

**OAKLAND COUNTY JAIL POPULATION
MANAGEMENT TASK FORCE**



FINDINGS AND RECOMMENDATIONS

July 20, 2005

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ACKNOWLEDGEMENTS

On behalf of the Oakland County Board of Commissioners and as Chairman of the Oakland County Jail Population Management Task Force, I would like to thank all those who participated in this process. Their generous contribution of both knowledge and expertise in the various aspects of criminal justice has resulted in this final document, providing more than 50 recommendations to address the issues of jail population management.

COMMISSIONER ERIC WILSON

DISTRICT #3

TASK FORCE MEMBERS

The following individuals served on the Oakland County Jail Population Management Task Force as established by Miscellaneous Resolution #04179:

OAKLAND COUNTY COMMISSIONERS

Hon. Eric S. Wilson
Chairperson,

Hon. Helaine Zack
Vice Chair,

Hon. Hugh D. Crawford
Commissioner

Hon. Eileen Kowall
Commissioner

OAKLAND COUNTY EXECUTIVE

Gerald Poisson
Deputy Oakland County Executive

Judith Cunningham
Oakland County Corporation Counsel

OAKLAND COUNTY CIRCUIT COURT

Hon. Wendy Potts
Chief Judge

Kevin Oeffner (alternate)
Circuit Court Administrator

OAKLAND COUNTY CIRCUIT COURT PROBATION

Kenneth Aud
Area Manager

OAKLAND COUNTY 52ND DISTRICT COURT

Hon. William Bolle
Chief Judge, 52nd District Court

Jim Ver Ploeg (alternate)
52/4 District Court Administrator

OAKLAND COUNTY THIRD-CLASS DISTRICT COURTS

Hon. Leo Bowman
Judge, 50th District Court
Oakland County District Court Judges Assn

Hon. Keith Hunt (alternate)
Judge, 43rd District Court
Oakland County District Court Judges Ass

OAKLAND COUNTY SHERIFF

Ann Russell
Corrections Administrator (alternate)

Mayor Douglas Eader

OAKLAND COUNTY PROSECUTING ATTORNEY

Deborah Carley
Chief Deputy Prosecutor

OAKLAND COUNTY COMMUNITY CORRECTIONS

Barb Hankey
Manager

Bob Gatt (alternate)
Chief of Field Operations

AD HOC STAFF AND ACKNOWLEDGEMENTS

Robert Daddow
Deputy County Executive
Oakland County

Dave Ross
Director, Facilities Management
Oakland County

Amy Bowen-Krane
Attorney
Oakland County Bar Association

Libby Smith
Civil/Criminal Division Administrator
Oakland County Circuit Court

Deborah Green
Region I Administrator
State Court Administrative Office

Gwen Starkey
Program Evaluation Analyst
Oakland County Circuit Court

Joan Bacon
City Attorney,
Secrest Wardle

Sharon Williams
Administrator
50th District Court

THE CHARGE

Acting pursuant to Miscellaneous Resolution #04179, the Oakland County Board of Commissioners formed the Jail Population Management Task Force (JPM Task Force) in September, 2004. The Board charged the JPM Task Force with the following:

1. To develop a Jail Population Management Plan containing long-term solutions:
 - a. to reduce dependencies upon the local corrections system;
 - b. to expedite the processing of criminal cases; and
 - c. to recommend jail population management policies;with all such recommendations to be consistent with Michigan law.
2. To establish priorities of the classes of offenses that should be housed in the jail; and
3. To consider an apportionment system whereby the Circuit and District Courts in Oakland County would delegate a fixed number of jail beds (pre-disposition plus sentenced inmates) for offenders under their jurisdiction.

Findings and recommendations related to charges two and three will be forthcoming.

THE PROCESS

In order to facilitate the execution of the JPM Task Force mission, Commissioner Eric Wilson, Chairperson of the JPM Task Force, established five (5) distinct Study Groups, each chaired by an Oakland County Commissioner:

Jail Task Force Study Group Assignments

Docket Management Study Group Members

- Eric Wilson, Commissioner (Chair)
- Gerald Poisson, Deputy Executive, Executive Designee
- Wendy Potts, Chief Judge, Circuit Court (or alternate Kevin Oeffner)
- William Bolle, Chief Judge, 52nd District Court (or alternate Jim Verploeg)
- Deb Carley, Chief Prosecutor, Prosecuting Attorney Designee
- Judy Cunningham, Corporation Counsel
- Deborah Green, Administrator, SCAO Region I (Ad Hoc)
- Libby Smith, General Jurisdiction Administrator, Circuit Court (Ad Hoc)

Pre-Trial Study Group Members

- Helaine Zack, Commissioner (Chair)
- William Bolle, Chief Judge, 52nd District Court (or alternate Jim Ver Ploeg)
- Leo Bowman, Judge of the 50th District Court - Representative of the Oakland County District Court Judges' Association's Non-52nd District Courts (Judge Keith Hunt, Alternate)
- Deb Carley, Chief Prosecutor, Prosecuting Attorney Designee
- Barb Hankey, Community Corrections Manager (or alternate Bob Gatt)
- Amy Bowen-Krane, OCBA Criminal Defense Bar Representative (Ad Hoc)
- Joan Bacon, City Attorney (Ad Hoc)

Jail Space Study Group Members

- Hugh Crawford, Commissioner (Chair)
- Ann Russell, Corrections Administrator, Sheriff Designee (or alternate Major Douglas Eader)
- Gerald Poisson, Deputy Executive, Executive Designee
- Kenneth Aud, Area Manager, Circuit Court Probation
- Dave Ross, Director, County Facilities Management (Ad Hoc)

Jail/Court Data Study Group Members

- Eileen Kowall, Commissioner (Chair)
- Wendy Potts, Chief Judge, Circuit Court (or alternate Kevin Oeffner)
- William Bolle, Chief Judge, 52nd District Court (or alternate Jim Ver Ploeg)
- Ann Russell, Corrections Administrator, Sheriff Designee (or alternate Major Douglas Eader)

- Judy Cunningham, Corporation Counsel
- Bob Daddow, Deputy Executive, Executive (Ad Hoc)
- Libby Smith, General Jurisdiction Administrator, Circuit Court (Ad Hoc)

Jail Alternatives Study Group Members

- Helaine Zack, Commissioner (Chair)
- Ann Russell, Corrections Administrator, Sheriff Designee (or alternate Major Douglas Eader)
- Deb Carley, Chief Prosecutor, Prosecutor Designee
- Barb Hankey, Manager, Community Corrections (or alternate Bob Gatt)
- Kenneth Aud, Manager, Circuit Court Probation
- Amy Bowen-Krane, OCBA Criminal Defense Bar Representative (Ad Hoc)

In addition to the Study Groups, the JPM Task Force, together with Sheriff Michael Bouchard and Chief Circuit Judge Wendy Potts, requested that the United States Department of Justice - National Institute of Corrections (NIC) conduct a study on Oakland County's jail population management issues.

SUMMARY RESULTS

NIC Consultants Robert Cushman and Mark Cunniff spent 3 days analyzing Oakland County's issues, meeting with virtually all relevant stakeholders. Their conclusions can best be summarized by their observation that jail population management is an issue to be managed rather than a problem to be solved. To that end, their report contains eight (8) specific recommendations designed to assist in the long-term management of the jail population:

1. Create a criminal justice coordinating council (CJCC).
2. Provide the CJCC with substantial analytical staff support.
3. Conduct a comprehensive review of the District Court System.
4. Strengthen the ability to document, analyze and clearly show how jail space is being used.
5. Examine and illuminate decision-making at the seven key justice system decision points.
6. Prepare a sanctions and services matrix.
7. Seek agreement on purposes of the jail and the sanctioning system.
8. Engage citizens in the reform process.

The NIC consultants made fifteen (15) key findings. Interestingly, they observed that a new jail may not be needed, indicating that, "Oakland County appears to have enough jail capacity." (Finding #7).

While the NIC may suggest there is no need for additional jail spaces, the Jail Task Force recognized that factors unique to Oakland County contribute to the jail population challenges and merit consideration. Some of these factors include the County's history of emphasizing public safety, as evidenced by its historic allocation of taxpayer

resources supporting aggressive law enforcement; the efficient administration of justice; its emphasis on handling offenders locally; and its history of broadening its incarceration options by leasing jails beds outside of Oakland County.

Important too is the fact that Oakland County is serviced by 36 District Court Judges who, unlike Circuit Court Judges in the felony arena, are not obligated to follow any Michigan Supreme Court mandated sentencing guidelines or policies governing offender placement within the jail.

A final factor that merits consideration is the currently unknown impact of offenders being pushed down to the county jail as the result of State policies designed to assist the Department of Corrections in its struggles with prison crowding. Extensive sentencing guideline revisions and re-entry initiatives are being discussed that, if adopted, would substantially impact the jail population and costs to county taxpayers.

Given these factors, building a new facility or adding space to an existing facility may someday be a viable option. Because of this, a very preliminary analysis of construction and operating costs for 3 different scenarios has been provided in the tables below:

Facility Costs – 320-672 Bed Low to Medium Security Facility Table 2

Beds	Construction Cost	Annual Operations
320 beds	\$37 million	\$11.3 million
672 beds	\$65 million	\$22.8 million

Facility Costs – 750 Bed Maximum Security Facility Table 3

Beds	Construction Cost	Annual Operations
750 beds	\$80 million	Move operation of maximum security to new facility and shut down old Linear County Jail

Given the depth of the financial issues facing the State and County and the high cost of facility expansion and operation, it is evident that a compelling business case will need to be made to the public if building or expanding jail facilities is chosen as an option to pursue.

Time is also an issue. Even if a new jail facility is approved, it would not be completed for at least 3 years and upon opening, most likely, it would be filled to capacity.

The JPM Task Force recommends that as part of any decision making analysis, a cost-benefit study should be completed that includes evaluation of the cost of incarceration versus the cost of expanding and operating Community Corrections programs. Also to be considered are any savings resulting from the elimination of out-county housing.

The JPM Task Force recognizes the need for sound policies that help to manage the jail population without compromising public safety. The recommendations made by each Study Group are the first step in this process. The Study Groups deliberated and made the recommendations set forth in Appendix A.

Each of the recommendations needs to have an action plan developed and filed with the Oakland County Board of Commissioners.

INTRODUCTION

The Oakland County Board of Commissioners approved Miscellaneous Resolution #04179 creating the Jail Population Management Task Force (JPM Task Force) on August 26, 2004 (Attachment C).

The job of the JPM Task Force was to:

- A. Develop a Jail Population Management Plan;
- B. Expedite the processing of criminal cases; and
- C. Recommend jail population management policies.
- D. To establish priorities of the classes of offenses that should be housed in the jail; and
- E. To consider an apportionment system whereby the Circuit and District Courts in Oakland County would delegate a fixed number of jail beds (pre-disposition plus sentenced inmates) for offenders subject to their jurisdiction.

Oakland County has an outstanding reputation as a great place to live, work, play and raise a family. One reason is the long-standing emphasis County government has placed on promoting and maintaining public safety. Aggressive, professional enforcement of criminal laws requires a corresponding commitment to the provision of facilities sufficient to insure offenders are properly sentenced and, must, when necessary, include options for incarceration.

Oakland's reputation as a quality community has resulted in a steady increase in population. Associated with any increase in population is the need for an increase in governmental service levels which can include the need to provide for an expanded jail

population. Proper management of the jail population is a complex task. While public safety remains a paramount priority and concern, county government is faced with increases in federal court mandates, reductions in State funding and possible changes in the sentencing guidelines that effectively move dangerous felony offender prisoners from state prisons to overcrowded county jails.

Despite being confronted with these seemingly insurmountable obstacles, Oakland County has continued to be proactive in effectively protecting the public. County government has invested substantial taxpayer resources in the effort to provide adequate jail space. Nevertheless, jail overcrowding remains an ever-present issue facing the County. Several overcrowding events were declared between 2003 and 2005, but fortunately, inmate releases were not required due to emergency measures undertaken by various justice system components to reduce the inmate population.

In 2004, the Oakland County Sheriff's Office housed a daily average of 1,846 inmates. On average, an additional 145 inmates were housed out-county each day. In 2004, over 26,000 persons were booked into the Oakland County jail facilities. These included juveniles, mentally ill individuals, persons awaiting trial, persons pending arraignment, protective custody cases, the infirm, persons awaiting transfer to State, Federal or other jurisdictions and those sentenced upon conviction of criminal conduct. Officials in Oakland County recognized that there exists an urgent need for a unified, cooperative and comprehensive approach to developing a jail management plan and the need for associated policies to enforce that plan. It is imperative that all County stakeholders engage in identifying reasonable solutions to optimize the management of the jail population.

The overall mission of the JPM Task Force was to seek solutions to jail overcrowding that were consistent with maintaining strong law enforcement and protection for the citizens of Oakland County. The JPM Task Force operated within two general boundaries: (1) The Jail Population Management Plan needs to contain long-term solutions to reduce dependencies upon the local corrections systems. (2) Recommended Jail Population Management policies must also be consistent with Michigan Law, (i.e. recognize the various roles of independently elected officials, respect Separation of Powers, provide for Due Process and Equal Protection under the law.)

The Jail Task Force began meeting on September 28, 2004 and was originally required to reports its findings to the Oakland County Board of Commissioners by December 1, 2004. To allow sufficient time for the gathering of additional information, especially from the National Institute of Corrections (NIC) consultants, the Board of Commissioners adopted Miscellaneous Resolution #05001 (Exhibit B) to re-establish the Jail Population Management Task Force, Miscellaneous Resolution #05059 (Exhibit C) to extend the reporting deadline until June 1, 2005, and Miscellaneous Resolution #05104 to again extend the reporting deadline until September 30, 2005.

This report is a culmination of the work and dedication of the Jail Population Management Task Force members. The report reflects the recommendations, strategies and alternatives to address jail overcrowding.



(Members of the Oakland County Board of Commissioners meet with National Institute of Corrections staff)

HISTORY

Over the past 16 years, Oakland County Board of Commissioners, County Executive, Circuit Court and County Prosecutor and Sheriff have attempted to study and analyze jail overcrowding issues.

Prior cooperative Jail Task Force efforts developed and implemented several positive strategies aimed at managing a growing jail population including:

- Community Corrections Programs
- New Work Release facilities
- Jail Diversion Programs
- Implementing best practices at Circuit Court
- Reduction in jail time to take an offender from plea to sentencing

Each of these plans gave breathing space to the stakeholders and worked to obviate the need to construct a new jail facility. Considering our history, this JPM Task Force will probably not be the last attempt by Oakland County to comprehensively address jail capacity challenges. The JPM Task Force doesn't claim to be prescient, but some members believe that if jail overcrowding persists, and history strongly suggests overcrowding will continue to be an issue, then, finances permitting, the building of a new or **replacement** facility should start sooner than later.

Other members of the JPM Task Force believe it incumbent upon the County to make every effort to conserve taxpayer resources and avoid the cost of new jail construction and operation by first trying to implement the suggestions of the NIC consultants. Recognizing both views merit further consideration, the following recommendations are presented.

RECOMMENDATIONS

The committee's suggestions are presented in four categories, representing the estimated length of time to implement the proposed recommendation:

Immediate-Range	May be implemented relatively quickly and easily. <i>Approximate implementation period: 0 to 6 months.</i>
Mid-Range	May require additional analysis or effort before implementing. <i>Approximate implementation period: 6 to 18 months.</i>
Mid/Long-Range	Requires additional analysis or effort before implementing. <i>Approximate implementation period: 19 to 36 months.</i>
Long-Range	Likely requires a substantial amount of effort to implement. <i>Approximate implementation period: 3 years or more.</i>

Immediate-Range Recommendations

It is the recommendation of the JPMTF that the following suggestions could be implemented immediately:

1. Create a Criminal Justice Coordinating Council (CJCC). Membership would include all justice system stakeholders, including representatives of the public. The Bylaws would outline specific voting membership and provide each member with one designated alternate who would have voting rights in their absence.
 - o *Impacted Agencies:* Board of Commissioners to create and all to participate. Courts, Prosecutor, Sheriff, County Executive, Police, Probation all must participate.
2. Provide the CJCC with analytical staff who report directly to the Council.
 - o *Impacted Agencies:* Board of Commissioners. Courts, Prosecutor, Sheriff, County Executive, Police, Probation all must participate.

3. Study the Oakland County Local Justice System Assessment prepared by the National Institute of Corrections (NIC) and implement appropriate recommendations.
 - *Impacted Agencies:* All.
4. Use one standardized assessment tool to determine risk level at all points of the criminal justice system. Set the level of acceptable risk and use scores to make sentencing or bond determinations. (i.e. Northpointe COMPAS)
 - *Impacted Agencies:* Sheriff, Community Corrections, Courts, Prosecutor.
5. Develop an automatic low-bond release program for in-custody inmates. For instance, after three days in jail, defendants with cumulative bonds totaling \$1,000 meeting certain eligibility criteria would be released to Pre-Trial Services for alternative placement, according to level of risk.
 - *Impacted Agencies:* Jail, District Court, Circuit Court and Pretrial Services, Police, Prosecutor.
6. Set guidelines to shorten pretrial length of stay (LOS) between court dates. For instance, bindover to arraignment, arraignment to pretrial, pretrial to trial, disposition to sentence, etc.
 - *Impacted Agencies:* Jail, District Court, Circuit Court, Prosecutor, Defense Bar and Probation.
7. Establish guidelines to limit or at least monitor the number of adjournments granted on in-custody cases.
 - *Impacted Agencies:* Jail, District Court, Circuit Court, Prosecutor, Defense Bar and Probation.
8. For inmates with multiple cases, consolidate cases before one judge so that sentencing terms are consistent.
 - *Impacted Agencies:* Jail, District Court, Circuit Court, Prosecutor, Defense Bar and Probation.
9. Monitor pre-sentence investigation (PSI) recommendations to ensure that all Public Act 511 (PA511) eligible inmates are sentenced to an appropriate program.
 - *Impacted Agencies:* Jail, District Court, Circuit Court, Community Corrections, Probation, Prosecutor and Defense Bar.

10. Extend the charge of the JPMTF beyond such time as the State of Michigan adopts its budget, so that the county will know to what extent this budgetary action will impact its own criminal justice system.
 - *Impacted Agencies:* All.
11. Periodic review court operations to ensure best practices are employed (e.g., no defendant leaves the courtroom without a next event date, prompt scheduling of bond and other hearing dates, limit adjournments to those for good cause, priority for jail over bail cases, etc.).
 - *Impacted Agencies:* Jail, District Court, Circuit Court, Pretrial Services, Probation, Prosecutor and Defense Bar.
12. Quarterly review of best practices between Sheriff, courts, Administration and Board of Commissioners.
 - *Impacted Agencies:* Jail, District Court, Circuit Court, County Executive Administration and Board of Commissioners.
13. Institute a standardized assessment tool throughout the pretrial, sentencing, and incarceration periods to assess risk, flight and recidivism and to determine sentencing recommendations.
 - *Impacted Agencies:* Jail, District Court, Circuit Court, Pretrial Services, Probation, Prosecutor and Defense Bar.
14. Provide magistrates with training offered through the Michigan Judicial Institute with additional emphasis on local resources and constraints.
 - *Impacted Agencies:* District Court.
15. Strive for greater communication and coordination between courts for defendants with multiple cases before multiple judges.
 - *Impacted Agencies:* Circuit Court and District Court.
16. The CJCC, chief judges and the SCAO need to instruct all judges to regularly set the next court date, [optimally while the parties are present in the courtroom,] giving priority hearings to those incarcerated and try to coordinate scheduling for multiple cases assigned to multiple courts.
 - *Impacted Agencies:* CJCC, Circuit Court, District Court and SCAO.
17. Encourage greater use of Pretrial Services preliminary sentence guidelines when establishing bonds.
 - *Impacted Agencies:* District Court.

18. Implement a Joint Local Administrative Order requiring priority be given to incarcerated offenders in setting court dates. The jail could supply courts with a list of offenders in custody and those that have been unable to post bond in order to set court dates as soon as possible.
 - *Impacted Agencies: District Court, Circuit Court and Jail.*
19. Use the existing jail diversion programs more effectively to free up jail beds. Currently some programs are probationers instead of alternatives to jail time.
 - *Impacted Agencies: Circuit Court, District Court, Probation , Community Corrections, Police, Sheriff.*
20. Target eligibility for particular programs and tighten up admittance.
 - *Impacted Agencies: Circuit Court, District Court, Probation and Jail.*
21. Explore reducing jail sentence by 25% with permission of the court. (Kalamazoo model)
 - *Impacted Agencies: Circuit Court, District Court, Prosecutor and Jail.*
22. Establish central point of contact (gatekeeper) at each court to expedite resolution of inmate issues.
 - *Impacted Agencies: Circuit Court and District Court.*
23. When providing judges with jail alternative program information and eligibility criteria, also provide the associated jail bed savings and financial benefit realized by sentencing defendants to alternative programs in lieu of jail time.
 - *Impacted Agencies: Community Corrections and Probation.*
24. Determine who should be in the jail.
 - *Impacted Agencies: All.*

Mid-Range Recommendations

It is the recommendation of the JPMTF that the following suggestions could be implemented after performing additional analysis:

1. Obtain cost estimates on the current jail renovation capital improvement projects which would expand and update the Receiving/Intake area, inmate visitation and recreations areas.
 - *Impacted Agencies:* Facilities and Jail.
2. Recommend that district courts take felony pleas to alleviate pretrial inmate jail days.
 - *Impacted Agencies:* Circuit Court, District Court, Prosecutor, Defense Bar, and Circuit Court Probation.
3. Research legality of County Executive, Board of Commissioners, Chief Circuit Judge, Sheriff issuing either an operating memorandum or Administrative Order defining parameters of jail utilization. (i.e., bed allocation plan)
 - *Impacted Agencies:* All.
4. Develop guidelines for bond recommendations as part of training for magistrates.
 - *Impacted Agencies:* District Court, SCAO and Pretrial Services.
5. Develop standard sentencing language to assist the jail with interpreting sentencing provisions on court orders.
 - *Impacted Agencies:* Circuit Court, District Court, Circuit Court Probation, Community Corrections and Jail.
6. Provide magistrates for all the district courts.
 - *Impacted Agencies:* District Courts and their funding units.
7. Explore the option of allowing jail officials to place inmates into jail programs, including sentence reduction programs, according to the existing inmate classification system, security level and program eligibility criteria.
 - *Impacted Agencies:* Jail, Circuit Court and District Court.
8. Charge the CJCC with examining restitution alternatives such as those used in other states, release placement, a facility in modern design.
 - *Impacted Agencies:* Board of Commissioners.
9. Create a subcommittee of the CJCC to consist of one judge from each Oakland County district court. The subcommittee's recommendations would be passed on to the CJCC through its district court members.

- *Impacted Agencies: District Court.*
10. Establish a cross-functional team of persons, representing various roles, from across Oakland County's criminal justice community to serve as "experts," to recommend business process re-engineering strategies for the betterment of the entire system.
- *Impacted Agencies: All.*
11. Consider allowing magistrates to reduce bond.
- *Impacted Agencies: District Court.*
12. Employ more measurement and evidenced-based practices.
- *Impacted Agencies: All.*
13. Apply for grant funding to conduct research and evaluation of electronic monitoring supervision strategies, case management and probation.
- *Impacted Agencies: Community Corrections.*
14. Explore the possibility of establishing a "warehouse" facility to house misdemeanants using the secure jail for more at risk inmates.
- *Impacted Agencies: Jail and Facilities Management.*
15. Determine what type of information will be monitored and by whom. Assure that the requested information can be obtained through the jail management system so that it can be used to develop reports through the data warehouse. Attempt to provide such information in a format and frequency that is most acceptable to those requesting the data.
- *Impacted Agencies: All.*
16. Need for centralized and detailed records regarding adjournments and the reasons they occur.
- *Impacted Agencies: Circuit Court and District Court.*
17. Conduct cost/benefit analysis of placing an additional Pretrial Services investigator at every district court to assist with expediting offenders through the system in order to reduce jail days.
- *Impacted Agencies: Community Corrections.*

18. Encourage district courts to implement the “3-day paper bond review” process used by the 46th District Court to review routinely in-custody cases in which the defendant has not posted bond, after the third day in jail.
 - *Impacted Agencies: District Courts.*
19. Conduct analysis to determine to what extent the length of stay for in-custody misdemeanants exceeds the maximum jail sentence limits.
 - *Impacted Agencies: District Courts.*
20. Determine the true cost of housing a person in the jail.
 - *Impacted Agencies: Jail.*

Mid/Long-Range Recommendations

It is the recommendation of the JPMTF that the following suggestions could be implemented after additional analysis, in the next few years:

1. Develop a Sanctions and Services Matrix, as recommended by the NIC. Evaluate eligibility criteria and monitor the use of programs. Involve the circuit judges, district judges and probation.
 - *Impacted Agencies: Community Corrections, Circuit Court, District Court and Probation.*
2. Use one standardized assessment tool to determine risk level at all points of the criminal justice system. Set the level of acceptable risk and use scores to make sentencing or bond determinations. (i.e. Northpointe COMPAS)
 - *Impacted Agencies: Community Corrections.*
3. Examine expenses of Community Correction alternatives to incarceration. Some states have initiated a program whereby misdemeanants work out in the community but they are tethered via Global Positioning System (GPS).
 - *Impacted Agencies: Community Corrections.*
4. Leverage technology – particularly the Internet -- to provide greater access to case and/or inmate information for all criminal justice system stakeholders. (i.e., court schedules, dockets, etc.)
 - *Impacted Agencies: Information Technology.*

5. Expedite the process of forensic exams by training local psychologists to provide on-site exams, creating a closer facility or improving the State's process.
 - *Impacted Agencies:* Board of Commissioners and Jail.

Long-Range Recommendations

It is the recommendation of the JPMTF that the following suggestions could be implemented in the future:

1. Create a case management / inmate data system that will provide a consistent and real time data format for both the circuit and district courts. Include data such as next event date.
 - *Impacted Agencies:* Circuit Court, District Court, Circuit Court Probation, Community Corrections, Prosecutor, Defense Bar and Jail.
2. Explore the development of sentencing guidelines for the district courts.
 - *Impacted Agencies:* SCAO and District Courts.
3. Consider creating a centralized magistrate system using video arraignment technology for the entire county.
 - *Impacted Agencies:* District Court and Information Technology.
4. Develop a long-term strategic plan to address any additional jail space that would be required in the future.
 - *Impacted Agencies:* Jail.

CONCLUSION

The Jail Population Management Task Force respectfully requests that the Oakland County Board of Commissioners authorize a resolution to create a Criminal Justice Coordinating Council, with a provision to continue the existing Jail Population Management Task Force until such time as the Council is established.

Respectfully submitted by,

Eric Wilson, Chairperson
Jail Population Management Task Force

REFERENCES

Cushman, Robert C. & Cunniff, Mark. (2005, April) *Oakland County Local Justice System Assessment*, pp. ___ - ___.

LIST OF APPENDICES

Jail Population Management Task Force – Study Group Recommendations A

Cost of Constructing a New County Jail Facility B

Oakland County Board of Commissioners Miscellaneous Resolution #04179 C

Oakland County Board of Commissioners Miscellaneous Resolution #05001 D

Oakland County Board of Commissioners Miscellaneous Resolution #05059 E

Oakland County Board of Commissioners Miscellaneous Resolution #05104 F

Jail Population Management Study Group Notes..... G

Oakland County Local Justice System Assessment H

**APPENDIX A - MISCELLANEOUS RESOLUTION #04179
OAKLAND COUNTY BOARD OF COMMISSIONERS**

BY: Commissioner Peter H. Webster, District #18

IN RE: **BOARD OF COMMISSIONERS - CREATION OF JAIL POPULATION MANAGEMENT TASK FORCE**

To the Oakland County Board of Commissioners

WHEREAS public safety is one of the paramount concerns in Oakland County. The proper management of the County jail population is a complex issue, made more difficult by federal court mandates and insufficient State funding. Over the past years, Oakland County has done an excellent and efficient job of protecting the public and providing sufficient jail space; and

WHEREAS unfortunately, as Oakland County's population increases, the jail population increases. Jail overcrowding is an important issue confronting Oakland County, including two jail overcrowding events in 2003; and

WHEREAS the State of Michigan and its prison system continues to propose plans that do not meet its responsibility to house convicted criminals, shifts that responsibility to Counties without proper financial support; and forces additional inmates to county jails as opposed to the State prison system where those inmates should have been incarcerated; and

WHEREAS Oakland County needs a unified, cooperative and comprehensive approach to developing a jail population management plan and the associated policies to enforce the plan. All County stakeholders should participate to insure reasonable efforts are made to optimize the management of the jail population; and

WHEREAS a Jail Population Management Task Force should be convened to develop a Jail Population Management Plan to reduce dependencies upon the local corrections system, expedite the processing of criminal cases, and recommend jail population management policies.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners establishes a Jail Population Management Task Force consisting of the following persons:

- Chief Judge of the 6th Judicial Circuit Court (or designee)
- Chief Judge of the 52nd District Court (or designee)
- Representative of the Oakland County District Judges' Association of Non-52nd District Courts in Oakland County (or designee)
- Oakland County Executive (or designee)
- Oakland County Sheriff (or designee)
- Oakland County Prosecutor (or designee)
- Corporation Counsel
- Adult Probation Area Manager
- Community Corrections Manager
- Four Commissioners appointed by the Board of Commissioners

BE IT FURTHER RESOLVED that the Task Force develop a Jail Population Management Plan containing long-term solutions to reduce dependencies upon the local corrections system, expedite the processing of criminal cases, and recommend jail population management policies - such recommendations to be consistent with Michigan law.

BE IT FURTHER RESOLVED that the Task Force establish priorities of the classes of offenses that should be housed in the Jail, and consider an apportionment system whereby the Circuit and District Courts in Oakland County would delegate a fixed number of jail beds (predisposition plus sentenced inmates) for offenders under their jurisdiction.

BE IT FURTHER RESOLVED that the Task Force also recommends jail population management policies.

BE IT FURTHER RESOLVED that the Jail Population Management Plan be submitted to the Board of Commissioners no later than December 1, 2004.

Chairperson, I move adoption of the foregoing resolution.

PETER H. WEBSTER, ERIC WILSON, MICHAEL ROGERS, WILLIAM PATTERSON, EILEEN KOWALL, BILL BULLARD, TOM McMILLIN, SUE ANN DOUGLAS, CHUCK MOSS, HUGH CRAWFORD, TOM MIDDLETON, CHRISTINE LONG, GREG JAMIAN, JOHN SCOTT, CHARLES PALMER

**APPENDIX B - MISCELLANEOUS RESOLUTION #05001
OAKLAND COUNTY BOARD OF COMMISSIONERS**

BY: Eric Wilson, District #3

IN RE: **BOARD OF COMMISSIONERS - RE-ESTABLISH THE JAIL POPULATION MANAGEMENT TASK FORCE PURSUANT TO MISCELLANEOUS RESOLUTION #04179**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Miscellaneous Resolution #04179 was adopted on August 26, 2004, to establish a Jail Population Management Task Force to report back to the Board of Commissioners no later than December 1, 2004; and

WHEREAS the Task Force was charged with development of a Jail Population Management Plan to reduce dependencies upon the local corrections system, to expedite the processing of criminal cases, and to recommend jail population management policies; and

WHEREAS the Task Force began its work on September 28, 2004, and established five study groups to address various components of its charge, including Docket Management, Pre-Trial, Jail Space, Jail/Court Data and Jail Alternatives; and

WHEREAS these study groups were assigned with identifying the issues and problems pertaining to development of a Jail Management Plan, proposing resolutions and identifying any constraints associated with implementing the proposed resolutions, within the timeframes established for the Jail Population Management Task Force; and

WHEREAS these study groups have met on several occasions to begin addressing their particular issues; and

WHEREAS Commissioner Eric Wilson, Chairman of the Jail Population Management Task Force, together with Sheriff Michael Bouchard and Chief Judge of the Circuit Court Wendy Potts, have formally requested assistance from the National Institute of Corrections (NIC) to perform a Jail Crowding Local System Assessment and the NIC will be scheduling an on-site visit after the first of the year; and

WHEREAS the Jail Task Force did report to the Board of Commissioners on December 9, 2004, as to the status of its activities.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes re-establishment of the Jail Population Management Task Force to complete its charge per Miscellaneous Resolution #04179.

BE IT FURTHER RESOLVED that the Task Force shall consist of the following persons:

- Chief Judge of the 6th Judicial Circuit Court, Wendy Potts (or designee Kevin Oeffner)
- Chief Judge of the 52nd District Court William Bolle (or designee Jim Ver Ploeg)
- Representative of the Oakland County District Judges' Association of Non-52nd District Courts in Oakland County Judge William Bowman (or designee Judge Keith Hunt)
- Oakland County Executive L. Brooks Patterson (or designee Gerald Poisson)
- Oakland County Sheriff Michael Bouchard (or designee Ann Russell or alternate Major Douglas Eader)
- Oakland County Prosecutor David Gorcyca (or designee Deb Carley)
- Corporation Counsel Judy Cunningham
- Adult Probation Area Manager Kenneth Aud
- Community Corrections Manager Barbara Hankey (or designee Robert Gatt)
- Commissioner Eric Wilson, Commissioner Hugh Crawford
- Commissioner Eileen Kowall, Commissioner Helaine Zack

BE IT FURTHER RESOLVED that the Jail Population Management Task Force report to the Board of Commissioners once it has completed its charge or no later than March 30, 2005.

Chairperson, I move adoption of the foregoing resolution.

ERIC WILSON

**APPENDIX C - MISCELLANEOUS RESOLUTION #05059
OAKLAND COUNTY BOARD OF COMMISSIONERS**

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: **BOARD OF COMMISSIONERS - EXTENSION OF THE REPORTING DEADLINE FOR THE JAIL POPULATION MANAGEMENT TASK FORCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Miscellaneous Resolution #04179 established a Jail Population Management (JPM) Task Force charged with development of a Jail Population Management Plan to reduce dependencies upon the local corrections system, to expedite the processing of criminal cases, and to recommend jail population management policies; and

WHEREAS Miscellaneous Resolution #04179 required the Task Force to report back to the Board of Commissioners no later than December 1, 2004; and

WHEREAS the JPM Task Force began its work on September 28, 2004, and established five study groups to address various components of its charge, including Docket Management, Pre-Trial, Jail Space, Jail/Court Data and Jail Alternatives; and

WHEREAS Commissioner Eric Wilson, Chairman of the JPM Task Force, together with Sheriff Michael Bouchard and Chief Judge of the Circuit Court Wendy Potts, formally requested assistance from the National Institute of Corrections (NIC) to perform a Jail Crowding Local System Assessment; and

WHEREAS in anticipation of the NIC's performance of an on-site assessment, Miscellaneous Resolution #05001 was adopted on January 6, 2005, to continue the JPM Task Force, establishing a reporting date of March 30, 2005; and

WHEREAS the National Institute of Corrections has now scheduled a three-day assessment of jail operations for April 5 - April 7, 2005; and

WHEREAS the JPM Task Force would like to take into consideration the findings of the NIC prior to its final recommendations being presented.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes that the reporting date for the Jail Population Management Task Force be extended to June 1, 2005.

Chairperson, on behalf of the Public Services Committee, I move adoption of the foregoing resolution.

PUBLIC SERVICES COMMITTEE

**APPENDIX D - MISCELLANEOUS RESOLUTION #05104
OAKLAND COUNTY BOARD OF COMMISSIONERS**

BY: Eric Wilson, District #3

IN RE: **BOARD OF COMMISSIONERS - THIRD EXTENSION OF THE REPORTING DEADLINE FOR THE JAIL POPULATION MANAGEMENT TASK FORCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Miscellaneous Resolution #04179 established a Jail Population Management (JPM) Task Force charged with development of a Jail Population Management Plan to reduce dependencies upon the local corrections system, to expedite the processing of criminal cases, and to recommend jail population management policies; and

WHEREAS Miscellaneous Resolution #05059 required the Task Force to report back to the Board of Commissioners no later than June 1, 2005; and

WHEREAS the JPM Task Force began its work on September 28, 2004, and established five study groups to address various components of its charge, including Docket Management, Pre-Trial, Jail Space, Jail/Court Data and Jail Alternatives; and

WHEREAS Commissioner Eric Wilson, Chairman of the JPM Task Force, together with Sheriff Michael Bouchard and Chief Judge of the Circuit Court Wendy Potts, formally requested assistance from the National Institute of Corrections (NIC) to perform a Jail Crowding Local System Assessment; and

WHEREAS the National Institute of Corrections has completed its assessment of jail operations; and

WHEREAS the State of Michigan, in response to its prison utilization issues and the financial burdens attendant thereto, has proposed drastic reductions in state prison beds for fiscal year 2005-2006; and

WHEREAS the State of Michigan is also proposing changes to the Michigan Sentencing Guidelines that will effectively "lock-out" more convicted felony offenders from the state corrections system, forcing these state-law felons into county jails and other county funded correctional programs; and

WHEREAS knowledge of the details of the State's answers to its budget reduction and sentencing guideline proposals must be taken into account by the JPM Task Force prior to final recommendations being presented; and

WHEREAS the State budget will likely not be completed prior to September 30, 2005.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes that the reporting date for the Jail Population Management Task Force be extended to October 1, 2005.

Chairperson, I move adoption of the foregoing resolution.

ERIC WILSON

APPENDIX E - JPMTF STUDY GROUP NOTES

APPENDIX F - OAKLAND COUNTY LOCAL JUSTICE SYSTEM ASSESSMENT

LIST OF TABLES

Oakland County Jail Population Management Task Force Members..... 1
 Facility Costs – 320-672 Bed Low to Medium Security Facility 2
 Facility Costs – 750 Bed Maximum Security Facility 3

Oakland County Jail Population Management Task Force Members

Table 1

DESIGNATED MEMBERS	DESIGNATED ALTERNATES (not all designees have alternates)
Eric Wilson Oakland County Commissioner	
Hugh Crawford Oakland County Commissioner	
Eileen Kowall Oakland County Commissioner	
Helaine Zack Oakland County Commissioner	
Ann Russell, Corrections Administrator Oakland County Sheriff's Designee	Douglas Eader, Major Oakland County Sheriff's Alternate
Barb Hankey, Manager Oakland County Community Corrections	Bob Gatt, Chief of Field Operations Oakland County Community Corrections
Wendy Potts, Chief Judge Oakland County Circuit Court	Kevin Oeffner, Administrator Oakland County Circuit Court
William Bolle, Chief Judge Oakland County 52 nd District Courts	Jim VerPloeg, Administrator, 52-4 Dist Ct Oakland County 52 nd District Courts
Leo Bowman, Judge, 50 th District Court Oakland County District Judges' Association	Keith Hunt, Judge, 43 rd District Court Oakland County District Judges' Association
Gerald Poisson, Assistant Deputy Executive Oakland County Executive Designee	
Judy Cunningham Oakland County Corporation Counsel	
Deb Carley, Chief Deputy Prosecutor Oakland County Prosecutor Designee	
Kenneth Aud, Manager Oakland County Probation	
AD HOC STAFF	
Deborah Green, Regional Administrator Michigan Supreme Court State Court Administrative Office	Libby Smith, Civil/Criminal Division Administrator Oakland County Circuit Court
Joan Bacon, City Attorney Secrest Wardle	Robert Daddow, Assistant Deputy Executive Oakland County Executive Office
Dave Ross, Director O.C. Facilities Management	Amy Bowen-Krane, Attorney

National Institute of Corrections Local Justice System Assessment

A detailed analysis of the statistics involving offender placement, population, demographics and patterns are contained in their published report, "Oakland County Local Justice System Assessment."