

## CJCC Case Example

### Slide 11-Case Study

- Police were called to 123 Main Street by a concerned neighbor who believed people were doing drugs in a garage and leaving a small child unsupervised in the house.
  - Police arrived and found John Smith and Jane Smith in the garage. They observed drug paraphernalia and could smell the odor of methamphetamine coming from the garage. The male party was acting strangely and not answering questions appropriately. After a search, both people were arrested for felony controlled substance possession and transported to jail.
  - The police checked the residence and found a 3-year old male child unsupervised. The house was a mess and they did not locate any food for the child. The police were unable to find any relatives to care for the child so child protective services were called to place the child in emergency foster care.
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### Slide 12-Jane Smith Criminal Case

- A check of the female's records found that she had only petty offenses in Florida.
- Once at the jail Jane Smith was booked and placed in a cell to be held for court.
- Jane Smith appeared in court the following morning on the drug possession charge. She had applied for and was granted a public defender because she could not afford to hire an attorney. The court ordered an unconditional bail of 5000 and said she could be released on her own recognizance after being placed on the drug patch. (Drug patch to monitor drug usage—maybe explain a bit what that is)
- Jane Smith was unable to afford the cost of the drug patch so she remained in jail.
- Due to lack of room in the jail, Jane was transported to the Houston County Jail. Jane will be transported back and forth from Houston County for numerous court hearings on her criminal charges as well as for court hearings on her child's welfare.

### Slide 13-Jane Smith Criminal Case

- Through the child protection case (which will be discussed later), Jane eventually was released from jail after two months to undergo CD treatment. It took that long to get the CHIPS paperwork filed, have the Rule 25 CD eval done (since she was housed elsewhere and coordination was a challenge) and find a treatment facility. She also had to deal with issues regarding her health insurance, since she was dropped from MA due to being in jail.
- Jane lost her job at a local convenience store due to her incarceration.
- Jane later pled guilty to the criminal charge and was placed on probation. Any jail time she would have received for the violation was served prior to her conviction.

#### Slide 14-Winona County Out-of-County Inmate Costs

#### Slide 15-John Smith Criminal Case

- A records check indicated that John was on probation for a past controlled substance crimes and had an extensive criminal history.
- Once at the Jail John Smith was still not answering questions appropriately and was becoming aggressive towards officers. John Smith appeared to be suffering from an unknown type of psychosis.
- Because of this jail staff requested he be seen at the emergency room.
- Even though John exhibited concerning symptoms, the hospital had no psychiatric beds and staff was unable to find a suitable psych bed for him elsewhere. They medicated him to calm him down. After several hours at the emergency room with transport officers standing by, John was released to returned to jail where he would be safe.

#### Slide 16 – John Smith Criminal Case

- John was transported back to the law enforcement center and booked into the jail. During the medical screening staff learned he has a diagnosis of schizophrenia and a history of self medication and drug abuse.
- Due to John's medical and mental health issues he was housed by himself and placed on frequent observation.
- John was seen by the jail nurse the following morning and after consultation with jail doctor medicine was ordered.
- John Smith refused to take this medication. He also refused to complete an application for a public defender.

#### Slide 17-John Smith Criminal Case

- John appeared for first appearances the next morning at 11 am. He refused to answer the Judge's questions and was speaking gibberish.
- The Judge ordered a Rule 20 competency evaluation and also appointed a public defender for John.
- John returned to jail and was under close observation. He continued to refuse his medication and his behavior deteriorated. Jail staff contacted Community Services and requested an emergency pre-petition screening on John for an involuntary civil commitment. Fortunately, John was still housed at Winona County so WCCS staff was able to go over to the jail to conduct the screening.

#### Slide 18-John Smith Criminal Case

- As a result of the screening, Community Services recommended involuntary commitment The County Attorney's Office prepared and filed the petition paperwork with the Court. The Judge appointed another attorney for John and ordered him to be

held in jail pending both criminal and civil proceedings. He was unsuitable for the annex and space was needed in the main jail for others, so he was transported to Houston County.

- Two weeks later, the judge ordered that John be involuntarily committed and transported to the next available treatment facility. He was returned to jail to wait for a treatment bed to become available.
- John remained in jail for an additional 4 weeks until a treatment bed became available at Anoka Regional Treatment Center. He was transported back/forth for criminal and civil proceedings by the WCSO.

Slide 19 – Winona County Housing & Inmate Costs Slide

Slide 20 – Winona County Inmate Medical Costs

Slide 21- Winona County Civil Commitments

Slide 22-Child Protection Case

- Both parents were appointed attorneys for the CHIPS case; a Guardian ad Litem was also appointed; a child protection worker was assigned.
- The child was placed in a foster care home; his parents were allowed supervised visits at Family in Children's Center, provided they could afford the GPS fee to go on the visit. Neither could. Besides that, both were being held in other counties.
- Through the child protection case plan, Jane was released from jail and allowed to enter treatment. The treatment facility was in St. Cloud so her visits with her child were very limited.

Slide 23-Child Protection Case

- Jane was released from treatment after 45 days to a halfway house and did well for a month, before relapsing when some of her drug-using friends convinced her to use with them.
- Jane returned to treatment, but by this time the 6 month point of the CHIPS case had passed. (The timeline for a CHIPS case is about a year; at the halfway point, parents need to be making significant progress on the case plan or else the judge will order that permanency pleadings be filed and a new case is filed, seeking that the parental rights of the parents be terminated or transferred to someone else). Since John was still at Anoka and Jane had recently relapsed, the judge ordered that reunification efforts with the child be ceased and that a Permanency Petition be filed.

- The County Attorney filed a permanency petition seeking that John and Jane's parental rights to their child be terminated.

Slide 24 – CHIPS Filings

Slide 25 – Out of Home Placement Costs for Youth

Slide 26 – Resources Used for Example Cases