Hamilton County Community Corrections
Advisory Board Meeting Minutes
January 10, 2019

The following members were present: Honorable Gail Bardach, Jim Barlow, Bob Bragg, D. Lee Buckingham, Honorable Richard Campbell, Bill Cech, Honorable Paul Felix, Susan Ferguson, Mike Fogarty, Stephenie Gookins, Trusa Grosso, Kija Ireland, Leeann Murray, Sheriff Dennis Quakenbush, Krista Radican, and Kylene Toney.

A quorum was present. Ralph Watson, Kevin Mulroony, and Jennifer Armstrong were also in attendance.

Susan Ferguson called the meeting to order.

Susan Ferguson called for the approval of the December meeting minutes. Honorable Gail Bardach made a motion to approve the minutes as presented. Bill Cech seconded the motion and it passed unanimously.

Following a brief summary by Mr. Watson, Susan Ferguson called for approval of the November and December fiscal reports. Bob Bragg made a motion to approve the reports as presented. Leaann Murray seconded the motion and it passed unanimously.

Public Comment

There were no public comments.

Director’s Report

A written report was submitted and reviewed by the Executive Director.

Old Business

There was no old business on the agenda.

New Business

Mr. Watson informed the Board of a recent appellate court decision, Jarmon vs. State of Indiana, in which the Indiana Court of Appeals reversed the decision of the lower court concerning a suspicion less search conducted by Tippecanoe County Community Corrections. Mr. Watson briefly summarized the Appellate Court’s findings and reported that the Court’s decision contained suggested language to address the concern. As a result of this ruling Mr. Watson and Prosecutor Buckingham reviewed the language in our behavioral contracts. A copy of suggested changes to our current language was provided. Mr. Buckingham made a motion to approve the language as presented with a minor grammar change. Bill Cech seconded the motion and it passed unanimously. The language will immediately be changed in the contracts and active participants will be notified of the change.

At the December Board meeting Mr. Watson had noted that the Indiana Criminal Justice Institute (CJI) had released the Annual Evaluation of Indiana’s Criminal Code Reform required of their agency. The report was compiled using data received from multiple counties and comments and suggestions made during focus groups facilitated by CJI. At the December meeting Mr. Watson had been asked if there were any significant findings contained in the report, but at the time he had yet to thoroughly review it. During today’s meeting he briefly summarized several the findings that were either extrapolated from the
data collected or were provided during the 10 different focus groups conducted by CJI. He noted that if anyone was interested in the report in its entirety that he could send them a link in which they could access it.

Also at the December meeting, Mr. Watson had reported that the Department of Correction (DOC) had completed a program audit, but at the time of the meeting had yet to submit their findings. Since that report the agency received the results and had scored 86%, receiving 220 out of a possible 255. The score was lower than our previous audit, which was 98%, but Mr. Watson noted that the scoring instrument has since changed, and the current audit was a great deal more thorough. There was a total of 7 areas in which the agency scored 3 or less and they are as follows:

- Failure to have Memorandum of Understanding (MOU) with all outside program providers.
- Staff ensure that dosage and intensity of intervention matches the risk level and keeps track off such.
- Case management staff use practice sessions/role playing as per local agency policy with the participants to enhance skill building.
- A continuum of services is available and utilized to meet the needs of the participants.
- Participants are separated by risk level in programming.
- Participant exit surveys are conducted, compiled and shared with staff and stakeholders.
- Agency submits the monthly snapshot information by 4 PM on the last Tuesday of each month.

Mr. Watson reported that several scores can be improved upon by enhancing the participant case notes. There were many instances in which we were certain that expectations were being met, but there was insufficient documentation.

It was reported that the Dining Hall project was currently behind schedule, but we are rapidly approaching the closing of the project. Mr. Watson and the Project Manager recently reviewed a “punch list” containing approximately 30 items in need of further attention. He briefly summarized some of the more significant items. The agency is also awaiting the delivery of their remaining equipment ordered several months ago. Mr. Watson does not expect the agency to occupy the dining hall until at least the end of February.

On January 8th and 9th the DOC fiscal audit team was present and audited the financial records for our agency as well as Pretrial Services. There were no concerns noted during the Pretrial Services audit, other than they had transferred excess funds into the grant account from another one of their accounts. The auditors suggested to Pretrial Services Director Stephanie Ruggles that a request be sent to the DOC to transfer the excess out of that account. The excess total was $1,815.73. Stephenie Gookins made a motion to approve the transfer request. Bill Cech seconded the motion and it passed unanimously. The DOC also had no concerns with the Community Corrections audit. They agreed with our carryover amount of $2,446.54 and will invoice us for that amount. The auditors were impressed with our accounts receivable software and commended our fiscal personnel on their documentation of payables. They were impressed enough to note their plan to use our processes as an example when providing training for other counties.

Mr. Watson reported that there had been some recent changes to Recovery Works, a service provided to convicted felony offenders by The Indiana Division of Mental Health and Addiction. The changes were effective January 1st. The most notable is that there will now be a monetary cap on individual services, whereas the cap was only on total services previously.
Mr. Watson briefly summarized legislation the Indiana Association of Community Corrections Act Counties (IACCAC) Legislative Committee is currently tracking. They include the following:

- HB 1028 – Requires DOC to assist a committed offender with a mental illness in scheduling a visit with a physician or psychiatrist for an evaluation not later than 30 days after their EPRD and provide a sufficient supply of the drug and or medication being prescribed for the mental health treatment of the offender for use until they can be evaluated or discharged.
- HB 1065 – Specifies that a county Sheriff may contract with DOC to transfer a confined offender from a county jail to a regional holding facility established and operated by the DOC if a county jail is overcrowded. IACCAC’s concern is that legislation says CJI should identify any federal, state or local grants that can be used to assist in funding such a facility.
- HB 1078 – Expands the Level 6 offenders that can be sent to DOC.
- HB 1080 – Language that would permit Community Corrections to deprive credit time.
- HB 1125 - Permits a local government unit to establish a cumulative capital improvement fund to provide money to purchase, lease, or pay all or part of the cost of electronic monitoring equipment used by a community corrections program.
- SB 19 – Increases the penalty for battery if it is committed against a public safety official or a relative of such because of the official’s status or perceived status as a public safety official. Also increase the penalty for criminal recklessness if it is committed against a public safety official or a relative of such because of the official’s status or perceived status as a public safety official.
- SB 20 – Establishes non-spendable thresholds for specific levels of offenses and increases the maximum and advisory sentences for specific levels of offenses.
- SB 120 – Increases the Sheriff’s reimbursement rate from DOC to $55 per day for Level 6 offenders and convicted felons held more than 5 days after sentencing or the date upon which DOC receives the abstract.
- SB 207 – Court must require as a condition of probation that an offender against children not reside within 1000 feet of a school, youth program center or park.

Mr. Watson reminded the Board that his appraisal is due March 31st. The Board President has traditionally appointed a committee, to include one person having access to the county software, to complete the appraisal. The consensus was for Ms. Ferguson to form the committee outside of the meeting.

There was no further business to be presented and Susan Ferguson adjourned the meeting. The next meeting will be February 7th at noon.