

# CRIMINAL JUSTICE SERVICES



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## 2020 REPORT TO THE COMMUNITY



Lewis and Clark County  
Law and Justice Center  
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# OVERVIEW

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In November 2017, the citizens of Lewis and Clark County showed their support for system-wide criminal justice reform when they voted in favor a comprehensive, 15-year, operational levy. Specifically, the “Jail Diversion and Risk Prevention” budget presented to the community ensured funding to support Early Intervention, Mental Health, Pretrial Services, a Volunteer Programs Coordinator, and Stability Funding. Going one step further, to ensure community voice and transparency, the Criminal Justice Services (CJS) Department was established in December 2017. CJS was formed as a stand-alone department reporting directly to the County’s Chief Administrative Officer and receiving its strategic plan from the multi-disciplinary, 13-member Criminal Justice Coordinating Council (CJCC). CJS shares its mission with the CJCC, and the CJCC’s advisory arm: the Citizen’s Advisory Committee (CAC). The mission is clear and was crafted with two main points:

1) To promote the safety of the citizens of Lewis and Clark County, the efficient and just treatment of defendants and offenders, the protection and healing of victims, and 2) to work toward prevention of crime and the reduction and recidivism.

# COMMITTEES

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## **Criminal Justice Coordinating Council**

Lewis and Clark County is one of only 30 CJCCs, from across the United States, invited to sit on the National Network of Criminal Justice Coordinating Councils. Our County CJCC was created in 2012 as an advisory council to the Board of County Commissioners. Comprised of 13 leaders in the criminal justice system, the CJCC identifies strengths and deficiencies in the system; raises public awareness of the unique needs of the system; coordinates efforts; and formulates policy, plans and programming to improve the system through a comprehensive strategic plan provided to Criminal Justice Services for implementation.



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## **Citizens Advisory Committee**

The CAC is the CJCC's working and advisory committee. Members of the CAC are appointed by the CJCC. The CAC meets monthly to review progress on the strategic plan, hear updates from their work groups, and discuss data and trends for further attention. 2020 will be devoted to creating a fresh strategic plan for recommendation to the CJCC in 2021.

# HIGHLIGHTS BY DIVISION

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## **Pretrial Services**

The Pretrial Services Program (PSP) was launched in May 2018, as an effort to reduce the number of individuals waiting in the Detention Center prior to their sentencing. PSP utilizes a validated assessment tool to determine the likelihood a defendant will go to their court hearings and their potential for new arrests prior to their court hearing. The tool, called a Public Safety Assessment (PSA), is created by the State of Montana Supreme Court Office. A PSA is written for each eligible defendant booked into the Lewis and Clark County Detention Center and copies are provided to the presiding judicial officer, County Attorney's Office, and Public Defender's Office. The Judicial Officer may choose to use the PSA in determining bond conditions. **Pretrial Services is one form of bond.**

### *Defendants assigned to PSP*

In 2019, all Pretrial Officers and support staff (even the Director) become Certified Pretrial Services Professionals (CPSP) through the National Association of Pretrial Services Agencies (NAPSA). In July, NAPSA compliant Standard Operating Procedures were completed and adopted. In October, with the value of the Pretrial Services Program noted by Justice Court, Municipal Court, and District Court Judges, the number of defendants assigned to the Program grew to an average of 375 on any given day. Two additional Pretrial Officers were hired, resulting in a team of four Officers to work with defendants, in the community, while the defendants wait the three to nine months for their court date. Housing a defendant in the Detention Center while they wait for their court date costs the County \$120 per day per defendant. With 375 defendants in the program, that is a **cost savings of \$45,000 per day**. Plus, once in the program, the defendants receive court date reminders, referrals to community services, and opportunities to address behavioral health needs which reduces recidivism and helps keep the community safer. Also, in October, the first ever Montana Law Enforcement Academy POST Training for Pretrial Officers was conducted - and our two new officers attended and graduated. Lewis and Clark County CJS worked with the State Supreme Court's Office of Court Administrator and pretrial programs from across the State to develop the comprehensive curriculum.

## **Early Intervention**

In 2019, United Way of the Lewis and Clark Area completed a comprehensive report outlining best practices for stopping the familial cycle of criminal justice involvement. In 2020, the report, including baseline data and research proven programs for system-involved families with children ages 0-3, will become implemented programming through a collaborative partnership between CJS and Lewis and Clark Public Health.

## **Detention Center Behavioral Health Team**

After much research, Lewis and Clark County decided to no longer contract out for behavioral health services in the Detention Center, effective December 2019. Working in collaboration with the Sheriff's Office and behavioral health experts, CJS has designed a ten-hour per day, seven-day per week behavioral health staffing plan for the Detention Center consisting of two therapists and one case manager.

## **Bridges MAT Initiative**

Lewis and Clark County was one of 16 counties from across the United States selected for the Building Bridges Between Jails and Community-Based Treatment for Opioid Use Disorder initiative. The County formed a five-person team to work on this initiative: Commissioner Andy Hunthausen, Detention Center Captain Alan Hughes, Detention Center Registered Nurse Samantha Pierson-Hartwig, PureView Health Behavioral Health Supervisor Benjamin McGaugh, and CJS Director Kellie McBride. With an eye on community safety and reducing recidivism, the team received specialized coaching on how to best address opioid disorder with individuals involved in the criminal justice system. We will keep the community posted as we continue implementing what we've learned in 2020!

## **Volunteer Programs Coordinator**

CJS staff continue to research and collaborate on a Volunteer Programs Coordinator position. The VPC will be responsible for coordinating programs, led by community volunteers, in the Detention Center to include, but not be limited to: recovery groups, continuing education, resume writing and interview skills classes, self help groups, book clubs, and more. Volunteer led services provided in detention centers set defendants up for success upon their release. Success means a reduction in crime, a safer community, and a reduction in the Detention Center's census.

## **Stability Funding**

The County continues to set aside stability funding to ensure the lights are kept on and the doors kept open to vital behavioral health services that help those involved in the criminal justice system.

## Data

In March 2019, the Justice Management Institute shared findings about the data systems used in Lewis and Clark County's criminal justice system. JMI outlined 18 different data systems used, with none linked to each other. This makes accessing data a cumbersome and labor-intensive endeavor. With JMI's report, findings, and direction, CJS prepared and issued a Request for Proposals (RFP) to contract with a Data Project Manager at the start of 2020 to work on integrating these systems.

# SPOTLIGHT ON PASS PROGRAM

## Behavioral Health and The Stepping Up Initiative

In Spring 2019, a defendant assigned to the Pretrial Services Program, "Ross," appeared before Municipal Court Judge Peterson on his charges. Ross is 62 years old and suffers from schizophrenia. He has been involved in the Lewis and Clark County justice system for decades. He receives \$800 a month from Social Security and typically experiences homelessness. His crimes are misdemeanors. His most recent charge was walking out on a \$7 bill at a local cafe. Ross is typical of the approximately 17% of individuals diagnosed with serious disabling mental illness (SDMI) in the Lewis and Clark County justice system. Their crimes are usually minor. Found guilty, they are unable to follow their court orders and a warrant is issued for their arrest. The next time police are called to address a situation with the individual, the warrant is identified, and law enforcement is required to make an arrest. The cycle continues. Judge Peterson had a different idea when she met Ross. She reviewed his case and met with his Pretrial Officer. She found Ross guilty of his charge, and rather than condemning him to failure, she suggested an alternative. The fine for Ross's crime was over \$500, and it was known he would not pay. While the Court was willing to set up a payment plan, the concept of budgeting and making scheduled payments was beyond Ross's abilities. Another option available for individuals with fines is to sign up for "Community Service." Individuals in the Community Service program can work for local non-profit agencies, with each hour worked counting toward \$10 of their fine. Again, this would not be an option for Ross. He would not be able to maintain a schedule for work hours and would struggle to find a nonprofit that would accept him as a volunteer. In collaboration with Judge Peterson, CJS gave Ross a third option, creating the Post Adjudication Successful Supervision Program (PASS). He could access mental health care with every hour in care counting toward \$10 of his fine. If he chose the mental health option, Judge Peterson asked CJS to monitor his compliance, even counting meetings with CJS staff toward the mental health care time. Ross is not the only person suffering with a diagnosed SDMI in the Lewis and Clark County justice system. Since implementing the opportunity, over 10 other misdemeanor offenders with diagnosed SDMI have been provided the same option by Judge Peterson and CJS. The PASS Program is just one way CJS works with partners in the criminal justice system to find and implement solutions.