

**Lebanon County Criminal Justice Advisory Board**  
**Minutes of the Meeting of October 15, 2019**

**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 CJAB Vice Chair; Honorable John C. Tylwalk, President Judge, Court of Common Pleas; James Donmoyer, Director of the Commission on Drug and Alcohol Abuse; Jamie Wolgemuth, County Administrator; Daniel Wright, Police Chiefs Representative; Bruce Klingler, Sheriff; Robert J. Phillips, County Commissioner; Brian L. Deiderick, Chief Public Defender; Stephanie Axarlis, Court Administrator; Holly Leahy, Director of MH/ID/EI; Karen Hess, Director of Domestic Relations; and, John P. Shott, CJAB Planner.

**Absent**

David J. Arnold, District Attorney and CJAB Chairman; Erin Moyer, Director of Children and Youth; Robert Karnes, LCCF Warden; Carla Cyr, Veterans Justice Outreach; Samuel Ortiz, Offender Reentry Coordinator; Kim Mackey, PCCD Regional Representative

Board Vice Chair Sally Barry called the meeting to order at 11:07 a.m. Presence of a quorum noted.

**Minutes of 08/13/2019 CJAB Meeting**—One correction: Page 2 of the minutes, Vivitrol Project at LCCF. Minutes read, *“The vivitrol shot will be administered by PrimeCare to an eligible inmate approximately 30 days before the inmate’s scheduled release.”* Minutes should read that the shot is to administered *seven days* prior to release. (The effects of the shot are good for 30 days.) With that change noted, the minutes were approved on a motion by President Judge Tylwalk, seconded by Commissioner Phillips.

Ms. Barry welcomed and introduced the new member of the CJAB: Ms. Holly Leahy, Director of MH/ID/EI, replacing the recently retired Kevin Schrum. Self-introductions by the other Board members.

**REPORTS OF STANDING COMMITTEES**

- **D.U.I. Court**—At present, 45 offenders are participating in the program. One Adult Probation Officer is assigned to supervise these participants, raising the questions whether the caseload is too high for one officer and whether the Court should impose a cap on the number of offenders accepted into the program. The DUI Court Team has expressed concern about setting limits. Another issue raised concerns the amount of time between arrest and acceptance into the program. Should the Court impose a deadline for an offender to decide whether he/she wants to participate? The President Judge noted that some offenders are being admitted to the program a full year following their arrest. This is in contrast to, for example, York County, where the Court there is admitting offenders into DUI Court as soon as 30 days post-arrest. This is based on the idea that getting offenders into treatment as quickly as possible is the preferred approach. Members agreed that a deadline for the program is necessary and should be implemented in the future.

Mr. Deiderick moved, and Ms. Axarlis seconded the motion, that the CJAB adopt the following resolution: *“The CJAB supports the imposition of an appropriate deadline for individuals to accept placement into the DUI Court Program, as early acceptance and placement are in line with better and more positive outcomes.”* Motion carried, and the resolution was approved.

- **Renaissance-Crossroads**—Current census is nine (six long-term and three short-term), with seven admissions pending. PCCD held a monitoring visit on September 5<sup>th</sup> at Probation Services to discuss the IP-Crossroads grant and any issues/concerns that have arisen. Major topic was the feasibility of restructuring the program to emphasize the short-term aspect, with the hope that the program could still qualify for IP funding. PCCD reps noted that Lebanon County is not the only county finding it difficult to fill bed space for long-term rehab. The current grant could be modified to reflect requested changes. Ms. Barry intends to hold a meeting with those involved with IP-Crossroads to discuss the issue and map out a restructuring plan.
- **Prison Reduction**—No official report. Average Daily Population (ADP) remains under 500. Increase in the number of offenders serving time under house arrest/electronic monitoring is a major factor keeping the inmate population at manageable levels. Day Reporting Center is also contributing to this objective.
- **Mental Health**—No recent referrals to “Adult CASSP.” Department needs to reevaluate the program and find ways to make it more effective. The current caseload at Probation for offenders with mental-health issues is 56, supervised by one Adult Probation Officer. Ms. Leahy and others are meeting with PrimeCare on October 18<sup>th</sup> at the LCCF to discuss continuing care for inmates. Major topic of discussion will be discerning inmates’ needed medications and their appropriate dosages. Number of suicides, to date, is 14; most of the victims have been males. Average age of 43.

“Forensic Conference—Mental Illness in the Criminal Justice System—Understanding Options and Opportunities,” is being held on October 31<sup>st</sup> in State College. Counties are encouraged to send teams of up to six. Although the registration deadline was October 4<sup>th</sup>, space might still be available. Event is being hosted by the County Commissioners Association of PA (CCAP) in partnership with the PA Dept. of Human Services. Ms. Leahy and Ms. Barry expressed an interest in attending.

- **Veterans’ Court**—At present, 13 offenders are participating in the program, with one pending. The Court has recently assigned the first program participant to the Day Reporting Center. The County has received excellent coverage for its first-in-the-nation guardianship program for veterans. Under the recently approved Memorandum of Understanding between the Lebanon VA Medical Center and the Lebanon County Court Administration, the Court of Common Pleas will offer: 1) pro bono legal services to pursue guardianship for Veterans who cannot direct their own affairs and have no family or friends willing to petition for guardianship; 2) waive any filing fees associated with any guardianship petitions initiated by the Lebanon VA Medical Center. Expectation is that the new program will involve three to six guardianship petitions annually.

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

**Day Reporting Center**—Current number of participants is 52, with the expectation that the number will continue to rise. The program celebrated its second-year anniversary on October 6th. Total graduates for the calendar year is 34. A significant development is the increase in referrals from the Public Defender’s Office as well as from private defense counsel. County, however, is still not able to refer domestic-relations cases to the DRC.

**Vivitrol Project at the LCCF**—The Vivitrol Coordination Program at the LCCF officially began on September 23<sup>rd</sup>. No vivitrol shots have been administered, but at least 19 inmates (13 female and six males) have expressed an interest in participating in the program.

**Pretrial Diversion/Treatment Program**—No report.

**Offender Reentry Coalition**—No official report. Next Coalition meeting scheduled for Thursday, November 21<sup>st</sup> at 8:30 a.m. at PA Counseling.

**Heroin Task Force**—The Task Force met on October 10<sup>th</sup>; next meeting slated for January 9, 2020. Mr. Donmoyer noted that the County had recorded 15 overdose deaths, to date, in 2019; the number of such deaths in 2018 was 27. The Task Force, now known as “Lebanon County Stronger Together,” sponsored the second Lebanon County Recovery Day on September 7<sup>th</sup> at Monument Park, Lebanon. The event was attended by over 300 persons. Another recent event was the Overdose Awareness Candlelight Vigil, August 28<sup>th</sup>, from 7:30-9:00 p.m., in front of the Lebanon County Courthouse. This was to honor and remember those who have lost their battles with addiction and to support those who continue to struggle. Vigil was attended by approximately 75 persons.

**Other Updates from CJAB Departments**—As of October 21<sup>st</sup>, Probation Services will be fully staffed, though two juvenile probation officers are on medical leave.

## ITEMS FROM PREVIOUS MEETING

**Video Conferencing**--Plans still in the offing to construct a video conferencing center at the LCCF. Waiting for construction to begin. Establishing such a facility within the LCCF would reduce the costs and security concerns of transporting prisoners to and from hearings and other court proceedings.

## NEW BUSINESS

**Items to be addressed at the December CJAB meeting:** election of officers for 2020 and approval of CJAB meeting schedule for 2020. Meeting schedule will be based on the 2020 court calendar, which will be finalized in the near future.

**Medical Marijuana and Offenders on Supervision**--The American Civil Liberties Union (ACLU) has filed a lawsuit against the 52<sup>nd</sup> Judicial District challenging the County’s policy that prohibits offenders under supervision from using medical marijuana. The suit was originally filed in Commonwealth Court, but is now before the State Supreme Court. The County has until October 28<sup>th</sup> to respond to the filing. It is possible that the Supreme Court could issue an injunction against the policy. Important to note that the lawsuit has been filed against the 52<sup>nd</sup> Judicial District, not Lebanon County specifically. Because of this, the Administrative Office of PA Courts (AOPC) is handling the legal work.

Discussion ensued about medical marijuana and the issues associated with it. Important to note that a medical marijuana card is not a legal prescription and that marijuana remains a controlled substance under federal law. Going forward, the Court could prohibit use of medical marijuana by offenders as a condition of acceptance into treatment court, such the DUI Court.

***Core Membership on the CJAB***--Members urge Children and Youth Services to send a representative/proxy to future meetings. It has been difficult for the Director of Children and Youth to attend CJAB meetings because of scheduling conflicts with Advisory Board and other meetings involving the department.

**ADJOURNMENT**--With no further business to conduct, Ms. Barry declared the meeting adjourned at 12:21 p.m. on a motion by Sheriff Klinger, seconded by Mr. Deiderick.

**NEXT CJAB MEETING: Tuesday, December 10, 2019, 11:00 a.m., Second Floor Conference Room, MH/ID/EI, 220 East Lehman Street.**