



**Dallas County Criminal Justice Advisory Board  
General Membership Minutes for Monday, September 18, 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 June 19, 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:**

**Cultural Fragmentation as a Barrier to Interagency Collaboration: A Qualitative Examination of Texas Law Enforcement Officers' Perception**—Dr. Galia Cohen, University of Texas at Dallas

Commissioner Dr. Garcia introduced Dr. Galia Cohen of the University of Texas at Dallas, and gave a brief biography.

Dr. Cohen introduced herself and gave a brief introduction into the Master's program for law enforcement professionals that she works with at University of Texas at Dallas (UTD).

Dr. Cohen spoke about the motivation for collaboration between law enforcement agencies, which included rational, altruistic, and occupational. In the rational and altruistic reasons include more effective communication and the benefit of the public.

However, in reality interagency collaboration is more complicated than these two motivations, especially in law enforcement where there are boundaries that must be considered. Another barrier she sees is that the criminals do not have the same boundaries as law enforcement which can create conflict between agencies.

Dr. Cohen spoke about the strong occupational culture law enforcement agencies share that we often hear about as brothers in blue, however we know

that it is not enough to always cross agency lines. This research was done to see why there is cultural fragmentation between agencies.

Three main levels were looked at in this study, the agency level, rank-segment level, and leadership style. Forty-five officers were interviewed for this study and they came from the county, state, and federal levels of all ranks.

In the agency level it was found that agencies characteristics create fragmentation between agencies. Agency characteristics would be approach to policing, for example are they strict law and order style or order maintenance. Do they prefer responding to problems or preventing them? Does the agency have low or high level bureaucratic control? This departmental style shapes the officer's culture. This leads to stereotyping of other agencies and can make it difficult to collaborate with officers from another agency. For example one agency may see another as lawyers and accountants, and not having a warrior mentality.

The leadership dimension refers to the agencies' top administrators' (chiefs); leadership style, and their personal policy towards interagency collaboration. These play a critical role in not only in whether the agencies will collaborate but also in determining the level of collaboration (that is minimal or maximal).

At the minimal level officers from different agencies will share basic information with no real commitment to a long-term collaboration relationship. At the maximum level officers will engage in a deeper long-term collaboration that includes a broader range of tasks and activities, ones that go beyond basic information sharing. Joint training or joint operations are examples of broader collaboration.

Dr. Cohen presented a quote from an officer, "*When you see police chiefs collaborate, you recognize that collaboration is huge*". She further stated that when chiefs show they are willing to collaborate with other chiefs it has a large and positive affect on the officers.

Dr. Cohen completed the presentation by saying it was not to say law enforcement collaboration does not exist but rather pointing out cultural fragmentation is a barrier to collaboration. Some examples of ways to break down these barriers were using joint training sessions, networking, and any activity that would break the stereotyping and mistrust that exist between agencies.

### **Parkland Blood Draw Policy**—Patrick Jones, Parkland Health & Hospital System

Commissioner Garcia introduced the next speaker Patrick Jones to speak about Parkland Jail Health new policy for DWI blood collection. Mr. Jones stated that while inmates are for an extended period of time Parkland is in a

patients/provider relationship making them the patients advocate. This can put them in a difficult situation with the patient because they may have to testify about what was taken out of their system while in treatment that may be used for evidence. As a result this is a financial cost to parkland of about \$200 per case.

Mr. Jones explained that Parkland is going to a fee for service model when it comes to DWI blood collection. This would help establish continuity of evidence collection, reduce wait time for the arresting officer, and establish continuity of testimony. This model is being used in Burnett County, Texas and has helped with eliminating ER waits for non-injured arrestees, eliminate jail waits when clinical staff is not available to draw blood, and it also has helped reduce reset court dates. This would also help District Attorney's not have to "chase" their witnesses.

Mr. Jones further stated that though he knows this will present new challenges such as startup costs, agency coordination, and availability of service to interested agencies. However, there would also be benefits such as a consistent process for collection and reduced time officers are off the street. The alternatives to be considered would be Parkland training police officers to collect and multi-agency support for dedicated positions to collect blood evidence.

Mr. Jones stated that they will begin charging for this service this fiscal year. Chief Tittle and Chief Spivey raised the concern that this would not be included in the current budget and would be too late to add until next year. Mr. Jones stated that if this program was up and running they would eventually have dedicated staff to expedite the blood draw process. The start date is currently unknown.

Commissioner Garcia asked Mr. Jones to pass additional information to CJAB once it is available and CJAB will distribute.

#### **Senate Bill 4 Update—Judge Russell Roden**

Commissioner Garcia introduced Judge Russell Roden to give an update on what is going on with Senate Bill 4. Judge Roden stated that the presentation he is going to give is a snap shot of where the courts are in the process and could be changing soon, possibly by the end of the week.

Judge Roden reviewed what Senate Bill 4 which first includes having no policy prohibiting "show me your papers". It also ensures that information could be exchanged with ICE, and allow ICE into jails for enforcement. It also included having no policy "materially limiting" enforcement of immigration laws, ICE detainers need to be honored, and does not authorize arrest based on immigration status. An injunction has been filed and the constitutionality is being challenged. On August 30, 2017 an injunction was issued for some of the bill.

No injunction was issued for the following provisions and they will go into effect September 1, 2017: 1. Agencies cannot have policy prohibiting an officer or employee from inquiring into immigration status of lawfully detained person. 2. Agencies cannot have a policy that prohibits an officer or employee from sending/exchanging information with federal immigration authorities and/or other local LEAs and/or local/state/federal agencies. 3. Agencies cannot have a policy that prohibits an officer or employee from permitting a federal immigration officer to enter and conduct enforcement activities at a jail to enforce federal immigration laws. 4. Cannot adopt or enforce a policy that “prohibits” the enforcement of immigration laws

An injunction was issued against the following provisions: 1. An agency cannot have a policy that prohibits an officer or employee from providing “enforcement” assistance. 2. An agency cannot “endorse” a policy under which the entity or department “materially limits” the enforcement of immigration laws. 3. An agency cannot adopt or enforce a policy, pattern or practice that “materially limits” the enforcement of immigration laws. 4. An agency must “comply with, honor, and fulfill” any immigration detainer request issued by United States Immigration and Customs Enforcement

Judge Roden stated that On Friday September 22, 2017, a hearing will be held in the US Fifth Circuit of Appeals in New Orleans. An opinion will be issued to see if the injunction will be continued or lifted.

Judge Roden once again stressed that none of these were final rulings and this was a temporary or preliminary injunction.

### **Cite and Release**

The current status of Cite and Release was discussed. Ryan Brown began the discussion by reviewing the history of Cite and Release over the last several months. Mr. Brown stated the process that was being developed was still very cumbersome. Mr. Brown stated that the District Attorney’s office agreed to substitute an agreement to do a Personal Recognizance Bond (PR Bond) for these same offenses and Driving With Suspended License (DWLS) as an alternative. This would allow the defendant to receive a PR Bond and come to the court house once (in Cite and Release there would be a minimum of two appearances), Dallas County would not have to create a new process, and Dallas Police would not have their current process change. This process would also be for the entire Dallas County and not just City of Dallas residents unlike Cite and Release.

Gordon Hikel stated that this would allow the PR bond process to be done by the magistrate and they still have to work out some details with the Sheriff's office but this could start very soon.

Chief Tittle stated it needs to be stressed that this process was not Cite and Release and he had to inform the City Council of the City of Dallas that Cite and Release would not be moving forward. Chief Tittle stressed that the defendant would still get his car towed and would not really benefit from the PR Bond process.

Judge Mulder stated she was still willing to have the Cite and Release cases heard in her court and the process may have been laborious but was still a benefit for the defendant. Judge Faith Johnson of the District Attorney's Office stated that her department was in support of the Cite and Release process.

Commissioner Garcia stated that it may be a good idea to do both programs. Judge Mulder and Judge Faith Johnson agreed with this sentiment. Lynn Richardson stated that the Public Defender's Office was also in support of the PR Bond Process.

Ryan Brown stated that the costs are being calculated for the areas of the program. After hearing what the bailiff's responsibility would be Sheriff Valdez stated that they would need at least two bailiffs.

Commissioner Garcia stated that it was important to find funds to implement both the PR Bond Process and Cite and Release.

Judge Mulder stated she believed that the PR Bond process could be ready by October 1, 2017. Ryan Brown stated that he believed that if the Commissioners passed Cite and Release it would take Dallas County about thirty days to get it ready.

### **Committee Project Updates:**

#### **Bail Bond:**

Jeff Segura gave the update. The Bond Forfeiture Judgment Report reflected judgment totals from January 2017 through August 2017 of \$1,702,048.66 for 1734 cases. The Account 62 reports reflected total bond forfeiture collected by the felony courts in August 2017 was \$170,657.75. For the same reporting period, the misdemeanor courts collected \$37,466.00.

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

Lynn Richardson stated they had received a letter from the Texas Indigent Defense Commission stating the Judges in Dallas County are not using the Wheel which is mandated by the Fair Defense Act. They also stated that the

Dallas County Public Defender's Office is handling too many cases but Ms. Richardson says they are working effectively with these cases.

**Jail Population Update:**

Etho Pugh could not attend so Jeff Segura reported on the Jail Population meeting held on September 15, 2017. Excerpts from that meeting can be found on pages 40 through 45 of the packet. Mr. Segura stated that the jail population for this date is 5,460.

**Justice of the Peace:**

Judge Steve Seider had to leave the CJAB meeting early. Jeff Segura stated Judge Seider wanted to inform the board that the next Stew Pot (Court that is designed to help homeless and take care of class C Offenses) is November 11, 2017. Judge Seider has received request from other counties on how the homeless courts work and he was considering filming the steps and distributing them. Judge Seider may require some assistance with video equipment.

**Juvenile Justice:**

Mr. Acosta stated Dr. Terry Smith has been appointed to the Juvenile Justice Judicial Council to look at the dynamics of House Bill 1204 regarding 10-11 year olds in the criminal justice system.

**Law Enforcement/Jurisprudence:**

Chief Spivey stated that the pressing issue that has been worked on is the time frame for the Writ Release List. This will allow them to file the best case with the best information available. Chief Spivey stated that he believes this conversation should continue. Ellyce Lindberg stated she believes the current timeframe works well and doesn't want to have changes effect the prosecution or defense of a case.

**Research:**

Dr. Jon Maskaly stated that on October 12-14, 2017, there will be a conference in Fort Worth put on by the Southwestern Association of Criminal Justice and the flyer is included in the packet. Dr. Maskaly also stated that there will be training from the Caruth Police Institute on October 23-24, 2017 regarding Crime Prevention Through Environmental Design.

**Reentry:**

Dr. Crain could not attend the meeting, Jeff Segura gave the update on her behalf. Jeff Segura stated that the Unlocking Doors Symposium is scheduled for Friday, September 22<sup>nd</sup> at the Belo Mansion.

**Program Update:**

**SAMSHA Drug Court Expansion:**

Laura Edmunds gave an update; the yearly goal for SAMSHA is 36 and they have had 44 referrals and they all have been able to be moved from the jail within seven days.

**Caruth Smart Justice:**

Mike Laughlin stated that they continue to work with the Meadows foundation and have worked with three work groups within the county. The program is going well and 3600 have been identified as having a mental health issue. Over 600 of those move forward with the assessment process and over 100 have been released with mental health PR Bonds.

**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 begun their work for the next year. Currently the adult courts are at 86% completeness for disposed cases. The Juvenile Department has currently surpassed their goal and is at 87%.

**Public Comments:**

Jessica Aziz a Community Organizer from Faith in Texas a social justice movement, spoke regarding the passage of Cite and Release and expressing their support. Ms. Aziz was concerned that if Cite and Release did not move forward it would create mistrust between the police and the community. Ms. Aziz stated she was pleased to hear the related discussion at this meeting. She further stated that they will be at Commissioners Court to further support the program.

**Announcements:**

Judge Nancy Mulder stated she could not attend the next CJAB meeting.

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

**Adjournment:**

A motion was made to adjourn the meeting; it was seconded and approved at 4:20PM.