

BOONE COUNTY JUDICIAL AND LAW ENFORCEMENT TASK FORCE

Meeting Summary

November 20, 2019

Boone County Government Center

Attendees: Bob Aulgur, Kelli Canada, Jake Clifford, Mary Epping, Keith Hoskins, Penny Kuhns-Knarr, Gary Oxenhandler, Jean Sax, Steven A. Smith, Janet Thompson, Rusty Antel

The topic of discussion was to review the recommendations or points of study from Judge Gary Oxenhandler's 2017 study of the Boone County Jail. The 21 points of study are included at the end of this summary and are addressed below. For the full report, please visit

<https://www.showmeboone.com/commission/jletf/2017-04-13BOONECOUNTYJAILPOPULATIONSTUDYBYGARYOXENHANDLER.pdf>:

1. Boone County Auditor June Pitchford has been a regular participant in the Criminal Justice Administration Coordination Committee.
2. Boone County Board of Jail Visitors chair Chris Braddock has been invited to attend the Criminal Justice Administration Coordination Committee.
3. Adult Court Services bond investigation reports have been fast-tracked to the court for consideration and ruling.
4. Administration for Department of Corrections video dockets has been transferred from ACS to the court administrator's staff.
5. Misdemeanor pre-trial jail detainees are reviewed bi-weekly by court administration.
6. The Supreme Court of Missouri will be adopting a pre-trial release screening tool. ACS is reviewing the possible tools now to determine possible impacts on their workload. Supreme Court Rule 33 pertaining to pre-trial release took effect July 1, 2019 and has been implemented by the court. Detainees who cannot post bond are arraigned on the first available court date after arrest and matters pertaining to bond can be discussed at that time.
7. All pre-trial detainees who are not released have a hearing within seven (7) days of their initial court appearance where matters pertaining to bond are again addressed.
8. There are more pre-trial detainees on home detention and fewer on home detention who are serving sentences.
9. The local Public Defender is participating in a pilot project to provide court date notification to clients via text message. ACS reminds clients under pre-trial supervision of their court date and clients may sign up for "Track this Case" on Case.net.
10. ACS has experimented with starting the bond investigation process prior to the first court appearance in the past, but this did not provide any useful time savings as many bonded prior to their arraignment.
11. Home detention participants are reported separately from those in jail custody on the weekly report that is done every Thursday.
12. Triple bunking and additional beds has increased the available bed space at the jail from 210 to 246. The optimum population is 220. No further triple bunking can be done.

13. The prosecuting attorney's office files a Motion To Set Bond when a new case is initiated on a person in custody. Although in some contexts this could be viewed as an ex parte contact with the court, this process has been approved by the Missouri Supreme Court.
14. Processing felony cases through associate circuit court more quickly has been difficult to accomplish, but information is provided to the judges to make decisions regarding additional continuances.
15. The bond status of every detainee is reviewed at the hearing seven days after arraignment and can be reviewed by the court upon request of the defendant, the prosecuting attorney or on the court's own motion.
16. From anecdotal evidence, many of those persons arrested on non-violent misdemeanors are released on a summons without having to post bond. There is no central data base that tracks this information.
17. A proposal to release arrestees charged with driving while intoxicated first offense will be presented to the Criminal Justice Administration Coordination Committee in early 2020.
18. Proposition L funds to house jail detainees in other facilities is currently at or exceeding the budget. The drop in sales tax revenues that has impacted all of county government spending has impacted Proposition L funds.
19. Reality House is not presently able to house any additional jail detainees. Housing additional detainees would require an expensive expansion which cannot currently be funded.
20. We could do more to make all law enforcement agencies aware that the decision to arrest and require bond to be posted or to release on a summons impacts our jail populations.
21. The jail recently upgraded the jail management software. Because of privacy and confidentiality concerns that information cannot be shared. Substantial information pertaining to current jail detainees is available on the sheriff's department website.

SUMMARY OF POINTS OF STUDY
FROM JUDGE OXENHANDLER'S 2017 JAIL STUDY

1. Add Boone County Auditor June Pitchford to the Criminal Justice Administration Coordination Committee.
2. Add Board of Jail Visitors Chair Chris Braddock to the Criminal Justice Administration Coordination Committee.
3. Fast tracking of Adult Court Services reports to judges.
4. Transfer responsibility for administration from ACS for DOC video dockets to some other office.
5. Bi-weekly review of non-violent detainees by ACS.
6. Follow Missouri Supreme Court directives on risk assessment of pre-trial detainees. (Note that new Supreme Court Rule 33 took effect July 1, 2019).
7. Creation of a protocol to allow reconsideration of pre-trial detainees for placement in a less restricted environment.
8. Increased use of home detention for both pre-trial detainees and those serving sentences.
9. Notifying pre-trial defendants under court services supervision including those on GPS monitoring of their upcoming court date(s).
10. A process to start bond investigations on newly arrested detainees prior to the first court appearance when the court would order a bond investigation.
11. Not reporting home detention statistics as part of the total of those in custody.
12. Expansion of triple bunking arrangements in the jail.
13. Limitation on input from the prosecuting attorney's office as to bond setting after a case is filed where the defendant has no opportunity for input.
14. Processing felony cases where the defendant is detained more quickly through associate circuit court.
15. Creation of a group to regularly review the bond status of every jail detainee who has changes in circumstances that would warrant reconsideration for release.
16. Using summonses for non-violent misdemeanors and non-violent felony offenses.
17. Releasing driving while intoxicated first offense arrestees on a summons after booking and processing.
18. Preserving Proposition L funds for housing detainees in facilities outside the jail.
19. Expansion of Reality House to house additional detainees.
20. Emphasizing to all law enforcement agencies of the significant role that their discretion on arrest vs. summons impacts our jail population.
21. Creation of software that would allow computer access to jail detainee information and costs.