

**Lebanon County Criminal Justice Advisory Board**  
**Minutes of the Meeting of October 25, 2016**

**Time: 11:00 a.m.**

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

**Present**

David J. Arnold, District Attorney and CJAB Chairman; Sally A. Barry, Director of Probation Services and CJAB Vice Chair; Honorable John C. Tylwalk, President Judge of the Court of Common Pleas; Stephanie Axarlis, Court Administrator; Robert Karnes, Warden; Brian L. Deiderick, Chief Public Defender; Kevin Schrum, Director, MH/ID/EI; James Donmoyer, Director of the Commission on Drug and Alcohol Abuse; Daniel Wright, County Police Chiefs Representative; Sarah Primak, Veterans' Justice Outreach Specialist; and, John P. Shott, CJAB Planner/Grant Coordinator.

**Absent**

Bruce Klingler, Sheriff; Karen Hess, Director of Domestic Relations; Robert J. Phillips, County Commissioner; Jamie Wolgemuth, County Administrator; James Holtry, Director of Children and Youth; and, Kim Mackey, PCCD Regional Representative

**Guest**

Samantha Laicha, Intern, Commission on Drug and Alcohol Abuse

Chairman David Arnold called the meeting to order at 11:05 a.m.

**Minutes of 08/16/2016 CJAB Meeting**—Approved as written on a motion by President Judge Tylwalk, seconded by Warden Karnes.

**REPORTS OF STANDING COMMITTEES**

- **D.U.I. Court**—President Judge Tylwalk reported that 56 offenders are participating in the D.U.I. Court program. Number of participants could be impacted by U.S. Supreme Court ruling in the *Birchfield* case. In this decision, the Court ruled that the Fourth Amendment permits warrantless breath tests incident to arrests for D.U.I., but not warrantless blood tests. Also, motorists may not be punished for refusing to submit to a blood test based on implied consent to submit to them.

D.U.I. Court graduation is scheduled for December 13<sup>th</sup>, 8:30 a.m. in Courtroom #1. All CJAB members are invited to attend.

- **Veterans' Court**—No report. President Judge Tylwalk noted the fine working relationship with Ms. Primak and Veterans' Justice Outreach. Needs of veteran in the criminal justice system are being met without the establishment of a separate court program. Always a possibility that the U.S. Supreme Court or the PA General Assembly will mandate the establishment of such courts in all counties.
- **Prison Overcrowding**—Warden Karnes reported that the Average Daily Population (ADP) for the past four months was 513. ADP at the end of September was 541. ADP as of 10-25 is 527.

- **Mental Health**—Mr. Schrum reported that a meeting with core team members and alternates involved in the proposed “Adult CASSP” system was held on 9-27. Those in attendance reviewed the process for referring adults to this new program. Pending approval by the President Judge, the first case to come before the team is scheduled for December 8<sup>th</sup>. Future sessions—again, with the President Judge’s approval-- will be held on the second Thursday of each month from 10 a.m. to 12 Noon. So far, no one has come up with a suitable name for this new program other than “Adult CASSP.”

## **CJAB DEPARTMENTS: REPORTS AND ISSUES OF INTEREST**

**Unified Case Management**—Director Barry reported that the County Commissioners Association of PA (CCAP) has a contract with the County to integrate an online version of the Level of Service Inventory-Revised (LSI-R) onto the UCM. Two members of Probation Services are working on a pilot for using this new system, which should be completely functional by the end of the year. The LSI-R is the assessment tool now being used by Probation Services to determine offenders’ criminogenic needs and to develop an appropriate supervision plan. The goal is to utilize LSI-R pre-sentencing and at the planned Day Reporting Center. Some concern about potential liability if an offender re-offends and it is determined that he/she had not been on the appropriate level of supervision. Eighty offenders are currently on maximum supervision in accordance with their LSI-R scores.

**2-1-1 System for Lebanon County**—The County Commissioners voted in September to send a letter to the United Way expressing support for the 2-1-1 system. A 2-1-1 Advisory Committee met on 10-25 to discuss implementation of the system, which should be up and running on January 1, 2017. Agency representatives will be requested to provide updated information for the 2-1-1 website.

**Intermediate Punishment (IP)-Crossroads Funding for FY 2016-2018**—PCCD has notified the County that no further reduction in the awarded amount of \$1,226,875 over the next two fiscal years will be necessary. In July, PCCD notified applicants that the FY 2016-2017 State Budget had contained less funding for IP programs than planned, possibly necessitating another round of budget reductions. However, the Commonwealth authorized PCCD to use carryover funding from the previous fiscal year to make up the difference, sparing counties of the need to revise their budgets. Almost 90 percent of the IP-Crossroads grant is appropriated for treatment.

Renaissance-Crossroads celebrated its 15<sup>th</sup> Anniversary on October 13<sup>th</sup>, with special presentations and inspiring testimony by graduates of the program.

**Pretrial Treatment Grant**—PCCD has awarded the County \$235,990 to implement a pretrial diversion program over the next two years, beginning October 1<sup>st</sup>. The program focuses on taking a “front end” approach to criminal justice by assessing offenders at the time of arrest to determine whether they are in need of drug/alcohol treatment and getting them into treatment rather than incarceration. The grant funds two new positions: a Treatment Coordinator who will evaluate arrestees at Central Booking and, in some situations, the LCCF, to assess the need for treatment; and an Adult Probation Officer responsible for supervising those who are accepted into the pretrial diversion program. The new positions have been posted by Human Resources. The Treatment Coordinator will have office space at the Lebanon County Commission on Drug and Alcohol Abuse. Some questions on where the Treatment Coordinator will conduct interviews and assessments of arrestees; concern exists about the lack of privacy at Central Booking. Director Barry plans to develop a process chart to address these and other issues at the program commences.

**MST “Bridge Funding” Grant**—Application will not be considered by PCCD until the December Commission meeting. This grant would fund Multisystemic Therapy for juveniles until Medical Assistance begins. MST is administered by PA Counseling; the grant year starts on January 1, 2017.

**Day Reporting Center**—The County Commissioners have approved PA Counseling Services, Inc. as the vendor to operate the planned Day Reporting Center (DRC), which is scheduled to open in early 2017. The DRC will be located at 632-636 Cumberland Street in downtown Lebanon at a site already maintained by PA Counseling. Some concern about more offenders being present in that area and the increased demands for parking, which is always an issue in the downtown. Despite these concerns, the project is on fast track with the goal of serving as many as 100 offenders. The President Judge noted that he and Director Barry had recommended that GEO Reentry Services be selected by the Commissioners to operate the DRC based on that company’s extensive track record of operating these kinds of programs. The Commissioners chose PA Counseling due to the company’s longstanding relationship with the County and the lower cost contained in their proposal. A contract between PA Counseling and the County is now being reviewed by the County Solicitor. Offenders on supervision with high-medium or low-medium LSI-R scores will be targeted for participation in the DRC.

**Offender Reentry Coalition**--The Coalition has opted to focus on three major areas: Behavioral Health, Housing and Transportation, and Education and Employment. Sub-committees have been formed to focus on these areas and use a “3-2-1” approach consisting of three short-term goals, two mid-term goals, and one long-term goal. The next Coalition meeting is scheduled for Nov. 17<sup>th</sup> at 9:00 a.m. preceded by an Executive Board meeting at 8 a.m.

**Heroin Task Force**—The county has recorded five overdose-related deaths in 2016. It is possible however, that this number could go to six pending a report by the Coroner’s Office about a recent incident. The number of overdose deaths in 2015 was 17. The Heroin Task Force held a community forum at HACC-Lebanon on 9-21. According to Mr. Donmoyer, 75 to 100 persons attended the event, which was not as high as anticipated. The forum gave attendees an opportunity to learn how to administer naran (naloxone) and, upon passing an online test, receive a naran kit. Only 15 of the 45 kits available were handed out. The Task Force and PA Counseling are sponsoring an appearance by Chris Herren at Lebanon High School on April 6, 2017. Mr. Herren is a former pro basketball player whose career was cut short due to his problems with substance abuse. He is now a much in-demand motivational speaker with a strong anti-drug message. Mr. Donmoyer reported that the Governor has awarded his department \$27,457 this fiscal year for programs dealing with heroin abuse and that \$8,600 of that has been allotted to the Task Force. The Commission on Drug and Alcohol Abuse is using the “warm hand-off” approach for people who arrive at the Emergency Room with overdose issues. Crisis Intervention is contacted immediately to offer assistance before patients return home. Director Barry reported that probation officers have logged 213 hours of overtime this year at the Emergency Room doing pre-incarceration checks.

**2016 County Adult Probation and Parole Systems Improvement (Justice Reinvestment)**—Mr. Shott is preparing a grant application under this initiative for funding for LSI-R activities. Funding would be used to defray the cost of administering the LSI-R to offenders on active supervision. The LSI-R is a proprietary instrument owned by Multi-Health Systems, Inc. (MHS) of Canada, and the fee charged by MHS is approximately three dollars per assessment. The application also requests funding to pay the balance (\$6,565) of the contract with the County Commissioners Association of PA (CCAP) to convert the LSI-R to an online system, purchase two tablets for officers who administer the LSI-R off-site, and pay for additional Wi-Fi for the tablets. Total amount of funding requested will be

approximately \$15,000. The application is due on November 11<sup>th</sup> and requires a CJAB letter of support. On a motion by President Judge Tylwalk, seconded by Warden Karnes, the Board voted unanimously to endorse the grant application and to send a letter of support signed by the officers on the Board's behalf. Lancaster County is also preparing an application under this initiative that would enable up to five Probation Officers from Lebanon County to attend a training in Lancaster to learn how to train others in administering the LSI-R. PCCD has approved Lancaster County's request to include Lebanon County in its application. Mr. Shott recommended that the CJAB send Lancaster County a letter of support to attach to their grant application. On a motion by President Judge Tylwalk, seconded by Warden Karnes, the Board voted unanimously to endorse Lancaster County's application and to send a letter of support signed by the officers on the Board's behalf.

## **OTHER UPDATES FROM CJAB DEPARTMENTS**

Mr. Schrum announced that suicides have been increasing in the county. To date, the county has recorded 18 suicides, including one 14-year old and two 18-year olds. A total of 13 suicides took place in 2015. No firm explanation for this increase.

## **ITEMS FROM PREVIOUS MEETING**

**Justice Reinvestment II Project**—Ms. Barry reported that a meeting of the Justice Reinvestment Working Group is scheduled for December 14<sup>th</sup>. Recommendations for policy initiatives will be made at that time, based on the six challenges identified by the group earlier: 1) Inefficient short sentences to prison; 2) Lack of dispositional advice to reduce recidivism; 3) Insufficient probation funding, governance, and uniformity of evidence-based approaches; 4) Unguided use of community corrections beds; 5) Insufficient investment in recidivism-reduction services, victim services and pretrial reform; and, 6) Increase state focus on front-end issues. Concern whether the amount of funding under Justice Reinvestment II will be sufficient to achieve the goals intended. A major issue for counties is the Commonwealth's insistence that "short termers" not be sent to state correctional facilities.

## **NEW BUSINESS**

Two items that must be addressed at the December meeting: election of officers for 2017 and approval of CJAB meeting schedule for 2017. Meetings will be held on Tuesdays; however, the specific dates will be determined by the court calendar, which is being developed.

With no further business to address, Chairman Arnold declared the meeting adjourned at 12:15 p.m. on a motion by Warden Karnes, seconded by President Judge Tylwalk.

**NEXT CJAB MEETING: Tuesday, December 13, 2016, 11:00 a.m., Second Floor Conference Room, MH/ID/EI, 220 East Lehman Street.**