

Citizen's Advisory Committee Meeting
November 5, 2015
7:00 p.m.

- I. CALL TO ORDER/ROLL CALL: The meeting was called to order at 7:02 p.m. by Vice Chairman Bill Sanford. Roll call was taken with a quorum being present.
- II. APPROVAL OF THE MINUTES: Mr. Kozal presented the minutes from the September 3, 2015 meeting. Tim Coll made a motion to approve the minutes as written. The motion was seconded by Paul Arruda. The motion carried unanimously.
- III. CCNO POPULATION STATISTICS/OPERATIONAL UPDATE: Dir. Dennis reviewed each jurisdiction's October bed usage. An overcrowding emergency was declared on October 24 with the doors being closed to Lucas County. The next day Williams County exceeded their bed allocation and they were added to the overcrowding emergency. The emergency was lifted on October 26.

Dir. Dennis reviewed the statistics from the electronic monitoring, work release, HITT and community public works programs.

It was questioned what the target operating population is for CCNO. Dir. Dennis responded between 85 to 90 percent of capacity. That provides a cushion for inmates being moved up and down in security due to their behavior. Dir. Dennis explained an overcrowding emergency is declared when the population reaches or exceeds 606. Dir. Dennis stated that when the population reaches 574 or 90 percent of capacity, the administrative release policy is implemented. This is an internal policy, not a state law. When CCNO opened it was the desire of the jurisdictions to prevent overcrowding which was the impetus of drafting the administrative release policy. When the overall population of CCNO reaches 90 percent of capacity, each jurisdiction that is over 90 percent of their bed allocation receives an administrative release request for those eligible inmates from their jurisdictions. To be eligible, an inmate has to have served 60 percent of their sentence if they are a non-violent misdemeanor, 75 percent of their sentence if they are a violent misdemeanor or non-violent felon. Violent felony offenses are not eligible for an administrative release. The sentencing judge has the final say whether an inmate is released. When the population rises to 95 percent of capacity, or 606 inmates, the administrative release policy states that inmates will not be accepted from those jurisdictions utilizing over 95 percent of their bed allotment. This policy is unique in correctional facilities. It was questioned what Lucas County does when CCNO is closed to them. Dir. Dennis responded that if a sentenced inmate goes to the Lucas County Jail to come to CCNO they are told to go home and contact their sentencing Judge on the next business day for a new report date. It was questioned whether CCNO accepts pretrial inmates from Lucas County. Dir. Dennis responded that we do accept them, but we do not receive many pretrial inmates. It was questioned whether Lucas County checks with CCNO prior to placing someone on the bus if

they will be accepted. Dir. Dennis responded that if CCNO has declared an overcrowding emergency the Lucas County Booking Department is notified so that no inmates are transported to CCNO. Dir. Dennis stated that Courts can do a "one-for-one swap" of inmates. If an arresting agency or court has a defendant that they need to be incarcerated they are allowed to bring in that defendant if they release a current inmate. Dir. Dennis noted that the Judges in Defiance County will send inmates to Putnam County when an overcrowding emergency has been declared.

The average daily population in September was 597 or 94 percent of capacity. The average daily population in October was 585 or 92 percent of capacity. The day's population was 595 or 93 percent of capacity.

On this day there were 106 inmates on electronic monitoring, GPS or TAD. There were 24 on electronic monitoring, 54 on GPS and 28 on TAD.

A test of CCNO's emergency notification system was completed on September 17. Eighty-three calls were placed to the neighbors living within five miles of CCNO using an Internet based service. 98% of the calls were received by a neighbor or their answering machine within five minutes of the call being placed.

The 2016 operational, capital and electronic monitoring fund budgets were approved at the October CCNO Board meeting. Discussion was held regarding the reserve account balance during the October Board meeting also. The reserve account balance will be discussed again during the December Board meeting. Dir. Dennis noted that Federal guidelines suggest that 15 percent of an agency's operational budget be set aside in a reserve account. However, in the 25 years of CCNO's operation, there has never been a reserve account for the operational account. The reasoning behind this decision was that each jurisdiction was expected to pay their invoice on time which each jurisdiction did. There was a reserve account to cover the first two payrolls of each year in case of late payments, but the Operating Agreement specifies that this reserve account be utilized for the payout of earned but unused vacation leave, sick leave, and compensatory time upon an employee's resignation, termination, layoff, or retirement. This reserve account currently has a balance of \$620,000. The Board has decided to increase the balance of this account. The point of discussion is the amount of the contribution and over what period of time.

Dir. Dennis reported that the City of Toledo has committed to making the remainder of their fourth quarter payment by December 10, 2015. The amount due is approximately \$299,000. Dir. Dennis noted that this is the first time a partial payment has been received from a jurisdiction. It was questioned whether the City of Toledo would be charged interest on the late payment. Dir. Dennis responded that they would be charged interest on the past due amount.

Dir. Dennis stated that two representatives from the Ohio Department of Rehabilitation and Corrections (ODRC) toured CCNO yesterday. Dir. Dennis reported that he has been talking with the ODRC on the possibility of the ODRC

contracting for beds with CCNO. The ODRC is interested in possibility housing post release control (PRC) inmates at CCNO. The Director of the ODRC has publicly made comments that it is difficult to receive short term inmates, those with sentences less than 120 days, into the prison system. In the ODRC Director's opinion it would be much simpler for the ODRC if sentencing judges would not do that. The ODRC is interested in placing PRC inmates somewhere other than prison and came to CCNO to discuss this possibility of housing PRC inmates at CCNO.

The CCNO Board also approved a technical assistance request to contract with the National Commission of Correctional Health Care (NCCHC). The NCCHC will review current practices dealing with inmates detoxing from opiates, programming at CCNO and aftercare programming. This discussion began approximately one year ago after an inmate died while going through heroin withdrawal due to an unknown heart problem. Dir. Dennis noted that since the year 2000 over 3,500 inmates have detoxed from alcohol or drugs while at CCNO.

Recovery Services of Northwest Ohio, the clinical programming provider at CCNO, applied for a grant with the Department of Mental Health through the local ADAMHS Board. They were awarded \$150,000 to begin a Vivitrol program for four county inmates. Lucas County already received funding for a Vivitrol program for Lucas County inmates.

Champions for Life, a faith based group provided a special daylong event on November 14. This is a yearly event.

Leaks were discovered in the hot water line that goes to M Building. The line is the original line which has been in use for 25 years. An estimate for repairs was received and an emergency purchase approved for this repair. However, it was soon discovered that there were additional leaks throughout the line. It was then decided to replace the entire line which included relocating the line due to the line being placed underneath a concrete cap along the edge of the building during construction.

IV. CURRENT ISSUES:

It was questioned whether the City of Toledo will pay their quarterly invoices in 2016. Dir. Dennis responded that he believes they will pay their quarterly invoices. Dir. Dennis explained that the issue for the City of Toledo on this fourth quarter invoice was they allocated funds based on projected credits from CCNO. Those credits did not come through partly because of the dispute between Lucas County and the City of Toledo on who is responsible for the cost of inmates sentenced from the Toledo Municipal Court.

A question was asked to what Dir. Dennis attributes the increased jail population over the recent months. Dir. Dennis responded that he does not have an answer. He stated that arrests and convictions drive the population; CCNO does

not control who comes to jail. It was questioned whether House Bill 86 and Senate Bill 3 affected the population. Dir. Dennis responded that there are more diversions than ever but he believes they are all underutilized.

It was questioned whether the City of Toledo made a commitment on the number of beds for 2016. Dir. Dennis responded that as far as the CCNO Board is concerned the City of Toledo is committed to the numbers of beds they are obligated for under the Operating Agreement. The City of Toledo does not want that many beds as they believe that Lucas County is statutorily responsible for the payment for those inmates serving sentences under the Ohio Revised Code. The City of Toledo is willing to pay for those inmates sentenced under the Toledo Municipal Code.

It was questioned why the City of Toledo requested an audit of CCNO. Dir. Dennis responded that it relates to the overage billings that were invoiced to Lucas County but have not been paid. Dir. Dennis explained that Lucas County has been invoiced over \$1 million in bed overutilization charges. It is Lucas County's position that they are not responsible for those charges as they were the result of the Ohio Revised Code inmates sentenced by the Toledo Municipal Court. Lucas County has informed the Board that they do not intend to pay those invoices.

A status on the new Lucas County Jail was requested. Dir. Dennis responded that he has heard no new information on that project. Tom McCarter stated that there are internal issues between Lucas County and the City of Toledo on how the new jail will be funded. Those issues need resolved for the new jail to go forward.

- V. ELECTION OF OFFICERS: Dir. Dennis reported that when Chairman Kozal called to let him know he was unable to attend due to illness, he asked him if he was willing to serve another year as Chairman. Mr. Kozal responded that he would if requested. Mr. McCarter questioned when his membership term expired. Dir. Dennis reviewed the list with the members present. Dir. Dennis stated that he would contact the County Commissioners to request reappointments for expired terms. A motion was made to keep the same slate of officers. The motion was seconded. Motion passed unanimously.

There being nothing further, the meeting was adjourned at 7:46 p.m.