



**Dallas County Criminal Justice Advisory Board  
General Membership Minutes for Monday, June 19, 2017**

**Welcome & Introductions**, Commissioner Dr. Garcia, called the meeting to order at 2:30 PM. Customary introductions were made by all in attendance.

**Membership & Infrastructure:**

There were no changes to membership or infrastructure at this time.

**Meeting Minutes:**

The minutes from the CJAB General Membership meeting held on March 20, 2017, were made a part of the packet. There was a motion made to accept the minutes as printed. The motion was seconded and approved.

**Presentations:**

**Taking Aim at Family Violence: Findings on the Dallas County Gun Surrender Program From the Southern Methodist University**—Judge Roberto Canas, Professor Natalie Nanasi, Rachel Elkin, Laura Choi, and Monica Harasim

Commissioner Dr. Garcia introduced Judge Roberto Canas, Professor Natalie Nanasi, Rachel Elkin, Laura Choi, and Monica Harasim, and gave a brief biography.

Judge Canas gave some background on the study. Judge Canas stated for domestic violence offenders there are different state and federal laws that come into play. For example federal law says that a person convicted of a misdemeanor domestic violence offense may never possess a firearm but Texas law says it is prohibited for five years. One problem that arose for these case is that they were never sure if the firearm was ever turned in. Two years ago in response to several high profile cases many chiefs came together to solve this problem. Eventually the Sheriff agreed to confiscate the weapons and store them. So far over two years over sixty firearms have been confiscated; however they had initially estimated that they would take in over 800 guns a year.

Professor Nanasi stated the goal was to take a look at the gun surrender program and assess the strengths and see where improvements needed to be

made. The study was completed over a years' time and worked with Judge Canas and other stake holders (they are listed in the report).

The next presenter Rachel Elkin initially looked for similar programs on a national level. They looked at three different programs. The first was a program in El Paso TX, which was developed in 2005 and began in 2007. El Paso was used as model for this study because it was in Texas and would fall under the same gun laws. However, El Paso was also seen as a cautionary tale because it is no longer in operation because it was being used by only one judge who is no longer on the bench.

The second program reviewed was in Los Angeles, California and begun in 2013. This program is still in operation and has stipulated that the offender must surrender their gun within 24 hours and show proof to the judge within 48 hours. Failure to comply could result in another hearing resulting in revocation of bail and contempt of court charges. Ms. Elkin stated because California has different gun laws it was not a great comparison but their swift action is something that could be emulated.

The third program looked at was in Multnomah County (Portland), Oregon. This program has gun laws similar to Texas. This program is a collaborative effort between law enforcement, the judiciary, and prosecutors. This program stresses prompt surrender and consistent penalties against offenders. This program also has an Memorandum of Understanding (MOU) with the agencies to ensure consistency and longevity. Using this MOU a sample one was drawn up that could be used in Dallas County.

Monica Harasim then presented the successful and unsuccessful aspects of the program in Dallas County. The successes of the program include; in 2 years all guns but one that were ordered to surrender were surrendered properly. Second more judges are asking about the program and more prosecutors are working with protective order victims to see if their abuser owns firearms. Another positive factor is more victim advocates are actively asking about the program.

There have been some gaps or problems with the pilot program. There is nothing in writing or an MOU about the program in Dallas County. There is also uneven participation in the program because only a few judges are using the program and some police agencies are not using it. This could lead to the program failing in a similar fashion to the El Paso TX, program. There is also no policy and procedures in place to address non-compliant offenders and judges have no mandate to use the program.

Laura Choi discussed the recommendations for Dallas County. First would be a MOU between the different agencies within Dallas County to expand the program. This would provide structure and hold agencies accountable. The second recommendation would be stronger collaboration between stake holders. This could expand the program and have the offender turn over the weapon in

quicker fashion similar to Los Angeles. The third recommendation is for the judges in Dallas County to have training regarding this program. Judge Canas has already crafted a "bench card" which is in the report which would provide judges with questions they could ask the offenders and how to funnel offenders into the program. The training should also include information about the relationship between violent offenders and gun ownership.

The final recommendation is to create an office which would oversee this program which would include a full time administrator. This would increase public awareness and an increase in accountability. This could also provide a better level of communication between agencies and help with collaboration.

Ms. Choi also stated that funding would also be necessary because the grant funding would be running out in August 2017.

Judge Canas was asked what happens to the firearms when they are surrendered to the Sheriff's Office. Judge Canas stated that they could receive them back if the case is dismissed and will be destroyed if they are no longer allowed to own firearms again.

Ryan Brown suggested that this may eventually fall into the purview of the Pretrial department, which could be discussed at intake. This would also avoid creating a new unit.

Commissioner Garcia asked if Judge Canas could get an MOU draft ready and possibly discussed during a Juris Prudence meeting.

### **Committee Project Updates:**

#### **Bail Bond:**

Jeff Segura gave the update. The Bond Forfeiture Judgment Report reflected judgment totals from January 2017 through May 2017 of \$1,043,024.88 for 892 cases. The Account 62 reports reflected total bond forfeiture collected by the felony courts in May 2017 was \$35,633.95. For the same reporting period, the misdemeanor courts collected \$26,500.00.

#### **Fair Defense Committee:**

Lynn Richardson stated that many of the initiatives in the Public Defender's (PD's) office are coming along and they are working with the Criminal Justice Department and District Attorneys. She further stated that they are looking at 24 hour magistration and making sure all defendants are represented when this comes about, which will help low level nonviolent offenders with little financial means to be released. Ms. Richardson stated they are looking at the program in Harris County as an example and working with their Chief Public Defender. Ms. Richardson stated that the PD's office continues to work on indigent screening.

Gordon Hikel stated he has spoken with Javed Syed and Judge Birmingham to get a re-organization plan together for the Pretrial Division and hoped to have the 24 hour magistration and Pretrial division up and running by the new fiscal year (October 1).

**Jail Population Update:**

Etho Pugh reported on the Jail Population meeting held on June 16 2017. Excerpts from that meeting can be found on pages 14 through 19 of the packet. Mr. Pugh stated that the jail population for this date is 5,352.

**Justice of the Peace:**

Judge Steve Seider could not attend the CJAB meeting. Jeff Segura stated Judge Seider continues to work on his program to help low level offenders get the mental health services they require.

**Juvenile Justice:**

Mr. Acosta stated legislatively they are looking at House Bill 7 regarding information sharing or how to better get information between TDFPS and TJJD. Also they have been observing House Bill 1204 regarding 10-11 year olds to be given resources in the community.

Commissioner Garcia asked Mr. Acosta about the 4.5 million dollar deficit because of the legislative changes and if this was still the case. Mr. Acosta responded he was not sure about the final outcome but there were some short falls from TJJD. She also asked about legislation regarding restraining juveniles with mental health concerns, Mr. Acosta stated he was unsure but would look into it.

**Law Enforcement/Jurisprudence:**

Ellyce Lindberg stated that Chief Spivey could not attend this meeting but there had been a meeting regarding Senate Bill 4 which concerns sanctuary cities. The meeting was attended by law enforcement, Civil District Attorneys, and federal agents. The big take-away from the meeting was law enforcement will only question the immigration status of people that are lawfully detained and will not stop people just to inquire about their immigration status. This law does not apply to victims or witness of crimes, places of worship, schools, or hospitals. Potential challenges to this law are also being monitored.

Ellyce Lindberg also gave an update on Cite and Release. Ms. Lindberg stated several parties within the County are working with the City of Dallas to get the program ready by October 1<sup>st</sup>. Ms. Lindberg also clarified that this was not just a "ticket" or class C citation however, it would still carry the same level of offense and penalties of a class A and class B misdemeanor.

Judge Mulder asked the Commissioner and others in attendance to help spread the program to entities outside the City of Dallas so more people could benefit.

**Reentry:**

Dr. Crain could not attend the meeting, Jeff Segura gave the update on her behalf. Jeff Segura stated that in the packet there is a list of the 175 community partners statewide that Unlocking Doors is working with. On March 31, 2017, they had their grand opening for their new office on Greenville and Dr. Crain wanted to pass on her thanks for all those who were able to attend. Many community leaders and advocates were in attendance such as U.S. Congressman Pete Sessions, Texas State Representatives Rodney Anderson and Cindy Burkett, Dallas County Commissioners Dr. Elba Garcia and Dr. Theresa Daniel, Dallas County District Attorney Faith Johnson and Dallas City Councilmembers Rick Callahan and Philip Kingston.

A Job Fair sponsored by the Texas Department of Criminal Justice Reentry and Integration Services Division and Unlocking DOORS™ was held Wednesday, June 14<sup>th</sup> at Goodwill Industries of Dallas (one of our Network partners/providers) from 9 am to 12 noon. There were 275-300 attendees.

Unlocking DOORS™ will host its Annual Texas Reentry Symposium on Friday, September 22<sup>nd</sup> at the Belo Mansion.

**Program Update:****SAMSHA Drug Court Expansion:**

Leah Gamble gave an update; the yearly goal for SAMSHA is 36 and they have had 38 referrals and the grant does not end until September 1, 2017.

**Caruth Smart Justice:**

Mike Laughlin stated that planning for the program begun around 18 months ago. The beta test begun in April 2017 and they are working on finalizing the process. Risk assessments have begun to be used on defendants during the jail book-in process. There have had 1582 individuals who have screened positive and almost 400 have been assessed resulting in 50 being supervised by the Pretrial staff. Mr. Laughlin further stated they have been working with the treatment community closely to provide services and have been working on finding more housing options for defendants. Five new Pretrial officers have also been hired to work in this program.

**Local Data Advisory Board:**

Jeff Segura stated that he had spoken to Vicki Buchanan of Dallas County IT and the Dallas County Adult Courts have reached their goal of 90% completeness for disposed cases. The Juvenile Department has currently surpassed their goal and is at 91%.

**Public Comments:**

None

**Announcements:**

Mike Laughlin state that House Bill 337 did not get signed but was advanced to the Governor's Office, which would suspend, not terminate benefits for people going into custody in the jail. This will allow much faster reengagement into services for people.

The next CJAB meeting will be held on September 18, 2017, at 2:30pm

**Adjournment:**

A motion was made to adjourn the meeting; it was seconded and approved at 4:00PM.