

JACKSON COUNTY JAIL TASK FORCE REPORT

CO-CHAIRS: Dr. Gayle Holliday & John Fierro

Subcommittee Chairs: Dr. Karen Curls, Alissia Canady, Ralph Monaco

TASK FORCE: Alvin Brooks, Lisa Pelofsky, Brent Morris, Niki Lee Donawa, Brandon Ellington, Judge John Torrence, Scott Burnett, Carol Coe, Joseph Megerman, Ben Kenney, Donna Maize

**Final Report
November 2018**

Jackson County, MO

Executive Summary

On November 14th, 2017, Jackson County Executive Frank White announced the formation of a Task Force to develop a set of recommendations focused on the Jackson County Department of Corrections. The task force was to operate under the following mission statement:

The Jail Task Force shall complete an analysis that will make recommendations related to the potential capacity and type of jail the Jackson County community needs and deserves.

Objectives:

- 1. To conduct an analysis of situational needs with experts in the criminal justice field.**
- 2. To utilize a data-driven, community-inclusive approach to reach consensus recommendations.**

With the mission in place, the task force set out and began to work in January of 2018 under the leadership of Co-chairs John Fierro and Dr. Gayle Holliday. The body of the task force is comprised of a cross section of the community, law enforcement, health services, judicial, political and state level subdivisions that make up the totality of the criminal justice system. Members representing municipal stakeholders were also part of the group of community members comprising the full task force.

It was immediately understood that the capacity of a jail and the type of jail a community needs is driven primarily by forces external to the jail facility, staff and leadership; Judges, prosecutors and law enforcement, being the primary drivers of jail populations. Additionally, both state and federal laws are factors that often determines the types of people being incarcerated in municipal and county jails, whereas sentencing guidelines and other matrices based decision making can determine the patterns and velocity of incarceration in various communities, some of which are impacted greater than others.

This being the case, the task force determined that sub-committees be formed to target, discuss, and research specific areas related to incarceration levels and to make recommendations to the full task force related to their work. The subcommittee members, scope of their work, and the resulting recommendations are detailed in the subsequent sections of this report.

From the very beginning the task force had a significant mandate and quickly determined that it should work alongside, but independently of, consultants being hired to develop a master plan for the county related to the jail facility and the justice system, as mentioned above. Once the consultants HDR/Shive-Hattery were engaged by county contract, the task force worked with the consultants with regards to public hearings and task force public meetings and engaged in data sharing to allow for parallel cohesion between the two entities when necessary. The task force engaged in community awareness and public input session, while the consultants engaged in systemic analysis of the local justice system and its impact on the jail as related to its role as a vital resource to the community. The task force held two public hearings and heard a variety of input from the community. Many of the comments made regarded issues of safety in the jail and the need for the jail to provide services and programs to the inmate population as well as the need to more adequately house the growing population of the jail. The community, based on such input, clearly views the jail as a community resource.

ⁱ This concept of a jail as a vital community resource has become more relevant in recent years as communities have come to better understand the potential for systems change initiatives that work towards prioritizing efforts and resources in the areas of reentry, mental health, homelessness, and addiction, etc.

Though this report will focus on its mandate, it will, at times, have some common overlapping data and conclusions that have been generated by the work of the subcommittees as well as the consultants. The intent is for this report to stand alone on its own merits while admittedly having some shared experiences and collaborative interactions with the consultants. Therefore, it should be no surprise that there is often consensus between the consultants and the task force in relation to their recommendations and data that supports the hypotheses that have led to the conclusions promulgated further in this document.

Of significant importance to the task force are the deep-rooted sensitivities of the various community stakeholders when it comes to discussions of jails and incarceration. Subsequently, every effort has been made to ensure that the task force operated with a sense of community inclusiveness when addressing these issues. Therefore, the foundational premise became, regardless of whether the county builds a new jail or expands its current jail's operational capacity, what type of jail should the county have? This foundational premise, being aligned with the task force mandate, was segmented into three distinct, yet related, pillars of focus.

1. Offender housing requirements
2. Intergovernmental considerations
3. Population control

Offender housing requirements examined the types of offenders being classified and housed in the jail, how their specific needs play a role in their incarceration, and how those needs allow for informed decisions regarding considerations for incarceration and housing requirements.

Intergovernmental considerations reviewed the current capacity of the county jail and how the governmental systems that determine jail populations ultimately impacts the community from a health, cultural and ethnic perspective.

Population Control further examined capacity, however, from a perspective of why people are incarcerated. The decision to incarcerate is made due to the considerations of multiple factors and by multiple entities, all of which leads to a decision to incarcerate or not to incarcerate. How and why these decisions are made has a myriad consequences to the jail and community. Considering alternatives to incarceration could attempt to mitigate a "lock-em-up" attitude, should one exist.

These areas of focus have guided our work and have lead us to develop recommendations that we believe are foundational to the future of the jail as a resource for good in our community and as a vital law enforcement and criminal justice necessity.

Though our work is a merely a preliminary effort as we strive for a jail that better meets the needs of our community, we hope that our experience, either collectively or individually, will be called upon in the future as the county continues to move forward with the efforts mentioned herein or other efforts, as they are identified in the future. We remain committed to these goals and to supporting those who would work to responsibly bring them into fruition to the betterment of our county and our community. Therefore, the task force supports the five initial recommendations of the HDR/Shive-Hattery consultants and makes an additional nine recommendations related to our mandate.

Support of Consultant Recommendations:

1. Develop Policy Agreements to Immediately Address Urgent Legacy Issues in Jail
2. Develop Practices for Whole-System Coordination
3. Take Collective Approach to Data Gathering, Sharing Analysis

4. Identify Opportunities to Reduce Use of Incarceration
5. Develop Criminal Justice Strategic Plan, to include Action Plans

Task Force Recommendations:

1. Increase staff and staff training to better address inmate housing needs.
2. Develop a workable strategy with KCPD and Kansas City Municipal Court to determine best use of the jail.
3. Provide a more comprehensive needs assessment of inmates during intake.
4. Develop a 21st Century strategy for vulnerable populations.
5. Promote a realignment of money bonds to be associated with risk to community.
6. Promote stakeholder agreements on what arrests will and will not be prosecuted.
7. Develop continuity of care strategies for inmates being released from jail.
8. Promote stakeholder agreements that will remove barriers to a speedy trial and determinations for release.
9. Build a new jail with the appropriate capacity and resources to better serve the needs of the community.

Task Force Organization

Co-Chairs

Dr. Gayle Holliday -- Dr. Gayle Holliday has a B.A. degree in Political Science, Master's in Public Administration and a Doctorate in Management and Applied Technology and has attended the UMKC School of Law. Dr. Holliday currently serves on the Leadership Team of Freedom, Incorporated. She has served as the Vice Chair of the Kansas City Missouri Convention and Visitors Associate Board (Visit KC), Board Chair of the Jazz District Redevelopment Corporation (JDRC), Archivist for the Central Area Board of the Links, Incorporated, life member of the NAACP, Board of Governors of the Urban League, member of the Greater Kansas City Chamber of Commerce, Member of the Urban Summit, and Alpha Kappa Alpha Sorority, to name a few. She has received numerous local and National awards for her work in community service, including recognition from the United State Congress for outstanding service in the State of Missouri. At the State level, she served as a past Commissioner on the 16th Circuit Judicial Commission, appointed by the Governor of Missouri, to appoint Circuit Court Judges. In each of her positions, Dr. Holliday has always been in the forefront of promoting inclusion of Minorities women and men in the political, social and economic arenas.

Dr. Holliday is President and CEO of G & H Consulting, LLC. G&H has been in business for over 21 years, serving clients in both the public and private sectors. She has held contracts with the Kansas City Port Authority, the Jackson County Sports Authority, the Area Transportation Authority, the City of Kansas City, and the State of Missouri and previously served on a Presidential transition team developing US Department of Transportation job descriptions and policies. She has also performed work with many for-profit and not-for profit organizations, in areas such as public outreach, community relations, strategic planning, workforce development, win-win negotiations, Board development and MBE /WBE business development. She also has over twenty-one years of experience as a senior executive in a bi-state public agency.

John Fierro -- John Fierro serves as a School Board member representing the Kansas City, Missouri School District's 3rd District. He is the Chair of the Government Relations committee.

Having served in various government appointed positions, Fierro was appointed as the City's first Hispanic-American President of the Board of Parks & Recreation Commissioners. Professionally, John is the President/CEO of the Mattie Rhodes Center, known for its holistic approach to improving the quality of life for individuals and families living in poverty.

During his career, Fierro has distinguished himself as a civic leader, consensus builder, fundraiser and tireless advocate for the Hispanic population in Kansas City. He and his peers formed the Latino Civic Engagement Collaborative, which supports the delivery of education, healthcare, mental healthcare, business development, housing, economic development and social services for the Latino population of Kansas City. Fierro has led the expansion of Mattie Rhodes Center, growing the agency to a nationally accredited organization supporting 15,000 participants annually in the areas of behavioral health, youth development, cultural arts education and community economic development. Fierro led the efforts to build a \$2M Soccer Park in Kansas City's Historic Northeast neighborhood.

Fierro has received a bachelor's and master's degree from Park University as well as a Helzberg's Executive MBA from Rockhurst University. In 2013, Fierro received the Director's Community Leadership Award, on behalf of the Director of the FBI, honoring individuals and organizations for their efforts in combating crime, terrorism, drugs, and violence in America. In addition to a multitude of accomplishments locally, Fierro is a Distinguished Alumnus recipient of Park University's Hauptmann School of Public Affairs.

Task Force Members

Alvin Brooks – Community Activist

Scott Burnett – Chairman Jackson County Legislature

Alissia Canady— Councilwoman 5th District, KCMO

Carol Coe— Former City Councilwoman

Dr. Karen Curls—Chair MCC Division of Social Services

Niki Lee Donawa—Chief Community Relations Officer, TMC

Brandon Ellington—MO State Representative, District 22

Joseph Megerman—Deputy District Defender, MO Probation & Parole

Ralph Monaco—Monaco, Sanders, Racine & Powell, L.L.C.

Brent Morris—Regional Director, MO Probation & Parole

Lisa Pelofsky—CEO, Pelofsky & Associates

Donna Maize—Assistant to City Manager, KCMO

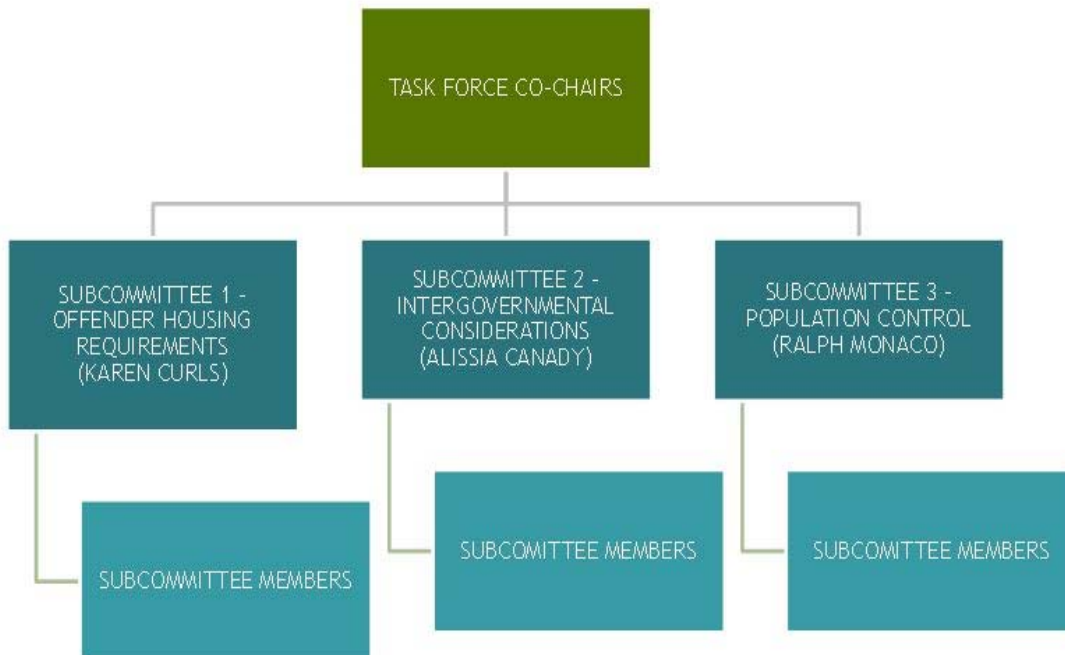
Ben Kenney—Jackson County Sheriff Office

John Torrence—Presiding Judge, Circuit Court Division 14

Subcommittees

JCDC Task Force Sub-Committees		
Offender Housing Req.	Intergovernmental Concerns	Population Control
<i><u>Dr. Karen Curls – SC Chair</u></i>	<i><u>Alissia Canady – SC Chair</u></i>	<i><u>Ralph Monaco – SC Chair</u></i>
Lisa Pelofsky	Brandon Ellington	Scott Burnett
Brent Morris	John Torrence	Donna Maize
Niki Lee Donawa	Joseph Megerman	Carol Coe
Ben Kenney		Alvin Brooks

JCDC TASK FORCE ORGANIZATION CHART



Subcommittee Descriptions, Objectives, and Anticipated Outcomes

Subcommittee 1

SC-1: Offender Housing Requirements

This subcommittee reviewed the current JCDC offender classifications and housing requirements and made recommendations for the various types of offender classifications the county should consider regarding future operations and management of inmates. This subcommittee considered how various offender groups' interactions could impact our current and/or future facility.

Offender classification, sometimes referred to as demographics, pertains to the types of inmates being housed, e.g. females, males, adjudicated adults and their various security levels. Additionally, many jails have to now consider non-traditional demographics that relate to how inmates are classified and as a result how they are detained and cared for. Additional concerns such as ADA requirements, inmates with chronic medical needs such as diabetes, wound care, sleep apnea, HIV, pregnancy and inmates with severe mental illness and behavioral disorders, transgender and LGBTQ classifications need to be considered as related to how the jail will meet the needs of their incarceration. Jackson County wants to ensure that all due considerations of the population and demographics of the county are taken into consideration. As a result, this subcommittee has evaluated and reported on these concerns so that the county can make informed decisions regarding offender classifications and housing consideration.

SC1 – Information and Hypotheses

Offender housing requirements in today's jail goes far beyond the more commonly understood male versus female and low-level versus high-level security considerations. At both state and national levels, jails, prisons and other detention facilities are having to consider the appropriate housing requirements for an ever-increasing female population, male population and adjudicated adults (juveniles that by the nature of their charges it has been deemed necessary to adjudicate their cases as if they were adults). Additionally, jails are increasingly housing inmates with ADA requirements, inmates with chronic medical needs such as diabetes, complex wound care, sleep apnea, HIV, pregnancy, and inmates with severe and emotional mental disorders as well as the increase in LGBTQ and transgender identifications.

As the aforementioned concerns increase and require additional resources in the overall population, so too, are the corresponding increases felt in the inmate populations of our jails. As diabetes, hypertension and other chronic medical conditions continue to increase in our society, we will also see a similar affect in jails. For example, the prevalence of sleep apnea, though perhaps experienced by many people in society throughout the years, was not diagnosed to the degree that it currently is and the result has been for jails to make accommodations for said diagnosis. The same holds true for the myriad mental health and related emotional disorders diagnoses' in society and for the many other self-identification classifications regarding gender and LGBTQ identification.

ⁱⁱAccording to a report by Prison Policy Initiative & ACLU's Campaign for Smart Justice, "the rate of growth of female imprisonment has outpaced men by more than 50 percent between 1980 and 2014."

ⁱⁱⁱCompound this data with the fact that the number of state and federal prisoners age 55 and older increased by 204%, 1999-2012. Correspondingly, the number of Americans turning 65 increased

dramatically over the same period of time and is currently at a rate of 10,000 per day; a rate that is expected to continue for the next 15 years. Of note, however, despite the various offender types, as listed above, general medical care is still the largest component of corrections health care spending, averaging at approximately 37% according to some reports, which is over twice as much as is estimated for mental health care and over a third more than allocated for hospitalization when referencing this same report. This information suggests that all inmates, regardless of their classification type, add weight to the system, though currently, the unique characteristics of special populations only adds to the housing requirements of a segmented population and needs to be addressed in the context of reducing its overall impact on the population as a whole, rather than as an independent entity.

As discussed in other subcommittees', money bail represents a leading factor in increased incarceration rates of inmates at all classification levels and subsequently impacts those individuals who are most vulnerable in our society which could be argued as compounded by their specific conditions as mentioned above. ^{iv}Money bail, as a practice, is clearly more of a systems issue and not a jail issue, however based on the research, it clearly should be addressed as a driver for increased incarceration rates and therefore its practice and effects on public health and safety should be evaluated.

As a result, the county should consider how it will safely house and care for the increased numbers of inmates being classified with chronic medical concerns, mental health diagnoses, geriatric offenders, female offenders, and those with sexual orientation and gender identification considerations. External considerations regarding bail, house arrest, pretrial risk assessments, etc. will better determine the volume of resources distributed amongst the various populations. Consequently, our conclusion is that these various populations need to be strategically considered as core populations the county jail will have to safely house and care for in every increasing numbers in the decades to come, while understanding that the external considerations of the overall justice system will ultimately determine how many inmates are required to be housed and for how long.

Subcommittee 2

SC-2: Intergovernmental Considerations

This subcommittee reviewed the capacity of the current JCDC and has made recommendations for capacity considerations necessary for the county moving forward. It should be understood that the capacity of a jail is, in some respects, a design issue but also a system issue. Regardless of how the jail is designed other stakeholders and systems such as judges, prosecutors, defense attorneys and law enforcement play a role in the population of a jail. Additionally, the community at large plays a role regarding their concerns over exactly who is being incarcerated and why. Some community stakeholders may voice concerns that not enough people are being incarcerated, others will cry out that too many are being incarcerated. This subcommittee should evaluate and report on these concerns so that the county can make informed decisions regarding jail capacity.

SC-2 Information and Hypotheses

Capacity concerns regarding appropriate care of individuals in the general public are very different in nature than the capacity concerns for care in a correctional environment. For the most part, individuals in the general public have the ability and the freedom to make many decisions independently and have the ability to access myriad resources available to them when they have options and resource availability. Even when options and resources are limited, the un-incarcerated have the ability to advocate for themselves in a free and unencumbered manner. In a correctional environment some of these options and resources are limited or non-existent. As members of the community, our

subcommittee is compelled to address the issues, as we understand them, related to capacity of services and resources that are made available to the inmate population as well as the appropriate distribution of those services and resources according to need.

Misdiagnosis and limited medical services in jails is often attributed to a “Special Sensitivity” by incarcerated minorities. By way of clarification, Special Sensitivity is a prevailing concept that posits “white collar” offenders experience more trauma and less coping abilities while incarcerated. The Offender Housing Committee posits the reverse is true for minorities. Special Sensitivity for Minorities would be the perception that arrestee minorities have an easier transition into a jail environment due to the perception of a predisposition to the exposure to trauma, violence, poverty and perpetual engagement with the criminal justice system. Therefore, minorities coming into the jail are not properly screened because of a belief they can “handle it” and any aberrant behavior is overlooked and as a result, services and resources can be delayed.

In fact, special sensitivity concepts can be reinforced due to inherent bias on the part of corrections staff, professional partners, and others via cultural, ethnical and gender based preconceptions. According to the ‘Perceptions Institute, the mind sciences have found that most of our daily actions and behaviors occur without our conscious thoughts, allowing us to more effectively function in our extraordinarily complex world. This means that our implicit biases, often are better predictors of our behaviors than our conscience values. Multiple studies have found that those with higher implicit bias levels against people of color, for example, are more likely to categorize them differently in multiple scenarios, especially when these scenarios involve determining threat and safety levels or determining the need for resources. Similarly, instances have been noted wherein white physicians who implicitly associated patients of color as being “less cooperative” were less likely to refer these patients with acute coronary symptoms for specific medical care.

Combine this information with the fact that according to a ^{vi}Huffington Post report it is estimated that many of the people in our jails are not there because they are a threat to society; “Nearly 75 percent of the hundreds of thousands of people in local jails throughout the country are there for nonviolent offenses such as traffic, property and drug or public disorder offenses.” Obviously, each community may vary drastically from these assertions, but it is clear consensus that jails are increasingly housing more and more nonviolent offenders which increases the need to ensure the most diligent and appropriate needs assessments possible are being administered to the inmate population which are objectively based and free of socioeconomic and racial bias, implicit or otherwise.

Furthermore, correctional institutions are subject to gender binary practices which impact services and safe housing among the LGBTQ populations they serve. Traditionally, jails are sex-segregated along gender lines (male/female) which are generally visual determinations or self-identified. Housing in the jail has historically been designed around this binary. However, as “gender” has taken on different meanings, the housing within jails has to accommodate those needs now and prepare for the appropriate scalability in the future.

When considering the intergovernmental concerns regarding the jail it is also important to understand the significant increase of incarceration among the population of people who have been diagnosed with a mental illness. The percentage of mentally ill inside jails is much higher than the rate of mental illness outside the jail. ^{vii}It has been reported that over 14 percent of the men and 30 percent of women entering jails were found to have a serious mental illness. Fortunately, Jackson County has a tremendous resource in Truman Medical Centers Behavioral Health unit which currently works in the jail to provide treatment services that are all but nonexistent in other jails. However, at the current rate of

incarceration of those in our population with mental illness we see a need for dramatic increases in mental health services for the incarcerated population for the foreseeable future.

The key factors mentioned above call for significant capacity considerations that go far beyond bed space. Though typically capacity is a conversation using bed space as an indicator, we would be less than comprehensive in our report if we did not clearly indicate the need for jail capacity as it pertains to inmate services and resources. Appropriate medical care, mental healthcare, treatment, programs, recreation and the need for appropriate segregation of populations based on security considerations all call for capacity beyond the scope of just bed space. Adequate facility space considerations regarding medical health, mental health, programs, et al, should be made based on the jail population size as well as the requisite needs of the jail population as related to the accurate and objective assessment of said needs. These assessments should better determine the need for medical housing, reentry program and recreation space, designated housing for inmates with severe mental health needs and the accommodations of a growing female offender population and the necessary accommodations of those inmates with gender identification needs.

Regardless of who is incarcerated in the jail, however, the department of corrections should also make every attempt to mitigate instances of special sensitivity and implicit bias in the context of housing and caring for the inmate population. Medical, behavioral health, programs, et al, should be made available based on the degree of need and the potential for special sensitivity and implicit bias should be monitored and eliminated wherever possible when determining needs assessments.

Therefore, this committee supports efforts relating to specific training on federal guidelines on housing gender non-conforming persons, cultural competency training for all staff, as well as psychological testing for inmates, combined with a comprehensive yet concise needs assessment during the intake process. Additionally, a concerted effort at evaluating the current assessment tools being used in order to determine why they are currently used and why they were selected. This will allow the department to evaluate the current tools being used and validate/invalidate their relevance to the objective jail classification methodology currently in place.

The successful administration of the set of efforts mentioned above only seems possible if the county approaches these issues through the comprehensive use of data management and analysis. This approach is echoed by the HDR/Shive-Hattery report which calls for the establishment of an all system data group to better facilitate data sharing, metrics and governance that takes a whole systems approach to these concerns and calls for effective and collaborative data sharing from judges, prosecutors, defense attorneys and law enforcement as well as other state and municipal stakeholders. The need for enhanced data management and data sharing capabilities only punctuates the need for a criminal justice strategy for the county that actually works to identify any opportunities to reduce the use of incarceration, where possible and when necessary, and effectively manage those who are in the most need of incarceration. Before attempting to establish data management and analysis processes, however, the group should have a clearly articulated criminal justice strategy to better align data management efforts and this strategy should be generated by the trusted partners in the criminal justice systems as articulated in our committee's mission to address intergovernmental concerns.

As a result, this committee believes that the proposed outcomes on the above information would be an improved objective classification process, a refocusing of the overall housing data that is based on inmate needs versus simply the number of beds available, and individualized treatment and program plans, where necessary, that could carry over into the community as part of a continuity of care upon

release. Said outcomes would greatly support any efforts towards a community wide intergovernmental process to allow for input from community advocates and policy makers.

Subcommittee 3

SC-3: Population Control

This subcommittee reviewed the process by which the population of the jail is controlled and made recommendations for the county to monitor this process in an ongoing fashion. Although, much related to capacity in the sense that there are a lot of stakeholders, population control also has a forward-thinking component. This subcommittee should consider the fact that the population of a jail is dynamic and not necessarily static. Jail population is affected by new laws, fluctuating crime rates and population and demographic shifts. How will the county respond accordingly to new trends and population influencers in the future? What can the county do to maintain a firm grip on the underlying processes and factors that dictate the jail population? In considering these questions, what questions should be asked by county stakeholders as the county moves forward in the years and decades to come so that the county can respond quickly when the population increases or decreases to the point that changes need to be made to jail operations and safety controls. This subcommittee should evaluate and report on these concerns so that the county can make informed decisions regarding population control.

SC-3 Information and Hypotheses

New laws, fluctuating crime rates and population and demographic shifts significantly contribute, pro rata, to incarceration rates and its effect on population control measures. Understanding population control from a currently incarcerated perspective is cyclical in nature (current inmates are adjudicated out of the jail, while new inmates are adjudicated into the jail). However, understanding population control from a prior to incarceration perspective is structural in nature (Why and how are new inmates being adjudicated into the jail) and, by extension, barriers to inmates being adjudicated out of jails once incarcerated.

^{viii}Evidence suggests that criminal justice debt plays a key role in jail populations. The state of Missouri is one of many states that has been examined regarding the relationship between criminal justice fees (debt drivers) and incarceration rates. One report indicates that fees associated with incarceration and interactions with law enforcement, though sometimes small, in the aggregate can often total hundreds and thousands of dollars of debt. To compound this situation, an inability to pay initial fees and charges leads to even more fees, often referred to as “Poverty Penalties.” Contemporary research goes on to suggest that even though the proverbial “debtors’ prison” is illegal in the US and in all fifty states, some would argue that reincarcerating individuals for an inability to pay a debt is a significant pathway back to jail. Furthermore, the preponderance of, and threat of reincarceration due to debt impedes individuals’ chances to reintegrate into society after a period of incarceration. Of note, even an incarceration period of a few days or a week can have a profound effect on a jail’s population control measures and presents an obstacle to reentry which only adds to the number of days an inmate is incarcerated and results in a net negative impact to the community as a whole.

Since the issuing and collecting of fee’s associated with law violations, probation, house arrest, bonds, etc. often end up in city and state coffers, community advocates argue that these fees can be viewed as a revenue generating engine for the local government. ^{ix}As documented in Ferguson, MO, an overdependence or reliance by communities on fee generated revenue via institutionalized law enforcement and centers of justice can have substantial and undesirable consequences.

While evidence supports that an increase in crime rates and populations density are important factors when evaluating and implementing population control measures, likewise, policy makers would be wise to also consider the structural, impact that fee's bonds and other monetary considerations have on the inmate population and capacity of the jail.

Aside from money bails and other contributing factors to jail population size, length of stay in the county jail is a significant driver to population numbers. The longer it takes to adjudicate inmate cases and risk assessments the more beds are occupied by inmates who could conceivably have been released back to the community or to another facility based on their sentencing requirements. Increasing the velocity of pretrial risk assessments to allow for judges to ROR (Released on Own Recognizance) inmates, when warranted, the development of enhanced alternatives to incarceration such as house arrest and affording inmates with speedy trials related to their charges would greatly enhance the ability of the jail to control its population in a manner that is consistent with the safety and security requirements of the current facility or a new facility in the future.

It is understood by this committee that these goals are not achievable by the department of corrections alone. It is, however, our position that an effective, strategic and concerted effort on the part of local stakeholders such as the courts, prosecutor's office and municipal entities, working in concert with the department of corrections will be required to effectively maintain and control the population of the jail.

Accordingly, this committee agrees with and supports the analysis of HDR/Shive-Hattery relating to their draft documentation presented to the Task Force (August 2018), regarding the development of a Whole-System Coordination by the formation of a Criminal Justice Coordinating Council (See Appendix: CJCC). These efforts, once established, will allow for a more holistic approach to the concerns of the community related to safety and transparency as to the, who-and-why questions related to the inmate population of our community. Furthermore, these same efforts would offer a consistent framework for accountability to the community when considering the many factors related to population control based on current realities of the jail facility and resources versus future challenges and or obstacles related to a new facility that are currently known or unknown.

Task Force Supports Five Consultant's Recommendations

Consultant Support

The Jail Task Force has generated a common opinion that supports the recommendations of the first five Shive-Hattery/HDR report as outlined below. The task force believes that the recommendations of the consultants is a positive first step towards a more thoughtful approach to understanding and working within the current justice system to the betterment of the Jackson County, MO community as a whole.

1. Develop Policy Agreements to Immediately Address Urgent Legacy Issues in Jail

- **Jail Capacity:** Consistently and persistently for years, the jail has been operating substantially above its functional capacity.
Recommendations: Agree on functional capacity. Establish housing caps both per module and overall. Reduce population to reflect capacity agreements.
- **Jail Staffing:** The Jails physical design is among the most staff intensive we've (CJSA team) ever seen. Both authorized staffing level (339) and current number of staff (298) are insufficient to meet need.
Recommendations: Finalize facility-wide staffing plan. Conduct intensive hiring to fill authorized positions. Increase number of authorized staff to reduced dependence on overtime. Complete update of jail policy manual. Train staff on new standards/culture.

- Jail Mental/Medical: Mental health intake and assessment are inconsistent. Previously contracted medical and mental health services were inadequately staffed. Suicide prevention and crisis management should be improved. Physical layout for mental health/medical services area is inefficient.
Recommendations: Enhance and standardize mental health intake and triage. Improve suicide-prevention protocols. Enhance prerelease protocols for mentally ill. Coordinate systems (medical, mental, staff). Reorganize layout for medical and mental health areas. Restore and improve in-custody programs.

2. Develop Practices for Whole-System Coordination

- Finding: The Jackson County/Kansas City criminal justice functions are managed as disaggregated elements, without comprehensive review, analysis, or joint problem-solving.
Recommendations: Jointly authorize, form, and support a Criminal Justice Coordinating Council (CJCC) [Note: On 7/17/18, the Chair of the Legislature, the County Executive and Kansas City Mayor endorsed this recommendation.] The CJSA team recommends you immediately begin the process by establishing a three-person CJSS Work group (representative of County Executive, Legislature and KC Mayor) to begin this process and retain technical assistance.

3. Take Collective Approach to Data Gathering, Sharing Analysis

- Limited Data Use: Across multiple systems, data gaps, data-related uncertainties, and lack of collective analysis across criminal justice agencies prevent shared decision-making.
Recommendations: Establish an all-system data group to institutionalize data sharing and analysis. Identify and agree upon a set of essential metrics necessary to remedy current conditions. Conduct a retrospective system analysis using cohort of disposed cases to examine system gaps, redundancies and inconsistencies. Page 2 of 2

4. Identify Opportunities to Reduce Use of Incarceration

- Current Use: Data review suggests there are current and future opportunities to reduce use of incarceration.
Recommendations: Reduce avoidable jail inflows across system (arrestees, JCDC, RCC). Increase available jail releases. Improve/expand pretrial release processes. Improve and increase efficiency of ROR (release on recognizance) bond process. Improve, increase and standardize use of diversion (of multiple types). Improve case-processing speeds (from ROR to aging cases) including use of case expeditor. Increase use of noncustodial supervision (both pretrial and post-conviction)

5. Develop Criminal Justice Strategic Plan, to Include Action Plans

- Limited Planning: Currently, criminal justice planning is fragmentary and situation-specific. Building or renovating a jail will take several years, cannot resolve current issues, and should be part of ongoing collective planning and review.

Recommendations: Designate CJSS as the body responsible for overseeing this work. Commit to developing a system-wide, three-year criminal-justice strategic plan. Develop associated annual action plans with clear governance, goals, metrics and milestones. JTF Recommendations

Task Force Recommendations

The task force has determined that there are three areas of significance for the jail and the county to focus their efforts; Capacity, systems, physical facility. Our recommendations, based on the work of our subcommittees, will be related to these three areas of focus and will detail more specifically the results of our work and reflect the input from the community.

1. Increase staff and staff training to better address security and other housing issues related to overcrowding. Provide cultural competency, special sensitivity, implicit bias, and behavioral health training to corrections officers and inmate service coordinators.
2. Develop a workable strategy with KCPD and Kansas City Municipal Court to determine if JCDC is the best option for municipal inmates and KCPD arrestees. Seriously evaluate the viability of a jail that includes a municipal population in county custody.
3. Provide a comprehensive yet concise needs assessment during the intake process and require all arrestees to be psychologically assessed by a qualified behavioral health professional during the orientation process.
4. Develop Mental Health, transgender and other models to incorporate 21st Century confinement best practices and strategies for vulnerable populations.
5. Promote the realignment of money bonds to be calibrated with risk to the community and not punishment (e.g. why does jail time on a charge make sense when a guilty plea results in probation and release?).
6. Promote stakeholder agreements on what arrests will be prosecuted and what arrests will not be prosecuted to reduce the discrepancy between low level arrests and time in jail.
7. Develop strategies to allow for continuity of care regarding medical health, behavioral health, substance abuse and other programs that can be continued in the community when inmates are released from custody.
8. Promote stakeholder agreements that will remove barriers to speedy trial and determinations for release on own recognizance, while supporting initiatives that focus on alternatives to incarceration such as house arrest and signature bonds.
9. Utilize the information in this report, the subsequent recommendations of the task force, HDR/Shive-Hattery, and previous reports to plan, design and build a new jail with the appropriate capacity and resources to better serve the safety and security needs of the communities served by Jackson County, Missouri.

Conclusions

The task force believes that it has fulfilled its mandate and provided Jackson County with meaningful conclusions and recommendations that will be useful in planning for the future of the Jackson County Department of Corrections. We have striven these many months to incorporate the input we've received from the community via our public hearings into the findings of our report. Additionally, we have relied heavily on our own subject matter expertise in our respective professions, as well as our long-standing connections to this community as active stakeholders and constituents of the region to buttress our overall recommendations.

It should come as no surprise that we have had to undertake some uncomfortable truths about the nature of incarceration in our society. Our justice system has the responsibility and the need to provide our community with safety and security by humanely caring for the most dangerous members of our society, while simultaneously providing for thoughtful analysis and considerations of the most vulnerable populations in our community who increasingly end up incarcerated for reasons that have little to do with public safety. We understand that there is no one size fits all solution nor is there a magic bullet that solves these seemingly dichotomous concepts. However, engaging the entire community and policy makers, as well as the law enforcement entities in our community is a more meaningful and inclusive process to appropriately and effectively manage and monitor our inmate populations while providing the much needed transparency needed to uphold the public trust.

The task force would like to thank all the members of the community, the Jackson county administrations and the consultants of HDR/Shive-Hattery who participated with and assisted us in our task. We are confident, should our recommendations be adopted and implemented, that we will have provided a valuable service to the county and to our community.

ⁱ Willison, Janeen Buck, et al. "Process and Systems Change Evaluation Findings from the Transition from Jail to Community Initiative." *Urban Institute*, 1 Feb. 2017, www.urban.org/research/publication/process-and-systems-change-evaluation-findings-transition-jail-community-initiative.

ⁱⁱ "New Report by Prison Policy Initiative and ACLU Provides New Analysis of Fastest Growing Incarcerated Population: Women." *American Civil Liberties Union*, www.aclu.org/news/new-report-prison-policy-initiative-and-aclu-provides-new-analysis-fastest-growing-incarcerated.

ⁱⁱⁱ "State Prison Health Care Spending." *A Report from The Pew Charitable Trusts*, John D. and Catherine T. MacArthur Foundation, July 2014, www.pewtrusts.org/~media/assets/2014/07/stateprisonhealthcarespendingreport.pdf.

^{iv} Laird, Lorelei. "Bail Schedules Are Unconstitutional and Bad Public Policy, DOJ Says." *ABA Journal*, Apr. 2016,

^v Godsil, Rachel D, and HaoYang Jiang. "Prosecuting Fairly: Addressing the Challenges of Implicit Bias, Racial Anxiety, and Stereotype Threat." *Perception Institute*, Oct. 2018, perception.org/publications/prosecuting-fairly-addressing-challenges-implicit-bias-racial-anxiety-stereotype-threat/.

^{vi} Quigley, Bill. "40 Reasons Why Our Jails Are Full of Black And Poor People." *The Huffington Post*, TheHuffingtonPost.com, 2 June 2016, www.huffingtonpost.com/bill-quigley/40-reasons-why-our-jails-are-full-of-black-and-poor-people_b_7492902.html.

^{vii} **Ibid**

^{viii} Bannon, Alicia, et al. "Criminal Justice Debt: A Barrier to Reentry." *CSG Justice Center*, 4 Oct. 2010, csgjusticecenter.org/nrrc/publications/criminal-justice-debt-a-barrier-to-reentry-2/.

^{ix} "The Ferguson Report: Department of Justice Investigation of the Ferguson Police Department." *United States Department of Justice Civil Rights Division*, 4 Mar. 2015, www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf.