placed on them such as an inclusion zone where they can only travel so far from their home or an exclusion zone where if they go to a certain location or an alarm will sound.

An overcrowding emergency was declared on Friday, August 21 with the doors being closed to Toledo and Williams County. The emergency was lifted at 5:00 p.m. on Friday, August 21. A second closure occurred on Saturday, August 22 with the facility closed to Williams County. This emergency was lifted Monday, August 24 at 8:00 a.m. A third closure occurred on Saturday, August 29 with the doors being closed to Williams County. The emergency was lifted on Monday, August 31 at 9:30 a.m. It was questioned what the police do with people they arrest during an overcrowding emergency. Dir. Dennis responded that Judges have the option to swap a new arrestee for someone currently housed at CCNO. In addition, the Judges review the list of people currently incarcerated and will release some a few days early to open bed space.

Dir. Dennis reported that in May the Board approved changes to the Operating Agreement. Highlights of those changes are:

- Removed language that the non payment of a quarterly invoice would be deemed as a withdrawal by the member. The reasoning for this change was that on rare occasions some members have paid their invoice late.
- The bid limit amount was changed from \$20,000 to \$50,000. The State increased the bid threshold amount.
- Members need to declare their bed allocations by July 31 for the next calendar year. So far for 2015 the bed reallocation process has been put on hold at the request of Toledo. They are still preparing data on the number of beds they project they will need in 2016.
- Implemented a 1.5% interest fee for the late payment of invoices.
- Lucas County and the City of Toledo can send any sentenced inmate to CCNO regardless of the degree of the charge. In addition, both Lucas County and the City of Toledo can house any pretrial misdemeanor or pretrial third, fourth or fifth degree felony inmates. Dir. Dennis explained that the Lucas County Jail is holding pretrial misdemeanants that could be sent to CCNO to free up bed space at the Lucas County Jail. Due to the Federal Court Order at the Lucas County Jail, if beds are not available at the Lucas County Jail those pretrial misdemeanants were being booked then released. This change allows them the flexibility to send them to CCNO.
- CCNO can contract with the State of Ohio, the Federal Government or private non-public entities to house inmates. Dir. Dennis explained that this change was based on the assumption that either Lucas County or the City of Toledo could leave CCNO. This will allow CCNO to fill available beds in an effort to keep CCNO open and prevent layoffs.
- If a municipality is a member, they are financially responsible for inmates sentenced out of the municipal court regardless whether charged under Ohio Revised Code or their own municipal code. Dir. Dennis stated that last fall Mayor Collins ordered the Toledo Police Department to write criminal citations under the ORC rather than Toledo Municipal Code. Mayor Collins then issued a letter to Dir. Dennis informing him that those inmates written under the ORC are the responsibility of Lucas County and thus should be at their expense. Dir. Dennis stated that he read the legal opinion, consulted the CCNO attorney, read the law and then made the change requested by the City of Toledo. The Board did support the billing change made with the exception of Lucas County. After hearing discussion on this issue at several Board meetings, the Board decided to add this language to the Operating Agreement to codify the billing practices that were in effect since the opening of CCNO that each member would pay the incarceration costs regardless of the criminal code written under. This change was made with the dissent of the City of Toledo. The City of Toledo is again protesting this change which has caused the delay in the bed reallocation process.
- The withdrawal of membership requires a three year notice. In the previous Operating Agreement a member needed to inform CCNO of their intent to withdraw by September 15 for the next calendar year. This only provided three months notice to CCNO. The three year notice will allow CCNO to make future plans and solicit other entities that are in need of jail space. Lucas County has given three years notice of their intent to withdraw. However, Dir. Dennis stated that they have not announced how many beds

they are planning to build in their new jail or the jail's location. Dir. Dennis stated he also has not heard what revenue has been collected from the new tax. Dir. Dennis stated that he knows the City of Toledo's financial situation is in dire straights. Dir. Dennis stated that it will be interesting to see, even if they build a 500 bed facility, 100 beds more than the current jail, if more pretrial people are held pending their court date what the impact of an increased number of sentenced people will have on available jail beds and alternatives to incarceration at CCNO. It was questioned what the per diem rate was at the Lucas County Jail. Dir. Dennis responded that the 2013 CCNO per diem rate after credits were issued to the jurisdictions was \$55. According to Lucas County's 2013 Jail Inspection Questionnaire, their per diem rate was \$156.99. Cost wise CCNO is obviously more cost effective.

Dir. Dennis stated that he had a recent meeting talking about addiction and detoxification, looking at available treatment options and referrals in the community. The Board approved funding for consultants to review the process to determine if CCNO is using best practices and if not, to recommend changes to the process. Dir. Dennis stated that a report was run showing the number of inmates placed on a withdrawal hazard since 2000. In 2013 there were 576 inmates that were monitored through their detoxification at CCNO. Dir. Dennis noted that those inmates were the ones that staff identified. Recovery Services staff believe that there are a notable number of inmates that detox at CCNO and for whatever reason deny their use and symptoms.

The CCNO electronic monitoring program recently went through their annual CCA audit. There were eight standards that were applicable to the program. The standard for number of diversions was not met. The grant requested 750 diversions. There were 677 diversions or 90 percent of the goal. To be found compliant on this standard there needed to be a minimum of 713 diversions. Dir. Dennis noted that to be placed on an electronic monitoring program, a Judge's approval is needed.

CCNO's state jail inspection is currently scheduled for October 1 and 2. However, Dir. Dennis recently learned that the jail inspector assigned to CCNO is no longer our jail inspector. The inspection date may be rescheduled.

Dir. Dennis has been working with the Four County ADAMhs Board to partner with CCNO's current substance abuse programs provided by Recovery Services of Northwest Ohio and some other organizations to start a Vivitrol program in the four county area and Lucas County. Lucas County already has a Vivitrol program. Vivitrol is a neuroblocker that blocks the body's ability to absorb heroin. Dir. Dennis stated that after an inmate is detoxed they would be put into treatment and then prior to their release they could receive a Vivitrol shot. A statement was made that the Vivitrol shot needs to be administered every 30 days and is quite costly. Dir. Dennis responded that the Four County ADAMhs Board has some funding for the this.

V. LUCAS COUNTY JAIL PROJECT UPDATE: This item was discussed under the operational update.

VI. CURRENT ISSUES:

Inspection results:

Areas DF, DM, E and J1. The return air ducts need to be cleaned in DF. In talking with the inmates, they requested that fewer baloney sandwiches be served. The employees in the units were very knowledgeable and informative. The new security control screens in the units were also impressive. The Unit Officers informed them about the computerizing of the movement log and eventually the unit log.

J2, L1, K1 and K2. The units looked good; floors and bathrooms were clean. Thought the addition of cameras and their placement was appropriate. The video visitation system was quite interesting and impressive. Dir. Dennis noted that visitors can now visit from their home computer versus coming to CCNO's lobby. Dir. Dennis stated that Securus will be releasing a new app for smart phones that will allow visits to be held on tablets and smart phones.

Medical, Program Area, Library, Food Service and Laundry. Jane stated that she was really impressed with the medical area. The new storage and commissary area was very organized. Jane questioned whether the commissary sales provide a lot of revenue. Dir. Dennis responded that it does provide revenue, but that revenue has to be used to purchase items for the inmates. Items that the commissary revenue is used for is recreation, GED program, vocational programs, library, inmate clothing, etc. Ohio law specifies what inmate commissary funds can be spent on. Also toured Dir. Sullivan's new office and saw the administration office area. All the area reorganization changes made over the past year were very well done.

Intake, B, C, M1 and M2. Karen stated that she was impressed that every person being brought into CCNO meets with the nurse for a medical intake screening. The nurse also has the authority to refuse admission if the person has immediate medical concerns that need emergency room care. Dir. Dennis noted that an example of this would be if the person was involved in a car accident prior to their arrest. The addition of cameras and the new security monitors were impressive. It was questioned how often an Officer requests back up. Dir. Dennis responded that it does not happen that frequently, but when assistance is needed additional staff response time averages less than 30 seconds.

There being nothing further, the meeting was adjourned at 7:50 p.m.