

**PROCEEDINGS OF THE COCHISE COUNTY JAIL DISTRICT PUBLIC OUTREACH COMMITTEE
MEETING HELD ON
FRIDAY, SEPTEMBER 2, 2022**

A meeting of the Cochise County Jail District Public Outreach Committee was held on Friday, September 2, 2022 at 9:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Chair James Conlogue; Committee Member Frank Antenori; Committee Member David DiPeso; Committee Member Kay Gojkovich; Committee Member Tony Isom; Committee Member Jon Kosmider; Committee Member Jennifer Lakosil; Committee Member Katie Miller; Committee Member Eric Petermann; Committee Member John Pintek

Absent: Vice-Chair Danya Acosta; Committee Member Paul Sheats

Staff Present: Richard G. Karwaczka, County Administrator
Kris Carlson, Civil Deputy County Attorney
Tim Mattix, Clerk of the Board

Attendees: Mark Dannels, Sheriff
Kenneth Bradshaw, Commander
Ariel Monge, Lieutenant
Laura Cardinal, Superior Court Judge
Candece Hardt, Division Manager - Judicial Information Systems
Xochitl Orozco, Legal Advocate
Joe Casey, Chief Information Officer
Pablo Duarte, Microwave Engineer

Chair Conlogue called the meeting to order at 9:00 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

1. Report from Mr. Richard G. Karwaczka, County Administrator, regarding a Committee Member's appointment as a Senior Court Commissioner.

Mr. Karwaczka reported that Chair Conlogue was appointed as a part-time Senior Court Commissioner.

Committee Member Miller arrived at 9:02 a.m.

2. Action to approve the minutes of the Jail District Public Outreach Committee Meeting of August 19, 2022.

Committee Member DiPeso made a motion to approve the minutes of the Jail District Public Outreach Committee Meeting of August 19, 2022. Committee Member Pintek seconded the motion and it was approved on a voice vote 10-0 (Vice-Chair Acosta and Committee Member Sheats absent).

3. Presentation by Mr. Richard Karwaczka, County Administrator, and discussion: Communications and Requests for Information from staff.

Mr. Karwaczka presented this item using a PowerPoint presentation. He provided the email addresses for himself, Mr. Mattix, and Commander Bradshaw, and requested that all be included on communications or requests for information. Requested information will be presented to the entire Committee. There is a Future Agenda Items section on the agenda to request agenda topics.

4. Presentation by Mr. Richard Karwaczka, County Administrator, and discussion: Overview of Jail District Public Outreach Committee's Scope of Duties and Discussions.

Mr. Karwaczka presented this item using a PowerPoint presentation. The Committee's scope is strictly the Jail. If a Jail District is formed and funded, funding may be used to build a new Jail or repair the existing Jail, and may also be used for staffing. The Committee will make a recommendation to the Board of Supervisors about establishing a Jail District. The Committee may include its thoughts regarding a new facility or improving the current one.

Mr. Karwaczka stated that today's agenda includes potential Executive Sessions for questions impacting security. If issues impacting security do not arise, there is no need for an Executive Session. Committee Member Antenori expressed concern about use of Executive Sessions to hide information. Discussion ensued regarding open session and Executive Sessions.

In response to the Committee, Mr. Karwaczka confirmed that the scope does not include a new Court facility. If passed, funding is specifically for the Jail. Mr. Karwaczka reviewed upcoming meeting dates and agenda topics.

5. Presentation by Lieutenant Ariel Monge and Commander Kenneth Bradshaw, and discussion re: Transportation Issues facing the Jail and Alternative Transportation Options.

Pursuant to A.R.S. § 38-431.03(A)(9), the Committee may vote to go into Executive Session for discussions with designated representatives of the public body in order to discuss security plans, procedures, assessments, measures or systems relating to, or having an impact on, the security or safety of buildings, facilities, operations, critical infrastructure information and information technology maintained by the public body.

Lieutenant Monge presented this item using a PowerPoint presentation. He reviewed the duties and responsibilities of the Jail's Transportation division, including transport within and outside of the County. The six transportation officers are responsible for ensuring proper inmate-officer ratios and coordination for video court. The minimum ratio to maintain, which includes the driver, may change to ensure safe and secure transport. Females and juveniles are considered special needs for transportation.

Lieutenant Monge and Commander Bradshaw reviewed the total miles traveled from fiscal year 2016-2017 through 2021-2022. Possible reasons for the decreased miles include distances traveled per trip, increased use of video, and the impacts of COVID-19. Discussion ensued regarding procedures to limit potential COVID-19 exposure.

Lieutenant Monge reviewed various challenges experienced in transport. He compared the total number of transports with those for Court appearances from fiscal year 2016-2017 through 2021-2022. Transportation Officers work the same hours as the Court, with shift Transportation for other situations. The Committee discussed benefits of co-locating the Jail with the Court.

Lieutenant Monge stated that while technological improvements such as video help with transport, technical failures do occur. He compared the number of video Courts to the total transports from fiscal year 2016-2017 to 2021-2022. For mental health transports, there are limited resources in the County, resulting in longer transports. A lot of the medical transports can be done within the County. He reviewed the number of non-Court transports and their purposes from fiscal year 2016-2017 to 2021-2022. Separate data for medical and mental health is not yet available. He discussed the impact of the increased Jail population, and reviewed data from fiscal year 2016-2017 to the current year on the Jail's average daily population and average days served. The Committee discussed the upcoming impact smuggling enforcement, and the need for surge capacity. Lieutenant Monge presented various short- and long-term solutions.

Commander Bradshaw discussed various impacts of contracting with Pinal County, including fuel costs, miles traveled, and other expenses for the County. Graham County would require Cochise County to provide staff.

The Committee recessed at 10:17 a.m. and reconvened at 10:22 a.m. All Committee Members except Vice-Chair Acosta and Committee Member Sheats were present.

6. Presentation by the Honorable Superior Court Judge Laura Cardinal, Superior Court Division I, Ms. Xochitl Orozco, Legal Advocate, Ms. Candace Hardt, Division Manager - Judicial Information Systems, Mr. Joe Casey, Chief Information Officer, Mr. Pablo Duarte, Microwave Engineer, Commander Kenneth Bradshaw, and Lieutenant Ariel Monge, and discussion: Changes in Technology and Modern Court Proceedings Briefing and the relation to the Jail.

Pursuant to A.R.S. § 38-431.03(A)(9), the Committee may vote to go into Executive Session for discussions with designated representatives of the public body in order to discuss security plans, procedures, assessments, measures or systems relating to, or having an impact on, the security or safety of buildings, facilities, operations, critical infrastructure information and information technology maintained by the public body.

Judge Cardinal distributed handouts and discussed technology changes in the Court; due to COVID-19, more cases are held telephonically or via video conferencing. The Court records all proceedings except grand jury presentations, mental health cases, and criminal jury trials. Technological drawbacks include being unable to run a video conference and Polycom simultaneously; interpreters being in the courtroom while inmates are in Jail; and, inmates being unable to present documents. Background noise at the Jail frequently interrupts the Court proceeding. The Jail needs improved technological capabilities.

Ms. Hardt reviewed the handouts, Administrative Order 2022-003 (Use of Court Reporters and Digital Audio to Create an Official Record) and Checklist and Certification: Operational Standards for Interactive Audiovisual Systems in Criminal Cases. These contain the standards that the Court must abide by. Major concerns about the Jail include background noise, lack of confidentiality, and limited access to secure areas for cameras. In appeal cases, where portions of the recording are inaudible, the record is inadequate and the proceeding must be held again.

Ms. Orozco presented on Attorney-Client Communications using a PowerPoint presentation. She reviewed various rules and requirements for defense attorneys, including for communications and confidentiality. Defense attorneys must meet their clients at the beginning of a case and all discussions must remain confidential.

The Jail has four visitation options: in-person; Securus; Polycom; and, telephone. Drawbacks of in-person visits include being by appointment only; limited to the rooms available; and the difficulty of maintaining confidentiality due to sound traveling. Concerns with Securus, which inmates use to visit with friends and family, include being by appointment; taking place in the pod where the inmate is housed, resulting in others being able to see the screen and hear the client; no mute option or ability to share the screen; and, the difficulty of addressing technology problems. Concerns with Polycom include visits being limited to the rooms available at the Jail and lack of confidentiality due to sound traveling; audio problems; and, the difficulty of addressing technology problems. Telephone calls are difficult as messages must be left for the client to call back. Phone time is limited to 15 minutes without the ability to set different limits based on call type. She closed by reviewing various factors that impact the timing and work of defense counsel.

Ms. Hardt stated that Polycom is difficult for closed hearings as each meeting room at the Jail has a Polycom and is within hearing range of other rooms.

Committee Member Miller made a motion to table the remaining portion of the presentation to the next meeting. Committee Member Kosmider seconded the motion and it was approved on a voice vote 10-0 (Vice-Chair Acosta and Committee Member Sheats absent).

7. *Future Agenda Items - members of the Jail District Public Outreach Committee may request that an item be added to a future Committee meeting agenda. The Committee may reach consensus to add requested items to Future Meeting Agendas.*

Committee Member Antenori requested information on the contract with HighGround, Inc.

Committee Member Gojkovich requested the Sheriff's Office budget.

Next Committee Meeting Date: September 16, 2022 at 9:00 a.m.

Chair Conlogue noted the next meeting date and time.

Chair Conlogue adjourned the meeting at 11:12 a.m.

APPROVED:

Judge James Conlogue (Ret.), Chair

ATTEST:

Tim Mattix, Clerk of the Board