final minutes

Criminal Justice Policy Commission Meeting
9:00 a.m. • Wednesday, September 7, 2016
Senate Appropriations Room • 3rd Floor State Capitol Building
100 N. Capitol Avenue • Lansing, MI

Members Present:	**Members Excused:**
Senator Bruce Caswell, Chair	Senator Bert Johnson
Stacia Buchanan	Kyle Kaminski
Senator Patrick Colbeck	Judge Paul Stutesman
Representative Vanessa Guerra	Representative Michael Webber
D. J. Hilson	
Sheryl Kubiak	
Barbara Levine	
Sarah Lightner	
Laura Moody	
Sheriff Lawrence Stelma	
Jennifer Strange	
Andrew Verheek	
Judge Raymond Voet	

I.   Call to Order and Roll Call
The Chair called the meeting to order at 9:00 a.m. and asked the clerk to take the roll. A quorum was present, and absent members were excused.

II.   Approval of the August 3, 2016 CJPC Meeting Minutes
The Chair asked for a motion to approve the August 3, 2016 Criminal Justice Policy Commission meeting minutes. **Commissioner Hilson moved, supported by Commissioner Moody, that the minutes of the August 3, 2016 Criminal Justice Policy Commission meeting as proposed be approved. There was no objection. The motion was approved by unanimous consent.**

III.   CJPC Data Administrator Position
The Chair directed the members' attention to the interview questions for the CJPC data administrator candidates included in the meeting packet and asked if there were any comments or suggested changes (see attachment.) After discussion, the following will be forwarded to LSB HR to include in the first interview script:

Commissioner Kubiak: Under the Traits and Values/Knowledge section, requested something be added regarding statistical computing and what type of statistical software they are familiar with.

Commissioner Verheek: Under the Traits and Values/Knowledge section, 5th question, wondered why asking specifically about the swift and sure sanction program since some may not be that familiar with that program, but could quickly get up to speed. He suggested the question be changed to: Are you familiar with any of the specialty courts or programs in the state? What are some of the short-term and long-term expected outcomes of those courts and programs?

Senator Colbeck: Under the Traits and Values/Knowledge section, 3rd question, next to the data mining question, suggested this question be added: Have you ever created a data model for a complex information system?

Chair Caswell: Under the Traits and Values/Knowledge section, requested this question be added: Give us a general explanation of your knowledge of the criminal justice system.

The Chair then provided an overview of the interview process. He asked members to feel free to contact Susan with any questions throughout the process and she will forward the questions to the Chair.

IV.   Data Subcommittee Update
1)   Updated Version of a Table that Describes Databases for the Study of Recidivism
The Chair called on Commissioner Kubiak for an update on the table that describes databases for the study of recidivism. She began with information she learned during a follow-up discussion with Appriss, Inc. that clarified that the data the Commission needs will come from the Judicial Exchange. She noted that MI-VINE only keeps data for a limited time and then some of the data is moved to the Judicial Exchange. She also explained that only 20-25 counties currently allow

Appriss to move data from MI-VINE to the Judicial Exchange. A discussion of why all counties have not given Appriss permission to move all of the data collected to the Judicial Exchange followed. Commissioner Hilson will make inquiries with the Prosecuting Attorneys Association of Michigan and Commissioner Lightner will check with the Michigan Association of Counties. Commissioner Lightner will also obtain a list of the counties that do not allow Appriss to share their data. Commissioner Verheek noted that the subcommittee is still working on a recommendation regarding the collection of data and reporting requirements and should have it ready for the next meeting. The Chair asked that any information be forwarded to Susan so that it can be shared before the next meeting.

2)   Graphic Explanation of the Data and Data Interface
Commissioner Kubiak then proceeded with an explanation of the diagrams pertaining to the data required to detect recidivism across the criminal justice continuum (see attachment.) Judge Voet will find out if the courts are mandated to report specific data to the Judicial Data Warehouse.

Commissioner Verheek suggested Commission members submit questions they would like to see answered so that a constructive conversation can begin in October. Senator Colbeck recommended that we manage an active list of questions and map those questions to the data needed. He will prepare a template that can be used to identify and gather this information. The Chair asked Senator Colbeck to prepare and send the template to Susan in one week so that she can send it out to Commission members. He asked members to use the template and submit questions one week later so that they can be compiled and distributed to Commission members well in advance of the next meeting. A discussion of the questions will be added to the next meeting agenda.

Commissioner Kubiak continued with an overview of the four primary data sets within the state that may be useful (see attachment.) A discussion of which data sets the Commission would prefer to have access to followed.

V.   Mental Health Subcommittee Update
Commissioner Strange reported that the subcommittee hopes to bring mental health care provider representatives from three counties to the October meeting. She envisions each county might need 15-20 minutes for their presentation. The Chair asked that subcommittee send the information to Susan in the next week to coordinate the next meeting agenda. Commissioner Strange also reported that the subcommittee will be setting up a meeting with the Diversion Council to discuss their outcomes report. They will bring the feedback to the Commission within the next couple of months.

The Chair shared that it has come to his attention that the law that entitles a mentally ill person to have the best drug, whether it is brand name or generic, does not apply to those in prison or jail. Commissioner Lightner did not know whether that is true, but offered to have the subcommittee look into the issue and report their findings. A discussion followed. The Chair asked if it is reasonable for the Commission to develop a policy position recommendation on this issue to the legislature. Commissioner Lightner responded that this would be reasonable. The subcommittee will draft a recommendation in the next two weeks and send it to Susan so that it can be distributed to the members and added to the next meeting agenda for discussion.

VI.   Commissioner Comments
The Chair asked if there were any other comments from the Commissioners. There were none.

VII.   Public Comments
The Chair asked if there were any public comments. There were none.

VIII.   Next CJPC Meeting Date
The next CJPC meeting is scheduled for **Wednesday, October 5, 2016,** at **9:00 a.m. in the House Appropriations Room, 3rd Floor of the State Capitol Building.**

IX.   Adjournment
There was no further business. The Chair adjourned the meeting at 11:10 a.m.

(Minutes approved at the October 5, 2016 CJPC meeting.)

Interview – CJPC Data Administrator

1st Interview Script

Date: _____

Candidate: _____   **Panel Members**: Senator Caswell
John Bollman, Marcia Cornell

Minimum Qualifications
- ☐ Master's Degree in related field (i.e. criminal justice, social science, political science). public or business.
- ☐ Database management experience required. Social science research experience preferred.
- ☐ Familiarity with sentencing law and sentencing guidelines. Significant exposure to statistical analysis and automated systems is required.
- ☐ Advanced knowledge of statistical software used to analyze data and prepare reports required.
- ☐ Five years of progressively more expansive experience, including project management.
- ☐ Staff supervision and administrative management experience preferred.
- ☐ Successful candidate will have excellent interpersonal skills, with the ability to act with diplomacy and discretion when dealing with the Commission members, Legislature and the public.

_____

1. Open interview -- Marcia
- ▪ Greetings & introductions
- ▪ Purpose of interview
- ▪ Explain interview format

2. Overview – Senator Caswell
Brief overview of the Criminal Justice Policy Commission
- ▪ Outline the history of this commission and its charge.
- ▪ Explain what this position's major job duties and responsibilities will be.
- ▪ Give a copy of job description to candidate.

Traits/Values	Interview Questions
Background **???**	Before we begin, tell us a little bit about yourself, your background, your hobbies, your education and training, etc. (Don't have to go into job details, as I'll ask about that next.) Please elaborate on your employment history and why you left former employers. Why are you interested in leaving your current assignment and why do you feel that this job would be a better fit for you? How does this position fit into your overall career goals?

Traits/Values	Interview Questions
	Describe a situation in which you did "all the rights things" and were still unsuccessful. What did you learn from the experience?
	Tell us how you would learn your new job in the absence of a formal training program, or for that matter a co-worker you could turn to who could teach you the ropes?
	In any of the jobs you have held, have you ever been disciplined or counseled for a work-related purpose?
People Skills ????	How would you describe your management style?
	If I were to ask your supervisor or your co-workers, what would they say about you?
	What are the characteristics that you prize most in an employee? What behaviors or characteristics do you find intolerable?
	Please give us an example of a situation that required you to work closely with someone with whom you disagreed with or had a personality conflict. How did you deal with that?
Knowledge ???	There are a number of agencies the commission must work with in order to collect information for reporting back to the legislature. Are you aware of what some of those resources might be?
	How would you characterize your level of computer literacy? What are some of the programs and applications you are familiar with?
	What data mining tools do you routinely use in your research projects? Would you say you have basic, intermediate, or advanced levels of understanding and experience using these tools?

Traits/Values	Interview Questions
	Tell us what you know about the Michigan Sentencing Guidelines?
	Are you familiar with, "The Swift and Sure Sanctions program?" What are some short-term and long-term expected outcomes of using the program?
	Can you name a few sources you might turn to in order to gather information for the commission to help determine the effectiveness of sentencing guidelines and other laws, rules and policies on those populations and capacities, and the effectiveness of efforts to reduce recidivism?
	How do you go about making a decision on something when there is no set process or precedent in place? Can you give us an example of when you've had to do this before?
	As you know, the Criminal Justice Policy Commission was created by PA 465 of 2014. What do you think some of the challenges will be in collecting, preparing, and analyzing state and local sentencing information?
Experience ???	Now, we'd like to discuss your background and experience specifically related to the charge of the commission. Do you have any knowledge or experience with state and local sentencing and release policies and practices for felonies? What do you know about prisons and jails? Can you explain some specific principles that have proven effective in some states to reduce recidivism? Applied social sciences include a variety of research approaches, tools, and techniques. Can you describe some? Please elaborate on your knowledge in the following areas: ▪ Understanding of the statutory charge of the Commission. ▪ As the Data Administrator, who are you responsible to? ▪ What do you anticipate will be road blocks you'll encounter in trying to find the data the commission members want collected and analyzed?

Traits/Values	Interview Questions
	What skills do you think are the most important for the Data Administrator to have to be successful at their job?
Initiative/Creativity ????	What experiences do you have dealing with legislators and other elected officials? What is your understanding of the relationship between commission members, legislators, the Legislative Council, the Council Administrator and this position? Do you work well under pressure? Can you give us an example of a time when you've had to do this? Communicating with the Chair of the CJPC and the Legislative Council Administrator is an important part of this position. What guidelines do you typically follow when communicating with your supervisor? Have you ever faced a situation when you had to make a decision which did not fall within in your area of responsibility? What decision did you make and how? Do you always make decisions on your own without the help of others? In which situations do you seek other's help in decision-making?
Diplomacy & Discretion / Legislative experience / Political environment John	Discuss non-partisan nature of the position. What do you think it means to work in a non-partisan manner in a political environment? All Legislative Council employees are required to maintain confidentiality about the work. Tell us about your experience in this area and what steps you would take to ensure that the highest level of confidentiality is maintained.

Traits/Values	Interview Questions
Council Information / Necessary Special Requirements ????	We've asked you a lot of questions today, and now is your chance to ask us a few. What questions might you have for us? After candidate finishes with their questions: ➢ Panel members should ask any follow-up or lingering questions at this time. Do you have any final thoughts or a final message that you want to leave us with?

Completed application?   ❐ Yes   ❐ No

References provided?   ❐ Yes   ❐ No

Close interview – John:
- ▪ Next steps and timeline
- ▪ Thank applicant for coming

Exploring the Availability of Statewide Data to Assess Recidivism

The Criminal Justice Policy Commission's legislative mandate to examine recidivism outcomes, defines recidivism across a span of the criminal justice continuum, from re-arrest to parole violations. The ability of the commission to accomplish these objectives will depend upon a number of things: 1) the availability of data; 2) the ability to link or integrate data; 3) the specific research/assessment questions posed; 4) interest in felony or misdemeanor offenses; and 5) time frame for calculation of recidivism (one time, three years, ongoing).

Below is a synopsis of information obtained through several meetings with staff from MDOC, SCAO/OPTUM, Sheriff's Association (Terry Jungle), Crime Victim's Services/Appriss.

Four PRIMARY Data Sources

MSP=Michigan State Police (law enforcement data from municipalities)

JDW= Judicial Data Warehouse (SCAO/Optum) – from court case management systems both district and circuit, as well as probate court data.

MI-VINE/Judicial Exchange (Crime Victim Services/Appriss) has court related data via prosecutor database; jail data through integration of most jails; MDOC data.

MDOC=Michigan Department of Corrections OMNI and OMS data allows prison and community based supervision data for prisoners – parole – felony probation

Recidivism Marker	Data Source(s)	Data Limitations	Possible Next Steps	Interface/Overlap with other databases
Arrest/Charge* (*note: charge is the higher threshold and less susceptible to local variation)	**Michigan State Police** Criminal History Data (Note: LEIN data is not publicly available from MSP; law enforcement only)	1) MSP data is not currently linked with MDOC data or Judicial Data Warehouse. 2) In an effort to secure MSP data, a file extraction process is required; requesting agency has to provide identifiers and they are matched with MSP data. 3) Missing data from municipalities to state; inability to match adequately if there is an error in identifiers.	1) MDOC and/or JDW could request data from MSP to augment their available data for a pilot. 2) Integration of MSP data with other administrative data would require additional state funding.	In addition to arrest – MSP has data on conviction and sentence (that is also available in the JDW system). Note: Although MI-VINE does not have arrest – jail booking may be a proxy for arrest.
Conviction	**Judicial Data Warehouse** (JDW) has court related data from most district and circuit courts in the state (note: primarily aggregate level data).	1) JDW does have capacity to link with MDOC data, but data sharing is currently limited to case finding/identification for purposes of restitution, not recidivism tracking. 2) Only tracks 'Active' cases (may have 8 years of interface).	1) JDW staff/SCAO are willing to work with the Commission to pilot a small area of the state (i.e. 1 county) to test how to track recidivism. This would likely be a prospective study based upon a	JDW and MI VINE have data on court related actions – but come from two different data sources. Exploration required to determine scope of overlap.

	Data entered into the JDW comes from the courts case management system (Note: Data in MI-VINE / Judicial Exchange comes from Prosecutor data – differs from court case management system) Reports on both felony and misdemeanor convictions and sentences.	3) No juvenile data 4) In courts that do participate, the quality of the data in dependent on the specific court's data vendor (some extractions processes more successful than others). For example, JIS systems have high reliability while Maximus has low reliability. 5) There are some courts that do not participate; i.e. Washtenaw Circuit, several district courts. 6) Data has to be generated by a person – on a case-by-case basis. A request with identifiers would be necessary to generate report information.	selected sample of individuals. 2) Explore if JDW and MI-VINE use information that is 'duplicative'.	
Recidivism Marker	**Data Source(s)**	**Data Limitations**	**Possible Next Steps**	
Jail or Probation Sentence	**Limited: JDW/MDOC** have individual level data that may track jail confinement for specific persons. MI-VINE/Justice Exchange provides comprehensive data on jail entry and discharge by individual through the electronic collection and merging of data. Currently available for the vast majority of MI counties. Collects data on both misdemeanor and felony. Alternative: County-level jail data	1) JDW captures if someone was sentenced to jail time – but has no way of tracking if or what time was actually served. 2) MDOC disposition data may have similar data, but similar issue with time served issue, for FELONY offenders only; no dates of admission/exit into jail, but cell or transit data may indicate jail confinement of someone on parole (may or may not be the result of a violation) if the jail reports it. 3) Extraction of jail data at the county level is cumbersome if extracting from all 80 jails statewide. Also, extracting from one jail and not surrounding counties may provide inaccurate estimates of jail recidivism 4) MI-VINE/Justice Exchange data has not previously been used for data/research and there may be hurdles to access (i.e. MOU? FOIA?). Limitations not clear at this point in the process.	Determine data elements available in MI-Vine/Justice Exchange data (and how those elements are 'populated' across counties) Determine how access can be obtained to MI-VINE/Justice Exchange data. Determine if data sought is for set individuals or specific counties. Explore the integration of MI-VINE/Justice Exchange w/ Judicial Data Warehouse	MI-Vine/Justice exchange seems to have an exclusive market on integrated jail data.
Prison	**MDOC OMNI/OMS Data** **MI-VINE/Justice Exchange**	1) MDOC has complete data on admission, parole and discharge from prison. 2) MI-VINE/Justice Exchange has information on	Current MDOC recidivism definition is based on a yearly cohort of parole releases and subsequent return to	MDOC admission, exit data may overlap with MI Vine -

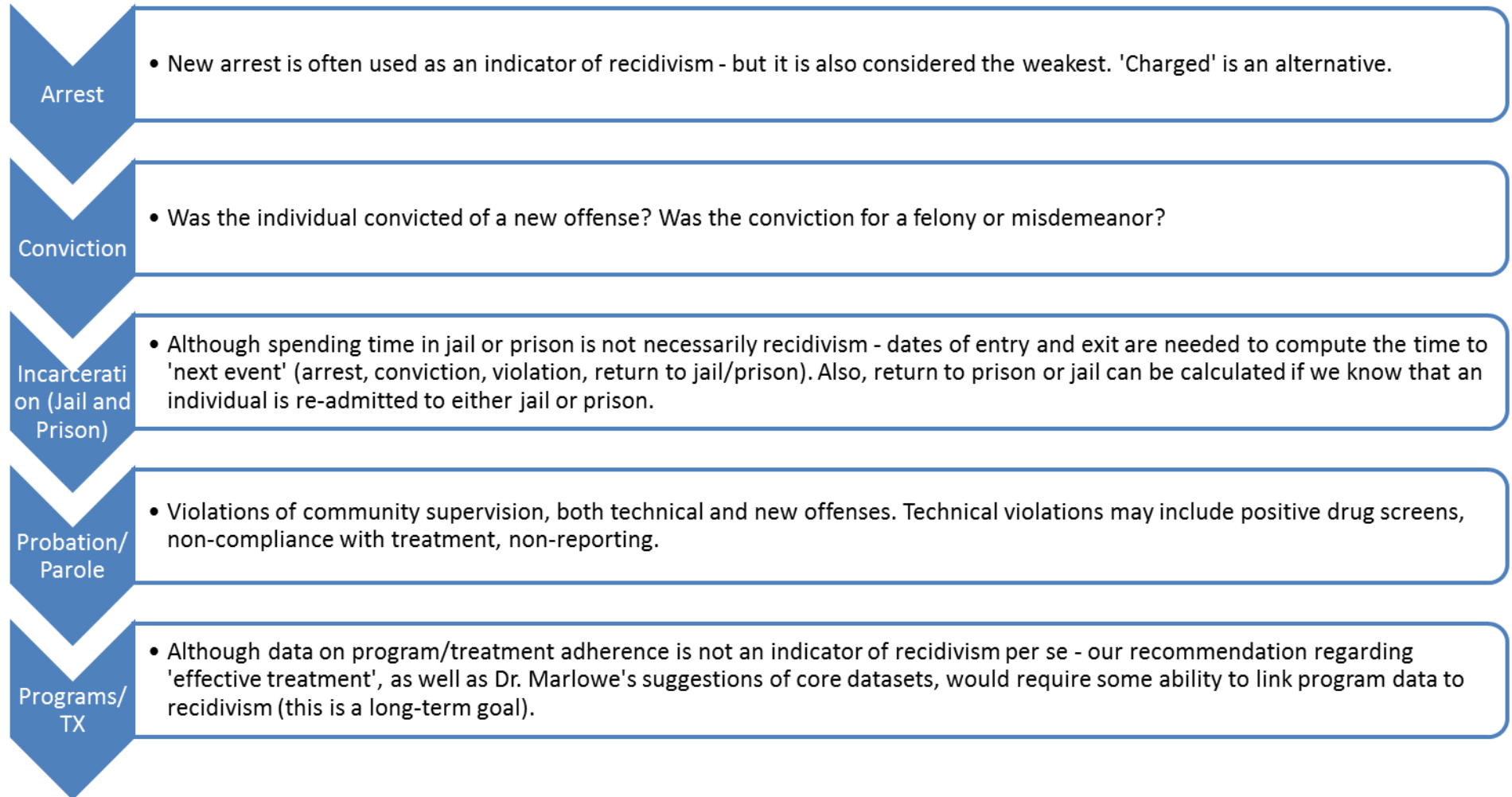|				
		<mark>admission/release/transfer of perpetrators related to prison.</mark>	prison within three years of parole release, including successful parole discharge and new commitment within three years. <mark>Not clear if MI-VINE would have anyway to discern parole placements or violations of parole.</mark>	
Probation Violation – FELONY ONLY	**MDOC-OMNI/OMS Data**	1) OMNI disposition data will provide information on probation sentences and community supervision. 2) Case/individual specific data collection.	1) MDOC OMNI disposition data may be the best method for tracking recidivism across a wide scope of recidivism outcomes – however this is limited to FELONY offenders only. 2) May be able to link with MSP arrest/conviction data for a sample (perhaps ongoing?) if a specified amount of time is specified.	3)
Parole Violation	**MDOC OMNI/OMS Data**	1) MDOC OMS provides information on parole violations, returns to prison for technical rule violations or new offenses. 2) MDOC also has disposition data that can link parolee to multiple measures of recidivism (i.e. new conviction). Has sample data available from 2009.(Note: for 2009 parole release cohort, 67.8% did not return to prison within the three-year follow-up. However, 6.5% received an uttered felony jail sentence that did not rise to the level of being returned to prison as a PV with a new sentence or a new commitment by the CJ system, based on felony disposition data from the MDOC data systems.	1) Examine MDOC statistical reports in 2011 for indicators used to assess other levels of recidivism.	2)

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Data Required to Detect Recidivism Across the Criminal Justice Continuum

Arrest
- New arrest is often used as an indicator of recidivism - but it is also considered the weakest. 'Charged' is an alternative.

Conviction
- Was the individual convicted of a new offense? Was the conviction for a felony or misdemeanor?

Incarceration (Jail and Prison)
- Although spending time in jail or prison is not necessarily recidivism - dates of entry and exit are needed to compute the time to 'next event' (arrest, conviction, violation, return to jail/prison). Also, return to prison or jail can be calculated if we know that an individual is re-admitted to either jail or prison.

Probation/Parole
- Violations of community supervision, both technical and new offenses. Technical violations may include positive drug screens, non-compliance with treatment, non-reporting.

Programs/TX
- Although data on program/treatment adherence is not an indicator of recidivism per se - our recommendation regarding 'effective treatment', as well as Dr. Marlowe's suggestions of core datasets, would require some ability to link program data to recidivism (this is a long-term goal).

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Four Primary Data Sets within the State that may be Useful

MDOC

Michigan
State
Police

MI-VINE

(HHS)

JDW (SCAO)

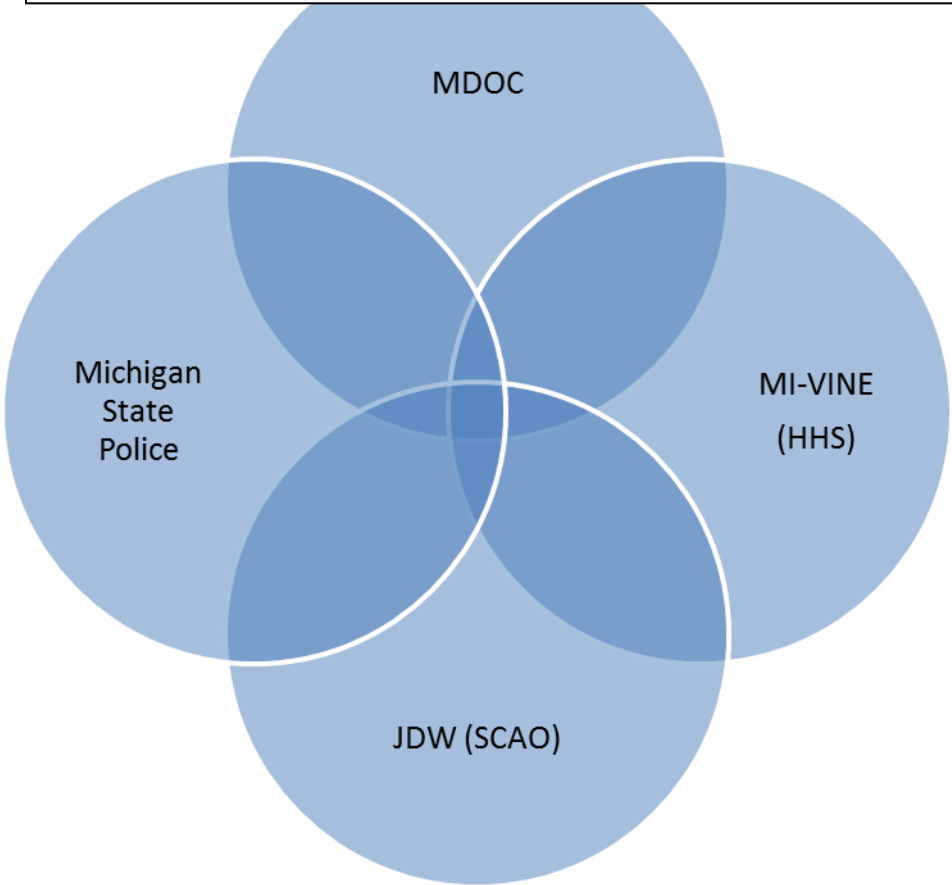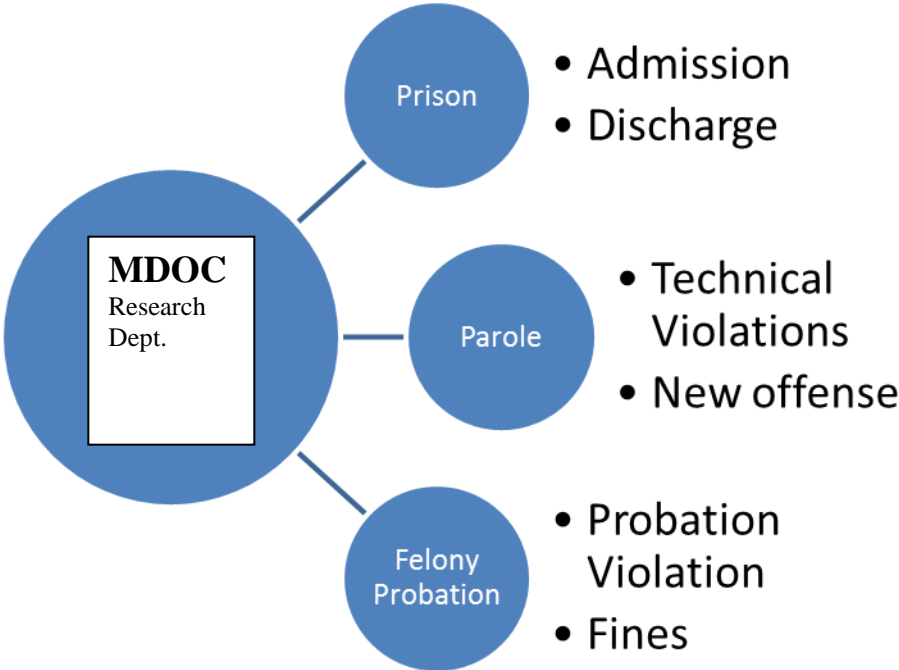SPK   DRAFT   8/5/16
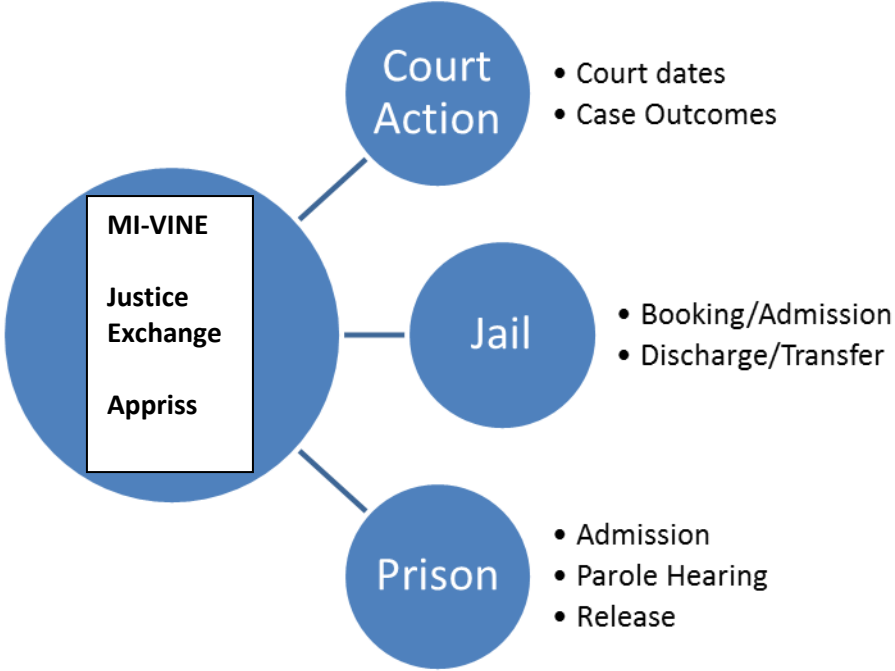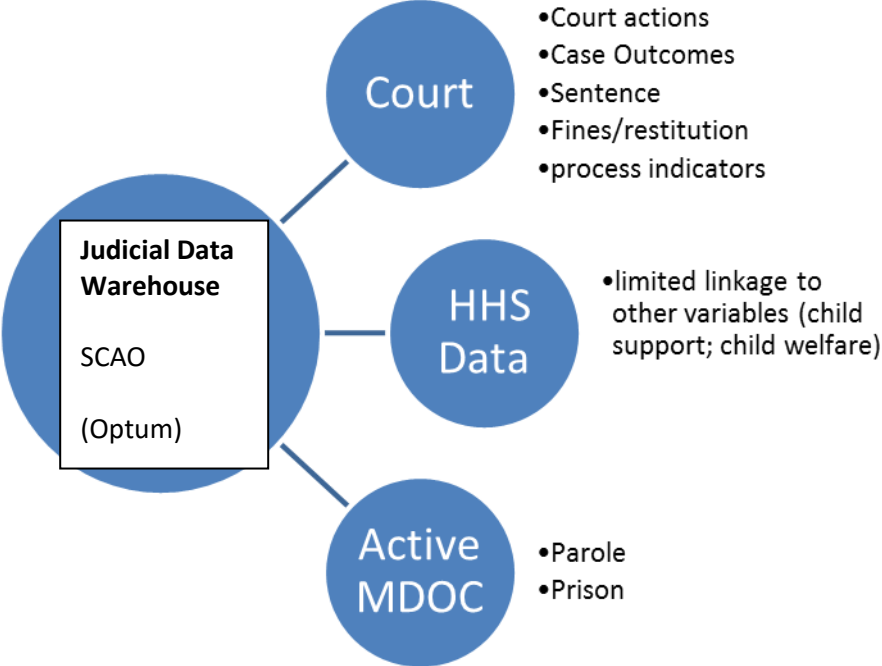
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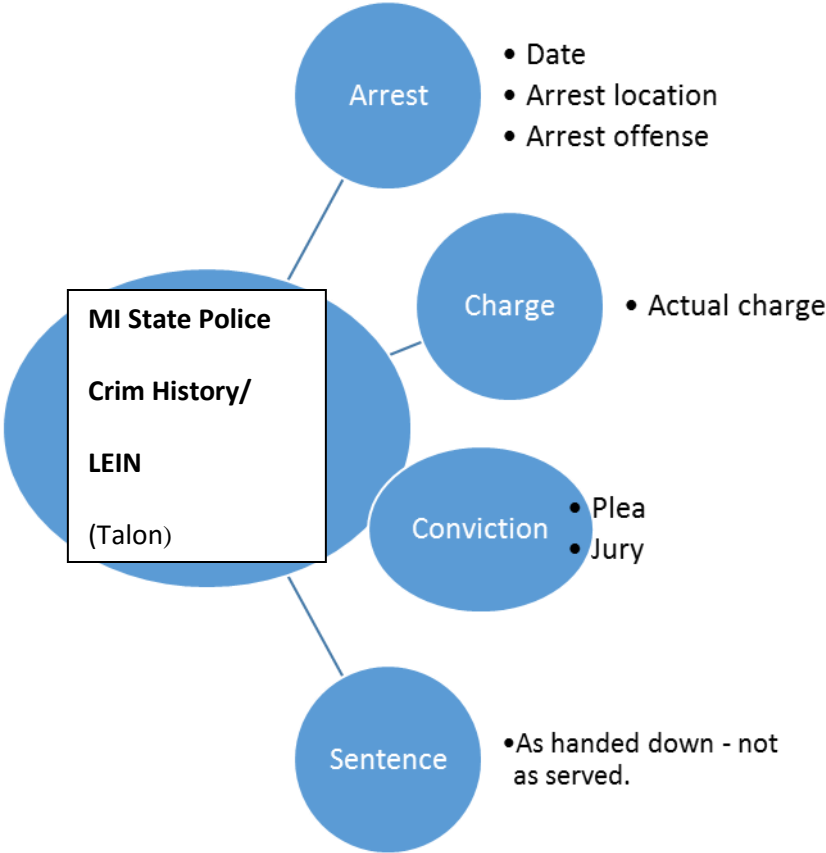

Conclusions: There are pros and cons on the four databases (and we are still finding info on the MI-Vine/Justice Exchange system) but it may be that the majority of recidivism indicators can be collected in merging two – IF the Justice Exchange data has information on all individuals/crimes and not just those where there are a victim.