

**Final Report  
Boone County Judicial And Law Enforcement Task Force  
October 1, 2001**

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**Dear Commissioners and Citizens of Boone County:**

We are pleased to present the Final Report of the Judicial and Law Enforcement Task Force.

My sincere thanks to all of the members of the Task Force who gave unselfishly of their time and energy attending meetings; conducting interviews and inspections; and reading and interpreting research materials:

Professor Michael Lyman  
Auditor June Pitchford  
Prosecutor Kevin Crane  
Raymond Hayes  
Boone County Sheriff Ted Boehm  
Probation and Parole Officer Renee Bennett  
Attorney Dan Viets  
Mary Ann McCollum  
Al Tacker  
Columbia Police Department Chief Randy Boehm  
University of Missouri – Columbia Police Department Chief Fred Otto  
Attorney Rusty Antel  
Wynna Faye Elbert  
Dennis Winfrey  
Jail Administrator Warren Brewer  
Attorney Mark Pfeiffer  
Dr. Elaine Larson  
Public Defender Gerald Mueller  
David Griggs  
Presiding Circuit Judge Frank Conley  
Court Administrator Robert Perry  
Leigh Voltmer  
Doug Moore  
Gary Stangler  
Sue Turner  
Colleen Coble  
Tom Quinn

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Presiding Commissioner Don Stamper  
Commissioner Skip Elkin  
Commissioner Karen Miller  
Treasurer Kay Murray  
George Dodge  
Beverly Braun

Special thanks are extended to Sub Committee Chairs David Griggs, Michael Lyman and Rusty Antel for their attentive work. Without their leadership skills, hard work and insight, our Report would be far less substantive than it is.

We could not have effectively completed our work without the support of the Boone County Circuit Court, the Circuit Clerk and the administrative staff of the Commission's Office.

In Boone County, we are blessed with a cutting edge judicial system and professional executive officers that take pride in their work and the environment in which they do their work.<sup>1</sup>

The recommendations contained in this Report should not be taken as criticisms of the Court, any elected official or office of the County; our recommendations are given with the greatest of respect for the Court, our officials and County systems. Our recommendations are from a caring but firm "outside" point of view. We anticipate criticism of our Report and we hereby accept it.

Though none of our recommendations call for immediate bricks and mortar projects, the perfect implementation of our recommendations will **not** obviate the need for new buildings in the future: Boone County is growing and innovation usually only addresses the short term. **If current trends continue, in five to seven years, the Courthouse will demand expansion and if we don't aspire to be innovative on a daily basis, we'll need a bigger jail.**<sup>2</sup>

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<sup>1</sup> Courthouse Facilities Sub Committee: "Overall, we found the Courthouse to be very well maintained. It is obvious that county personnel are taking excellent care of the public's building. Our observations indicate that the office areas of several departments in the Courthouse are fast reaching the maximum number of personnel the space will allow."

<sup>2</sup> Courthouse Facilities Sub Committee: "The need for a future addition to the Courthouse is obvious . . . The future two-story addition as outlined in the space needs study will resolve the anticipated space needs for court-related activities. However, in light of some of the conclusions contained in this report, a second look may need to be taken with regard to the space utilization Plan . . . Our sub committee considered several possible options to partially resolve the space issues in the Courthouse thereby delaying the need for this major construction for a period of five to seven years . . . It should be noted that our committee believes that the courthouse expansion project planning and design process should begin within the next two years. This time frame is necessary

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to provide for completed space within the five to seven year period recommended by our committee.”

Jail/Sheriff’s Office Facilities Sub Committee: “Although the committee believes that no additional housing space is needed at this time, the sheriff reports that there is an immediate need for additional space in the following areas within the secure footprint of the jail:

- Attorney/client interview rooms
- Medical
- Public visitation
- Video conferencing
- Laundry
- Inmate program space (religious services, counseling, AA and NA Meetings, etc.)
- Processing (intake and release)
- Personnel management

Food service – although not an immediate need, an expansion in food service space will be required within 5-7 years.

To provide this additional space, the sheriff proposes that the jail will take over the space presently occupied by the sheriff’s administration. The present administrative space is not secure and renovations to this space are estimated to cost 1.7 million dollars as reflected in the earlier space needs report.

The sheriff’s administration would move to a new building to the east of the existing administrative building. This building would be two stories with approximately 12,000 square feet per floor at a cost of 2.2 million dollars per the earlier report. The sheriff would not immediately need all of this space but the costs of roughing in the second floor would be small, much in the same way that the third floor of the government center was built for future expansion.

Jail/Sheriff’s Office Facilities Sub Committee: “Long term expansion of the jail housing area:

There is a division of opinion as to the need for additional secure jail space at the present time. If we are going to attempt to live within our present space, all parties will have to work together, which includes the judiciary, prosecutor, defense bar (public defender and private counsel) and the jail staff. Without a concerted effort by all involved, it is probable that we will not have sufficient space to house our inmates without resorting to costly out of county housing or additional construction. There is no question that building a secure superpod would be very expensive and our ability to attract sufficient staff is a major question.

In the long term (5-7 years), we will have to build additional space. Secure space is very expensive to build, perhaps on the order of \$185 per square foot at present costs. Minimum security “barracks”- style construction for low risk inmates is an attractive option, which at present is estimated to cost approximately \$40 per square foot. Sixty inmates housed in a minimum security barracks facility would require at least five full time corrections officers at approximately \$30,000 per officer per year at current rates of pay and fringe benefits.”

Note: In several discussions, the Court suggested that consideration be given to the construction of barrack-type facilities for the incarceration of less than high-risk Boone County prisoners. Since the 1997 Jail Report, this has been an ongoing point of discussion and should be given due consideration when bricks and mortar projects are considered in the future.

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Immediately attached to this Letter is a copy of the Organizational Chart for the Task Force. Though detailed, it effectively describes how we projected that the Task Force would operate and endeavor to carry out its Mission. All in all, we did a pretty good job of sticking to the outline of the Chart. As we proceeded, though, some things changed.<sup>3</sup> Michael Lyman graciously stepped up to Chair the Law Enforcement Sub Committee and I took over the Budget, Finance and Information Services Sub Committee. If there was one area that we would have liked to have more fully developed, it was the use of our Website. We just got busy with our work and didn't have the time to devote to it. We anticipate, though, that this Report will be available on the Website: [www.showmeboone.com/judicialtaskforce](http://www.showmeboone.com/judicialtaskforce).

Within this Final Report, we are incorporating by this reference the First Interim Report and the following documents (**which we have attached to the primary copy of this Report**):

- **Judicial and Law Enforcement Material, dated April 4, 2001:**
  - NIC Videoconference: Jail Crowding
  - Facts about Prisons and Prisoners
  - *Crime, Punishment & Public Opinion: A Summary of Recent Studies and their Implications for Sentencing Policy*
  - Sections from the 2001 Budget Boone County, Missouri

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Comment by Dennis Winfrey on Footnote 2: "I am concerned about our statement, 'In five to seven years, the Courthouse will demand expansion and if we don't aspire to be innovative on a daily basis, we'll need a bigger jail.' I believe that the underlying assumption in this statement is the need for a bigger courthouse will present itself in 5-7 years at the current rate of growth. We could reasonably assume that if growth was slower than we expect, that delaying expansion would not be something that citizens of Boone County would oppose. However, if growth rates at the courthouse exceed our expectations, it is not unreasonable to think that the citizens of Boone County would be asked to fund an expansion of the courthouse in 2-3 years and that there may be resistance based on our statement. Likewise, I believe the second half of the statement may lead some to believe that we aren't currently being innovative on a daily basis and that if we endeavor to be innovative on a daily basis we will not need a bigger jail in 5-7 years. I believe this part of the statement to be more misleading than the first. Boone County is very innovative with programs such as Drug Court, Community Shock, Residential Probation, Work Release, Weekend Sentencing, Home Detention, Electronic Monitoring, Service Over Sentence, and numerous other programs designed to move away from the traditional "warehousing" of offenders at the county jail. Even with our daily innovation, it is also a good possibility that we will need a bigger jail in 2-3 years. In summary, we should continue our current efforts to address the issues of expansion and innovation, but should be prepared to fund an expansion of the courthouse and jail should the need arise much sooner than we currently predict."

<sup>3</sup> Original Sub Committee Chairs, Gary Stangler and Colleen Coble, became involved in unanticipated personal and professional projects that demanded more of their time and as a result their participation in the Task Force work became limited.

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- A Second Look at Alleviating Jail Crowding
- Jail Task Force Report April 1997
- Jail Study for Boone County, Missouri, CSG Consultants, LLC – February 1999
- Courthouse Expansion Project; Possible Space Utilization Plan; Office of Court Administrator, June 2001
- Boone County Government Space Needs Study Administration Master Plan, Peckham & Wright Architects, Inc., May 12, 2000
- Boone County Government Space Needs Study Circuit Court Master Plan, Peckham & Wright Architects, Inc., May 12, 2000
- Boone County Government Space Needs Study Circuit Court Master Plan, Peckham & Wright Architects, Inc., January 10, 2001
- Jail Population Reduction Strategies; An Examination of Five Jurisdictions' Responses to Jail Overcrowding; A Project of the American Jail Association
- Ionia County Jail Population Management Plan, April 10, 2001; Northpointe Institute for Public Management, Inc.
- Observations of the Johnson Building, August 22, 2001
- Collection of Inmate Jail Time by Sheriff of Boone County, Missouri
- News Article, CNN.Com Law Center: Companies Find A Buoyant US Prison Market
- Boone County Court Services Pamphlet
- Thinking Carefully About Outpatient Commitment by Paul S. Applebaum, M.D.
- Paths To Jail Among Mentally Ill Persons: Service Needs and Service Characteristics by Amy Watson, Patricia Hanrahan, Daniel Luchins and Arthur Lurigio
- A Court for the Nonviolent Defendant With a Mental Disability by Ginger Lerner-Wren and Antoinette R. Appel
- News Article from Mental Health Weekly, Vol. 9, No. 28 entitled Report Confirms Fears About Mental Illness in Jails, Prisons
- A Model Program for the Treatment of Mentally Ill Offenders in the Community, by Erik Roskes, Richard Feldman, Scott Arrington and Michele Leisher
- Public Conceptions of Mental Illness: Labels, Causes, Dangerousness, and Social Distance by Bruce G. Link, Jo C. Phelan, Michaeline Bresnahan, Ann Stueve and Bernice A. Pescosolido
- Article entitled MH Courts said to Keep Mentally Ill Out of Jail in Government News
- Review of Compliance With Recommendations from the April 1997 Jail Task Force Report

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- 1989 Commission on Prison and Jail Overcrowding Report
- 13<sup>th</sup> Judicial Circuit Court Services 2000 Annual Report
- DMG Maximus Staffing Study of Sheriff Operations, January 2001
- Boone County, Missouri, Position Classification and FY 2002 Salary Plan, July 2001
- 13<sup>th</sup> Judicial Circuit Court Work And Education Program Information And Procedure
- 13<sup>th</sup> Judicial Circuit Court Petition, Order And Report For Participation In The Work And Education Program

This letter, the First Interim Report and the above-described documents constitute the Final Report of the Task Force. It is the intention of this Letter to provide an overview of the Task Force's Recommendations (but as always the devil is in the details and in this Report, in the Footnotes and Attachments). The documents attached to the primary copy of this Report provide important backup documentation and reference materials. Any comments in this letter are, of course, subject to the backup documents. If we have misstated a fact or misinterpreted an opinion, such was not intentional.

Though our mission statement was general in scope:

***“(t)o study available resources and to create a plan to maximize the effective long-term use of the Boone County Jail, the Courthouse and the Sheriff’s Office, while meeting the needs of Boone County for continued, quality law enforcement and a balanced budget,”***

this general charge gave us the leeway to explore alternative problem resolution, that is, avoiding rubber stamping any preconceived notions that the Task Force members might have as a result of their own opinions, prior Commission actions, media attention and/or public perceptions. We know that some will not be pleased with our recommendations but we believe that that is the nature of any peer review. We know that our Court and County systems strive for perfection and we hope that some of the suggestions contained in this Report will assist in the quest.

To insure that we effectively explored the alternatives, **the Prime Directive of the Task Force was “to assume that there is no money available to remedy any needs that the Task Force might identify.”** Over and over, during the course of our work, we reminded ourselves of this directive. Although we would like to say that all of our recommendations can be accomplished without dipping into the public coffer, such is not the case: several of our recommendations will take money to implement. However, we believe that our approach avoided the

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temptation to recommend the expenditure of public funds as if the funds came from an open spigot. We also want to make it clear, though, that eventually the citizens of Boone County will be required to consider measures to fund building expansion at the Courthouse, the Jail and/or other law enforcement needs.

In this document, we have set forth all of the recommendations in numbered form so as to clarify our most important points. Through footnotes and the references in the footnotes, we have provided to you the most pertinent of the underlying materials. Of course, any materials not so provided are available upon your request. It is interesting to note that although our subcommittees went about their business independent of one another, some of the same recommendations came from one or more committees. All of the Task Force meetings, sub committee or otherwise, were open to the public.

Although this Report is directed to the Commission and the Public, its recommendations will clearly fall upon the ears of the Court and other County offices and officeholders. Though many of the recommendations made may be implemented through the authority of the Commission, implementation of other recommendations can only be effectively effectuated by the actions of the Court and the other County offices and officeholders. It has not been the goal of the Task Force to micromanage the Court or these other County offices and officeholders. We recognize the necessity of having an autonomous court system and revel in it; we recognize that the expertise of our Court and our offices and officeholders far exceeds our review of their operations.

The Recommendations of the Task Force are numbered. The numbering system is utilized for reference purposes only. The language of each Recommendation sets its importance and priority in the eyes of the Task Force. Further, in some Recommendations, we identified the office or entity with obvious primary responsibility for carrying out the Recommendation; in others, when more than one might have responsibility, we did not. In some instances in the Footnotes, you will find individual Task Force member's comments on certain aspects of this Report.<sup>4</sup>

## **The Task Force Recommendations are as follows:**

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<sup>4</sup> Such comments were made by the individual members and expresses an opinion or information that was provided after the Report was substantially completed. This is not to say that the opinions and/or information is not correct (we are sure that they are), it is simply to say that the opinion and/or information did not necessarily come through a sub committee but was raised by the individual member at the last public meeting.



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**Recommendation No. 1:** The immediate appointment by the County Commission of a standing judicial and law enforcement committee for five distinct purposes:<sup>5</sup>

1. to insure the implementation of the recommendations of this Report;<sup>6</sup> and
2. to have as its mission, the system-wide assessment of policies and procedures involving all components of the Boone County Judicial and Law Enforcement system;<sup>7</sup> and
3. to explore reasonable alternatives to incarceration;<sup>8</sup> and

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<sup>5</sup> Though entirely anecdotal, generally, during the existence of the 1997 Jail Task Force and this Task Force, a drop in jail population was experienced by the Boone County Jail.

<sup>6</sup> Task Force: This is not to suggest that the Commission is not effectively serving as the watchdog for the public, but we have already learned from experience (that is, the 1997 Jail Task Force Report) that unless there is some entity to constantly advocate and prod for the implementation of a program or policy, that as other pressing issues capture the public attention, priorities tend to be lost. The Task Force does not want that to happen.

<sup>7</sup> Law Enforcement Sub Committee: "This committee would meet on a regular basis and have as its charge, system-wide assessment of policies and procedures involving agencies in the Boone County criminal justice system. The goal of the committee would be to work closely with all the components of the criminal justice system in Boone County in focusing on ways of improving the efficiency and effectiveness of county criminal justice operations. The committee would also have its charge to carry out responsibilities identified by the Boone County Judicial and Law Enforcement Task Force."

Jail/Sheriff's Office Facilities Sub Committee: "There is a need for a long term oversight board to keep an eye on this problem and to keep the public's attention focused on this. This oversight process keeps all of the persons who make decisions on their toes. There is no particular conclusion as to who ought to be on this oversight board or how often it might meet, but a working group including a Prosecuting Attorney, Public Defender, private defense attorney and representatives from court services and the jail would need to be included."

<sup>8</sup> Law Enforcement Sub Committee: . . . the total number of inmates delivered to the custody of the Boone County Jail in 2000 is very nearly the same number which was delivered to the jail in 1990. Among the factors which have led to a substantially larger jail population during that ten-year period is the imposition of longer jail sentences for misdemeanor offenses.

It is, therefore, recommended that greater use be made of alternatives to incarceration including probation, home detention, work release, community service work and other alternatives which may not yet have been identified. All of these alternatives to incarceration are substantially less expensive than jail time. Further, the alternatives which permit an offender to continue to work and function as a productive member of society are preferable to a long period of incarceration which may result in the offender losing his job, being alienated from his family and possibly becoming more adept at criminal activity due to a long period of socialization only with others who have also committed law violations.

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4. to explore opportunities for funding of various mental health projects including but not limited to a Mental Health Court;<sup>9</sup> and

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Prosecuting Attorney Kevin Crane's Comment to Footnote 7: "The number of inmates "delivered" to the jail includes offenders who are held on Boone County offenses as well as those arrested for other jurisdictions and transported to the jail. Many of these persons post bond and are released from confinement immediately upon delivery. Some are held on pending felony and misdemeanor offenses but do not post bond. Still others are at the jail serving a sentence on a misdemeanor offense. This footnote compares the number of inmates "delivered" to the jail between 1900 and 2000 and arrives at the conclusion that, because this number has not significantly increased, longer misdemeanor sentences have been imposed. Comparing the "delivered" population with the commit (persons sentenced on misdemeanors) population is comparing apples to oranges. The commit population has consistently been from 60 to 80 inmates for an extended period. The number of persons delivered to the jail has been reduced since 1990 by the increased use of summonses as opposed to arrests by law enforcement. "Delivered" and "Sentenced" are two separate and distinct categories, which cannot be compared with reliable results. Therefore, I respectfully disagree with the analysis and the conclusion reached in footnote 7."

<sup>9</sup> Law Enforcement Sub Committee: The Boone County Mental Health Board of Trustees is working on a project that will, hopefully, be brought to the voters for a tax increase. We are looking at two different types of tax. The first is an addition to the sales tax and the other is an addition to the mil tax. We would be calling it a child services mental health tax. In this way, we can serve a number of needs. Child mental health services in Boone County are few and far between since Charter Hospital closed its doors. The only hospital beds are at Mid-Missouri Mental Health Center and they can no longer be over census (census is 10). The next closest beds are in Mexico, MO and some children have had to be taken to St. Louis. Because most children live in families, the money would also be used to deal with issues that affect families.

Our goal is to implement several primary prevention programs with this money; e.g., school violence prevention, substance abuse prevention, mental health wellness, etc. Secondary prevention activities such as training teachers and daycare workers in identifying problems and therapy for children who are victims of abuse are also ideas. Tertiary prevention programs such as mental health daycare programs for children and adolescents and programs such as Assertive Community Treatment for adults who return to the home after hospitalization would also be possible. There are many mental health needs in Boone County. As you can see, these would also impact the jail population, as many of the people with mental health needs also live in family units.

Don Cuvo, from the City of St. Louis, came to a Mental Health Trustee meeting and discussed the strategy they used to successfully campaign for a mental health tax. Many of the issues they identified are also issues for our community; these include: substance abuse, child abuse, and gang violence with programs for substance abuse treatment and prevention, crime prevention, mental health, vocational rehabilitation, and self-help groups. They pushed these issues because they impact every family in the community.

The taxes were collected for one year. The money was invested for the year in an interest-bearing account. At the end of the year, the board took applications for new programs by established providers. As more taxes were collected they continued to fund more projects at higher levels. The interest from the savings accounts was used to run the office with personnel and supplies.

As you can see, we can help provide high quality, comprehensive mental health services to the community through this type of tax. The services that could be offered will eventually help deal with the overcrowding in the jail. These services would be available to be used by those who go through a Mental Health Court. Mandated outpatient services and medication management can all be impacted through this type of tax.

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5. maybe, most importantly, to educate the public about the operation and needs of the judicial and law enforcement system and, in turn, gain the support and favor of the public for future funding for the system.

**Recommendation No. 2:** The immediate creation by the County Commission of a standing committee to explore methods of reviewing the sentences of persons serving sentences in the Jail for consideration of early release and/or alternate punishment/rehabilitation.<sup>10</sup>

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<sup>10</sup> Law Enforcement Sub Committee: "While state felony incarcerated inmates are systematically reviewed for parole release from the Missouri Department of Corrections, no such program currently exists for misdemeanor inmates confined in the Boone County Jail. A system should be developed to evaluate inmates sentenced to misdemeanor offenses as to their level of community risk and their eligibility for court parole, work release or home detention."

Jail/Sheriff's Office Facilities Sub Committee: "There is a need for a systematic review of inmates in jail who are serving time (mostly on misdemeanors; occasionally on felonies) for early release (parole or commutation of sentence) or transfer to other less restrictive custodial programs such as work release or home detention. Everyone agrees that court services would play a major role in this by compiling information and providing reports. The jail staff would be involved as well as the Prosecuting Attorney (court services would probably play a major role in lobbying the Prosecuting Attorney to go along with the recommendation in a particular case, as is currently the situation with bond reductions, home detention or placement in the drug court diversion program)."

Jail/Sheriff's Office Facilities Sub Committee: "We received a Report from the Sheriff's Department regarding early release of inmates serving sentences on misdemeanor cases who worked at the jail as trustees or participated in the sheriff's Service Over Sentence (SOS) community service work program:

The report surveyed all cases from June 26, 2000 to July 31, 2001.

During this period, 38 inmates who worked as trustees or worked in the SOS program were denied any reduction in sentence. The sentences ranged from 3 months to 1 year.

20 inmates serving 1 year sentences  
1 inmate serving a 10 month sentence  
3 inmates serving 9 month sentences  
11 inmates serving 6 month sentences  
1 inmate serving a 4 month sentence  
2 inmates serving 3 month sentences

During this period, 36 inmates who worked as trustees or worked in the SOS program were granted a reduction in sentence.

Number of inmates:	Sentence Length:	Reduction:
1	2 years jail	130 days
13	1 year jail	30 days (9 inmates) 22 days (1 inmate) 15 days (2 inmates) 10 days (1 inmate)

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**Recommendation No. 3:** The immediate creation by the County Commission of a County Records Management and Warehousing Department.<sup>11</sup>

4	9 months jail	30 days (2 inmates) 15 days (1 inmate) 10 days (1 inmate)
1	8 months jail	30 days
1	7 months jail	10 days
12	6 months jail	30 days (7 inmates) 15 days (2 inmates) 10 days (2 inmates) 3 days (1 inmate)
2	3 months jail	15 days (1 inmate) 5 days (1 inmate)
2	2 months jail	10 days (1 inmate) 5 days (1 inmate)

The total number of days served by these inmates was 8780. The total reductions were 885 days for an average reduction of 10%.

The sheriff requests that the early release criteria be revised to allow inmates to receive a 25% reduction in their sentences which is the same as the reduction of sentence allowed by statute for work release. The inmates who participate in the work programs work a minimum of 8 hours per day and must behave in an absolutely perfect manner. Any violation of jail rules would disqualify a person from any sentence reduction. This pool of free labor is absolutely critical to the day-to-day function of the jail – without it, custodial service, food service and laundry service would not function. The sheriff also noted that the inmates are responsible for the clean condition of the jail.”

**Court Administrator Robert Perry’s Comment on Recommendation No. 2:** “In 1997, in consultation with the Sheriff, the Circuit Court established a “Work and Education Program” which provides for an inmate to receive consideration for a reduction in sentence for work performed as a trustee or for participation in education programs available at the Boone County Jail (*Examples of Programs: AA, Religious Program(s), GED*). A full description with procedures are presented in a document “Work and Education Program” which is incorporated by reference in the task force final report (as an Attachment to the Primary Report).”

<sup>11</sup> Courthouse Facilities Sub Committee: “Record storage is a serious issue in the Courthouse . . . very valuable space is being used to store “semi-active,” inactive and permanent records and equipment that is not used on a regular basis. The prosecuting attorney’s office and the circuit clerk’s office are the two offices that are impacted most by record storage issues . . . Consideration should be given to a comprehensive records management study. This study should include ALL county offices and departments . . . Record storage and records microfilming processes take an excessive amount of space in some offices in this facility . . . Inactive records are stored in the maintenance closets, in the furnace room, in the telephone equipment room, and under workstations. Please refer to Attachment 3 – Records storage memo dated June 25, 2001 . . . Some offices have serious record issues as evidenced by record storage floor to ceiling in aisles, in every

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corner, under desks, even in coat closets . . . Not only does this crowding limit the hiring of additional employees, it is detrimental to the work environment of those employees already on staff thereby impacting productivity and poses a safety hazard . . . Space that is used for record storage could be far more effectively used to provide additional space for personnel and support services . . . The county should determine the total record storage and warehousing needs of all offices and departments . . . Each office or department has its own records storage system. In our opinion this is counterproductive. It should be noted that State Statutes specifically require certain record storage systems for certain offices and that certain files are confidential, by statute. If required by statute, areas of a record storage facility could be segregated to provide security for each office's confidential records . . . In the Johnson building, inactive and permanent records are housed in the same general areas as seldom-used or unused equipment, excess forms and ballots. In our opinion this is not the best use of this facility . . . Records that need to be immediately accessible should be just that, immediately accessible. Records that are permanent, or are simply being stored until they might be needed at some future date, should be stored off-site, or at least out of the offices needing additional space for normal operational functions . . . We considered possible record storage sites such as the Johnson Building (although we feel this is not the best use for this property), the top floor of the Government Center, an area in the Courthouse, or a new or remodeled warehouse/records storage facility . . . Consideration should be given to the establishment of a County Records Management and Warehousing Department. This Department should be supervised by the County Commission to insure equal consideration is given to the records maintenance and storage needs of all offices and departments. This department would oversee storage, microfilming, computerization of records, records destruction, etc. for all county offices and departments. We believe several efficiencies could be achieved if this is done, therefore costs can be reduced. The County should consider separating record storage, general storage and warehousing functions in this facility. Records from this facility should be accessible for review by the requesting officer or department within a period of 4 to 8 hours."

**FINDING**

The county should consider establishing an offsite record management and warehouse facility.

**Observation**

This could be a county owned and operated facility or a facility operated in cooperation with another entity or a contracted service.

This space is available at far less cost per square foot than the downtown space currently being used for storage purposes. This type space is available at the cost of \$3.00 per square foot per year including utilities.

Cost savings could be achieved by volume purchasing of supplies and forms if the storage space was available.

Prosecuting Attorney Kevin Crane's Comment to Footnote 10: "While I have no objection to this recommendation nor recommendation No. 4, I respectfully disagree with the statement in footnote 10 (as it may relate to the Prosecutor's office) which states "Space that is used for record storage could be far more effectively used to provide additional space for personnel and support services." Although Prosecutor files now housed at the Johnson Building can be relocated to another facility without adversely impacting our function, records now maintained in the actual confines of the Prosecutor's Office cannot be housed elsewhere. These are active or recently inactive files that must be immediately accessible to do our job. Even if these files were relocated, such a move would not provide any additional space for personnel. Please stop by the office and assess our space anytime you wish."

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**Recommendation No. 4:** The relocation of the Juvenile Office to the Johnson Building and utilization of the space vacated by the Juvenile Office for jury assembly needs, storage and/or microfilming, courtrooms and/or hearing rooms.<sup>12</sup>

**Recommendation No. 5:** Recognize the need to increase by seven the number of sworn Boone County Deputies to address the immediate need of deputies on patrol.<sup>13</sup>

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<sup>12</sup> Courthouse Facilities Sub Committee: "The 4,400 square feet currently occupied by the Juvenile Office could be used to meet a variety of support needs. These needs include expansion of the existing jury assembly area, providing space for storage and/or microfilming of records that need to be immediately accessible by court functions, and possibly provide for a small hearing room to be used for worker's compensation and or bankruptcy hearings . . . It is our opinion that the best location for the juvenile office is the Johnson Building in the current record storage area. This space can easily provide for a separate outside entrance (a requirement for this office due to after-hours functions) and utilize the county parking area immediately north of the building for after-hours functions. Doing so would provide the public easier access to the juvenile programs. It should be noted that this space could be modified to provide a second floor for offices and that there is other unused/underused space in the Johnson Building at this time. If necessary, the juvenile office could expand into the elections storage space which would provide for future growth of juvenile functions."

Courthouse Facilities Committee: "Upon our inspection of the offices located in the Johnson Building, the Courts sub committee found the Public Defender's Office to be extremely overcrowded. There is simply no space available to adequately serve the current staff, let alone the additional staff that is forecast in the immediate future. The ability of this department to function at its optimum has a direct impact on the jail population and the length of time a significant number of persons are in the "system." This issue should be addressed ASAP regardless of any potential change in use of this facility."

Note: The Task Force engaged in a lively debate regarding the Courthouse space utilized by Worker's Compensation and Bankruptcy matters. Initially and in light of the fact that neither Worker's Compensation nor Bankruptcy are per se "Boone County" matters, the Courthouse Facilities Sub Committee recommended that consideration be given to moving the WC & B matters to another location to make room for "Boone County" needs. Presiding Judge Frank Conley explained the importance of maintaining Worker's Compensation and Bankruptcy matters in the Courthouse and the Task Force agreed. This note is included in the Report to reflect the fact that this issue was addressed by the Task Force, so that future review of this issue will know that the Task Force felt that it was important to the community that Worker's Compensation and Bankruptcy matters remain in the Courthouse.

<sup>13</sup> Law Enforcement Sub Committee: "The Boone County Sheriff's Department has sought ways to place additional deputies on patrol. As such, they identified sworn officers who were assigned to duties that are not directly related to law enforcement and reassigned them to patrol duties. This enabled the Sheriff's Department to place three additional road deputies on patrol. However, based on the recommendations from the "Staffing Study of Sheriff Operations," nine additional officers are still needed.

**PRIORITY - ASAP**

The committee views this recommendation as a top priority because it is in the best interest of the public and members of county government to identify ways in which existing resources can be more effectively utilized. This improves both the efficiency and effectiveness of the sheriff's department

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**Recommendation No. 6:** Recognize the immediate need of hiring two Boone County Community Service Aides.<sup>14</sup>

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while avoiding the expense of hiring a number of additional road officers to patrol the county. Once allocated, additional road officers will enhance law enforcement services to the county. These services include improved response time to radio calls, transportation of prisoners, transportation of mental health patients and service of legal papers (probate).

Approval of all of the requested deputy positions would not only satisfy the recommendations of the staffing study, but would safeguard Boone County from falling behind in law enforcement services in the foreseeable future.

**REMEDY**

- Hire seven additional deputies for the road. This remedy supports recommendations made by the December 2000 staffing study. (The hiring of two CSA officers is also recommended to handle civil process and probate responsibilities. See Need X.)
- Develop/conduct survey to determine public perceptions of law enforcement needs for Boone County.
- Utilize non-sworn sheriff's personnel to transport Mid-MO patients.
- Utilize civilians to serve legal process instead of sworn deputies.

**COST:**

Currently, 342 hours per month are being spent transporting mental health patients and serving probate paperwork. This is the equivalent of two full-time deputies.

- Seven new road officer positions would cost an estimated \$63,348.00 each. This includes officer salary, benefits package, and vehicle/equipment.
- Total estimated cost for the seven positions: \$443,436.00.

<sup>14</sup> Law Enforcement Sub Committee: "To establish a new position within the Boone County Sheriff's Department called Community Service Aide. This is a non-commissioned position staffed by uniformed persons who could respond to calls of a non-criminal nature (Road CSA's) as well as provide related departmental services (In-house CSA's). In addition to road services, the In-house CSA's could provide the following services: traffic direction, parking control, booking, teleserve services, crime analyst functions, funeral escorts, and possibly functioning as a Station Master (desk officer).

**PRIORITY – One year**

**REMEDY**

- Hire two CSA officers.

**COST:**

- Two new CSA positions would cost \$51,132.00 each: totaling \$102,264.00. This figure includes officer salary, benefits package and vehicle/equipment.

**ALTERNATIVES**

- Explore enhancement of the reserve deputy program.
- Consider developing a volunteer program.

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**Recommendation No. 7:** The immediate development of a “point of sentencing” computer data exchange system.<sup>15</sup>

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- Explore the possibility of expanding the existing internship program to attract qualified and capable interns from nearby colleges and universities.”

<sup>15</sup> Law Enforcement Sub Committee: “Creation of a network system and software program for use by the Sheriff’s Office, the Prosecutor’s Office, the Public Defender’s Office and the Circuit Clerk’s Office and the Judiciary which permits the continuous monitoring of cases (particularly misdemeanors which regularly end in “time served”), bookings, commitments, the monitoring of persons serving long sentences, and other needed statistical information.

Once established, this computer system would be available to judges who are at the point of sentencing. The computer system would provide the judge specific information regarding how many inmates are currently incarcerated, for what crimes, and how much of their sentence they have served. This information would enable judges to determine whether it is prudent to authorize early release of an inmate to make room for one of a greater priority.”

Jail/Sheriff’s Office Facilities Sub Committee: “The need to share information which the Budget, Finance and Information System Sub Committee is addressing is critical. This was recommended in 1997 and nothing was done. If all of the persons involved in the process can’t access the same information, very little will be accomplished.”

1997 Jail Task Force Report: “The (1997 Jail) Task Force was surprised at the lack of statistical communication and informational exchange between the Sheriff’s Office, the Prosecutor’s Office, the Public Defender’s Office, the Circuit Clerk’s Office and the Judiciary and the absence of periodic review of each other’s data and insight. Although it was clear that each of the offices was willing to share their information with the others, historically, no such sharing was occurring. It was obvious from the very outset of the Task Force work that regardless of how much the Sheriff, the Prosecutor, the Public Defender, the Circuit Clerk’s Office and the Judiciary wanted to cooperate with one another and the Task Force so as to create a statistical base for study, the collection of the data as well as the assimilation of the data for interpretation was difficult and time-consuming: generally, each contributor had their own computer system and accompanying software. Although the Task Force recognizes that each office is a “stand alone” entity and they must each retain their autonomy, meeting regularly and candidly discussing common issues can only serve the common good.

**Recommendation:** Creation of a network system and software program for use by the Sheriff’s Office, the Prosecutor’s Office, the Public Defender’s Office, the Circuit Clerk’s Office and the Judiciary which permits the continuous monitoring of cases (particularly misdemeanors which regularly end in “time served”), bookings, commitments; the monitoring of persons serving long sentences; and any and all other statistical information referenced in this Report.”

**Note:** During the course of the Task Force’s work, we researched whether or not a “point of sentencing” program as recommended in this Report exists. Though there were several programs dealing generally with the Court or the Jail, none provided the detail recommended by the 1997 Task Force or this Task Force. Consideration should be given as to whether such a computer data exchange system may serve as a source of income to the County based upon the County’s possible proprietary interests in the same. A brief discussion was had with John Patton, Counsel for the Boone County Commission, regarding the ability of the County to protect its possible proprietary interests in the development of such a “point of sentencing” program and the possible sale of same for use by other judicial and law enforcement systems throughout the country. In light of the fact that the issues being addressed by this Task Force are not issues that are only indigenous to Boone County, it is likely that a market exists for the program recommended in this Report.



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Wynna Fay Elbert comment on Recommendation No. 7: "These comments are in no way meant to point fingers at any of the departments involved. But instead should show how critical the need is for communication between the two entities as people have been "lost in the cracks" of justice in some instances and had to pay unnecessary consequences. Example: The Judge orders an individual to turn himself or herself in to the county jail on a certain date. When the party goes to the jail there is no paperwork. Consequently, they are not accepted at the jail. Then warrants are served against the individual for not following the judge's orders! This problem should not fall on the shoulders of the defendant as they are not responsible for getting the paperwork to the right place at the right time. This helps to support the need for some kind of central information (computer) system.

Note: The following questionnaire was emailed to the following 14 individuals: Sheriff Ted Boehm, Circuit Clerk Cheryl Whitmarsh, Jail Administrator Warren Brewer, Public Defender Gerald Mueller, Presiding Commissioner Don Stamper, Commissioner Karen M. Miller, Commissioner Skip Elkin, Prosecutor Kevin Crane, Court Services Officer Robert Perry, Chief Fred Otto, Chief Randy Boehm, Chief Mel Rupard, Chief Charles Francis, and Chief James "Jimmy" A. Enlow:

"Good morning: As you are all aware, the Task Force is looking at the creation of a "point of sentencing" information system to assist all those involved in the Boone County law enforcement community carry out their missions. The following questionnaire was presented at the Task Force Meeting on September 5. Please answer the questionnaire and return it to Chair Gary Oxenhandler at gary@tofleox.com or PO Box 1404, Columbia, MO 65205. We would like to have all of the forms completed within 10 days. etc etc

"Assume that an extensive data and information system currently exists in Boone County and is shared between all of the above-listed offices. The system is being updated. It is the intention of the updated system that all of the offices have instantaneous information exchange with one another for the effective operation of their respective missions.

1. Please describe in detail the data or information that your office produces on a daily or weekly basis which you believe when shared with the above-listed offices would positively assist others in the overall and/or day-to-day operation of the judicial and law enforcement systems in Boone County, Missouri.
2. Please describe in detail the data or information that you believe or anticipate is produced on a daily or weekly basis by one or more of the above-listed offices which you believe when shared with you would positively assist you in the overall and/or day-to-day operation of the judicial and law enforcement systems in Boone County, Missouri.
  - a. For such information, please state the office that you believe or anticipate produces such information.
3. Please describe in detail the data or information which you believe when shared with you (whether or not the same is currently produced by anyone) would positively assist you in the overall and/or day-to-day operation of your office.
  - a. For such information, please state the office that you believe or anticipate currently produces the information or is most likely to be able to produce such information."

Of the above-described 14 individuals queried, the following four individuals (Sheriff, Jail Administrator, Columbia Police Chief Randy Boehm and Circuit Clerk Cheryl Whitmarsh) responded as follows:

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**Chief Randy Boehm: "The following are some thoughts on the email re Judicial and Law Enforcement Task Force request:**

**Data and information that the Columbia Police Department produces that would benefit other agencies would include Arrest Reports including Juvenile offenses, Incident and Criminal Offense Reports, and general information on the activities of persons on probation/parole/pre-sentencing statuses. A number of these are currently supplied via police records terminals to the Juvenile Office, City and State Prosecutors' Offices, City Court Clerk, and Boone County Sheriff.**

**Daily and/or historic data on Arrests and Criminal Offenses produced by other Law Enforcement agencies would be helpful. Information of dispositions and probation/parole/pre-sentencing distributed on a habitual basis from the Judicial system(s) that could be directed to the affected employees or readily available for statistical or investigative would be useful. The individual law enforcement agencies would have the first part and the Court Clerks and Probation Office would probably have the latter."**

**Boone County Jail and Sheriff's Offices:**

**"The Boone County Sheriff's Department produces the following:**

- Crime reports which would be useful for the P.A. to access without calling and asking for copies**
- Sex Offender registration lists which may be helpful to some or all of the listed offices.**
- 0700 Report that shows whom has been arrested/incarcerated within the past 24 hours. This could be helpful to the P.A., Court Clerk, Public Defender, Court Services, Probation and Parole.**
- AS400 Tracking system that produces statistical information on the following:  
Current population statistical information by name (to include facility location, with or without charges)  
Population breakdown by sex, race, misdemeanor, felony  
Length of stay (by population only, no names or individual info)  
Charge summary by date (no names)  
Booking recap by date and time  
P & P violations by date (no name)  
Event listing by date  
Housing for other jurisdictions  
Housing in other jurisdictions**

**The Circuit Clerk's office has information pertaining to individuals in the custody of the Boone County Jail that would be beneficial to our operation.**

**Current docket entries**

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Case and Court assignments (certain inmates are involved in active cases with numerous judges)  
Activity of Court Services regarding inmates  
Sentence & Judgment paperwork on a timely basis (preferably at the time of sentencing)  
Probation cases remanded to our custody without the original Sentence and Judgment for proper time computation  
Information as it is entered during court proceedings regarding sentencing information, ex-parte information, cancellation or continuations of cases (can then call off subpoenaed officers, disregard on service of other subpoenas, etc) etc. without waiting until the paperwork arrives here.

It should be noted that we, at one time, had a computer system (CJIS) that linked the various departments. The Courts then changed to a different system that does not communicate with the rest of the County computer system.

The majority of our information needs are from the activity of the Courts that is documented in the case file maintained by the Circuit Clerk's Office."

Circuit Clerk Cheryl Whitmarsh: "The data and information that is produced weekly, daily, hourly from my office and is transmitted to the Boone County Sheriff, Prosecuting Attorney, Public Defender, Probation and Parole include the following:

- **Sentence and Judgment Information** – Criminal clerks enter the information into the computer at the time of disposition. Often times this information is entered, on felony cases, from the courtroom as the judge renders his order. After the sentence and judgment information is completed, a form that states the disposition of the case is generated, copies are made and certified and placed in the Boone County Sheriff's pick-up box for the mail courier to deliver to BCSD. The paperwork is generally placed in the Boone County Sheriff's Department pick-up box no later than the next day. Often times the paperwork is ready for pick-up the same day, unless the defendant was sentenced on an afternoon docket. If the disposition occurred on an afternoon docket, the judge may not be finished until late afternoon with all dispositions. In the event the defendant was not sentenced until late on the Monday afternoon law-day, the paperwork may not be ready for pick-up until Wednesday morning.
- **Petition for Work Release/Work Searches**- this form is completed by incarcerated defendants requesting release from custody permitting the defendant to work certain hours. Request for work search is a request for release from custody for certain hours to seek employment.
- **Bond Settings** – Notification of the amount of bond set on a case.
- **Bond Investigations** – Court order requesting court services to complete a pre-trial bond investigation for an incarcerated defendant to determine if the bond should be reduced.
- **Warrants** – Probable cause warrants, probation violation warrants, failure to appear warrants, etc. are ordered by a judge. The clerk prepares the warrant and forwards it to the Boone County Sheriff's Department for service.
- **Home Detention** – Court order requesting court services to prepare a recommendation to the court regarding release of the defendant into the Home Detention Program. Upon receipt of the order from the court, the clerk prepares a notice to the court services

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division. Following the court order, the clerk forwards the information to the Boone County Jail and Court Services.

- **Dockets** – Daily court dockets are prepared by the clerks and forwarded to the sheriff and prosecutor and many other departments within the court.
- **Notice of Court Settings** – Notices are sent to parties involved of any new court dates (i.e. counsel status hearings, arraignments, trials, motion hearings, etc.) In criminal cases, the prosecutor would always receive a notice from the clerk for court dates that are set, unless it occurred in open court and the prosecutor was present. If unrepresented by counsel, incarcerated defendants receive notices via mail courier. If the cause is set for probation violation hearing, probation and parole also receives a notice.
- **Probation and Parole Papers** – If a defendant is incarcerated and the court orders they be released on probation or parole, a notice of the court's entry along with the probation and parole paperwork is sent to the defendant at the Boone County Jail. Copies are also forwarded to P&P.
- **Writs** – Writs are issued when a defendant has a pending charge in Boone County and the defendant is incarcerated in a Missouri Department of Corrections Facility. The document is prepared by the prosecutor's office and forwarded to the clerk's office to obtain the judge's signature. After the writ is signed, copies are made and forwarded to the Court Security Office and the original and one copy are sent to the Boone County Sheriff's Department.
- **Other**

**County Clerk's Office** -Weekly reports are generated and forwarded to the County Clerk's Office to report all convicted felons so their names may be stricken from the voting registry.

**Media** -Weekly reports generating all DWI convictions are reported to the local media for publishing.

*The circuit clerk's office serves as the core of communication for the courts. Disseminating the information in a timely manner is always a priority.*

**Information received from Sheriff's Department**

- **Information regarding which defendants are in-custody and the reason for the incarceration** – received from the Sheriff's Department on a daily basis, via fax. Notifications of which cases are returnable for arraignment that day are also received.
- **Failed to Report Notification** – received from the BCSD if the defendant did not report to jail on the date ordered by the judge.
- **Bonds** – Bonds that are posted at the jail are delivered to the clerk's office the next day. Bonds that are posted out of county on a Boone County warrant are received via the U.S. Postal Service.
- **Warrants** – Original warrants that have been served are returned to the clerk's office.
- **Criminal Summons** – Original summonses are returned to the clerk's office indicating the status of the summons.

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**Recommendation No. 8:** Consideration should be given to the acquisition of videoconferencing equipment for Probate/Mid-Mo Cases.<sup>16</sup>

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**Information received from Prosecuting Attorney**

- **New case filings** – charges that are filed are delivered to the clerk’s office for entry into the automated system. On the legacy system and prior to JIS (Banner) the information was entered by the prosecutor’s office on new cases and electronically transmitted to the clerk’s office. Upon receipt of the case in the automated system, the clerk verified the information and had the ability to accept or reject the new case. This prevented the clerks from having to re-key information already entered by the prosecutor’s office. The new system does not have this capability.
- **OCN Numbers** – defendants that are arrested all have a unique identification number that is directly related to that arrest. These numbers are referred to as “OCN” numbers. The number originates from the fingerprint cards. The purpose of the OCN number is to provide correct and up-to-date criminal history reporting to the Missouri State Highway Patrol to be entered into their database.
- **Petition for Destruction of Evidence** – the petition is generated from the law enforcement agency. From there it is sent to the prosecutor’s office for evidence that is being held (i.e. guns, drug paraphernalia, etc.) after the disposition of the case. The prosecutor’s office forwards the petition and Order for Destruction to the clerk to be signed and sealed and forwarded to the judge for their signature ordering the destruction of the evidence. The judge signs the order and forwards the petition back to the clerk. The clerk makes certified copies and returns the form to the prosecutor. After the evidence is destroyed the return is filed by the law enforcement agency and forwarded to the clerk. The volume and the steps for processing of this paperwork are large and cumbersome.

**Other**

- Entry of Appearance and Determination of Non-Indigence or Indigence forms are received from the public defender’s office on a daily basis. Given the volume, a tremendous amount of data entry is required to keep this information current and up-to-date.”

**Prosecuting Attorney Kevin Crane:**

- “1. Filings on criminal cases.
2. (Sheriff) Location of inmates, inmate population (particularly the commit population), release dates, warrants pending from other jurisdictions on Boone County inmates. (Clerk) Sentences, Hearings/Trial dates, outstanding warrants.
3. Same as above.”

<sup>16</sup> Law Enforcement Sub Committee: “The acquisition of videoconferencing equipment for probate/Mid-Mo cases would enable sworn deputies to spend more time on the road focusing on county law enforcement duties. This would be a one-time capital expense and would not only make county law enforcement more efficient, but could serve as a model for other counties throughout the state . . . Given the charge of Law Enforcement Sub Committee, we recommend that all components of the criminal justice system in Boone County collaborate to implement the following two remedies:

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**Recommendation No. 9:** Consideration should be given to the implementation of procedures to insure that sentence and judgment papers issued by the Court are available from the Circuit Clerk to the Sheriff within 24 hours after sentencing.<sup>17</sup>

**Recommendation No. 10:** Consideration should be given by the Sheriff to the development of minimum staffing policies for road officers of the Sheriff's Office.<sup>18</sup>

**Recommendation No. 11:** Consideration should be given by the Court to the rescheduling of court appearances for state incarcerated inmates.<sup>19</sup>

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1. Create a videoconferencing system by assessing available/existing resources, e.g. linkage. This may depend on the availability/compatibility of existing systems. The committee has learned that fiber optics are currently in place at the courthouse and that the necessary cable, etc. is currently in place at Mid-MO as well and that conferencing could even be accomplished from a patient's room.
  2. Require probate court to be held on-site at Mid-MO. This would necessitate an agreement with judges and other concerned criminal justice personnel.

Specific cost estimates for implementation of a videoconferencing system are estimated between \$50,000 and \$80,000."

<sup>17</sup> Law Enforcement Sub Committee: "Before a convicted offender can be transported from the jail to MDOC, the sheriff's department must have sentence and judgment papers from the circuit clerk's office. Any delay in receiving this paperwork delays the transfer. The committee recommends that S&J papers be received from the circuit clerk by 12 o'clock noon the day following sentencing.

- Explore possibility of immediate sentence and judgment papers, certified at the time of sentencing with circuit clerk's office and made available to transport officers.
- A system needs to be developed for the sheriff's department to ensure that sentence and judgment papers be received by noon the day after sentencing. A determination must be made regarding the manner and method of pickup of this paperwork by the county courier."

<sup>18</sup> Law Enforcement Sub Committee: "Based on the "Staffing Study of Sheriff Operations" report issued in December 2000, minimum staffing policies do not currently exist for patrol. The committee recommends that these policies be developed and implemented.

- Establish minimum staffing policies for patrol. The policy would declare that at no time would the sheriff's department operate with less than a given number of deputies.
- Explore the use of civilians to serve civil process papers including summonses and subpoenas.
- Develop and administer a public survey to determine perceptions of law enforcement needs for the county.

COST - \$0"

<sup>19</sup> Law Enforcement Sub Committee: "Our current practice of scheduling "law days" each Monday dictates that the sheriff transport inmates to the Boone County Jail from the Missouri Department of Corrections by the preceding Friday. The cost for housing the state inmates over the weekend is assumed by the county. By rescheduling these court appearances, costs to the county can be reduced by an estimated \$750 to \$1500 per week.

- Consult with court to reschedule law day for state incarcerated inmates.
- Consider schedule for day-of-the-week and time of day.

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**Recommendation No. 12:** Consideration should be given to the creation of a “Desk Officer” position to process non-law enforcement and minor incident calls.<sup>20</sup>

**Recommendation No. 13:** Consideration should be given to the development of off-site inmate security.<sup>21</sup>

**Recommendation No. 14:** Consideration should be given to charging Defendants for their jail costs.<sup>22</sup>

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- Need to have docket and judges clear the court of inmates prior to hearing non-inmate cases.
  - Both prosecutors and defense attorneys communicate about the need for the state incarcerated offender to appear in court.

**COST – \$0”**

**Note:** The Court expressed to the Task Force opposition to the rescheduling of a “once per month” Wednesday Law Day for Department of Correction prisoners indicating that such a Law Day had been discussed and considered by the Court but not implemented due to a conflict with the scheduling of weekday trials. The Court suggested as an alternative the Monday afternoon scheduling of such appearances and the use by the Sheriff of transportation available through DOC to save road time for Boone County Deputies. The Sheriff advised the Task Force that such transportation was currently only available on Tuesday and Thursday thereby effectively negating any advantage (that is, the reduction of DOC prisoner housing costs) of the Monday afternoon scheduling. The Task Force was unable to reach a conclusion on this issue. According to the Sheriff, his office executes approximately 30 appearance writs per month.

<sup>21</sup> Law Enforcement Sub Committee: “There are a number of occasions whereby sworn officers must take time from their law enforcement duties and serve the county in other capacities. These capacities include providing security for inmates who are hospitalized (hospitals will not perform this function).

**PRIORITY - Two years** (This is a relatively low priority because such occasions are rare. However, when they do present themselves, the circumstances place a considerable drain on Sheriff’s Department resources. The committee therefore recommends that this need be included in their report).

- Use CSA’s for transport and security (see Need X)
- Rotate officer shifts throughout the department (i.e., from the jail to the road)
- Identify sector most amenable to recruit personnel (i.e., what personality is best suited to work in an institutional setting and where can we recruit them from?)

**COST – n/a”**

<sup>22</sup> The Task Force engaged in lively debate over the issue of whether or not there was value in charging the inmates for the cost of their incarceration. The following Missouri Statutes were reviewed for authority for assessing the charges:

**221.070. Prisoners liable for cost of imprisonment:** Every person who shall be committed to the common jail within any county in this state, by lawful authority, for any offense or misdemeanor, if he shall be convicted thereof, shall bear the expense of carrying him or her to said jail, and also his or her support while in jail, before he or she shall be discharged; and the property of such person shall be subjected to the payment of such expenses, and shall be bound therefor, from the time of his commitment, and may be levied on and sold,

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It is clear to the Task Force that no one recommendation is the “one” that will create space at the Courthouse or the Jail or the Johnson Building or will synchronize Boone County’s judicial and law enforcement systems or insure the safety of the citizens of Boone County; however, it is clear that if there is sufficient implementation of the Task Force recommendations, that we will chip away at and be more proactive in dealing with the difficult problems that Boone County and everyone else in the United States is facing. It is also clear that the Task Force didn’t address all of the issues that needed addressing. We dealt with what we perceived to be the obvious ones: for each issue we reviewed, we found more issues to look at. We unilaterally drew our lines so that some benefit might be gained by sharing with the public disclosure what we learned. An ongoing commission or committee or task force as described in Recommendation No. 1 will serve to insure that the ball won’t be dropped and that Boone County will always remain on the wave of innovativeness.

In one of our group meetings, Presiding Commissioner Don Stamper reminded the Task Force that in making our recommendations to the Commission and the Public that there were “no sacred cows.” We believe that that is the philosophy that the Task Force used and maintained throughout its work. Boone County needs to continue being aggressive and proactive in order to keep up with these incredibly changing times. In any large organization, be it county government or a profit corporation, departmental protection of one’s own turf, the hesitancy to

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from time to time, under the order of the court having criminal jurisdiction in the county, to satisfy such expenses.

**546.860.** All property bound for fine and costs: The property, real and personal, of any person charged with a criminal offense, shall be bound from the time of his final conviction of such offense, for the payment of all fines and costs which he may be adjudged to pay.

On the one hand (and on its face), it appeared that such action could be a funding source that has been historically overlooked in Boone County though it is currently used in a handful of other Missouri counties. On the other hand, because most Boone County inmates are indigent, the cost of administering a program for collection would be both time consuming and cost ineffective and what punishment (short of re-incarceration) could be used to enforce collection. Theoretically (and in a perfect world), 180 inmates a day at \$50.00 per day for one year yields \$3,240,000.00, annually. A hypothetical net collection rate of 5% annually (by an independent collection agency paid by a percentage of recovery basis) yields \$162,000.00 . . . the approximate annual cost of three Sheriff’s Deputies. The Task Force believes that in light of the possible dollars involved that this issue demands further consideration.

**Note:** See the Collection On Inmate Jail Time information collected by Sheriff Boehm attached to the primary Report. On September 20, 2001, Chair Oxenhandler spoke to the Clerk of the Circuit Court of Franklin County, Missouri, and Lt. Boehm of the Sheriff’s office of Franklin County. In 2000, \$32,736.00 was collected from inmates. Through July, 2001, \$21,450.00 was collected. Franklin County often has a surplus of space and houses Federal prisoners, so all or only a part of said funds may have come from Franklin County’s “own” prisoners. The breakdown should be ascertained. According to Lt. Boehm, he was looking to expand the program.



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share available information with other departments and the tendency to look out for one's department's own needs over the other departments' needs, only serve to limit the ability of all of the departments to function as a team and at the same time meet the mission of the organization. Boone County needs to continue to avoid such pitfalls so as to fulfill its mission: the public need. In Boone County, it must continue to be "all for one and one for all." With the high level of competency that we have in our leadership, this goal is easily attainable.

Again, our sincere thanks to all of those who helped.

Respectfully submitted,

Gary Oxenhandler, Chair  
**Boone County Judicial And  
Law Enforcement Task Force and  
Budget, Finance and Information System  
Sub Committee**

Michael Lyman, Chair  
**Law Enforcement Sub  
Committee**

David Griggs, Chair  
**Courthouse Facilities Sub Committee**

Jerome "Rusty" Antel, Chair  
**Jail/Sheriff's Office Facilities  
Sub Committee**