



Jail and Justice System Assessment

A National Institute of Corrections Technical Assistance
Report for Winona County, MN Sheriff's Office

Technical Resource Providers:

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DISCLAIMER

This technical assistance activity was funded by the Jails Division of the National Institute of Corrections. The Institute is a Federal agency established to provide assistance to strengthen state and local correctional agencies by creating more effective, humane, safe, and just correctional services. The resource persons who provided the onsite technical assistance did so through a contract, at the request of the Winona County, MN Sheriff's Office, and through the coordination of the National Institute of Corrections. The direct onsite assistance and the subsequent report are intended to assist the agency in addressing issues outlined in the original request and in efforts to enhance the effectiveness of the agency. The contents of this document reflect the views of Mr. Mark Martin and Ms. Cheryl Gallant. The contents do not necessarily reflect the official views or policies of the National Institute of Corrections.



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Jail and Justice System Assessment

Section 1. Background

Request for Technical Assistance

Sheriff Ron Ganrude, Winona County, MN Sheriff, submitted a request for a Jail and Justice System Assessment (JJSA) from the National Institute of Corrections. Mark Martin and Cheryl Gallant were contracted by NIC to deliver the on-site technical assistance on September 7-9, 2016. Mr. Martin and Ms. Gallant coordinated arrangements for the visit and technical assistance activities with Jail Administrator Steve Buswell.

Jail and Justice System Assessment (JJSA)

JJSA Purpose and Goals

Jurisdictions frequently request the JJSA because the jail is “crowded,” and, as such, under some scrutiny. Jail officials are unable to fully control the flow of inmates in and out of the jail. Policy and practice in individual justice system components are the primary drivers of the inmate population. Although the jail possesses a wealth of information about how the rest of the system is operating, jail staff are often unaware that the information they have in the data they routinely collect will reflect the impact of those system policy and practices. In the meantime, the rest of the criminal justice system is sure it is managing their role in the system the best it can, and often feels taxed to the limit. However, each component is often working in a vacuum—unaware of what the rest of the system is doing, or how decisions made by each component are impacting the overall system.

The purpose of the JJSA is to determine the need for improvements to the existing jail and its operations (including the potential need for new construction and/or renovation) and to determine the need for

National Institute of Corrections



The National Institute of Corrections (NIC) is a small federal agency within the Department of Justice, Bureau of Prisons. NIC was established in the 1970's to be the primary federal source of assistance to state and local correctional agencies. The Jails Division of NIC helps local jails across the country by providing training, technical assistance, and information services.

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improvements to enhance the effectiveness of the overall justice system. This is accomplished through an assessment of the jail against professional standards and accepted management practices and an examination of the major components of the justice system including law enforcement, courts, prosecution, defense counsel, and community sanctioning options.

The JJSA demonstrates to the stakeholders that they have a common purpose and can benefit from working and thinking strategically. The jail benefits by better population management; the other components benefit by sharing information and minimizing redundancy; and all will be working smarter, not just harder.

The JJSA helps to assess how well the system is handling the demands it faces; determine if the existing services and programs are meeting their needs and are consistent with public safety (the community's) concerns; and make sure those programs are having the desired impact on the system, and more specifically, the jail population.

The ultimate goal of the JJSA is to provide the jurisdiction with a solid, unbiased assessment of the condition of the jail and what opportunities could exist in the long-term, and what can be done in the interim period that will assist in making the jail safer and possibly a more efficient operation.

JJSA Activities

The JJSA process includes a brief assessment of the jail, a review of selected jail and system data, interviews with key criminal justice officials, and a community meeting -- all of which occur over a three-day period when the NIC technical resource providers are present in the community. The community meeting provides an opportunity to:

- Educate the participants about the role of justice system policies and practices on the use of the jail and the size of the jail population;
- Provide participants with the technical resource providers' preliminary findings based on the jail assessment and interviews;
- Provide participants with some preliminary options to address detention and other criminal justice system needs; and
- Provide a forum for participants to share their concerns and ideas about the issues raised and initiate discussions about planning for change.

Preparations for the On-Site Visit

Prior to the on-site visit, Mark Martin contacted Jail Administrator Steve Buswell to get further detail on the County's expectations and desired outcomes for the JJSA. Mr. Buswell advised that the request for the JJSA was prompted by the action of the State Department of Corrections to reclassify the jail as a Class II 90-day lockup. This has resulted in a decision to board all female inmates and long-term inmates in other facilities to stay within the 90-day limitation. This decision adds to a number of

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inmates already boarded in other facilities due to space limitations in the current jail. Several past initiatives to replace the current facility have failed, although the County has been successful in reducing the level of incarceration through the efforts of the local Criminal Justice Coordinating Council. The JJSA was requested as a way to continue the community discussion about these issues.

These discussions resulted in the following scope of work for the Jail and Justice System Assessment:

- Make necessary preparations for the onsite visit;
- Conduct an entrance meeting with Sheriff Ganrude, Administrator Buswell, and key local officials to gather additional background information, review the desired outcomes for the JJSA, and confirm the agenda for the three-day site visit;
- Conduct a brief tour of the Winona County Detention Center to get an overall perspective of issues and conditions;
- Interview key justice system officials including at a minimum the sheriff, prosecutor, public defender, judges, police, and probation;
- Facilitate a town hall meeting to present information about the local jail and the impact of system policies and practices on its use; present preliminary assessment findings, review jail and system data; present information about the facility development process, and discuss community readiness for planning;
- Conduct an exit meeting with Sheriff Ganrude, Administrator Buswell, and key stakeholders to review the site visit activities and discuss next steps; and
- Prepare a technical assistance report outlining the findings and recommendations developed pursuant to the JJSA.

To prepare for the onsite visit the technical resource providers:

- Outlined the necessary on-site preparations for the local point of contact, including a draft of an onsite agenda and list of persons to be interviewed;
- Developed and forwarded structured interview questions for those justice officials scheduled for interviews;
- Requested selected jail trend and snapshot data;
- Reviewed the pre-JJSA survey completed/coordinated by Administrator Buswell;
- Reviewed and conducted preliminary analysis of jail data provided by the Sheriff's Office;
- Prepared an agenda and slides for the community meeting;
- Gathered available statistics on county population, arrests, and other available criminal justice data; and
- Finalized and confirmed the overall agenda for the JJSA with the local point of contact.

The following documents were reviewed during the course of this activity:

- JJSA technical resource materials;
- County jail population data;
- Survey responses submitted by justice officials;

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- Various documents and reports providing information about criminal justice activity within Winona County.

The following persons were interviewed during the on-site visit:

- Sheriff Ron Ganrude, Winona County Sheriff
- Mary Leahy, District Court Judge
- Nancy Buytendorp, District Court Judge
- Wendy VanDuyne, Court Administrator
- Chief Kent Russell, Goodview Police Department
- Chief Paul Bostrack, Winona Police Department
- Steve Buswell, Winona County Detention Center Administrator
- Ken Fritz, County Administrator
- Kalene Engel, CJCC Executive Director
- Karin Sonneman, County Attorney
- Michael Kuehn, Public Defender
- Maureen Holte, Asst. County Administrator
- Chris Rogers, Winona Post Reporter
- Jim Pomeroy, County Board Member
- Marie Kovcesi, County Board Member
- Marcia Ward, County Board Member
- Rená Patterson, District Supervisor MN DOC Probation/Parole
- Bruce Wemette, Detention Deputy
- Anne Schwertel, Detention Deputy
- Margo Reekie, Detention Deputy
- Tony Walinsky, Detention Deputy
- Jeff Singer, Detention Sergeant
- Bob Loken, Transport Officer
- Various other Winona County Detention Center staff
- Various Winona County Detention Center inmates

Several of the above-named, along with other officials, attended the Town Hall Meeting as well. A list of the planning meeting participants is included in Appendix B.

Purpose of the Report

The purpose of this report is to document:

- The technical resource providers' impressions regarding the jail facilities and operations;
- The technical resource providers' assessment of local criminal justice system practices and use of alternatives;
- A summary of the interviews conducted with key criminal justice officials;
- A summary of the Town Hall Meeting held during the JJSA in Winona County; and

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- The technical resource providers' recommendations regarding the planning process and the steps that should occur to develop a long range plan to meet the County's correctional needs.

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Section 2. Community Profile

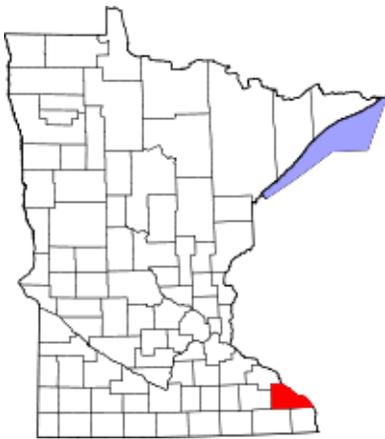
Developing a Community Profile should include a review of county census information and projections, including population by age, income levels, level of education attainment, employment data, and recent increases or decreases in the population. Data affecting population stability (i.e., number of people moving into/out of the county per year, employment rates, family ties to the area) should also be reviewed.

Community resources such as health and social services, schools, employment services, etc. should also be surveyed and documented. These are services and resources that may assist the jail and related inmate programs in addressing needs and reducing recidivism.

Following is a brief presentation of the types of information that is representative of what might be included in a Community Profile.

Overview of Winona County

Winona County is located in southeastern Minnesota, and the county seat is located in Winona, MN. In addition to Winona, there are 12 other incorporated cities in the county – two of which (La Crescent and Minneiska) are shared with another county, along with 19 townships and 18



unincorporated communities. The county is 642 square miles – including 15 square miles of water, and is ranked 49th in land mass area of Minnesota’s 87 counties. Winona County is bordered by Minnesota counties, Wabasha to the northwest, Houston to the south, Fillmore to the southwest, and Olmsted to the west, and Wisconsin counties, Buffalo to the north, Trempealeau to the northeast, and La Crosse to the east.¹

The Winona County Board (County Board) is the governing authority of Winona County. The County Board comprises five elected officials – one from each of the five commissioner districts, and meets on a bi-monthly basis.² MN Statute (Chapter 375A) provides for five plans of county organization – county administrator, elected executive, county coordinator, at-large chair, and county auditor-administrator. Winona County is one of 52 MN counties that

¹ Wikipedia. Retrieved August 19, 2016, https://en.wikipedia.org/wiki/Winona_County,_Minnesota; https://en.wikipedia.org/wiki/List_of_counties_in_Minnesota

² Bimonthly = twice per month; Note: the County Board meets three times in January. Retrieved August 19, 2016, <http://www.co.winona.mn.us/page/2686>



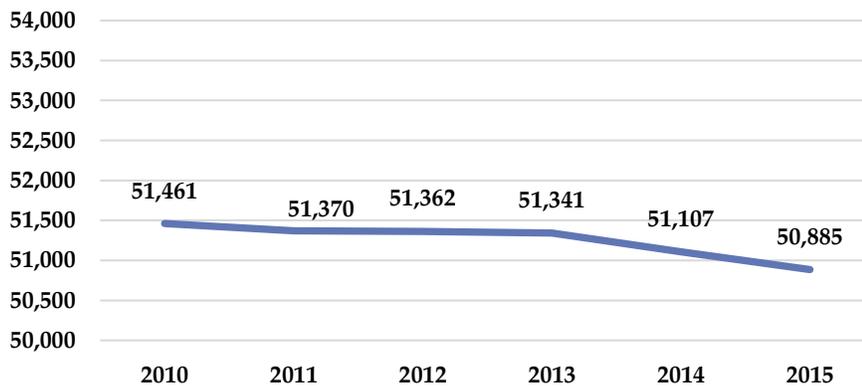
operates under the county administrator plan.^{3, 4} The county board has a considerable array of powers, including the power to levy property taxes, the power to expend funds for any lawful purpose, zoning powers for the unincorporated areas of the county, and some regulatory powers.

Population Profile

Historical Population Trends and Projections

The County population according to the 2010 U.S. Census was 51,461. Population estimates indicate a stable population over the past six years.⁵

Winona County Historical Population Estimates (as of July 1)



Components of Change

From 2010 to 2015, Winona County's population decreased by approximately 576 residents or 1.1%. It is useful to understand the components of population change because it offers insight into the causes of growth or decline and it helps highlight important areas of inquiry. For

³ County Government Structure. Retrieved August 19, 2016, http://www.mncounties.org/document_center/Counties/2.CountyGov_Structure14.pdf

⁴ The county administrator is appointed by the county board, and is the head of the county for the management of the county affairs placed in the administrator's charge. If required by the county board, the administrator is the supervisor of all county institutions and agencies, and of non-elected department heads. The administrator also is responsible for the preparation and execution of the county budget, including a long range capital expenditure plan, and serves as the purchasing agent for the county. (MN Statute Chapter 375A.06 County Administrator, Subdivision 4)

⁵ United States Census Bureau: American FactFinder. Retrieved from August, 19, 2016, <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>



example, are people drawn by the geographic location, services available in the community, work opportunities, etc.?

Demographics⁶

The following tables provide a breakdown of the Winona County population by race and age groupings for the year 2014.

Population Estimates by Race (2014)		
Race	Population	Percent
White	47,321	92.3%
Hispanic or Latino	1,343	2.6%
Asian	1,268	2.5%
Black	682	1.3%
Am. Indian/Alaska Native	164	0.3%
Pacific Islander	24	0.0%
Other - single race	37	0.1%
Other - two or more races	446	0.9%

Population Estimates by Age (2014)		
Age Category	Population	Percent
< 5 years	2,434	4.7%
5-19 years	10,491	20.5%
20-34 years	13,330	26.0%
35-44 years	4,970	9.7%
44-54 years	6,337	12.4%
55-64 years	6,425	12.5%
65/> years	7,298	14.2%

The county population is predominantly White (92.3%) according to U.S. Census Bureau’s 2014 population estimates. Individuals of Hispanic or Latino ethnicity represent the next largest group at 2.6% of the county population. The county female population, at 51%, corresponds with the 50.3% rate for the State and 50.8% rate for the U.S. The median age of the county population is younger than the state at 33.9 vs. 37.6 years. The demographics of the community are important to understand in order to identify the numbers and trends of at-risk age groups.

Socioeconomic Profile

A number of indicators determine the economic health of a jurisdiction. No single indicator should be considered by itself. Rather, a range of indicators should be analyzed together to get a comprehensive view of the economy. Several indicators for Winona County, which are representative of the types of data essential to review when developing a Community Profile for Winona County, are presented below.

Income and Poverty⁷

Winona County lags the state in both personal income and household income, and also has a higher poverty rate. The following table provides a breakdown of key county income and poverty data with comparisons to the state data. The personal income in Winona County in

⁶ United States Census Bureau: American FactFinder. Retrieved from August 19, 2016, <http://factfinder.census.gov>

⁷ United States Census Bureau: American FactFinder. Retrieved from August 19, 2016, <http://factfinder.census.gov>

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2014 was 76% of statewide levels, and the median household income was 79.7% of the state median. The county poverty rate was 3.6% higher than the state rate.

Income and Poverty (2014)		
	Winona County	Minnesota
Per Capita Income	\$24,050	\$31,642
Median Household Income	\$48,476	\$60,825
Poverty Rate	15.1%	11.5%

Income data can be an indicator of how well a county is faring in the current economic climate and how stressed individuals and families may be due to their economic condition. It would be helpful to understand the correlation between crime and the economy as it impacts both bed space needs for the jail and the ability of a county to pay the costs of incarceration and other public safety services.

Employment

The employment rate is another indicator of the economic condition of a county. The June 2016 unemployment rate (not seasonally adjusted) for Winona County (4.2%) was consistent with the June 2016 state rate (4%). Consistent with the state unemployment rate between June 2015 (3.8%) and June 2016 (4%), Winona County's unemployment rate increased from 3.8% to 4.2% during the same period. Mirroring state unemployment rate trends since June 2011 (6.8%), the Winona County unemployment rate has experienced a decrease from its June 2011 unemployment rate (6.5%) to its June 2016 unemployment rate (4.2%).⁸ The unemployment rate is the number of unemployed as a percent of the entire labor force. It is helpful to look at the rates over time to see if they are increasing or decreasing. It was reported that Winona County's economy relies on a strong agricultural industry as well as manufacturing such as plastics/composites and garmentmaking (trademark products, e.g., NFL, NHL). In addition, three large corporations have based their headquarters in Winona County. Winona County is also home to three four-year universities/colleges. Further investigation might provide insight into what may be driving the rates in either direction and how best to promote economic growth in the county.

Education⁹

Education is yet another factor that contributes to the overall community profile. Winona County outpaces the rest of Minnesota in its residents' high school graduation rate. County

⁸ FRED: Economic Research. Retrieved from August 19, 2016, <https://fred.stlouisfed.org/series/MNURN>; <https://fred.stlouisfed.org/series/MNWINO9URN>

⁹ United States Census Bureau: American FactFinder. Retrieved from August 19, 2016, <http://factfinder.census.gov>



residents do appear to lag behind the state average in attaining post-secondary education such as Bachelors and advanced degrees. Lower educational attainment, along with economic stressors, are community risk factors that can impact public safety demands.

Educational Achievement for Residents, Age 25 & Over (2014)		
Education Level	Winona County*	Minnesota**
Less than 9th grade	4.0%	3.1%
9th to 12th grade, no diploma	5.6%	4.6%
High school graduate (incl. equiv.)	30.1%	26.4%
Some college, no degree	21.9%	22.2%
Associate's degree	10.9%	10.5%
Bachelor's degree	17.8%	22.3%
Graduate or professional degree	9.7%	10.9%

*Winona County N = 30,962

**Minnesota N = 3,599,228

Community Resources

All communities have programs and services that serve at-risk and justice-involved individuals. Some may be used extensively by the justice system, while others exist as hidden resources waiting to be discovered. A community profile should include an inventory of community assets and resources that could serve justice-involved persons both in the jail and in community alternatives. An example of a format for gathering information about the programs and services that may be available in the community is presented on page 13.

There was a general perception among the criminal justice stakeholders that sufficient resources are lacking in the County to address the criminal justice need. This perception is described further throughout this report.

Winona County has the following programs designed to serve justice-involved persons as they transition to return to the community:

- Community Assessment and Reintegration
- Winona County Diversion Programs
- Winona County Restorative Justice



Community Assessment and Reintegration (CARE)¹⁰

CARE is an evidenced-based, jail reentry program that uses case management and coordinated delivery of services in order to reduce recidivism and increase public safety, which was developed by the Winona Criminal Justice Coordinating Committee, and presently funded through a Byrne Justice Assistance Grant Award.¹¹ It serves Winona County residents who have been convicted as an adult in criminal court, and expect to be in the Winona County Detention Center or Minnesota State Prison for a minimum of 15 days and who intend to reside in Winona County for at least 90 days post release.

Winona County Diversion Programs¹²

Two diversion programs – misdemeanor diversion and juvenile diversion – are offered by the Winona County Attorney’s Office as an alternative to traditional court prosecution. Offenders who are accepted into and successfully complete the specified diversion program will have the criminal charges against them dismissed.

Misdemeanor diversion is for qualifying individuals charged with specified misdemeanor, gross misdemeanor, or petty misdemeanor offenses. Felony diversion is for those qualifying individuals charged with specified felony offenses. Juvenile diversion is for those qualifying individuals charged with specified juvenile offenses.

Restorative Justice¹³

The Department of Corrections - Courthouse Unit (CU) operates the Winona County Restorative Justice Program a program serving juvenile offenders.

¹⁰ CARE Program Overview. Retrieved from August 24, 2016, http://www.co.winona.mn.us/sites/winonacounty.new.rschooltoday.com/files/CARE_PROGRAM_OVERVIEW_2-17-10.pdf

¹¹ The CARE program is administered by the Minnesota Department of Public Safety – Office of Justice Programs

¹² Winona County Diversion Programs. Retrieved from August 24, 2016, <http://www.co.winona.mn.us/page/2490>; Due to a lack of success and lack of qualified participants, a third program – felony diversion – has been discontinued. Source: Karin Sonneman, County Attorney, September 8, 2016

¹³ Restorative Justice. Retrieved from August 24, 2016, <http://www.co.winona.mn.us/page/2783/custom/5124>

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Criminal Justice System Program/Services Inventory									
Program	Operator	Purpose(s) Services Offered	Eligibility Criteria	Exclusionary Criteria	Referral Sources	Functional Capacity	Length of Stay	Ave. Per Diem Cost	Funding Source
Example: Domestic Violence Program	County	To decrease the prevalence and incidents of domestic violence, to educate and provide awareness of Domestic violence, emergency shelter and services as available	Victim of Domestic Violence or Sexual Assault	None	Application/self-referral, referrals from other domestic violence programs	Emergency shelter holds up to 3 families at a time, other services are open	Up to 90 days with follow up as needed	N/A	Federal and State

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Section 3. Criminal Justice System Profile

In developing the criminal justice system profile, information describing current criminal justice agency staffing, resources, and workload is gathered and reviewed. Historical law enforcement data, including information on reported crime, crime rates, offense types, and law enforcement policies and practices is collected and analyzed.

Historical court data including information on court structure and schedules, misdemeanor and felony filings, etc. is also collected and analyzed.

Key criminal justice policymakers including judges, probation, prosecuting attorney, public defender, the sheriff, jail administrator, and other local law enforcement agency representatives, are typically interviewed to get their input and perspective on the needs of the criminal justice system and the jail.

The results of this review are used to develop the Criminal Justice System Profile.

Overview of Winona County Criminal Justice Agencies

Crime Rate, Incident, and Arrest Statistics

Crime rate, incident, and arrest statistics are contained in Minnesota's Department of Public Safety, Bureau of Criminal Apprehension (BCA) *Minnesota Uniform Crime Report* reports. Minnesota's law enforcement agencies report crime data to the BCA through the Minnesota Crime Reporting System. Reported crimes are categorized as either Part I offenses or Part II offenses, Part I being the more "serious" offenses such as homicide, rape, and robbery, and is generally referred to as the "Crime Index" measurement. While data is available for 2014 and 2015,¹⁴ it has proven to be invalid. In December 2013, the *Law Enforcement*

Criminal Justice System Profile



A justice system needs assessment should include a review of the overall functions and resources of the existing county criminal justice system with the intent of answering the following questions:

- How well is the current system working?
- Are existing services and programs used to their fullest extent and effectiveness?
- Are there apparent gaps in services and programs?
- Are cases processed through the system in a timely and efficient manner?
- How can the criminal justice system do a better job?

The results of this review are used to develop the Criminal Justice System Profile.

¹⁴ The reporting of information in the 2015 *Uniform Crime Report* is not presented in a format that makes comparisons across the years possible

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Technology Group (LETG) – a records information management system – was implemented countywide for all law enforcement agencies, including the Winona County Sheriff’s Office and the Winona County Detention Center. Post-implementation examination of LETG has revealed erroneous reporting and coding of arrests for reporting years 2014 and 2015.¹⁵ Consequently, the crime rate and arrest data review that follows is limited to the reporting period 2010 through 2013.

According to the 2013 report, the crime rate for Winona County was recorded at 41.9 victims for every for 1,000 inhabitants, 58.1% higher than the statewide average of 26.5.¹⁶ As can be seen in the following table, Part I and Part II crime rates have trended downward across the years examined, 2010 - 2013. The 2103 crime rate represents a 26% and 24.8% decrease from 2010 for Part I offenses and Part II offenses, respectively.

Winona County Crime Rate¹⁷ and Incident Statistics, 2010 - 2013

	2010	2011	2012	2013
Part I Offenses				
Offenses	771	762	764	592
Crime Rate	15.4	15.4	15.5	11.4
Number Cleared	290	227	238	235
Percent Cleared	38	30	31	40
Part II Offenses				
Offenses	2,019	2,115	1,989	1,574
Crime Rate	40.4	42.8	40.3	30.4
Number Cleared	1473	1546	1472	1149
Percent Cleared	73	73	74	73

Data Source: *Minnesota Uniform Crime Report* reports – Table 38 or 46, 2010 - 2013

The following table breaks down adult arrests in Winona County by offense category and arresting agency for the reporting years 2010 - 2013. Adult arrests for both Part I and Part II offenses were relatively consistent – again, trending downward – for the period 2010 - 2013, with adult arrests decreasing 21.4% in 2013 when compared to 2010.

Adult Arrests by Offense Category and Arresting Agency, 2010 - 2013

	2010	2011	2012	2013
Part I Offenses				
Winona County SO	35	16	18	14
Goodview PD	15	23	18	10

¹⁵ Source: Paul Bostrack, Police Chief, Winona Police Department

¹⁶ Bureau of Apprehension *Minnesota Uniform Crime Report* 2013 report, p. 11 and p. 190

¹⁷ Crime rate per 1,000 inhabitants

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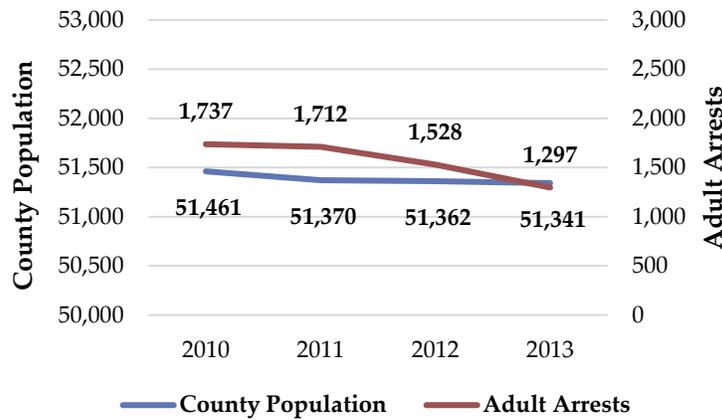


	2010	2011	2012	2013
Lewiston PD	1	1	2	0
St. Charles PD	4	3	1	1
Winona PD	159	142	163	179
Part II Offenses	1,437	1,414	1,326	1,093
Winona County SO	332	304	236	232
Goodview PD	108	95	100	56
Lewiston PD	13	24	21	10
St. Charles PD	37	19	31	16
Winona PD	947	972	938	779
TOTAL ARRESTS	1,651	1,599	1,528	1,297

Data Source: *Minnesota Uniform Crime Report reports – Table 16, 2010 - 2013*

The overall county population has remained stable over the four-year period 2010 - 2013. During the same period, the number of adult arrests has trended downward with a marked decrease between 2012 and 2013. Identifying the reason(s) for the 2013 decrease in adult arrests as well as the decreases in crime rates over the reporting period, can assist decision-makers in determining future bed needs.

County Population Compared to Adult Arrests, 2010 – 2013



Law Enforcement

The primary local law enforcement agencies in Winona County include the Winona County Sheriff’s Office (WCSO), and the local police departments of Goodview, Lewiston, St. Charles, and Winona as well as the MN State Patrol (MSP). The statistics that follow only include law enforcement activities for WCSO and the local police departments, as statistics for MSP are not categorized by county.



According to the FBI’s annual Uniform Crime Reports’ publication *Crime in the United States* (2010 – 2014) reports,¹⁸ there were approximately 109 law enforcement (police) officers (sworn and civilian) working in Winona County in 2014.¹⁹ As can be seen in the following table, the number of full time law enforcement employees in 2014 is consistent with the preceding four years.

Winona County Law Enforcement Employees, 2010 - 2014

FULL TIME LAW ENFORCEMENT EMPLOYEES, 2010 - 2014			
Year	Police Officers	Civilian	Total Police Employees
2010	66	42	108
2011	67	42	109
2012	67	41	108
2013	67	43	110
2014	66	43	109

Data Source: *Crime in the United States* reports: 2010 – 2014, Tables 78 & 80

Courts

The role of the courts in managing the county criminal justice system cannot be overstated. Case processing, judicial decisions, and an understanding of the role of the jail can influence the number of inmates housed in the county jail.

The Judicial branch – Minnesota’s court system – was established as one of three basic divisions of state government, and serves as a check on the powers of both the Legislative and Executive branches. Minnesota’s judicial system consists of three court levels: Supreme Court, Court of Appeals, and trial (district) courts. As to criminal jurisdiction, the trial court has original jurisdiction.²⁰

Minnesota’s 87 counties are divided into 10 judicial districts. Winona County is part of Judicial District 3, which comprises 11 counties.²¹ District court judges are elected to six-year terms in a general election on a nonpartisan basis, and there are three district court judges assigned to Winona County.²²

¹⁸ *Crime in the United States*. Retrieved from August 22, 2016, <https://www.fbi.gov/about-us/cjis/ucr/ucr-publications>

¹⁹ Data reflects law enforcement employees for WCSO and the police departments of Goodview, Lewiston, St. Charles, and Winona

²⁰ Minnesota Judicial Branch, Court Jurisdiction. Retrieved August 23, 2016, <http://www.mncourts.gov/mncourtsgov/media/CIOMediaLibrary/DocumentLibrary/QF-Jurisdiction2014.pdf>

²¹ In addition to Winona County, Judicial District 3 includes Dodge, Fillmore, Freeborn, Houston, Mower, Olmsted, Rice, Steele, Wabasha, and Waseca counties. Retrieved August 23, 2016, <http://www.mncourts.gov/mncourtsgov/media/CIOMediaLibrary/DocumentLibrary/I-Il-See-You-in-Court11-15.pdf>

²² Minnesota Judicial Branch, Winona County Judicial Officers. Retrieved from August 23, 2016, <http://www.mncourts.gov/About-The-Courts/Overview/JudicialDirectory.aspx?c=winona>



The district court in Winona County schedules criminal court five days per week. Two of the three judges routinely process criminal cases; the third judge primarily processes civil cases. Arraignments are held within 48 hours of arrest during normal court hours – Monday through Friday. For those periods when the court is not open (after normal hours, weekends, holidays), the probable cause affidavit is processed by a Judicial District Three judge within 48 hours of arrest; however, bail is not set at this time – bail will be set by the judge during the court’s next session. There is no bail schedule. Judges have access to information from the pretrial evaluation form – the ‘old Hennepin County risk assessment’ that has been tweaked for use in Winona County – that is completed by MN Department of Corrections (DOC) Probation staff, in making bail decisions. The assessment has not been validated for Winona County.

The Minnesota Judicial Branch maintains criminal case statistics for each of the district courts that include clearance rates, time to disposition, age of pending cases, length of time to permanency, and time to adoption for children under state guardianship. Criminal case statistical data are derived from a number of sources, which include MNJAD (Minnesota Judicial Analytical Database) and MNCIS (Minnesota Court Information System).²³ While only data aggregated for the state is available to the public, individual county statistics are available to judges and staff on CourtNet (the intranet of the Minnesota Judicial Branch). Criminal case statistics, such as number of case filings and dispositions, give a jurisdiction measurable means to gauge the efficacy of its judicial system, e.g., whether there are significant gaps in case processing times may lead to unnecessary detention of persons awaiting case disposition.

In making decisions regarding whether to release or detain an arrestee, or in imposing a sentence, the court should have the benefit of a completed risk and needs assessment. A risk and needs assessment instrument measures offenders’ criminal risk factors and specific needs that if addressed will reduce the likelihood of future criminal activity. Research has identified both changeable (dynamic) and unchangeable (static) risk factors related to criminal behavior. Studies have revealed seven dynamic risk factors closely associated with criminal conduct that can be assessed and altered through effective interventions – antisocial personality pattern; pro-criminal attitudes; social supports for crime; substance abuse; poor family/marital relationships; school/work failure; and lack of prosocial recreational activities. Research also has identified a number of static risk factors linked to a high risk of reoffending including age at first arrest, number of prior convictions and current offense.²⁴

²³ Performance Measures Key Results and Measures Annual Report (October 2015). Retrieved from August 23, 2016, <http://www.mncourts.gov/mncourtsgov/media/CIOMediaLibrary/Documents/Annual-Report-2015-Perf-Measures.pdf>

²⁴ Pew Center on the States, *Risk/Needs Assessment 101: Science Reveals New Tools to Manage Offenders*, issue brief. Retrieved from June 23, 2016, http://www.pewtrusts.org/~media/legacy/uploadedfiles/pes_assets/2011/PewRiskAssessmentbriefpdf



Pretrial programming has not been implemented in the County, although many of the criminal justice partners (i.e., judges, district attorney, public defender, probation staff, etc.) appear to be amenable to exploring the benefits of such programs. While the court presently may impose conditions as a part of pretrial release, with the exception of electronic monitoring/GPS units, there is no formal mechanism to monitor or supervise compliance with the conditions.

Aside from commitment to either prison or jail, sentencing options are limited to ‘sentence-to-serve’²⁵ and probation. Although the judge can require participation in Drug Court as a condition of a sentence, there are limited program options available in the County, and supervision options are limited to those provided through probation and parole. There is a desire for more sentencing options, if evidence of their success can be provided. Moreover, there is an interest in exploring residential treatment programming.

*Prosecutor*²⁶

In MN, each county elects an attorney, who represents the county in criminal matters. The county attorney, with his or her assistants, is to prosecute felonies, including the drawing of indictments found by the grand jury, and, to the extent prescribed by law, gross misdemeanors, misdemeanors, petty misdemeanors, and violations of municipal ordinances, charter provisions and rules or regulations. The County Attorney’s office is contracted with select locales to prosecute their respective municipal violations. The county attorney and the full-time assistant county attorneys are paid by the county and are not allowed to have their own private practice of law.

In addition to the county attorney, there are three assistant county attorneys assigned on a full time basis to process/prosecute criminal cases in Winona County. In addition, there are three assistant county attorneys who process/prosecute both criminal and civil cases.²⁷ As noted earlier, the County Attorney’s office operates two diversion from prosecution programs – misdemeanor adult diversion, and juvenile diversion.

*Public Defender*²⁸

In Minnesota, the State Board of Public Defense (Board) has responsibility for approving and recommending to the legislature a budget for the Board, the office of state public defender, the judicial district public defenders, and the public defense corporations, and distribution of state funding to the same. In addition, the Board appoints the state public defender to a term of four years, and, approves standards and guidelines for the operation of the appointed counsel system. The state public defender supervises the operation, activities, policies, and procedures of the statewide public defender system.

²⁵ Sentence-to-serve (STS) is available as part of a sentence or a pretrial condition. STS is a supervised community work program

²⁶ 2015 Minnesota Statutes, Chapter 388. County Attorney

²⁷ Source: Karin Sonneman, County Attorney – Winona County

²⁸ 2015 Minnesota Statutes, Chapter 611. Rights of the Accused



The state Public Defender is paid by the state and is not allowed to engage in the general practice of law.

For each of the 10 judicial districts, the Board appoints a chief district public defender to a term of four years. The chief district public defender appoints assistant public defenders subject to the standards put forth by the state public defender and adopted by the Board. The district public defender represents, without charge, a defendant charged with a felony, a gross misdemeanor, or misdemeanor when so directed by the district court. The district public defender also represents a minor ten years of age or older in the juvenile court when so directed by the juvenile court.

The chief district public defender and assistant public defenders are paid by the state. The chief district public defender and full-time assistant district public defenders are not allowed to engage in the general practice of law.

Winona County is part of Judicial District 3, which represents 11 counties. There is the equivalent of four and one-half full-time staff attorneys to support legal representation for indigent defendants in Winona County.²⁹ Recently, a new practice has been implemented whereby a public defender is present during first appearances (arraignments). It was reported by many interviewees that this has resulted in the elimination of at least one subsequent court hearing, thus making the case processing more efficient.

Reportedly, the public defender has reasonable access to clients in the jail; however, meeting space is limited to a single interview that serves all professionals seeking to visit inmates.

Parole and Probation

The Minnesota Department of Corrections provides supervision in the community for two categories of offenders: 1) felony offenders who have served the mandatory two-thirds of their prison sentence who have been released from prison; and 2) probationers who were not committed to the custody of the Commissioner of Corrections, but reside in counties that do not find it practical to operate a local supervision program – Winona county contracts with the DOC to provide county-level probation services. There are five probation officers assigned to handle felony cases, and three probation officers to handle county-level probation. For both populations, the Level of Services Case Management Instrument (LSCMI) – a risk assessment – is completed and conditions to mitigate identified risk(s) are imposed as part of an offender's release back into the community.³⁰

²⁹ Source: Michael Kuehn, Managing Attorney – Office of the Public Defender, Third Judicial District

³⁰ Source: Rená Patterson, District Supervisor DOC Probation/Parole; and retrieved from August 24, 2016, <http://www.doc.state.mn.us/PAGES/index.php/supervision-community/supervision-101faq/>



As a general practice and as ordered by the court, pre-sentence investigations (PSI) are completed for almost all felony convictions, and for targeted gross misdemeanor and misdemeanor convictions.³¹ Pre-sentence investigations take approximately four-six weeks, with in-custody cases taking priority in completing them. It was reported that, oftentimes, there is a lapse of approximately one week between the time case is adjudicated and the PSI is ordered.

Probation, considered a community or intermediate punishment, can be imposed as a condition of sentence. Probation, when used as a deferred sentencing option, affords the offender the opportunity to participate in needed programming without actually serving a period of confinement.

*Criminal Justice Coordinating Council*³²

The Winona County Criminal Justice Coordinating Council (CCJC) is the recognized forum in Winona County for justice system review, analysis, policy development, and reform. Membership of the CJCC is broadly representative of both elected general government officials, elected and appointed criminal justice agency and court leaders, and leaders of non-justice agencies who have significant roles in criminal justice system operations. The CJCC also has three “public citizen” members who are interested in the broad goals of the council. The CJCC comprises 20 members.

The CJCC meets monthly, holds annual strategic planning sessions, and accomplishes its work through five standing committees and their associated workgroups. The CJCC’s five standing committees are:

- Courts (includes pretrial services)
- Community Outreach & Diversity
- Crime Prevention
- Jail & Jail Alternatives
- Juvenile Justice

Standing committees meet on a monthly basis to discuss issues related to that committee’s charge. The work of each of the standing committees is reported to and acted upon (as needed) by the CJCC. CCJC initiatives target areas designed to improve outcomes, e.g., CARE, public defender at 1st appearance, Gateway, Stepping Up.

The CCJC has been instrumental in developing and securing grant funding for programs and services targeting justice-involved individuals, a number of these focus on persons with a mental illness or chemical dependency. The ability to establish a unified continuum of program/services is proving difficult in light of the fact that grant funding is not based solely with County, rather it is based with various social service agencies located in the county. In addition, as grant funding concludes, a funding plan that will enable sustainability of good programs started with grant funds will be needed.

³¹ Targeted gross misdemeanors/misdemeanors are crimes that involve a victim

³² Retrieved August 23, 2016, <http://winonacountyjcc.org/index.html>



Case Flow Mapping

Although it is beyond the scope of the JJSA, a criminal justice profile should include an assessment of the process by which cases move through the justice system. Case flow maps describe each of the steps and key decision points in the justice process, and include such information as the policies and practices of agencies/officials involved at each stage, workload, policy and program options that may be available at each stage, average timelines, and any gaps or inefficiencies in the process.

Recommendations resulting from this case flow review may include changes in policies and practices, improvements in communication and coordination, and implementation of alternative programs and/or services. The goal is to identify opportunities for maximizing the efficiency and overall effectiveness of the justice system. See Appendix C for more information about the key decision points in the case flow process and the program and process options that may improve the functioning of the justice system and potentially reduce crowding in the jail.

Jail and Justice System Assessment



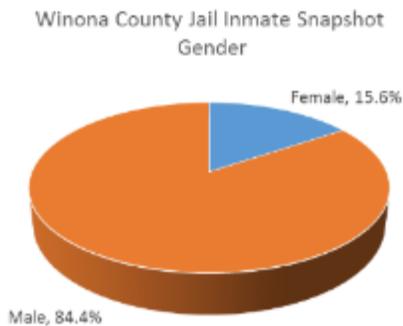


Section 4. Jail Population Profile

Inmate Profile

The technical resource providers requested select jail data prior to the onsite visit. This section of the report provides a summary of the technical resource providers' preliminary analysis of the data provided. The data included a sampling of a one-day snapshot of inmates held in the Winona County Detention Center on 8/26/2016. The snapshot also includes inmates in the custody of the Winona County Sheriff's Office who were being housed in other facilities on that date. Any future needs assessment must include the inmates boarded in other facilities to provide a complete picture of the Winona County inmate population.

Below are several charts highlighting some of the key characteristics of the inmate population drawn from the data provided. The charts are representative of the types of profile information which should be collected and analyzed, but are based on a very limited amount of data.



The female population in the snapshot sample accounted for 15.6% of the total held. This is in line with the 14% national average for females in jail but is probably underrepresented in Winona County since many female inmates may be boarded in other facilities due to the DOC reclassification order.

Most of the inmates in the one-day sample were county residents (87.5%). It was suspected that a good percentage of the out-of-state

Jail Population Profile



Data on the current jail population is collected and analyzed to develop a profile of its criminal, adjudication, behavioral, social, and demographic characteristics.

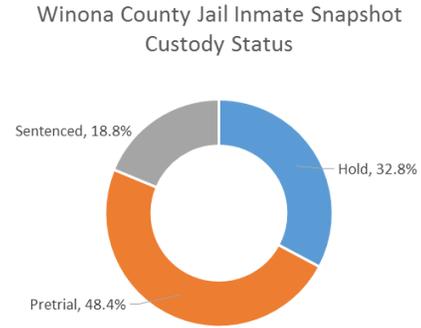
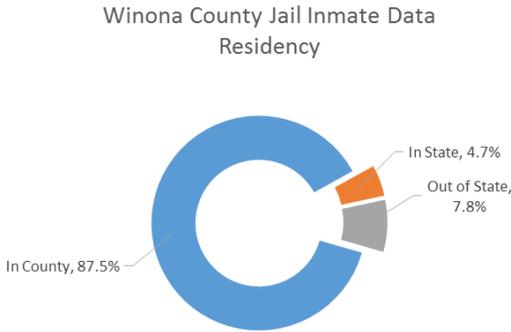
The profile is useful in several ways:

- Developing forecasts of space needs and specifications for detention and alternative programs;
- Identifying classifications of offenders based upon risk and offenses;
- Determining specific programs and services required to address offender needs; and
- Developing strategies for managing offenders through a continuum of community sanctions and programs.

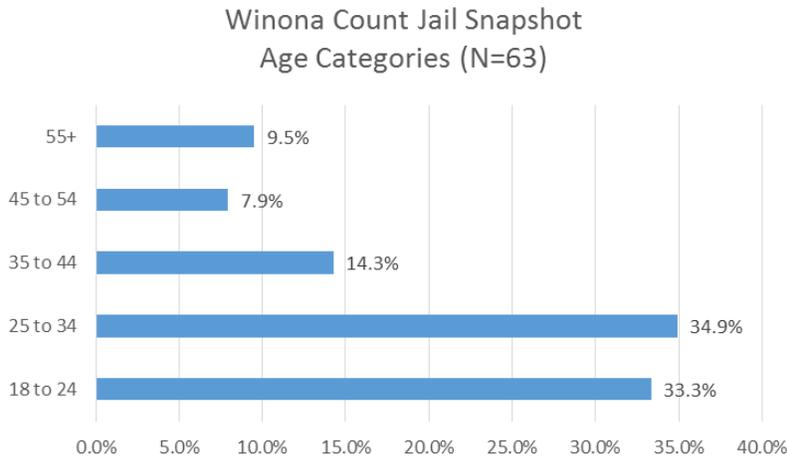
Jail and Justice System Assessment



residents were from nearby communities located a short distance away across the state line in Wisconsin. 48.4% of inmates represented in the one-day snapshot were listed as being pre-trial inmates, with only 18.8% listed as sentenced. It could be speculated that many of the longer term sentenced inmates were being housed in other facilities. The custody status of 32.8% of inmates were listed as “Holds”. This is an unexpectedly high percentage that warrants further review.



34.9% of the inmates held in 2014 were between the ages of 25 to 34. Combined with the 18-24 year old age group, young adults comprised over 68% of inmates in the one-day snapshot. The average age of the group was 32.

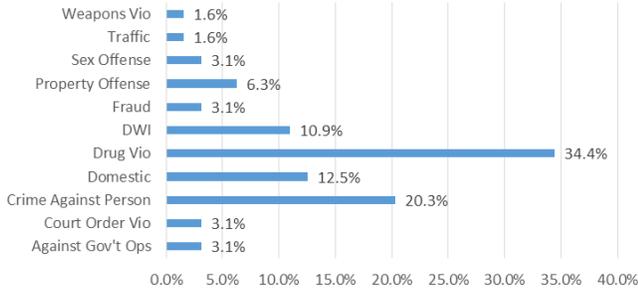


The following charts provide a breakdown of the snapshot population by the actual admission charge and by charge category. Twenty-two of the inmates in the one-day snapshot were admitted under charges related to drug violations with the most frequent being 5th Degree Controlled Substance charge (14). Thirteen of the 64 inmates were charged with assault, with 7 of those being domestic assault. In looking at offense category, drug violations were the most frequent type of charge listed at 34.4%, followed by crimes against persons at 20.3%. DWI accounted for 10.9% of all charges.

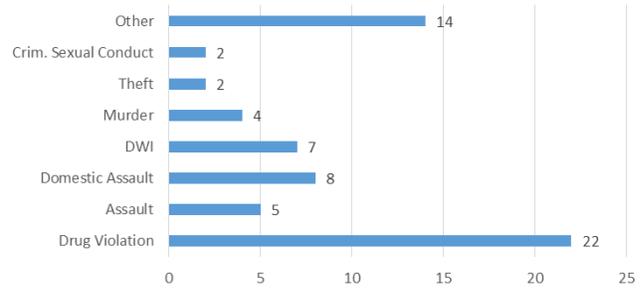
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Winona County Jail Inmate Snapshot
Offense Category

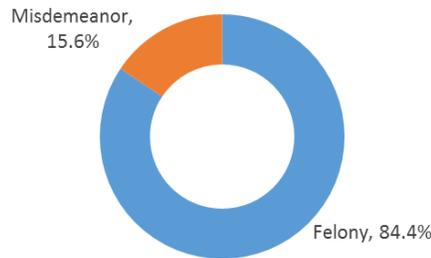


Winona County Jail Snapshot
Admission Charge



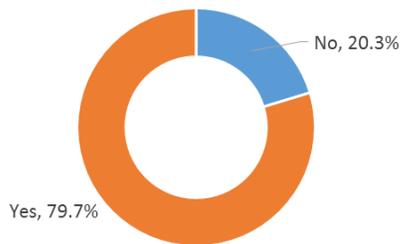
The level of the admitting charge for inmates in the snapshot data is presented below. Over 84% of inmates in the snapshot were charged with felony level offenses.

Winona County Jail Snapshot
Admission Charge Level

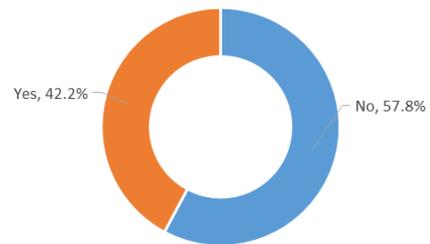


The following charts provide an insight into the level of risk and needs presented by the inmate population. Almost 80% of the offenses under which the inmates were admitted were reported to be alcohol or drug related. Almost 60% of the offenses under which inmates were admitted were reported to be violent crimes.

Winona County Jail Inmate Snapshot
Alcohol/Drug Related



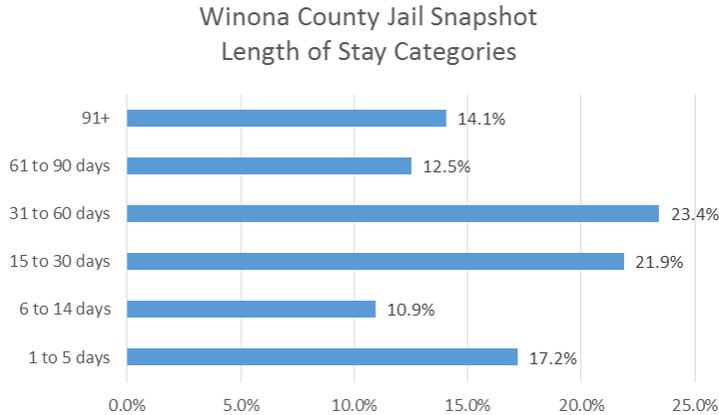
Winona County Jail Inmate Snapshot
Charged with Violent Crime



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The following chart provides a breakdown of the length of stay of inmates housed on the date of the snapshot. The categories represent the number of days the inmates were held up to the date of the snapshot and do not represent their total length of stay. Fifty percent of the inmates in the snapshot had been in jail over 30 days. Just over 14% had been in jail over 90 days with the longest reported at 300 days.



Implications for Planning

Inmate profile data provides a picture of who is in jail and their characteristics. This information is helpful in providing a breakdown of future housing needs by size, classification and custody level. It also provides information about the types about the risks and needs of offenders that the facility must be prepared to address. As previously noted, it is important to include all inmates in custody, including those held in other facilities, to get an accurate profile of the overall population. The profile data should include a much larger data set than the on-day sample used here for illustration. If possible, a data set that includes all inmates in a recent year would provide a much richer and accurate profile.

Historical Trends

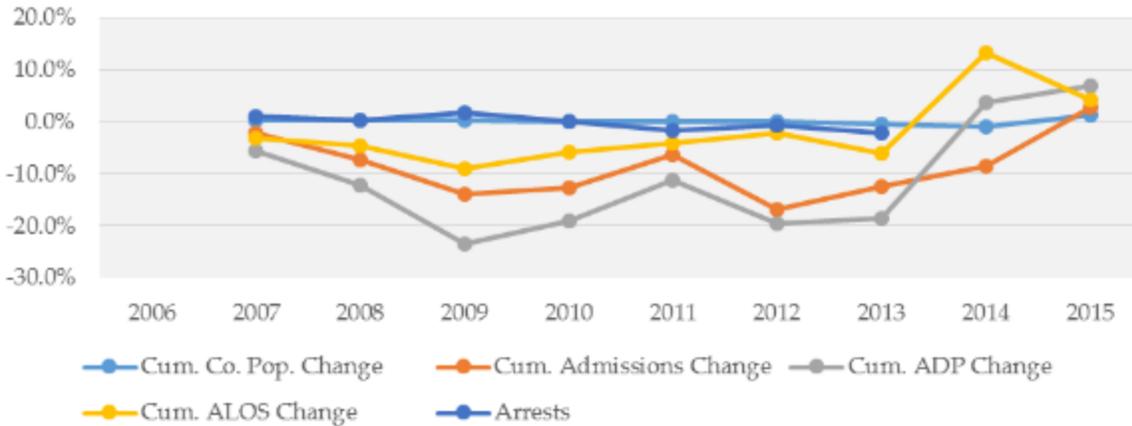
The following table shows the annual historical trends and rates of change on several factors that influence the size of the jail population. The chart that follows shows the cumulative rates of change for these factors.

Jail and Justice System Assessment



Winona County County Historical Trends and Annual Rate of Change of Factors							
Year	Combined County Population	Arrests	Admissions	Jail Days	Average Daily Jail Population	Average Length of Stay in Jail	Incarceration Rate per 100,000
2006	50,904	1,571	1,605	18,976	52.0	11.8	102.1
2007	51,316	1,551	1,569	17,976	49.3	11.5	96.0
2008	51,457	1,604	1,493	16,907	46.2	11.3	89.8
2009	51,422	1,880	1,402	15,156	41.5	10.8	80.7
2010	51,461	1,651	1,419	15,858	43.5	11.2	84.4
2011	51,370	1,599	1,513	17,192	47.1	11.4	91.7
2012	51,362	1,528	1,369	15,917	43.5	11.6	84.7
2013	51,341	1,297	1,434	16,009	43.9	11.2	85.4
2014	51,107		1,493	20,623	56.5	13.8	110.6
2015	50,885		1,680	21,311	58.4	12.7	114.7
Ave. Annual % of Change	0.00%	-2.22%	0.72%	1.87%	1.87%	1.13%	

**Cumulative Rate of Change
2006 - 2014**



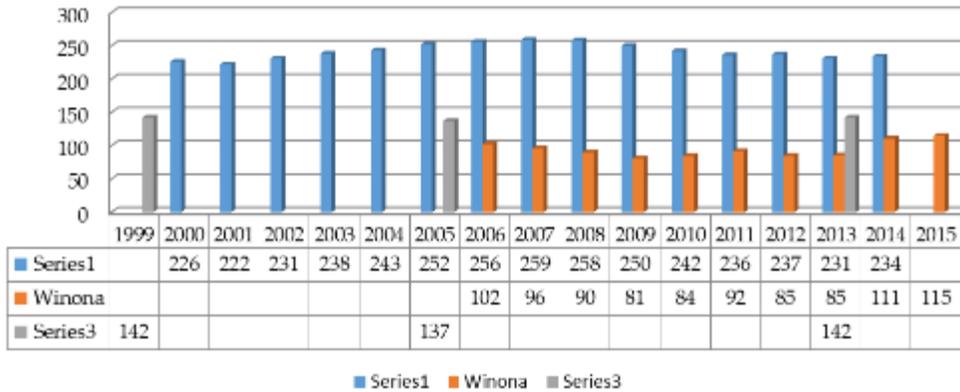
The Winona County population has been fairly static over the past ten years. Arrests, through 2013 declined at an average annual rate of -2.22%. Both admissions and length of stay increased over the ten year time period, yielding an annual increase of 1.87% in the average daily population. These trends are useful in forecasting future bed space needs, assuming no significant changes.

It is also helpful to look at comparative data to see how Winona County compares nationally in its rate of incarceration. In 2015, the average daily population of the jail was 58.4 inmates. The estimated county population for 2015 was 50,885. Based on these numbers, the incarceration rate (per 100,000 population) for the county was 114.7. This compares with 234 for the United States in 2014, the most recent data available.

Jail and Justice System Assessment



U.S., Minnesota, and Winona County Jail Incarceration Rates (per 100,000)
1999 - 2015



The national incarceration rate in jails increased significantly over the past two decades, peaking at 259 per 100,000 in 2007, which contributed to the rapid growth in jail populations across the country. Since 2007 the incarceration rate nationally has declined. The chart below shows the incarceration rate trends over the last 15 years. The Winona County Detention Center has followed a somewhat similar downward trend although the local incarceration rate has increased at a slightly greater rate than the incarceration rate nationally in the last three years. It should be noted that the incarceration rate for Winona County would be somewhat higher when the inmates housed in other facilities are included. Any future needs assessment should include the overall county inmate population in calculating the incarceration rate.

Implications for Planning

Trend data such as that presented here is useful in determining what may be driving jail population trends, and it provides direction for further analysis to see how policy and practices of the criminal justice system may be impacting the jail. Comparative data can provide insight into how Winona County incarceration levels compare with similar sized jurisdictions in-state and nationally.



Section 5. Facility Assessment

The Winona County Detention Center was opened in 1977 with a capacity of 35. A minimum security dormitory added later increased capacity to 83 beds. The average daily population for 2015 is 58 inmates with approximately 20 or more inmates housed outside of Winona County. The facility has recently been downgraded by the Minnesota Department of Corrections to limit length of stay to 90 days or less.

The housing is primarily linear, which means that in most cases cells are located at right angles along security corridors where staff typically make “rounds” to check on inmates’ welfare.

Over 77% of the beds are dormitory housing; less than 23% of the beds are designated for single occupancy.

The TRP’s completed a brief tour of the Winona County Jail to develop initial impressions concerning the capabilities and limitation of the existing facility. The following is a breakdown of the various sections and key components of the jail that reflect the TRP’s initial impressions. Included is a brief description of the expected function and capabilities consistent with industry standards of the component (noted in *italics*) followed by a summary description of the corresponding space in the Winona County Jail and any issues or concerns noted or discussed.

Administrative Areas (Sheriff’s Office Administration)

Administrative areas include space for administration, fiscal and personnel management, communication/interaction with the public, security management, program management, physical plant management, and records management. These types of spaces generally include the public lobby, public toilets, reception area, offices for administrative staff, conference and meeting areas, clerical areas, records/files, security equipment storage, and related support areas. Administrative areas should be outside the main security perimeter of the jail but adjacent to it.

Jail Assessment



A primary goal of a Jail Assessment is to compare and evaluate the performance of existing facilities with current and future needs. Building soundness and adaptability, living conditions and sanitation levels, fire and life safety, safety and security, programs and services, inmate classification and housing, compliance with standards, layout, and capacity are all considerations in conducting an assessment.

The assessment provides information for the jurisdiction to determine the need for facility improvements or the development of new facilities.



The public lobby for the Sheriff's Office also serves as the public lobby for the jail. There are stairs and an elevator to the Winona Police Department on the second level located in the front foyer. Visitors to the Sheriff's Office and jail proceed into a small lobby from the foyer where there is a reception counter, restrooms, and limited seating. Visitors to the jail check in with the Sheriff's office receptionist and then are directed to the public side of the non-contact visiting booths located adjacent to the lobby.

The Jail Administrator's office is located in the administrative suite of the Sheriff's Office. The Shift Commander and Program Coordinator share an office in the lower level of the jail accessed through the Annex housing unit. With regard to staff support spaces, there is a staff locker room and training room in the lower level that are used by all Sheriff's Office staff.

The following concerns about the quality and functionality of this space were noted:

- Public lobby space is limited.
- Public restrooms are not ADA compliant.

Staff Areas

Areas intended for the private use of jail staff may include spaces such as break rooms, training rooms, locker/shower rooms, physical conditioning areas, and staff toilets. Staff areas, if available, are generally located outside the main security perimeter but in close proximity to an access point into the secure area of the jail.

There is a staff locker room and training room in the lower level that are used by all Sheriff's Office staff.

The following concerns about the quality and functionality of this space were noted:

- No staff physical conditioning space available;
- No staff restroom available in the secure area of the jail on the main level
- Locker room is not sufficient to serve all staff within the Sheriff's Office according to the Jail Administrator

Control Center

The control center is a secure, fixed post staffed 24-hours a day that serves as the hub for monitoring and coordination of communications, life safety, and security systems. Closed circuit television monitors, intercoms, telephone lines, fire/smoke alarms, door alarms, and door controls are usually located in the control center.

The dispatch/communication center also serves as the Control Center for the Winona County Jail. It is accessed from the Sheriff's Office Administrative area. Glazing in the walls between the Control Center and the secure side, provide a view of the security corridors within the jail.



While the primary function of staff assigned to this area is dispatch and communication, jail-related responsibilities include monitoring the jail area via closed circuit television, answering outside telephone calls, and operating certain perimeter and dayroom doors. Most security doors are operated by keys carried by on-duty staff.

The following concerns about the quality and functionality of this space were noted:

- The Control Center is not secure. Doors into the Control Center from the administrative area are not kept locked.
- The primary responsibility of staff in Control Center is dispatch. These dual functions, with the jail being a secondary responsibility, present potential safety and security risks for jail staff.

Security Perimeter

The security perimeter is the outer portion of the facility that forms a sealed barrier between the secure area of the jail and the outside world. Its purpose is to prevent escape, unauthorized entry or exit, and contraband passage. The security perimeter often includes several entry/exit points that must be controlled to manage the movement of staff, inmates, visitors, and service providers in and out of the secure area of the jail. Establishing and maintaining a reliable security perimeter (both vertical and horizontal) is a major factor in preventing security breakdowns in the jail.

The jail has a security perimeter with the exit and entry points controlled, in part, by the Control Center and by key access. The perimeter is formed in part by the building itself.

Concerns noted:

- Perimeter doors are operated by keys carried by jail staff.

Intake and Release Area

The intake and release area, commonly referred to as "booking," is where inmates are processed into and released from the facility. Intake and release areas should be located within the jail's security perimeter, but apart from inmate housing areas. Entrance to the intake and release area should be through a secure sallyport apart from the public entrance to the jail. The intake and release area should include the types of spaces and equipment necessary to complete intake and release processing activities.

Arrestees are brought into the facility through a drive-in garage sally port. Once removed from the patrol car in the sallyport, inmates are brought into the secure area of the jail to the Booking Area. The Booking Area, as currently configured, was created from space originally designated for an entirely different function. It includes a booking counter and equipment for taking digital photos. The

Jail and Justice System Assessment



Booking Area opens into an adjacent space which includes the automated fingerprinting equipment, racks for hanging inmate property bags, and a clothing exchange/shower area.

Inmate property is stored in hanging garment bags in the open Booking Area. A partial height wall provides limited privacy screening for inmates in the intake shower, search and clothing exchange area.

One holding area is located across the hall from the booking/release processing area. A toilet with privacy screen is provided in this area. A second holding room is located at the opposite end of the corridor on the other side of the Control Center.



The following concerns about the quality and functionality of this space were noted or discussed:

- Poor layout and overall lack of space for the intake and release function.
- Storage space for clothing, linens, toiletries, etc. issued to newly admitted prisoners is insufficient.
- There is no work area for law enforcement officers to complete paperwork for arrestees being brought in for booking.
- Area is not accessible to persons with disabilities and does not meet other ADA requirements.
- Observation of the holding cells is limited; steel doors further inhibit officers from hearing inmates in crisis.
- Lack of secure storage for inmate property. Inmate property is stored in hanging garment bags in the open Booking Area.
- Lack of privacy for inmates in the space being used for shower, search and clothing exchange. A partial height wall provides limited privacy screening for inmates in this area.
- The restraint chair is kept out in the garage due to lack of space in the Booking Area.

Visiting Areas

Inmate visiting is generally divided into two types: personal visits with family and friends and professional visits with attorneys, counselors, and other official visitors. Most jails provide non-contact visiting spaces for personal



visits where barriers separate the visitor and the inmate. Visitors and inmates view each other through glazed panels and speak to each other via telephone or sound port.

Contact visitation is primarily provided for professional consultations, although some jails do make provisions for personal contact visitation. Visiting space for professional visits should be fully enclosed and private.

Visiting requires space in a public lobby area for visitor check-in and waiting. Visitors should have access to seating, toilets, and drinking fountains in the lobby area while waiting for visits. Maintaining security and preventing passage of contraband are prime considerations during visitation. Metal detectors, lockers for personal belongings, designated areas for searching visitors and inmates, and signs outlining visiting rules and procedures for visitors all contribute to security in visitation. Staff should be positioned to visually monitor the visiting area and respond if there are problems.

The Winona County Jail has three non-contact visiting stations located near the front lobby. In addition, there are two video visiting stations that serve inmates in the basement Annex housing.

Inmates are escorted to the secure side of the non-contact visiting area by jail staff. Visitors register in the public lobby area and check in with Sheriff's Office reception. Visitors are then directed to the public side of the visiting area.

The following concerns about the quality and functionality of this space were noted:

- Although the Non-contact Visiting Area is CCTV-monitored, there is limited ability to observe inmates and visitors directly.
- Movement of inmates between housing and the visiting area and supervision of inmates in visiting takes a significant amount of staff time and removes staff from the main housing area.
- The inmate and public visiting stations are not ADA compliant.
- No visitor's lockers.

Inmate Housing

The design and construction features of the jail's housing areas largely define the custody level of the facility and the mode of inmate supervision (direct, indirect, or intermittent). Housing areas in jails are usually broken down into units that consist of cells or dormitories with associated dayrooms and shower/toilet areas. Staff control posts, janitor closets, and miscellaneous storage areas are other types of spaces typically located in or in close proximity to the housing units.

Cells in inmate housing units are categorized as single occupancy, multiple occupancy, or dormitory. Single-occupancy cells accommodate one inmate. Multiple-occupancy cells usually hold two or more inmates. Both types of cells typically include beds for the maximum number of occupants, a toilet and sink, and possibly a stool and desk. An adjacent dayroom with showers and dining tables typically serves a cluster of single- or multiple-

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occupancy cells in a housing unit. Dormitories are multiple-occupancy living spaces that tend to be more self-contained. Sleeping areas, toilets, showers, and dayroom areas are typically integrated into a single space in dormitories.

The Winona County Jail housing on the main level consists of housing units with single occupancy cells and dormitories. In addition there is a large minimum security dormitory in the lower level of the jail known as the Annex.

Block 1 is an eight bed minimum security dormitory that includes four metal bunk beds, a picnic-style steel table and seating, television, windows, shower, and toilet. The area provides approximately 57 sf per inmate at capacity.

Block 2 is designated as a medium security housing unit that includes six single occupancy cells that open into a common dayroom. The cells are equipped with bunks built into the walls or with a steel bunks attached to the wall, stainless steel security toilet/sink combinations, small steel table and stool, and shelf. The cell doors are metal with small view ports and manual locks. The dayroom has windows (frosted) providing access to natural light, a fixed steel picnic style table and seating, television and a shower. There is a security vestibule between the outer corridor and the housing unit dayroom. The area provides approximately 124 sf per inmate at capacity in the combination of cell and dayroom space.

Block 3 is designated as a maximum security unit. It is similarly equipped as the medium security housing unit except the cell doors are barred sliders and there is a security corridor between the housing unit and the outer wall. The television in this unit is located in the security vestibule beside the entrance into the housing unit. The sliding doors are operated from a control box located on the corridor wall just outside the housing unit entrance. The control mechanisms have been upgraded with switches to operate the sliding doors. The housing unit provides approximately 97 sf per inmate at capacity in the combination of cell and dayroom space.

Block 4 is a housing unit with three single occupancy cells opening into a common dayroom. These cells are also equipped similar to the cells in Block 2 and also have solid metal doors with manual security locks. The dayroom is equipped with a smaller picnic style steel table and seating, television, window, and a shower. There were two molded plastic chairs in this area as well. The housing unit provides approximately 162 sf per inmate at capacity in the combination of cell and dayroom space.

Blocks 5 and 6 are almost identical in configuration and outfitting. Each includes two single occupancy cells opening into common dayrooms. The cells include bunks built into common walls (over and under – see picture), toilet/sink combination, writing surface and stool and shelf. The cell doors are solid metal with small view ports and manual locks. The dayrooms have a small steel picnic style table and seating, shower, windows, and television. The dayroom doors are also solid metal with locks that

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can be opened from the Control Center. Doors into the cells and dayroom are narrow. The housing units each provide approximately 183 sf per inmate at capacity in the combination of cell and dayroom space.

Block 7 is an eight-bed dormitory that serves as housing for work release inmates. The unit includes four metal bunk beds, steel picnic-style table and seating, shower, toilet/sink, windows, and television. The area provides approximately 66 sf per inmate at capacity.

A large area in the lower level was remodeled to create a 48-bed minimum security dormitory (known as the Annex) used to house work crew inmates and other minimum custody inmates. It is managed as a direct supervision unit with a jail deputy posted within the housing unit on a 24-hour basis. The Annex include a sleeping and dayroom area (with a separate sleeping areas for inmates working at night), program/law library room, area for traying up food brought in from the food vendor and for tray washing and clean-up, laundry area for laundry if inmates' personal items, and a locker room and change out/search area for inmates as they leave for and return from work. There are also vending machines, wall mounted inmate telephones and video visiting monitors.

A table providing a breakdown of the housing units is presented below.

Unit				
Designation	Housing Classification	Cell Type	# of Cells	Unit Capacity
Block1	Step Down Mod	Dormitory	1	8
Block 2	Administrative Segregation	Single	2	2
Block 3	Administrative Segregation	Single	2	2
Block 4	Administrative Segregation	Single	3	3
Block 5	Mod	Single	6	6
Block 6	Mod	Single	6	6
Block 7	Stepdown Mod	Dormitory	1	8
Block 8	Minimum Security	Dormitory	1	48
TOTAL CAPACITY				83



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Given the layout of the housing, officer safety is a significant concern. Officers carry keys to cell doors and to exit doors. There is limited ability for staff to interact with the inmates, and in most cases inmates are forewarned of an officer's pending presence when they unlock the corridor doors. Officers could easily be overcome in any escape attempt.

Effective classification and separation is essential to safe and secure operation of detention facilities.

Special needs inmates represent a growing portion of the jail population in Winona as well as the rest of the country. Special needs inmates are those who require special housing or care because of particular conditions or their status. These inmates often require separate housing from the general population and may require higher levels of supervision and services. The Winona County Jail lacks sufficient and appropriate housing for these types of inmates, which may include those who are:

- Suicidal
- Mentally disturbed
- Intoxicated
- Contagious
- Physically or developmentally disabled
- Vulnerable (protective custody)
- Present behavioral problems

The following concerns about the quality and functionality of the housing area were noted:

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- Overall linear layout of housing on the main level is not conducive to staff-inmate interaction.
- Insufficient capacity to house current and future population needs.
- Insufficient classification and housing separation to meet current and future needs.
- Lack of suitable housing for special management inmates.
- Housing areas are not ADA compliant.

Support Services Areas

The jail's support services areas include those used to provide basic services to the inmate population such as medical care, food service, and laundry service and those that support the overall functioning of the jail, such as janitorial service, maintenance, and storage.

Medical services component

Properly equipped medical examination space is needed to conduct screening and routine assessments, examine inmates with health complaints, provide first aid, and perform minor treatment procedures. Space should also be available for the appropriate storage and management of medical records, medications, and biohazards.

A medical examination room and nurse's office was created from a former program area. The room includes a medical exam table, basic medical equipment and supplies, space for a medication cart and medication storage, work area for medical personnel, and file cabinets for medical records storage.



The following concerns about the quality and functionality of this space were noted:

- The jail is not equipped with a negative-pressure cell for isolation of inmates with communicable air-borne disease;

Food service component

Jails that maintain a full-service kitchen where all meals are prepared in-house require appropriate space and equipment for receiving food and food storage (dry and cold), supply storage, preparation, serving, cleanup and dishwashing, waste disposal, and food service management.

The area in the jail that was originally designed as the jail kitchen now serves as the jail deputy's work area and break area. Meals is prepared off site by Aramark. The food is brought in once a day in bulk,



trayed up by inmates in Annex and delivered to inmates. Trays washed in Annex. Boxed meals at breakfast and sack lunches are provided with a hot meal at night.

The following concerns about the quality and functionality of this space were noted:

- Space for food storage is inadequate. There are large refrigerators in the intake sallyport that are used to store refrigerated food items.
- Space for receipt of food service deliveries is inadequate. Food is brought in through the intake sallyport.

Laundry area

Adequate space and equipment should be available for collecting, sorting, washing, and drying of bedding, linen, towels, and inmate clothing on a regularly scheduled basis, and for the associated tasks of mending, storage, and distribution of laundered items.

All laundry done offsite by contract vendor. There is a washer and dryer in the Annex for use in laundering personal items of inmate clothing. The small room that formerly served as a laundry room has shelved where inmate uniforms and blankets are stored.

The following concerns about the quality and functionality of this function were noted or discussed:

- Inadequate space for laundry storage, pick-up and delivery. The laundry vendor picks up soiled laundry and drops off clean laundry in the intake sallyport. The soiled laundry is stored in the intake sallyport until it can be picked up.

Janitor's closets

Jails should provide space that is secure from unauthorized access by inmates for storage and staging of cleaning supplies and equipment, including a "mop" sink or washtub and storage areas for mops, brooms, buckets, floor buffers, cleaning supplies, and dust cloths.

There is a mop sink and water spigots in a small room that formerly served as the Nurse's office that is now vacated. Cleaning supplies are now kept in the area formerly designated as the laundry room.

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Maintenance areas

Secure workspace and storage for tools used to maintain the facility should be available. Maintenance work includes both routine and preventive upkeep of equipment, systems, and the building and their repair, and encompasses functions such as plumbing, electrical work, locksmithing, heating/ventilation/air-conditioning (HVAC), window repair, and painting.

No separate workspace or storage for tools used in facility maintenance is designated in the facility. County maintenance staff or contracted service providers perform maintenance in the facility.

Storage areas

Jails need adequate storage space for records, food service, laundry, maintenance, supplies, and inmate property. Jails should also have a general storage area for bulk goods and materials not frequently used.

Space for storage is inadequate generally for all facility functions. Lack of adequate, appropriate storage creates health and safety issues, as well as security concerns.

Program and Exercise Areas

Program and exercise areas in jails provide space for inmates to engage in activities such as physical exercise, counseling, education, industry, worship, and leisure-time recreation. Newer jails typically provide dedicated program space for indoor and outdoor exercise, a legal and a general library, classrooms, a commissary, and rooms for individual and group counseling and religious services/instruction.

There is a 330 sf room located on the main level of the jail that serves as the jail library, indoor exercise area, and for programs. There are also vending machines that serve as the inmate commissary located in this room.



There is no outdoor exercise area available. Table games and televisions are provided in the housing units. Inmates may also select books to read from the library shelved in the program room.



Concerns discussed about this area include:

- Lack of exercise equipment.
- Inadequate indoor recreation and program space provided.
- No outdoor recreation space.

Security and Communications Equipment

Most jails use the following types of security and communications equipment:

- *Emergency generator to provide back-up in the event of a power outage.*
- *Closed-circuit television (CCTV). Closed-circuit television (CCTV) is primarily used to monitor activity in restricted areas, monitor movement between areas of the facility and to aid in the identification of people trying to gain access secured areas.*

CCTV is used to monitor most areas of the facility. Monitors are located in the Control Center. The CCTV system has recently been upgraded.

Communications systems

This includes public address systems, intercom systems, telephone systems, two-way radio systems, and electronic mail systems. Audio monitoring and detection features are typically integrated into the intercom system.

Telephone systems provide both external and internal communication capabilities. In addition to outside lines, jail telephone systems typically include an internal network that interfaces with the jail's other communications systems and security system. Most jails now also provide separate inmate telephone systems with monitoring and call management capabilities.

Jail deputies communicate primarily via radio.

Internal and external communications systems within the Winona County Jail appear to be operational and adequate for current use.

Locking systems

Locking systems are a fundamental component of security. Manual locking systems, common in many older facilities, require staff to operate the locks on each door individually. Mechanical or electromechanical types of systems generally operate groups of doors from a single location by officers operating mechanical levers or wheels or activating electric switches at a control panel. In many newer facilities, locking systems are controlled remotely from the control center and/or jail officer work station. Centrally controlled locking systems are effective in regulating movement within the facility and effecting prompt release in the event of an emergency requiring evacuation.

The following concerns were noted:



- Cell doors and some other security doors are operated by key which presents concerns that staff can be overtaken and then have access to perimeter doors.
- The number of cell doors that are manually keyed present potential safety concerns as prompt evacuation in the event of an emergency would be difficult.

Fire detection and suppression systems

Fire detection and suppression systems provide for the early detection of fires and the capability to put out fires in their early stages. These systems may also include equipment or technology to facilitate prompt evacuation of occupants who are at risk when a fire erupts. Codes in many jurisdictions require jails to have hard-wired smoke and heat detection systems connected to a central enunciator panel at a fixed post (e.g., central control). Newer facilities in many jurisdictions are required to have locking systems that allow gang release of cell and housing unit doors from a remote location (e.g., central control) and automatic sprinkler systems that activate when a fire is detected. Many newer facilities are also designed with internal smoke compartments or zones intended to isolate fire and smoke to the area of their origin.

While the Winona County Jail is equipped with a hard-wired smoke detection system and meets basic fire codes for existing facilities, the main level of the jail is not equipped with a sprinkler system. The lack of early suppression equipment in the jail area increases the risk of damage and loss of life in the event of a fire in the jail or elsewhere in the building.

Although this was not assessed by the technical resource providers, a facility of this age may not have systems in place to purge smoke or zones to contain smoke in an area or origin. Occupant protection in this scenario is inhibited. Smoke cannot be easily contained to a fire's area of origin. If a fire started in one area of the jail, smoke could quickly spread throughout the housing areas. Toxic smoke and limited visibility caused by the spread of smoke are the leading causes of jail fire deaths.

General Environmental Conditions

The quality of the jail environment affects not only the health and well-being of those who occupy and work in the facility but their behavior as well. Poor conditions often lead to low morale of inmates and staff, increased inmate health care costs, more disciplinary problems, higher levels of staff absenteeism and turnover, and an overall negative atmosphere. Attention to light and noise levels, temperature, air quality, and plumbing can improve the overall quality of the jail environment as both a residential setting and a worksite.

Generally, the facility is clean and well maintained to the degree it can be. A number of concerns about environmental conditions in the Winona Jail were noted:

- Non-ADA compliant.
- Building systems are deteriorating and wearing out due to age and heavy use.



- Security electronics and other systems are wearing out and becoming obsolete.

Summary

In summary, the existing jail facility has a number of inadequacies that include:

- Inefficient layout and design.
- Lack of visibility into inmate housing – linear design.
- Weaknesses in security perimeter.
- Manual locking systems.
- Insufficient capacity and types of housing to separately manage inmates according to classification and custody level.
- Inadequate intake and release area.
- Obsolete building systems.
- Inadequate support services space (laundry, food service, housekeeping, etc.).
- Lack of adequate administrative space/public lobby and waiting.
- Lack of program and exercise space.
- Inadequate storage space.
- Lack of ADA accessibility.



Section 6. Meetings with Criminal Justice Officials

During the course of the JJSA, the Technical Resource Providers met with many of the local criminal justice officials including judges, prosecutor, public defender, probation, law enforcement, sheriff, and jail administrator. The TRP's also met with the Court Administrator, County Administrator, County Board members, and the Director of the Criminal Justice Coordinating Council.

The criminal justice officials were provided a similar set of survey questions prior to the JJSA and were asked to provide responses that could be further discussed during the brief meetings. The following represents a summary of the responses to the survey questions. There was general consensus among the officials regarding the need for communication, timely sharing of information. And generally making the effort to work better together. With regard to the need for programs and services, most reported a need for expanded mental health and substance abuse services, housing, and pre-trial release supervision. All those who were interviewed expressed the need for a new jail.

What are the primary goals of the Winona County criminal justice system?

- To do justice, be fair and impartial, punish when appropriate and ensure equitable treatment for all defendants.
- Public safety; judicial efficiency
- Public safety is #1, then offender rehabilitation.
- Public Safety; Provide for excellent defense of those charged with crimes; Operate in environment of transparency and accountability
- Achieving justice for all with smart on crime programs and processes that include traditional prosecution and problem-solving ones (drug court, pre-trial services, diversion, and restorative justice to name a few
- Efficient processing

How well is the system meeting these goals?

- Not everyone has access to equitable treatment – i.e. some need in-custody treatment and can't get it.
- Pretty well; could be improved
- 5 on a scale of 1-10.

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- Against these measures, Winona County faces several challenges specific to individuals incarcerated locally, either pretrial or post-conviction: 1) Inability to house locally pretrial - difficulties meeting in person with counsel and difficulty connecting to local services; 2) Inability to house locally - no access to local work release and increased difficulty in transitioning back to the community; 3) No provision of chemical dependency or mental health treatment in custody; 4) No ability for defendants to review electronic disclosures
- We have an effectively operating Drug Court which began in 2012. We have an effective and very successful Criminal Justice Coordinating Council (CJCC) that works to address criminal justice issues as they arise, but also in a strategic, forward-thinking manner. We support and partner with community groups that also address the various preventative and collateral issues related to the criminal justice system. However successful we have been, we don't rest on our laurels as there is always room for improvement. We are working together with our criminal justice system partners through the CJSCCon multiple initiatives to address and develop pre-trial services programs, mental health and substance abuse screening at entry into the criminal justice system; and programming during the criminal justice system process, and transition programs when people leave the criminal justice system. We continue to see a number of repeat offenders have mental health and/or substance abuse issues that play a role in the offender continually having cases in the criminal justice system. In addition to treatment, there is a need for more accountability in pretrial stage to allow the offender time to be sober. A number of defendants comment that their arrest was an important intervention in their lives. In many cases there is no plan in place to assist with sobriety before the offender's release from custody. The Stepping Up initiative and the Pre-trial Services workgroup of the CJCC are evaluating these issues with the hope that we can make recommendations to our County Board to fund and implement these problem solving programs that coordinate with our existing community programs such as Drug Court.

Do cases move through the case flow process efficiently? If not, at what points are their delays, and why?

- Continuances delay processing; some hearings are rote and accomplish very little i.e. Rule 8/default omnibus hearings
- Some delays due to discovery issues and calendar issues
- No. Delay in paperwork from courts – issues with the paperwork going to the correct person and accuracy of the reports.
- No noticeable delays

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- Some cases move slower than others. For example, one of my staff had a case where the Court scheduled four Rule 8 hearings. Continuances kept being granted for the defendant to get a lawyer. This was not efficient. Other cases seem to move along very efficiently. Case flow can be very different case by case. Delays tend to occur for various reasons. Everyone wants to have meaningful hearings that move the case along, but that doesn't always happen. There are transport delays due to defendants in custody housed out of county. Fingerprinting of defendants ordered from court to do so at the jail gets delayed when the jail staff can't accommodate them coming from court, which contributes to suspense files. Criminal justice is not a business of widgets on an assembly line; it involves people and circumstances that don't fit neatly into business models of efficiency. The transition to e-charging and e-filing has not been without bumps in the road.

What do you need from the jail and other justice system components and officials to be most effective in its work?

- In-custody treatment for men and women; reliable transport; communication
- Continued cooperation and communication
- Good communication in a timely manner. Accurate information and data.
- More ability to meet with clients; more availability of services to clients; ability for clients to review their disclosures independently
- Working together, knowing who to call, getting information from each other to address problems is what we already do, whether it's through the CJCC committee work, or simply calling or emailing each other. We can always use more information/training on jail policies, policies and programs, but we make the effort to work together to get that information. Having fingerprinting machines in the court house to process defendants that the court orders fingerprints from.
- Be aware that small agencies don't have manpower to always get necessary paperwork to the county attorney/court in a timely manner
- Later time in the day for scheduling first appearances would help
- Reduce delays in getting law enforcement officer back on the street

What can you do to assist and support the jail and other justice system components to be most effective in their work?

- Have meaningful hearings; run on time; communication (courts)

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- Continue to work together and maintain good communication regarding scheduling and the calendar (courts)
- Continue to communicate and be part of developing new programs (probation)
- Meet with clients in a timely manner; have sufficiently consulted with the client so as to ensure that each court appearance is substantively meaningful; arrange for clients' access to the services that will help their transition into probation
- Better communication. Sharing information works both ways. We can do a better job of communicating to the jail, and I can do a better job of making sure the information we learn through the CJCC committee gets shared with staff. Recently the attorneys were asked to make sure we ask for booking to be completed as a condition of release so that we can help the system reduce the number of suspense files. It makes both the jail and the attorney's jobs easier if we have an open line of communication. Improved communication and consistent communication.
- Provide timely and thorough information

What changes in the policies and practices of the various justice system components would you recommend to improve the efficiency and effectiveness of the local justice system??

- We need to keep our people local in our jail and provide for their needs here rather than ship them all over SE Minnesota.
- Greater consistency
- Absent a new facility that complies with Minnesota Department of Corrections standards, it's difficult to see how the above concerns could be ameliorated
- Pretrial release needs to change so that people who have been released are actually being held accountable to the conditions of release. This means better ways of monitoring compliance; reporting violations, and having the courts enforce the conditions.
- Use the CJCC as a forum to discuss/resolve issues. Has been very effective.
- One on one communication is effective

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What are the gaps and needs in the local justice system in the way of community sanctioning options and/treatment programs?

- Very little juvenile facilities/options; we need more than a 90 day facility.
- We lack the ability to adequately address issues relating to some mental health needs of those involved with the criminal justice system. We also lack adequate housing options for those involved in the system.
- Housing and inpatient treatment for chemical dependency
- Winona County has done a good job implementing and maintaining community and treatment options, such as its drug court program. However, improvement could be made by adding similar specialty courts like those elsewhere around the state, such as mental health court or veteran's court
- Pretrial release supervision would be very helpful.
- More options for mental health treatment

Is the lack of bed space a factor in arrest, pre-trial release or sentencing decisions?

- Yes – and the distance that all the facilities are from Winona
- I do not let the lack of bed space affect my decision making regarding these issues.
- No
- In some arrest decisions (i.e. mandatory DWI arrests) yes, but otherwise has not directly been a factor. It may not be a determining factor, but it is a consideration, and may be more so now that the jail is under holding restrictions.

What would you suggest in order to address current issues relating to the jail?

- Build the jail we have needed for twenty years.
- I would like to see a new jail in Winona that has the ability to address chemical dependency and mental health issues.
- Winona County has needed a new jail for many years. All of the CJ partners are aware of this but the County Board has not been supportive. They need to understand it is costing taxpayers more to house out of county than it would be to build a new jail.
- Upgrade or replace the existing facility at the earliest opportunity

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The current jail is out of date (it was when it was built). We need either remodel the current facility or remodel and expand the building to house law enforcement, jail (but with a pod central system where less jail staff is needed to supervise inmates) and space for programming, including pre-trial screening, supervision and programming, nursing/medical, educational training classrooms, et. Add early, initial screening for chemical dependency and mental illness, including for those who can safely remain in the community on a pretrial release program that addresses issues the screening has identified. For those who have to remain in custody, include life skills programming and more in-custody programs.



Section 7. Town Hall Meeting

Introductions and Expectations

The town hall meeting was opened with a welcome and introductions of the technical resource providers and the attendees. A list of participants attending the meeting is provided in Appendix B. The following expectations for the meeting were offered by attendees:

- Direction on addressing crowding (3 participants);
- Save money (2 participants);
- Obtain input from the community;
- Get information – findings (6 participants); and
- Start a dialogue about the jail.

Overview of the National Institute of Corrections

The technical resource providers provided a brief overview of the National Institute of Corrections.

The National Institute of Corrections is an agency within the U.S. Department of Justice that was established to provide leadership, training, and technical assistance to the field of corrections. NIC provides technical assistance to individual jurisdictions. The technical assistance is usually an on-site evaluation of a specific problem the agency is trying to solve. It is followed up with a written report that contains recommendations for addressing the issue.

The NIC Information Center, based in Aurora, CO, is a clearinghouse for a variety of corrections-related information. The Information Center contains video tapes, publications, sample manuals, training plans, etc. on a variety of jail topics. Some of the materials are provided at no charge, others may be borrowed, and still others may be viewed at the Information Center.

NIC has a website that is an excellent resource for everyone in corrections. Visitors can download a variety of documents from the publications section. The website also includes descriptions of programs and services, training schedules, and links to other useful websites. NIC also supports several online communities for correctional professionals.

Jail and Justice System Assessment Purpose and Process

The technical resource providers briefly described the JJSA purpose and process.

The purpose of the JJSA is to assist communities in beginning the process of determining the need for improvements to the existing jail and its operations (including the potential need for new construction



and/or renovation) and/or the need for improvements to enhance the effectiveness and efficiency of the overall justice system.

The process typically includes four main steps:

1. Jail assessment. The technical resource providers conduct a brief assessment of the jail including the physical plant and operations, to identify potential life, health, safety, and liability issues that may be important for the community to address both in the short term and in the long term.
2. Review jail and justice system data. This includes inmate profile data (typically one-day snapshot) to describe who is in jail, inmates profile characteristics, and the levels of risk and need they may present in the community. It may also include trend data on jail use that show the use of the jail over time and includes such indicators as number of admissions, average daily population, average length of stay, and rate of release. It may also include other justice system data that may indicate the impact of the system on the use of the jail. Such data typically includes arrests, court filings, dispositions, etc. Historic and projected population changes are also key data to review.
3. Interviews with key justice system officials. Discussions with justice system officials help bring a common understanding of the policies and practices of the agencies that comprise the local justice system. This helps the County understand how the system works and why it is important to provide an opportunity to address inefficiencies and/or incongruence in policy and practices that adversely affect the jail. The interviews also provide an opportunity to get the impressions of key policy makers on the "jail issue" and the role they can play in helping solve problems.
4. Town hall meeting. The JJSA typically culminates with a town hall meeting which brings together justice system officials with funding authority representatives and community members. The purposes of the community meeting are to:
 - Educate the participants about the role of justice system policies and practices on the use of the jail and the size of the jail population.
 - Provide participants with the technical resource providers' preliminary findings based on the jail assessment and interviews.
 - Provide participants with some preliminary options to address detention and other criminal justice system needs.
 - Provide a forum for participants to share their concerns and ideas about the issues raised and initiate discussions about planning for change.



Issues Prompting the Request for the JJSA

The Winona County Sheriff requested technical assistance from NIC to provide the county with direction in how to go about planning for, and meeting, its current and future incarceration needs. The jail has been downgraded to a Class II 90-day holding facility by the Minnesota Department of Corrections. The Sheriff's Office is currently housing inmates out of county in other facilities at considerable expense. Technical assistance from NIC in the form of a Jail and Justice System Assessment was requested as a step to finding a solution to the crowding and conditions issues.

Preliminary Assessment Findings

The technical resource providers reviewed their preliminary assessment findings with the participants.

Current Jail Conditions and Concerns

- Inadequate booking and release area
- Insufficient capacity
- Lack of visibility into inmate housing – linear design
- Lack ability to separate by classification
- Manual locking systems
- Non-compliance with ADA
- Obsolete building systems
- Lack of program and exercise space
- Lack of adequate storage

Local Justice System Policy and Practice Issues

The technical resource providers identified the following justice system policy and practice issues based on interviews with justice system officials:

- Need to establish pretrial services program.
- Need for additional mental health and substance abuse services in the jail and community generally.
- Better system coordination leading to improved access to services and more seamless transition from jail as offenders move through the criminal justice system.

Facility Development Process

The technical resource providers provided a brief overview of the facility development process.

The facility planning process starts with determining if building a new jail is the best and most appropriate option to consider. It is a planning process that may—or may not—result in a new jail. It is likely to result in system-wide improvements that enhance the efficiency and effectiveness of the justice system and may, or may not, result in the construction of facilities.



- Phase 1: Project recognition - This phase includes a problem definition, an assessment of the current facilities, programs, liabilities, and resources. This is the point where the justice agencies need to work together to identify the key issues they are facing, develop work groups to focus on specific processes, and consider how to proceed.
- Phase 2: Needs Assessment - Phase 2 includes information gathering, identifying options (facility, alternatives, and policy changes), and continuing the evaluation of facilities, operations, and programs. This phase is discussed in greater detail later.
- Phase 3: Pre-architectural Program Development - This next phase includes activities that take place when there is a decision to build. These activities include functional and space programming, scenarios, planning for future operations, and operational efficiencies that may be realized. Projected staffing must also be addressed.
- Phase 4: Project Definition and Implementation Plan - Phase 4 includes an analysis of all options to meet the program, economic feasibility, life cycle evaluation of the options, and conceptual design drawings. In addition, the jurisdiction should be developing support for the preferred and alternative options, and working to move to the next stage in planning.

In this phase, the burning questions about a new jail project are answered. These include:

1. Who would be in the jail? (*Are there more alternatives available that will keep offenders out of jail, classifications, types of beds?*)
2. How big would the jail be? (*Directly related to decisions about alternatives, arrest and sentencing practices, number of beds.*)
3. How would it operate? (*Type of inmate supervision, centralized or decentralized services, visiting method, etc.*)
4. What would it look like? (*Not actual design, but instead a study of the stacking and organization of the building: 1 story, 2 story, how the building positions on the site.*)
5. What site may be selected and where is it? (*Evaluation of potential sites, test fitting the program and parking requirements on the site, environmental studies, etc.*)
6. When will it be ready to use? (*Schedule for funding, design, construction, transition, and opening of new facility.*)
7. How much does it cost? (*Preliminary cost estimates*)



8. What happens to the old jail? (*Demolish, refurbish for another purpose, etc.*)

- Phase 5: Design Phases - Phase 5 includes schematic design where the building layout and appearance begin to take shape, design development where the drawings are refined and systems and materials are selected, and construction documents that are final and used for bidding the project.
- Phase 6: Bidding - The bidding phase includes advertising the bid, bidder qualifications, selection of the successful bidder, and contract negotiations.
- Phase 7: Construction - This phase includes permitting, construction monitoring and supervision, contract administration, and materials testing. Construction completion also includes punch listing the building, commissioning, testing the systems, warranties, as-built drawings, etc. The facility transition planning process should begin at this phase.
- Phase 8: Occupancy - Phase 8 includes all of the activities needed to accept the building and get it ready for occupancy. This includes activities such as installation of owner supplied furnishings and equipment, grand opening activities, begin the maintenance cycle, occupancy permits, and moving in.
- Phase 9: Post-Occupancy - Phase 9 includes fine-tuning the facility, policies and procedures. After 6 months, conducting a post-occupancy evaluation of how the facility works—both operationally and the physical plant.

Several of these phases may overlap during the facility development process, but none should be omitted unless there is a determination to suspend the process.

Needs Assessment

The JJSA, in many respects, represents Phase I, project recognition. After project recognition, the next step is to conduct a thorough needs assessment – Phase 2. The technical resource providers reviewed the needs assessment process, providing feedback on their initial impressions of facility needs and data provided by the jail.

The components of a good, thorough needs assessment include:

1. Interviews with/information collection from all Criminal Justice System (CJS) partners, including:
 - a. What are the current policies/practices are for each CJS component?



- b. What issues (e.g., booking fees; workloads; changes in laws) must be considered?
 - c. Are the policies/practices mandated or elective?
2. Design a data collection instrument to quantify system processing (courts, sentencing options, etc.) of accused and convicted offenders, collect and analyze the data, and issue a report. This data collection is broader than a jail data collection. This type of data would be collected when assessing the justice system as a whole. Data collected must include:
 - a. Volume/type of contacts/arrests;
 - b. Decisions - street (to arrest, summons, etc.) and jail;
 - c. Types of releases and lengths of stay.
3. Issue a report describing current policies, the issues considered, and the workloads being experienced.
4. Design a data collection instrument to take a snapshot of who is in jail, collect and analyze the data, and issue a report. The data collected must include a number of elements, including but not limited to:
 - a. Gender
 - b. Race
 - c. Ethnicity
 - d. Residence
 - e. Charge Status
 - f. Charge Type
 - g. Date and time booked into jail and date and time of release
 - h. Release type
5. Evaluate alternatives to incarceration.
 - a. Inventory the available alternatives;
 - b. Determine level of alternatives usage and coordination; and
 - c. Discuss possible additional alternatives and/or different/expanded use of existing programs.
6. Population Projections and Capacity Recommendations
 - a. Examine jail data (admissions, length of stay, average daily population), and
 - b. Correlate the CJS data collected above and develop different forecast scenarios.



7. An evaluation of the facilities used to hold individuals who are sent for diversion, alternatives, and jail. The evaluation should include an assessment of the facility conditions, compliance with building codes and operational standards. It should also include an analysis of the current facility location and whether or not the location continues to be effective (e.g., is transportation available to the site).
8. Jails have a tendency to become crowded before the population growth is identified, so it is important to effectively manage the jail population. A series of recommendations should result from a complete needs assessment and should include alternatives to incarceration, changes to the justice system and/or case processing, and, if supported by data, construction of new facilities (jail or alternatives).

Community Readiness

Throughout the systems planning process, a determination of readiness must be assessed. Local officials must ensure that the planning process will provide the maximum benefit. Planning takes time, coordination, expertise, objectivity and preparation. By making sure that justice system officials and community leaders are ready to invest these resources in the process, it is more likely the planning effort will have a positive outcome. Additionally, if justice system officials are not ready to plan, strategies can be developed to get their “buy-in” before proceeding with the planning process.

Assessing readiness can help identify:

1. Issues/obstacles that may impede the process;
2. Opportunities for strengthening the process; and
3. Potential allies or supporters who will help move the planning process forward.

Some tips for assessing readiness to proceed with the system planning process are:

1. Identify criminal justice system partners and/or stakeholders who will drive the overall project. These are people who are well respected and committed to seeing this project to its conclusion. They have the enthusiasm to motivate participants and are committed to being inclusive.
2. Find out what the needs are of those who are slow to come on board and use those needs as a “jump-start” for their involvement. The process should be of benefit to individual agencies as well as the system as a whole.
3. Develop a work plan to structure the process and help planning team members understand their role, responsibilities, and time commitments.

Jail and Justice System Assessment



There are a number of challenges to effective systems planning. As the planning process begins, some of the challenges not addressed by the previous suggestions may include:

1. Lack of understanding of the purpose and benefits of planning;
2. Lack of leadership “buy-in” to the process;
3. Lack of participation -- “It’s not my job;”;
4. Lack of commitment – “It’s OK if someone else is willing to do it;”
5. Denial – “If it ain’t broke, don’t fix it;”
6. Competing demands for time;
7. Failure to commit adequate resources to the process;
8. Getting the right players to the table;
9. Getting the right consultants/advisors/architects.

It will be important to consider each of these challenges and develop a way to address them as the planning process begins.

Next Steps

The technical resource providers and attendees discussed the following next steps (in the next 3-6 months) necessary to continue moving forward to addressing the jail issue.

- Support development of community sanctioning and supervision options including pretrial services.
- Apply to attend the next scheduled PONI program (see below).
- Initiate planning for development of a new jail facility:
 - Establish a Jail Planning Committee;
 - Complete the needs assessment and feasibility study;
 - Develop a system Master Plan that sets direction for decisions about any new/expanded facilities and changes to system policies and practices.

NIC Resources

NIC jail planning training programs and technical assistance are available at each phase of planning:



Planning of New Institutions (PONI): Appropriate when entering or just beginning needs assessment. The team should be comprised of the operating agency CEO (sheriff, director of corrections), the jail administrator, a commissioner, and a fourth team member who may be another commissioner, the finance manager, a judge, etc. All team members must be policy-level decisionmakers. This training is held National Academy of Corrections in Aurora, CO and all travel, lodging, and meal costs are reimbursed by NIC.

Managing Jail Design and Construction (MJDC): Appropriate when the needs assessment is complete or nearly complete and a decision to proceed has been made. This training is provided on-site as technical assistance. The team must include the project manager, the jail administrator, staff selected to work on the project. Because this is taught on-site, more team members are encouraged to attend so there is an overall understanding of the design and construction processes. Others who may attend include commissioners, operating agency staff, etc.

How to Open a New Institution (HONI): This should be requested at least 18 months in advance of opening. It is recommended that the transition team be formed earlier than this and receive the training during design. This helps them to be more effective during both design and construction. This is an on-site program for the transition team.

Jail and Justice System Assessment





Section 7. Conclusions and Recommendations

Conclusions

1. The facility appears to be structurally sound, however it lacks the capacity to house the current and anticipated future jail population and lacks the capacity to provide for proper housing and management of the various inmate classifications.
2. The linear design of the jail limits opportunities for active supervision of the inmate population.
3. There is limited program space that supports addressing inmate criminogenic needs necessary for successful reentry.
4. There is a lack of adequate space to provide services to meet inmates' basic needs.

Recommendations

The technical resource providers offer the following action steps to move forward in assessing detention needs and in developing systemic strategies to better manage the use of the jail.

1. Key officials of the Winona County justice system and county government should continue discussions to determine the need for new jail construction and/or expansion to address current and future incarceration needs.
2. The County and local justice system should support continued development of community sanctioning and supervision options through probation and pre-trial programming.
3. Attend the NIC PONI Program and take advantage of any follow-up assistance which might be available.
4. Visit other new facilities to get a sense of what is required in contemporary detention facilities and operations.

The action steps outlined above are excellent first steps. They should place the county in a good position to determine their detention needs and make needed improvements to the overall justice system.

The technical resource providers wish to commend Sheriff Ganrude, Administrator Buswell, Sheriff's Office staff, and local county officials for their hard work and time in preparing for the JJSA and supporting the technical resource providers while on-site. Their efforts were instrumental to a successful effort.

Jail and Justice System Assessment





Appendix A - Winona County Jail and Justice System Assessment - On-site Agenda

Wednesday, September 7th

- | | |
|----------------|---|
| 9:00-10:30 AM | Entrance Meeting (Gov't Center, Board Room) with Sheriff, Jail Administrator, and other key county officials to clarify the purpose Of JJSA Assessment. |
| 12:00 – 2:00PM | CJCC Meeting
Meeting with Marie Kovesci (Commissioner)
Meeting with Renee Patterson (Director of Probation) |
| 3:00—5:00 PM | Jail tour |

Thursday, September 9th

- | | |
|------------------|---|
| 8:00 AM-9:00 AM | Meeting with Judges |
| 9:00-10:00 AM | Meeting with Chiefs of Police |
| 10:00 – 11:00 AM | Meeting with County Administrator Ken Fritz |
| 1:30 – 2:30 PM | Meeting with Kalene Engle (CJCC Director) |
| 2:30 – 3:30 PM | Meeting with County Attorney |
| 3:30 – 4:30 PM | Meeting with Public Defender |

Wednesday, October 7th

- | | |
|--------------------|-------------------|
| 8:00 AM – 11:00 AM | Community Meeting |
| 11:00 PM – Noon | Closeout meeting |



JJSA Town Hall Meeting Agenda

Friday, September 9th 8:00 AM – Noon

- I. Welcome and introductions; JJSA overview
 - What is NIC?
 - NIC Resources and Services
 - Attendee introductions and expectations
 - What is a JJSA?
- II. Presentation of jail observations and impressions, jail data indications
- III. Review of the inventory of existing and potential alternatives or processes that could impact jail population
- IV. Facility development process overview with special emphasis on Needs Assessment as a starting point in the planning process
- V. Readiness assessment planning
- VI. Next steps
- VII. Adjourn



Appendix B – List of Town Hall Attendees

Ron Ganrude, Winona County Sheriff

Judy Gilow, CJCC

Chris Rogers, Winona Post

Steve Jacob, County Board

Jim Pomeroy, County Board

Greg Olsen, County Board

Steve Buswell, Jail Administrator

Kalene Engel, CJCC Exec. Director

Karin Sonneman, County Attorney

Ben Klinger, Jail Program Coordinator

Marcia Ward, County Board

Ken Fritz, County Administrator

Marie Kovesci, County Board

Wendy Van Duyne, Court Administrator

Nancy Buytendorp, District Judge

Cheryl Gallant and Mark Martin, NIC Technical Assistance Providers

Jail and Justice System Assessment





Appendix C - A Comprehensive Approach to Addressing jail Overcrowding and Use of Alternatives

This appendix includes information for the local jurisdiction to consider in developing a systemic approach to addressing jail overcrowding.³³ It expands on the discussion of decision points in the criminal justice case flow process presented in the Town Hall Meeting.

In developing a comprehensive approach it is helpful to integrate policies, practices and programs within the context of the case flow process for the jurisdiction. Case processing is basically a series of stages or decision points that occur as the case of a person accused of a crime moves from arrest through final disposition. Day-to-day decisions and agency policies of key criminal justice system policy-makers impact outcomes and use of limited resources. Functions overlap and there is interdependence among all justice system components -- changes in one area may have positive or negative impact on other areas. Policies and practices can be modified at each stage to achieve optimal use of the jail and other alternative programs available to the system. There is joint responsibility among key actors for management and use of resources and for achieving desired results.

The types of improvements that can be made to improve the efficiency of the system to manage jail overcrowding include both process and policy changes:

Process changes include changes in practice or policy intended to improve efficiency of the case handling process. Results of process changes may include:

- Reduce delays in case processing;
- Reduce need for costly programs;
- Reduce length of confinement in detention.

Program changes involve implementation of interventions for specific offender populations intended to improve effectiveness of system. They may be designed to:

- Address a specific social problem;
- Improve offender competencies/skills to reduce recidivism;
- Help hold offenders accountable;
- Provide less restrictive and less costly options.

³³ The content in this section is excerpted from the "Project Guide – Alternatives to Incarceration for Offenders", a publication authored by Mark Martin for the DOJ Native American and Alaskan Technical Assistance Project (2005).



A number of policy, practice and program options appropriate to each key decision point are outlined below.

DECISION POINT #1 – Decision to Arrest

Following a report or observation of an offense, law enforcement has several options in dealing with the alleged perpetrator. The officer may elect to:

- Warn and release;
- Issue a citation;
- Divert or refer the alleged perpetrator to other services; or
- Arrest and transport to jail

The system goals at this point are to stop the offending behavior, report the behavior to the prosecutor for the possible filing of charges, and to assure the alleged perpetrator's appearance in court. Many situations can be resolved informally at this stage by law enforcement officers possessing good problem assessment and resolution skills and discretion to divert alleged perpetrators to alternative services. Policy and practice options that should be in place at this stage include:

- Agency policy authorizing citation in lieu of arrest for specified offenses;
- Agency policy authorizing diversion in lieu of arrest for specified offenses;
- Court policy authorizing summons in lieu of arrest for persons with active warrants; and
- Mental health crisis intervention training for law enforcement officers.

Alternative programs/strategies to consider for use at this stage of the process include:

- Detoxification facilities/services;
- Emergency mental health services;
- Mobile crisis intervention services; and
- Law enforcement diversion programs.

DECISION POINT # 2 –Decision to Detain Pre-trial

Once the alleged perpetrator is taken into custody, a decision regarding the need for pre-trial detention is made. This decision is typically based upon the severity of the charges, the alleged offender's level of stability in the community, and his or her behavior at the time of arrest. The availability of resources in the community to mitigate the risk of further offending is also often a factor. The judge may delegate release authority to the jail or other criminal justice officials for certain offenses based upon some preset criteria. Some jurisdictions have established pre-trial release programs to conduct pre-trial release screening and supervision. Pre-trial screening programs are able to conduct more in-depth background assessments and often use risk assessment instruments to measure and predict risk of re-offending of offenders who may be released. Pre-trial programs may also screen individuals who may be appropriate for diversion from formal processing.

Jail and Justice System Assessment



The goals of the system at this stage are to prevent further offending and to assure availability of the accused for appearance in court. Policy and practice options that improve decision-making and outcomes at this stage include:

- Court delegated release authority;
- Court established bail schedule and procedures;
- Use of validated risk instruments;
- Pre-trial release and diversion screening.

Alternative programs/strategies to consider at this stage include:

- Pre-trial services program with release conditions;
- Community supervision;
- Electronic monitoring;
- Day reporting;
- House arrest;
- Urinalysis;
- Access to mental health and substance abuse services.

DECISION POINT #3 – Decision to Prosecute

When a case is presented for prosecution, the prosecutor reviews the arrest report or citation and decides how to proceed. The prosecutor may proceed with the original charge, amend the charge based upon the facts of the case, or decline prosecution. The prosecutor may also elect to defer prosecution while providing the accused the option of participating in a diversion program if such is available.

The prosecutor is the gatekeeper of the system. He or she or she decides what cases get filed and at what level of charges. The prosecutor also influences how quickly cases get processed through the system. A number of policy and program options are appropriate at this stage to improve the efficiency of the system and assure appropriate use of program resources. Policy and practice options include:

- Early case screening;
- Accelerated calendar for jail cases;
- Use of diversion.

Alternative programs/strategies to consider at this stage include:

- Diversion programs;
- Dispute resolution/mediation programs;
- Access to mental health and substance abuse services;
- Community service and competency development programs.



DECISION POINT #4 – Decision to Release from Pre-trial Detention

If an individual is initially detained upon arrest, he or she has the right to a detention hearing before a judge. The judge may elect to release the accused from detention with or without conditions. The goal of the system at this stage is to provide the level of supervision and structure necessary to prevent further offending and to assure the availability of the accused for court. Information about the alleged crime, the individual's background and home situation, and risk of re-offending are helpful to the judge in making the pre-trial release decision.

Policy and practice options that improve decision-making and outcomes at this stage include:

- Prompt bail settings;
- Realistic bail schedules;
- Timely bond review hearings;
- Range of non-bail release options:
 - Release on Recognizance (ROR) (unsupervised)
 - ROR (supervised)
 - Third party release
 - Conditional release
- Range of bail release options:
 - Unsecured bail
 - Deposit bail
 - Property bail
 - Surety bail
 - Full cash bail
- Access to counsel or advocate at initial hearing.

Alternative programs/strategies to consider at this stage include:

- Pre-trial release screening programs;
- Community supervision;
- Electronic monitoring;
- Day reporting;
- House arrest;
- Urinalysis;
- Access to treatment and support services as needed.

DECISION POINT # 5 -- Decision of Guilt or Innocence

As the case proceeds, there may be several hearings including a preliminary hearing, arraignment, trial, etc. The goal of the system is to make a determination of guilt or innocence. The timeliness and efficiency of the trial process has a significant impact on use of the jail and other resources.



There are a number of policy and program options that serve to reduce the amount of time accused offenders spend in jail awaiting the outcome of their case. Policy and practice options include:

- Effective calendaring of cases;
- Docket priority for in-custody cases;
- Adoption of case progression standards;
- Periodic bond review by jail staff, prosecutor, public defender and court administrator.

Alternative programs/strategies that support efficient functioning of the system at this stage include:

- Expediter program;
- Community supervision;
- Electronic monitoring;
- Day reporting;
- House arrest;
- Urinalysis;
- Access to services.

DECISION POINT # 6 –Sentencing Decision

If the offender has been found guilty at trial, the court has several options. It may order a pre-sentence investigation, impose a sanction immediately, or defer sentencing pending successful completion of specified conditions. The timeliness and efficiency of the pre-sentence investigation process is a factor at this stage. Time delays between the finding of guilt and imposition of sentence impact detention usage. Having a range of sentencing options available at this stage provides the court the flexibility to impose sanctions and conditions that may be more effective in addressing the offending behavior.

The goals of the system at this stage are to protect the community, hold the offender accountable, and to prevent future offending through rehabilitative programming. Policy and practice options that may improve decision-making and outcomes at this stage include:

- Timely preparation of Pre-Sentence Investigations;
- Enhanced case advocacy at sentencing;
- Criteria for use of alternative sanctions;
- Use of risk assessment tools to decide level of supervision.

Alternative programs/strategies to be considered to provide a range of sanctioning options include:

- Fines/restitution;
- Community service;
- Day fines;
- Community supervision/case management;
- Intensive community supervision;
- Electronic monitoring;



- Day reporting;
- Drug testing;
- Alternative education programs;
- Job training/placement services;
- Mediation/Victim reconciliation programs;
- Counseling;
- Substance abuse treatment;
- Family Support Services;
- Work programs;
- Residential programs (halfway houses, residential treatment).

DECISION POINT #7 – Sentence Modification Decision

After conviction, the sentences offenders receive may be modified under certain circumstances. For some, good behavior and compliance with the provisions of their sentences can lead to early release or discharge. More often, sentence modifications occur as a result of a violation of a condition of probation or parole. When a probation or parole violation is alleged, the offender is often placed into jail pending a hearing on the matter. When limited options are available to respond to such violations, revocation often results in additional jail time for offenders. Many communities discover a sizable portion of their jail population to be comprised of probation and parole violators. A number of policy and program options may be considered to manage the use of detention for this population while holding them accountable for their behavior on community supervision. Policy and practice options to consider include the following:

- Use of graduated sanctions in lieu of detention for probation/parole violations;
- Time sensitive policies regarding detainers and revocations;
- Use of good time;
- Use of incentives including early release/discharge for good behavior and program progress/completion.

Program options include many of those listed in the previous decision point as sanctioning options. The goal is to think strategically in the use of these sanctions in level of intensity and in combinations that allow a “ratcheting up” in response to misbehavior and a “ratcheting down” as offenders demonstrate positive behavior and compliance with conditions of community supervision.

Structured Decision-making

A comprehensive justice system model utilizing an array of alternative programs and strategies requires policies and tools that structure decision-making within the case process. That is, decision-makers use objective criteria and risk assessment instruments to match offenders with the appropriate levels of supervision and programs based upon an assessment of their risks and needs. *Risk*



*instruments*³⁴ are typically used within the criminal justice system to guide pre-trial release decisions and placement decisions after disposition. These instruments generally measure the probability that an offender will re-offend within a particular time frame if placed in community supervision.

Before developing or adapting an existing risk instrument, the justice system needs to decide what it wants to accomplish with the risk instrument. In a pretrial context, it may be to decrease failure to appear rates and further criminal actions by defendants awaiting trial, while releasing the maximum number of defendants under the least restrictive conditions. Research into different risk instrument models helps to answer questions about what characteristics to measure, how this is accomplished, what interventions are most effective, what client populations are most positively impacted, and how community safety can be taken into consideration.

Summary

The development of an effective system of local alternatives and sanctions is largely dependent upon the ability of the jurisdiction to bring key criminal justice decision makers together as a “policy team” or “criminal justice coordinating committee”. Typically no single agency or person has the authority, or ability, to bring about changes in “system” policies that impact every agency that has a stake in how the local criminal justice system functions. If the highest authority sanctions a policy team, effective leadership is established and the membership represents all major system players, and is charged with a definitive mission with clear goals and objectives, the opportunity to implement lasting, effective and efficient change is substantial. In order for alternatives to traditional detention placement to have lasting system wide impact, the effort must be well organized, with thoughtful input, consistent participation and on-going support.

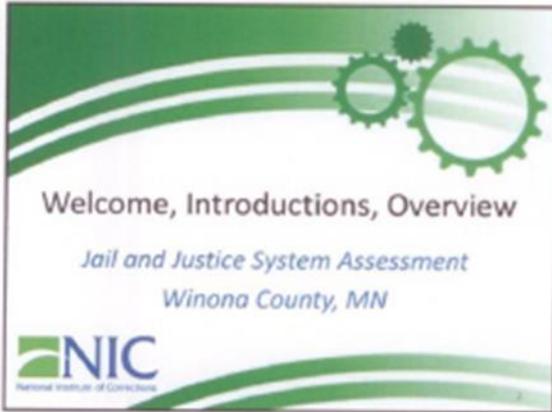
³⁴ It is important to note that a pretrial risk assessment looks at factors in terms of public safety and likelihood of court appearance. Separate and different risk assessment instruments are also used to determine how inmates should be managed while in the jail.

Jail and Justice System Assessment





Appendix D – Town Hall Meeting Slides



Welcome, Introductions, Overview

Jail and Justice System Assessment
Winona County, MN

NIC
National Institute of Corrections

What is the National Institute of Corrections (NIC)?

- DOJ → BOP → NIC
- Divisions in Washington DC and Aurora, CO
- NIC Resources
 - Programs and training
 - Technical assistance to jurisdictions
- NIC Information Center
- NIC website: www.nicic.gov



Introductions and Expectations

- Introduce yourself
- Answer these questions:
 - What is your role in the justice system, or what brought you to the meeting?
 - What expectation do you have for this meeting?

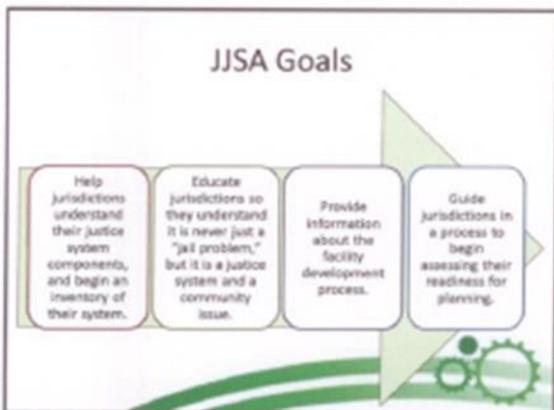


What is a Jail and Justice System Assessment (JJSA)?

1. Considers all justice system components
2. Includes a jail / alternatives facilities tour
3. Provides an overview of justice system impacts on jail crowding
4. Promotes involvement of local officials and demonstrates common purpose
5. Introduces the idea of sustainable justice system practices



JJSA Goals

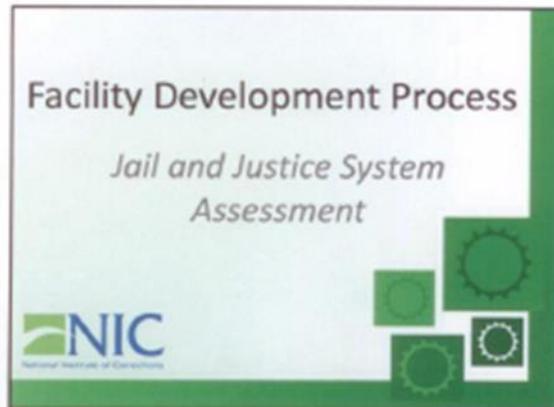


- Help jurisdictions understand their justice system components, and begin an inventory of their system.
- Educate jurisdictions so they understand it is never just a "jail problem," but it is a justice system and a community issue.
- Provide information about the facility development process.
- Guide jurisdictions in a process to begin assessing their readiness for planning.



Facility Development Process

Jail and Justice System Assessment





Facility Development Process

Phase 1 - Project Recognition

- Problem definition
- Assess current facilities, programs, liabilities, and resources
- Justice partners work together to:
 - Identify key issues
 - Develop work groups
 - Consider how to proceed

Facility Development Process

Phase 2 - Needs Assessment

```

    graph TD
      A[Information gathering] --> B[Identifying options]
      B --> C[Continuing evaluation of facilities, operations, programs]
      C --> A
  
```

Facility Development Process

Phase 3 - Pre-Architectural Program

- Functional program, scenarios, and a space program
 - Includes planning for future operations
 - Plan for operational efficiencies
- Preliminary staffing plan



Facility Development Process

Phase 5 - Design

8-12 months to complete

Design Types:

- Schematic
- Design Development
- Construction Documents



Facility Development Process Phase 6 – Bidding and Negotiation

2-4 months to complete

Tasks include:

- Advertise for bids
- Bidder qualifications
- Selection of successful bidder
- Contract negotiations



Facility Development Process Phase 7 – Construction

<p>Construction</p> <ul style="list-style-type: none"> • Permits • Construction monitoring and supervision • Contract administration • Materials testing 	<p>Construction Completion</p> <ul style="list-style-type: none"> • Punch list • Commission • Systems test • Warranties • As-built drawings
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Facility Development Process Phase 8 – Occupancy and Operation

2-4 months to complete

Tasks include

- Building acceptance and preparing for occupancy (permits, cleaning, etc.)
- Install owner-purchased furnishings
- Public events
- Move-in

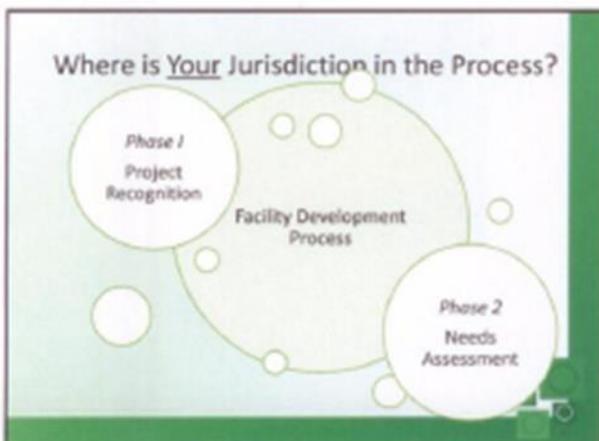


Facility Development Process Phase 9 – Post Occupancy

6-9 months to complete

Tasks include

- Fine tune policies and procedures
- Assess operations
- Post occupancy evaluation

Needs Assessment

Tasks

- Develop a policy group, a system mission, and goals
- Review standards/legal requirements
- Evaluate existing facility standards compliance, alternative programs, staffing levels, current criminal justice system and policies
- Identify options





Jail and Justice System Assessment



Needs Assessment Components

1. Interview and collect information from all CJ system partners
 - a. Current policies/practices for each CJS component?
 - b. What issues (e.g., booking fees) must be considered?
 - c. Are they mandated or elective?

Needs Assessment Components

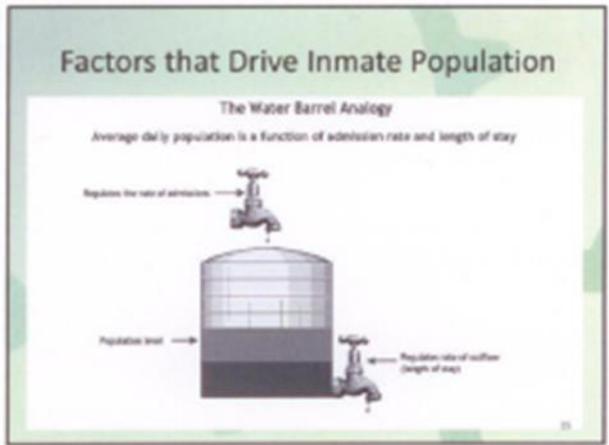
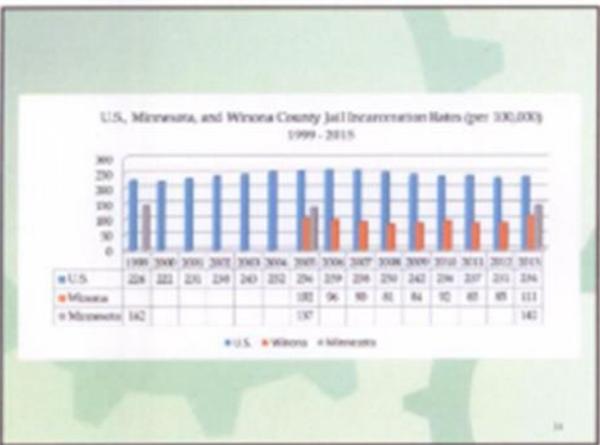
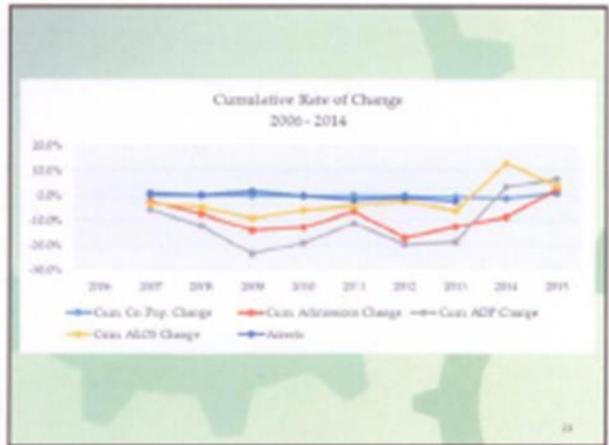
2. Design a data collection instrument to:
 - a. Quantify defendant processing
 - b. Collect / analyze data

Compile a report that describes current policies, issues considered, workloads experienced

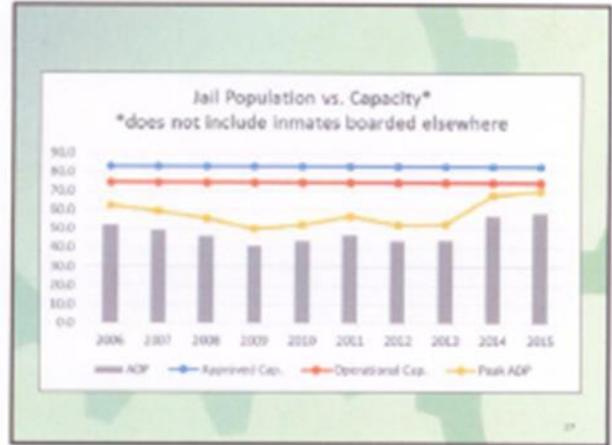
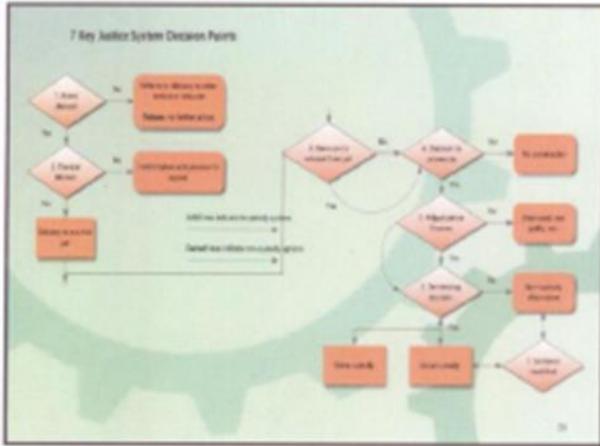


Winona County/County
Historical Trends and Annual Rate of Change of Factors

Year	Counted County Population	Arrests	Admissions	Jail Days	Average Daily Jail Population	Average Length of Stay (in 2012)	Incarceration Rate per 100,000
2006	58,900	5,024	5,024	38,576	50.2	33.8	103.1
2007	59,610	5,054	5,054	37,576	49.3	33.5	96.0
2008	59,827	5,028	5,051	36,957	49.2	33.8	95.8
2009	59,432	5,000	5,022	35,724	49.5	32.8	90.7
2010	59,881	5,024	5,024	35,858	49.5	33.2	83.6
2011	59,870	5,009	5,022	35,202	49.3	33.4	83.2
2012	59,962	5,028	5,000	35,212	49.3	33.6	83.2
2013	59,948	5,022	5,028	35,009	49.3	33.2	81.8
2014	59,937	5,000	5,000	35,000	50.0	33.8	100.0
2015	60,000	5,000	5,000	35,000	50.0	33.7	100.0
Per Annual % of Change	0.03%	-2.2%	0.12%	1.07%	1.87%	1.19%	



Jail and Justice System Assessment



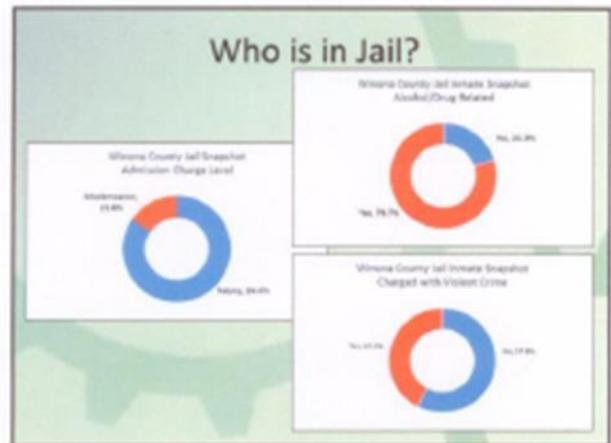
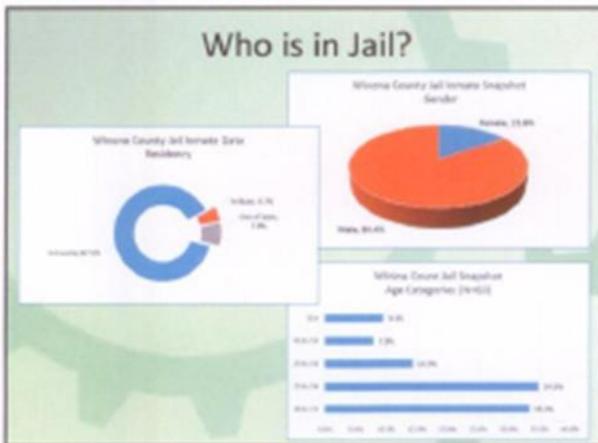
Detention Population Profile

Jail and Justice System Assessment

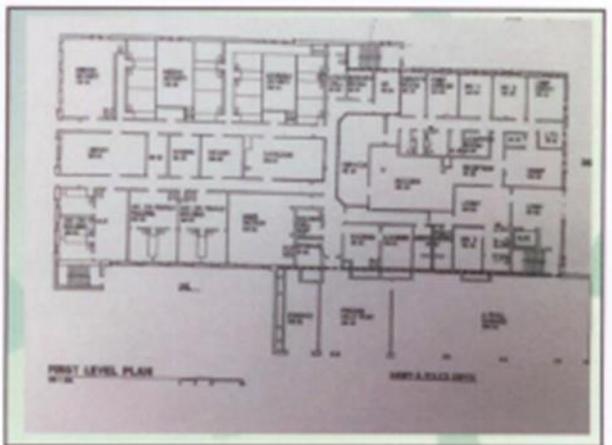
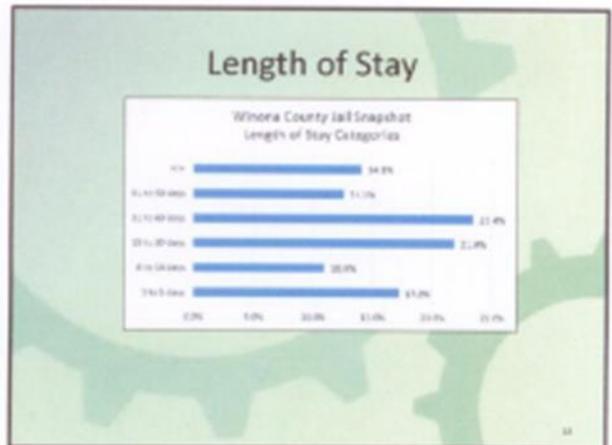
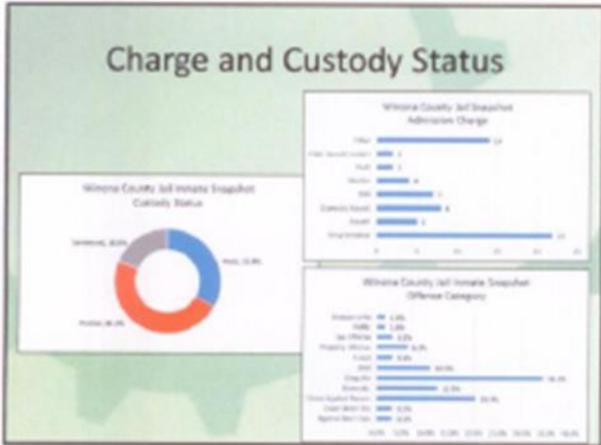
Needs Assessment Components

3. Design a data collection instrument to take a snapshot of who is in jail

Compile a report that data collected, analysis of the data and issues.

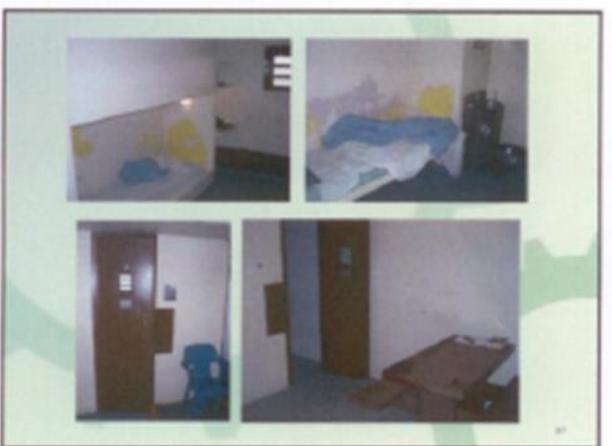


Jail and Justice System Assessment



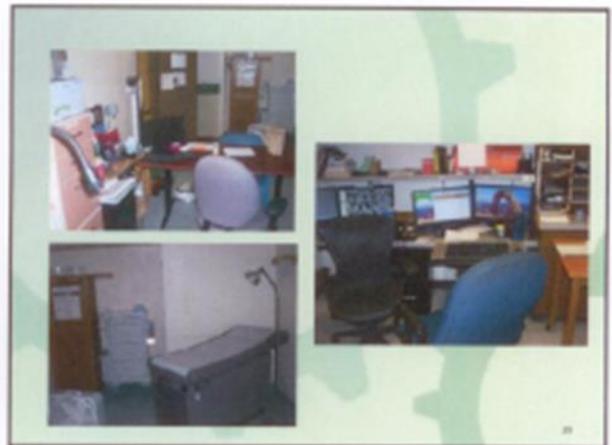
Housing Breakdown

Unit Description	Housing Classification	Cell Type	# of Cells	Unit Capacity
Block 1	Step Down Mod	Dormitory	3	8
Block 2	Administrative Segregation	Single	2	2
Block 3	Administrative Segregation	Single	2	2
Block 4	Administrative Segregation	Single	3	3
Block 5	Mod	Single	6	6
Block 6	Mod	Single	6	6
Block 7	Stepdown Mod	Dormitory	3	8
Block 8	Minimum Security	Dormitory	3	48
TOTAL CAPACITY				80



Jail and Justice System Assessment

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Summary - Facility Issues

- Inadequate booking and release area
- Insufficient capacity
- Lack of visibility into inmate housing – linear design
- Lack ability to separate by classification
- Manual locking systems
- Non-compliance with ADA
- Obsolete building systems
- Lack of program and exercise space
- Lack of adequate storage

Needs Assessment

Alternatives

4. Evaluate alternatives to incarceration
 - a. Inventory available alternatives
 - b. Consider the 7 key justice system decision points
 - c. Determine level of usage and coordination
 - d. Discuss additional alternatives and/or different/expanded use of existing programs.

Observations and Impressions of Alternatives

- Criminal Justice Coordinating Council – comprehensive stakeholder/public membership – established, effective forum
- Open straightforward communication amongst stakeholders in addressing case processing concerns – ‘doing the right thing’
- Initiatives target areas designed to improve outcomes, e.g., CARE, public defender at 1st appearance, Gateway, Stepping Up

Observations and Impressions of Alternatives

- Need for expanded Mental Health Services – jail and community
- Limited continuity of care between jail and community-based services
- Need for pre-trial services - presently pretrial conditions are imposed with no monitoring for compliance
- Need for sustainability of good programs started with grant funds



Observations and Impressions of Alternatives

- Impact of housing inmates outside the County include
 - yet-to-be-determined fiscal effect/consequence/burden/liability/obligation
 - unnecessarily protracts case processing
 - removal from community, family and friends
 - prohibits access to Winona-specific programs/services

Needs Assessment Components

5. Population projections and capacity recommendations

- Examine jail data
- Correlate CJS data / develop forecast scenarios

Population Forecasting

- A statistical technique that identifies future populations based on a series of assumptions about historical trends.
- Assumptions:
 - Population change
 - Rates of admission or incarceration
 - Length of stay
 - Peaking
 - Policy/practice changes

Year	Population
1990	40
1995	55
2000	70
2005	85
2010	100
2015	115
2020	130

Needs Assessment Components

6. Evaluate facilities (diversion /alternatives / jail)

- Assess facility conditions, compliance with building codes and operational standards.
- Analyze location effectiveness

Needs Assessment Components

7. Recommendations

- a. Justice system and/or case processing changes
- b. Alternatives to incarceration
- c. New facility construction (if supported by data)

Assessing Readiness for Planning

Jail and Justice System Assessment

NIC
National Institute of Corrections



Systems Planning Process

Requires....

- ✓ A certain degree of readiness
- ✓ Local officials prepared to ensure the maximum benefit
- ✓ Time, coordination, expertise, objectivity, and preparation
- ✓ Strategies to develop "buy-in"

Assessing Readiness

- Helps to identify:
 - Issues that may impede the process.
 - Opportunities for strengthening the process.
 - Potential allies or supporters who will help move the planning process forward.

Systems Planning



Assessing readiness to proceed:

- Identify who will drive the overall project
- Determine the needs of those who are unsure, and use those needs to jump-start their involvement
- Develop a work plan ...
 - Structure the process
 - Define planning team roles & responsibilities
 - Time commitment

Systems Planning

Challenges include:

- Lack of understanding, leadership "buy-in," participation, commitment
- Denial
- Competing time demands
- Inadequate resource commitment
- Getting the right players and right consultant

Readiness for Assessment

- What are YOUR ideas to overcome challenges and increase the readiness for planning?



Next Steps

Jail and Justice System Assessment





Summary of Presentation

- Expectations
- Facility Development Process
- Needs Assessment
- Tour Observations and Impression
- Readiness Assessment Planning



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What Next?

- What should be started in the next 3 - 6 months?
- Of these, what are the top three priorities to be completed in the next 3 months?



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