

Lebanon County Criminal Justice Advisory Board
Minutes of the Meeting of February 18, 2020

Time: 11:00 a.m.

Place: Second Floor Conference Room, MH/ID/EI, 220 East Lehman St., Lebanon

Present

Sally A. Barry, Director of Probation Services and Acting CJAB Chair; Honorable John C. Tylwalk, President Judge, Court of Common Pleas; Erin Moyer, Director of Children and Youth; Jamie Wolgemuth, County Administrator; Robert J. Phillips, County Commissioner; Stephanie Axarlis, Court Administrator; Pier Hess Graf; District Attorney; Matthew Rys, Drug and Alcohol Commission; Karen Hess, Director of Domestic Relations; Melissa Herr, MH/ID/EI; Daniel Wright, Police Chiefs Representative; Brian L. Deiderick, Chief Public Defender; Bradley Seyfert, Sheriff's Office; Robert Karnes, LCCF Warden; Carla Cyr, Veterans Justice Outreach; Kim Mackey, PCCD Regional Representative; and, John P. Shott, CJAB Planner.

Absent

Acting CJAB Chair Sally Barry called the meeting to order at 11:00 a.m. *Presence of a quorum noted.*

Following proxies for Core Members noted for the record: Bradley Seyfert for Sheriff Klingler; Melissa Herr for Holly Leahy, Director of MH/ID/EI; Matthew Rys for James Donmoyer, Director of Drug and Alcohol Commission.

Minutes of 10/15/2019 CJAB Meeting—Approved on a motion by President Judge Tylwalk, seconded by Warden Karnes.

Minutes of 12/10/19 CJAB Meeting—Approved on a motion by President Judge Tylwalk, seconded by Commissioner Phillips.

Ms. Barry welcomed new CJAB member Pier Hess Graf, Lebanon County District Attorney.

At Ms. Barry's request, Mr. Shott presided over the election of CJAB officers for 2020. New officers are needed since David Arnold, former CJAB Chair and District Attorney, is now a member of the PA State Senate; and, Sally Barry, Acting CJAB Chair, is leaving her position as Director of Probation Services to join the staff at PCCD. Ms. Barry moved, and Commissioner Phillips seconded the motion, that District Attorney Pier Hess Graf be elected CJAB Chair for 2020. No other nominations were received, and the members approved the election of Ms. Hess Graf. Ms. Barry moved, and Commission Phillips seconded the motion, that Holly Leahy, Director of MH/ID/EI, be elected CJAB Vice Chair for 2020. No other nominations were received, and the members approved the election of Ms. Leahy.

Ms. Hess Graf presided over the remainder of the meeting.

On a motion by Mr. Wolgemuth, seconded by Warden Karnes, the members approved the following CJAB meeting dates for 2020: Feb. 18, April 14, June 9, August 11, October 13, and December 8.

REPORTS OF STANDING COMMITTEES

- **D.U.I. Court**—President Judge Tylwalk thanked Sally Barry for her years of outstanding leadership as Director of Probation Services. He and the other members wished Sally well in her new position with PCCD. Ms. Barry thanked everyone and paid tribute to the staff at Probation Services for their hard work and professionalism. At present, 47 offenders are participating in the DUI Court program, with one offender to be added on Feb. 19. APO Stephanie Rodriguez, who has been supervising offenders in the program, is leaving her position with Probation Services.
- **Renaissance-Crossroads**—Current census is 14, including 11 long-term and three short-term. Legislation signed into law by the Governor in December effectively ends County and State Intermediate Punishment in the Commonwealth. Alternatives to incarceration are now classified as Restrictive Conditions of Probation. This does not mean an end to IP-related programs, such as Renaissance-Crossroads. The Governor’s proposed budget for FY 2020-2021 provides level funding for IP programs. However, compliance with the provisions of the new statutes will impact PCCD’s ability to award a new round of funding prior to the end of the current grant cycle on June 30, 2020. To lessen any financial hardships on counties, reimbursements for costs incurred prior to the award of FY 2020-2021 funding will be retroactive to July 1, 2020.
- **Prison Reduction**—Warden Karnes reported that the Average Daily Population (ADP) for January was 440. Average ADP for 2019 was 486. The average length of stay is 55 days, with the per diem cost per inmate at \$74.72. Additional expenses at the LCCF, most notably the County’s contract with PrimeCare to provide medical services, has driven up the daily cost per inmate. The ADP on February 14th was 417. The fact that the ADP is remaining under 500 on a consistent basis is evidence that the various alternatives to incarceration are having the intended effect. Ms. Barry noted that the caseload of offenders on electronic monitoring/home confinement is also on the upswing.
- **Mental Health**—Number of suicides in 2019 was 19. Demographic breakdown: average age of victim was 48, with an age range of 18 to 90; 15 males, four females; four veterans; 16 white, one Hispanic, one black, one Asian; most victims died by gunfire. Kasey Felty of the MH/ID/EI staff continues to explore options for making “Adult CASSP” more effective; she recently observed Lehigh County’s system. Interest remains strong in embracing the Stepping Up Initiative, a nationwide movement focused on reducing the number of inmates with mental-health issues. Lebanon County has not been selected as a site to hold a Sequential Intercept Mapping (SIM) Workshop in 2020. MH/ID/EI had submitted an application to SAMHSA’s GAINS Center in December to host a SIM workshop, which brings various parties together to develop a map charting how those with behavioral-health needs advance through the criminal-justice system.
- **Veterans’ Court**—At present, 16 offenders are participating in the program. The number of participants has been higher than anticipated since the program’s inception in January 2019. Good collaborative effort to identify potential candidates for the program. One item to emphasis is that the program is still in need of volunteer mentors; anyone interested in serving in this role should contact Michael Chabitnoy of Mid-Penn Legal Services. Anthony Frost, a veteran and probation officer who had been supervising offenders in the program, left the staff of Probation Services at the beginning of the year. The APO currently supervising participants is not a veteran.

CJAB DEPARTMENTS: REPORTS AND ISSUES OF INTEREST

Day Reporting Center—Number of participants as of 2/6/20 is 48. Some participants in the DUI Court have also been referred to the DRC

Vivitrol Project at the LCCF—At present, 21 inmates (13 women, nine men) are participating in the Vivitrol Coordination Program at the LCCF. They have not received injections; rather, the participants are still involved in the education/counseling component. The RASE Project coordinates the program, though PrimeCare administers the actual vivitrol injections. Some difficulty determining release dates and getting injections scheduled prior to that time. After an inmate is released, follow-up (‘warm hand-off’) counseling and injections are coordinated by Mr. Ed Martin of the RASE Project. The County will eventually have to find new funding sources to pay for the injections.

Pretrial Diversion/Treatment Program—A small number of offenders are currently participating in pretrial diversion. Probation Services not working actively to identify potential candidates for the program due to staff vacancies.

Offender Reentry Coalition—Mr. Sam Ortiz, formerly the Offender Reentry Coordinator, has been named Administrator of Community Action Partnership, replacing the recently retired Phyllis Holtry. The County has posted the Reentry Coordinator’s position. This is a part-time position 15 hours per week, at a salary range of \$15.19 per hour. The person in this position will be on the staff at Community Action Partnership and be under the supervision of Mr. Ortiz.

Heroin Task Force—Task Force met on January 9th. Next date is slated for March 12th.

Other Updates from CJAB Departments—In the ongoing effort to assist offenders who are integrating back into the community, plans are in the offing for a Job Fair for returning citizens, to be held in late May at the Lebanon Fair Grounds. This effort is being coordinated by the Lebanon Valley Chamber of Commerce and PA Careerlink Lebanon. Also, on March 25th, the Careerlink Lebanon Office is hosting an informational session about expunging and sealing criminal records. Reentry and legal professionals will be on hand to discuss these matters with anyone with a criminal record. This is in recognition that expunging and sealing records reduces the impact that past mistakes have on the ability of ex-offenders to find gainful employment and enhance their future.

ITEMS FROM PREVIOUS MEETING

- **CJAB Bylaws**—Issue had been raised at previous meetings about possible amendment to bylaws redefining a quorum for purposes of conducting official business. Bylaws define a quorum as half the core membership plus one, meaning that nine core members must be physically present. Proxies do count as core members. Consensus of the Board was that no changes to the bylaws be proposed at this time and that a quorum can be achieved if members designate a proxy if they are unable to attend.
- **End-of-Year Report on CJAB Strategic Plan**—Mr. Shott had emailed the document at the beginning of the year, providing an update on progress made on achieving elements of the plan. No official action needed.

- **Approval of Intermediate Punishment (IP) Plan for 2020-21**—PCCD recommends that counties continue to update their plans despite the statutory changes to IP discussed earlier. In the past, updated plans had to be included with IP grant applications. Mr. Deiderick moved, and Ms. Barry seconded the motion, that the IP Plan for 2020-2021 be approved, while authorizing Mr. Shott to make all necessary updates and changes required by PCCD as part of the application process for continued grant funding. Motion carried.

NEW BUSINESS

Byrne Justice Assistance Grant (JAG) Funding currently available through PCCD. Local units of government and private non-profit entities are eligible to apply for up to \$150,000 for various projects, provided such projects match up with the goals and objectives of PCCD's Strategic Plan.

Capital Case Indigent Defense funding also available through PCCD, which anticipates funding approximately 25 cases with budgets not to exceed \$20,000 per case over a 12-month period. Eligibility for this funding is open to counties investing in certain expenses to defend indigent persons accused of capital crimes and whose trials are pending. An indigent person is defined as one who qualifies for representation by the Public Defender or court-appointed counsel.

Spring CJAB Conference scheduled for April 8 and 9 in State College. PCCD will be emailing registration information in the near future.

Videoconference Room at the LCCF will soon be ready for use.

ADJOURNMENT—The Chair declared the meeting adjourned at 12:01 p.m. on a motion by Mr. Deiderick, seconded by Ms. Axarlis.

NEXT CJAB MEETING: Tuesday, April 14, 2019, 11:00 a.m., Second Floor Conference Room, MH/ID/EI, 220 East Lehman Street.