SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET

Referred to Commission Committee 4- Law Enforcement, Fire, Corrections & Courts

For Commission Action on _____

DESCRIPTION OF ITEM:

RESOLUTION ESTABLISHING AND DEFINING THE DUTIES AND RESPONSIBILITIES OF THE SHELBY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL AND APPOINTING MEMBERS TO SAID COUNCIL. RESOLUTION SPONSORED BY COMMISSIONER SIDNEY CHISM.

CHECK ALL THAT APPLY BELOW:

X This Action does NOT require expenditure of funds.

_____ This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: $_____; County CIP Funds- $_____

State Grant Funds: $_____; State Gas Tax Funds: $_____

Federal Grant Funds: $_____

Other funds (Specify source and amount): $_____

Other pass-thru funds (Specify source and amount): $ _____

Originating Department: SHERIFF'S OFFICE
APPROVAL:

	(Print your name & phone #.)	(Initials)	(Date)
Dept. Head:			
Elected Official	Sheriff Mark Luttrell 545-5500		7-3-08
Division Director:	Harvey Kennedy 545- 4510	HK	7-3-08
CIP – A&F Director			
Finance Dept.			
County Attorney:	Kathy K. [illegible]	KKH	7/9/08
CAO/Mayor:	A C Wharton, Jr.		7/9/08

Item # _____

Prepared by: Harvey Kennedy
Approved by: _____

RESOLUTION ESTABLISHING AND DEFINING THE DUTIES AND RESPONSIBILITIES OF THE SHELBY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL AND APPOINTING MEMBERS TO SAID COUNCIL. RESOLUTION SPONSORED BY COMMISSIONER SIDNEY CHISM.

WHEREAS, the Criminal Justice System within Shelby County is a large multi-agency system comprised of many disparate elements and separately elected officials ; and

WHEREAS, there is a need to improve the administration of justice in Shelby County through planning, research, evaluation, and system-wide coordination of criminal justice activities; and

WHEREAS, the Sheriff's Office commissioned a Criminal Justice Master Plan that examined many elements of the Criminal Justice System in Shelby County and made specific recommendations regarding improvements in efficiency and cost savings; and

WHEREAS, the Sheriff and Mayor of Shelby County are in agreement that in order to develop the necessary plans and ensure the execution of the recommendations contained in the Master Plan, a select group of Elected Officials and Administrators must be designated to form the Criminal Justice Coordinating Council; and

WHEREAS, the Mission, Scope, Role, and Membership along with Expected Outcomes of the Criminal Justice Coordinating Council are contained in a concept paper and attached hereto as Exhibit A; and

WHEREAS, bylaws of the Criminal Justice Coordinating Council have been developed and attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, that the establishment of a Shelby County Criminal Justice Coordinating Council is hereby approved.

BE IT FURTHER RESOLVED, that the Mission, Scope, Role and Membership outlined in Exhibit A, which is attached hereto and incorporated hereinto by this reference as if fully set forth herein is hereby approved.

BE IT FURTHER RESOLVED, that the Bylaws of the Criminal Justice Coordinating Council contained in Exhibit B which is attached hereto and incorporated hereinto by this reference as if fully set forth herein is hereby approved.

_____
A C Wharton, Jr., Mayor

Date: _____

Attest:

_____
Clerk of County Commission

ADOPTED_____

Summary Sheet

I. Description of Item

The Shelby County Criminal Justice Coordinating Council (CJCC) is created to deal with justice system issues within the boundaries of Shelby County. Shelby County Government has responsibilities that include all aspects of the adult and juvenile justice systems. Activities include law enforcement, pretrial supervision, prosecution, defense, pre and post trial detention, and community supervision and re-entry strategies. The initial focus of the CJCC will be to coordinate planning and activities of those agencies within the purview of County Government. While this scope may, and should, be re-examined periodically it makes sense to begin at a manageable level.

II. Source and Amount of Funding

N/A

III. Contract Items

N/A

IV. Additional information relevant to approval of this item

This Council will be critical in implementing the recommendations of the Jail Master Plan that were detailed in the Carter Goble Master Plan. The Sheriff and the Mayor strongly support approval of this resolution.

EXHIBIT A

CRIMINAL JUSTICE COORDINATING COUNCIL
EXECUTIVE SUMMARY

June 16, 2008

This is a summary of the concept paper discussing the creation of the Shelby County Criminal Justice Coordinating Council (CJCC). This summary will address the following issues:

1. Mission
2. Scope
3. Role of CJCC
4. Membership
5. Outcomes
6. Approval Process

MISSION

The Shelby County Criminal Justice Coordinating Council exists to improve the administration of justice through planning, research, evaluation, and system-wide coordination of criminal justice activities.

SCOPE

The Shelby County Criminal Justice Coordinating Council (CJCC) is created to deal with justice system issues within the boundaries of Shelby County. Shelby County Government has responsibilities that include all aspects of the adult and juvenile justice systems. Activities include law enforcement, pretrial supervision, prosecution, defense, pre and post trial detention, and community supervision and re-entry strategies. The initial focus of the CJCC will be to coordinate planning and activities of those agencies within the purview of County Government. While this scope may, and should, be re-examined periodically it makes sense to begin at a manageable level.

ROLE OF CJCC

The CJCC should be a standing body devoted to the study and improvement of the local criminal justice system. On a macro level, the CJCC will meet at least quarterly to discuss system wide issues and make policy decisions and recommendations. On a micro level, the CJCC will establish standing committees to coordinate system wide responses to particular problems or issues. The Chair of the CJCC may recruit various system or topical experts to serve on committees according to need.

MEMBERSHIP

The proposed make-up of the CJ Coordinating Council includes the leadership of the local criminal justice agencies. Although broad representation is essential, it is also necessary to limit the group to a manageable number.

The CJ Coordinating Council should include the following members:

- Administrator, Shelby County Pretrial Services
- Chair, University of Memphis Department of Criminology and Criminal Justice
- District Attorney General
- Director Shelby County Division of Community Services
- Director Shelby County Division of Corrections
- Jail Director
- Sheriff
- President, Memphis Shelby Crime Commission
- Public Defender
- Shelby County Criminal Justice Coordinator
- A member of the judiciary

OUTCOMES

1. Creation of a Memorandum of Understanding to be entered into by all participating agencies.
2. Development of an action plan to follow up on the recently published Shelby County Jail Master Plan.
3. Development of a strategic plan for the criminal justice system to include identification of problems and ranking of system wide priorities
4. Establishment of a process to implement the strategic plan
5. Ongoing forum to discuss criminal justice policy and problems
6. The CJCC will serve as a central point of review for federal/state/other grants in criminal justice areas to include making funding recommendations. Assumption of this responsibility will eliminate the need for separate JAG, JAIBG and various other committees.
7. Submit recommendations regarding proposed legislation in criminal justice areas
8. Annual report to Mayor and County Commission on CJCC activities.

APPROVAL PROCESS

The Criminal Justice Coordinating Council should be created by a resolution by the Shelby County Commission. Additionally, a memorandum of understanding should be entered into by all participating agencies.

CRIMINAL JUSTICE COORDINATING COUNCIL
CONCEPT PAPER

June 16, 2008

This is a concept paper discussing the creation of the Shelby County Criminal Justice Coordinating Council (CJCC). The CJCC is a concept that has been broadly discussed in a number of forums but, as yet, no formalized structure has been proposed. This paper will address the need for criminal justice planning and coordination and, more specifically, the proposal to coalesce the leadership of those County agencies involved in criminal justice into the Shelby County Criminal Justice Coordinating Council. This paper will cover the following areas:

1. Criminal Justice System
2. Need for Coordination/Planning
3. Cautions
4. Advantages of Coordination/Planning
5. A Proposed Model for Coordination
6. Scope
7. Operational Framework
8. Next Steps
9. Conclusion

This concept paper relied heavily on the US Department of Justice publication "Guidelines for Developing a Criminal Justice Coordinating Committee" released in January 2002 and a "Research Brief on Criminal Justice Coordination" prepared by the Memphis Shelby Crime Commission in June 2001.

THE CRIMINAL JUSTICE SYSTEM

Criminal justice in Shelby County is big business by any number of measures. It includes offices/agencies with responsibilities ranging from law enforcement, to prosecution, to defense, to a variety of clerical and administrative offices. The size of this system can be illustrated in a number of ways. One example is by considering the number of elected officials directly involved in criminal justice:

Criminal Court Clerk	1
Criminal Court Judges	10
District Attorney	1
General Sessions Court Clerk	1
General Sessions Criminal Court Judges	9
Juvenile Court Clerk	1
Juvenile Court Judge	1
Sheriff	1
Total	25

This does not include members of the Memphis City Council nor the Shelby County Commission, bodies responsible for funding the various criminal justice agencies. Nor does it include the judges, or other elected officials, from the various municipalities in Shelby County.

Another way to measure the size of our criminal justice system is by considering the number of agencies operating in the system. A partial list includes:

Criminal Court Clerk
Criminal Court Judges
Division of Corrections
District Attorney General
General Sessions Clerk
General Sessions Judges
Juvenile Court
Juvenile Court Clerk
Memphis Police Department
Public Defenders Office
Shelby County Pretrial Services
Shelby County Sheriff=s Department
Shelby County Victims Assistance Center
Tennessee Board of Probation and Parole
US Attorney
US Probation

Still another method of measuring the size of our criminal justice system is by considering the number of cases processed. In recent years there has been an average of approximately 50,000 defendants booked into the County Jail. In 2007 the average daily population of the County Jail at 201 Poplar was 2479, with an additional 254 females housed at Jail East. Additionally, the daily population of the Shelby County Correction Center has averaged nearly 3000 inmates over the past year.

Finally, perhaps the most revealing indicator of the size of our justice system can be found by reviewing the staffing and budgets dedicated to criminal justice activities. The following information for fiscal year 2007-2008 includes the, Criminal Court Clerk, Criminal Court Judges, Division of Corrections, District Attorney General, General Sessions Clerk, General Sessions Judges, Juvenile Court, Juvenile Court Clerk, the Memphis Police Department, the Public Defenders Office, Shelby County Pretrial Services, the Shelby County Sheriffs Department, and the Shelby County Crime Victims Center.

# Employees	Budget
6,328	$416,644,921

NEED FOR COORDINATION/PLANNING

The size of our justice system is startling. Perhaps even more startling is the fact that in such a large, high volume, expensive system we have no current mechanism for long term planning and coordination. Not only do we have no strategic plan for the system, we do not currently have any type of ongoing forum or mechanism in which the various criminal justice agencies come together to discuss issues.

The purposes of our system are as varied as the number of agencies operating within the system. This fragmentation is so pronounced it has caused many to describe criminal justice as a non-system. The system is adversarial in nature and the fragmentation exists, to a great extent, by design. For example, the District Attorney is responsible for prosecution of individuals charged with committing crimes whereas the Public Defenders Office is responsible for defending them. Too much co-mingling of these offices would defeat the purpose of an adversarial system of justice.

Many offices have a specific role, or point of emphasis, in the system. For example, the Police Department's focus is to enforce laws and arrest those believed to violating those laws, the judges' focus is to determine guilt or innocence in the adjudication of cases, and the Division of Corrections' focus is to provide safe and secure housing for offenders convicted in the courts. This singular focus supports development of specialized expertise but also tends to encourage a myopic approach to system problems.

Although it appears that agencies have very individual and specific areas of responsibility, the agencies in the system are intertwined and the changes instituted in one agency can seriously impact the others. For example, a dramatic increase in the number of arrests made by the law enforcement agencies could overwhelm the court calendars. An increase in incarcerative sentences in the courts could swell the population of the Corrections Center. Changes in performance or approaches can impact others, so can changes in resources. Increasing the number of courts to try to expedite dispositions would not likely achieve this goal without a concomitant increase in prosecutors, defenders, and clerks.

This inter-relatedness of purpose requires some level of cooperation and communication for the system to operate. The need for planning and coordination is a recurring theme. Heretofore, our approach has been to respond to this need in somewhat of a haphazard fashion. A number of ad hoc groups have been established that meet with varying degrees of regularity. Some examples include the Justice System Coordinating Committee (Jail Overcrowding Committee), the Mentally Ill in the Jail Committee, the Cost Bill Committee, the Jail Compliance Plan Committee, and the Justice Assistance Grant Advisory Committee. Many of these committees have been useful in insuring communication between offices and in addressing particular issues.

Although this ad hoc approach has been useful, it is primarily reactive and its successes limited. Even when communication occurs, offices tend to go back and develop individual solutions to problems identified from their own perspectives. Many offices have recognized the need for long term planning and some have even engaged in strategic planning efforts. For the most part, however, these plans have been limited to planning for a particular office. Given the impact one agency can have on the others, the ability to achieve goals of any strategic plan can be impeded by the activities of some other office in the justice system.

The need for coordination has been recognized in a number of settings. In January 2001 the Shelby County Commission passed a resolution creating the position of Criminal Justice