

PUBLIC SAFETY COMMITTEE

April 6, 2015

The Public Safety Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on April 6, 2015 at 3:30 p.m.

COMMITTEE PRESENT

Alex Finter, Chairman
Christopher Glover
Dennis Kavanaugh

COMMITTEE ABSENT

None

STAFF PRESENT

John Pombier
Alfred Smith

1. Items from citizens present.

There were no items from citizens present.

2-a. Hear a presentation and discuss the State of the Court update.

Presiding City Magistrate Matt Tafoya introduced Court Administrator Paul Thomas and Deputy Court Administrator Janie Moreno, who were prepared to address the Committee regarding the Mesa Municipal Court.

Magistrate Tafoya thanked Chairman Finter, Committeemember Glover and Committeemember Kavanaugh for serving as advocates for the mentally ill, the homeless and veterans as it relates to the treatment they receive at the Mesa Municipal Court. He explained that not only have staff's efforts been supported by the City Council, but also the community as a whole.

Mr. Thomas displayed a PowerPoint presentation (**See Attachment 1**) and reported that the Arizona Supreme Court requested that the Mesa Municipal Court conduct a pilot program regarding the implementation and evaluation of a public safety assessment tool. He explained that the tool is a pretrial risk assessment that assists the judge in determining whether defendants, at their Initial Appearance, should be released from jail or remain in custody if they are considered a threat to the community.

Mr. Thomas stated that the pilot program, which is supported, in part, by the Laura and John Arnold Foundation, has proven to be successful in many states throughout the country. He also recognized Ms. Moreno for her efforts and hard work in taking the lead on the pilot program and monitoring its progress as it moves forward.

Ms. Moreno indicated that the public safety assessment contains eight questions that focus on a defendant's behavioral risks during the pretrial phase as it relates to new criminal activity, violent criminal activity and failure to appear. She noted that at the present time, the tool is being used on the defendants who are seen in the Mesa Municipal Court's In-Custody courtroom on weekends (Friday through Sunday) and holidays. She explained that during those hearings, the only information that the judge has available to review is the report submitted by the police department. She added that neither the prosecutor nor the defense attorney is present to offer additional data.

Ms. Moreno further remarked that three staff members work on an overtime basis during the above-referenced days and run a criminal history report on each defendant who will appear before the In-Custody judge. She said that staff has access to information from approximately 150 courts throughout Arizona. She also commented that staff runs a report from the Mesa Municipal Court's Case Management System, which details all of the cases a defendant may have in the system.

Ms. Moreno reported that based on the data compiled by staff, the answers on the assessment tool are completed and a report/recommendation created for the judge's use. She stated that the report would reflect the appropriate type of release for the defendant, which includes the following options: Release OR (Own Recognizance); Release on Electronic Monitoring; and Release Bond.

Ms. Moreno explained that on August 15, 2014, staff began using this tool. She said that the program was suspended for more than a month so that staff could receive additional training. She pointed out that the training focused on staff's ability to accurately capture the information contained in the criminal history reports, which are often quite lengthy and detailed. She added that the Mesa Municipal Court received a \$65,000 Case Processing Assistance Fund (CPAF) grant in order to fund the program.

Ms. Moreno concluded her presentation by stating that during the pilot program, which is scheduled to run through June 30, 2015, approximately 1,600 public safety assessments have been completed. She added that at the conclusion of the program, staff will conduct a statistical analysis of the results and submit a report to the Laura and John Arnold Foundation.

Responding to a question from Committeemember Kavanaugh, Mr. Thomas clarified that at the present time, staff has not received any anecdotal feedback or trends with respect to the first six to eight months of the program. He explained that staff and representatives from the Laura and John Arnold Foundation meet on a regular basis and remarked that the Foundation is very particular with respect to statistical purity and ensuring that the results of the pilot program are accurate. He added that staff was anxious to review the results of the program and in particular, whether the defendants who were released committed other crimes.

Mr. Thomas, in addition, commented that by utilizing the public safety assessment tool during weekends and holidays, the judge's decision concerning a defendant's release is based solely upon such a tool and does not include the added complexity of a prosecutor and a defense attorney working on a plea agreement. He said that Kentucky and several other states have adopted the tool and added that he would anticipate that the Arizona Supreme Court would mandate the program throughout the state.

Magistrate Tafoya cited, by way of example, that the tool was helpful in identifying a defendant at the In-Custody Court who, unbeknown to the judge, had a history of four violent crimes in four different states. He stated that if the judge had not become aware of such information, a bond would not have been posted in that person's case. He also noted that the staff would like to expand the use of the tool to seven days a week.

Mr. Thomas stated that staff would be happy to update the Committee once the statistical analysis has been completed.

Mr. Thomas continued with the presentations and briefly discussed Veterans Court, which the Mesa Municipal Court has worked on for quite some time. He reported that the program began on February 12th of this year and stated that Veterans Court is held the second and fourth Thursday of every month. He noted that Pro Tem Judge Maxon, who presides over Veterans Court, has vast experience in dealing with veterans and connecting them with whatever services and resources they might need.

Mr. Thomas, in addition, reported that the judges and staff were trained in order to better understand the concept of Veterans Court. He indicated that such efforts included, among other things, visits to other Veterans Courts in Arizona and viewing films that showcase veterans' issues. He also said that the Veterans Administration (VA) and Maricopa County offer various mental health services to veterans. He further recognized Mesa City Prosecutor John Belatti for serving as the lead prosecutor in Veterans Court and making a personal commitment to ensure its success.

Mr. Thomas also commented that an attorney from the Public Defender's Office has been assigned to Veterans Court and suggested that as more veterans appear and time is devoted to the program, it might be necessary to increase staffing. He further reported that another critical component of the program is the Veterans Navigator, who is tasked with helping the veterans obtain everyday services such as transportation, shelter, clothing and medication. He commented that volunteers, including veterans, have also participated in the Veterans Court process. He added that to date, four Veterans Court sessions have been held, all of which have proven to be successful.

Mr. Thomas briefly highlighted the steps that are involved in the Veterans Court process. (See Page 5 of Attachment 1) He noted that the Veterans Justice Outreach person, who is a representative of the VA, determines the eligibility of the veteran to participate in Veterans Court. He also stated that all veterans are considered for the program and added that an evaluation is conducted for all veterans' issues, such as post-traumatic stress disorder (PTSD), homelessness and transportation. He invited the Committeemembers to attend Veterans Court to see what occurs on a firsthand basis.

Chairman Finter commented that he had the opportunity to attend Veterans Court and said that it was a positive and uplifting experience to view the veterans who received the necessary services and help that they deserve. He noted that City staff has contacted U.S. Representative Matt Salmon to urge that the VA continue to provide its support to Veterans Court. He also recognized Pro Tem Judge Maxon for his kind and compassionate treatment of the defendants who appear before him in Veterans Court.

Mr. Thomas stated that as a veteran himself, seeing Veterans Court come to life has been a rewarding and enriching experience.

Mr. Thomas, in addition, highlighted the Mesa Municipal Court's efforts to improve and refine mental health case procedures. He reported that typically, a defense attorney files a motion requesting that the defendant be evaluated for mental competency or mental health issues. He explained that the Court sets a pre-evaluation with a doctor to determine if, in fact, that is the case. He stated that if a doctor determines that there are competency issues that need to be addressed, the matter is referred to Maricopa County Superior Court in Phoenix and the entire process starts all over again.

Mr. Thomas remarked that Maricopa County Superior Court requires that two doctors conduct pre-evaluations and submit reports, after which time the case is placed on the Court's docket for a hearing and determination of mental competency. He commented that such a process is often difficult for a person with mental health issues to navigate, often resulting in the person failing to appear for the appointments.

Mr. Thomas reported that in response to this issue, the Mesa Municipal Court has created a program in which the pre-evaluation is now conducted at the court once a month. He explained that the no-show rate has decreased from 40% to 2%-3%; that per agreement, the prosecutor and public defender's typical motion practice is suspended, which allows immediate evaluations to be scheduled; that the Court has contracted with two doctors who were approved by Maricopa County Superior Court; that currently, an estimated 50% of the defendants are referred to Superior Court for a complete mental health evaluation for a ruling on their mental competency (i.e., Rule 11 hearing); and that recently, the Mesa Municipal Court was given approval by the Arizona Supreme Court to conduct a pilot program in which the Court's judges would conduct the Rule 11 hearings onsite.

Committeemember Glover thanked the Mesa Municipal Court staff for their efforts and hard work regarding Veterans Court and also addressing mental health issues in the community.

Responding to a question from Committeemember Glover, Mr. Thomas clarified that in his opinion, the Mesa Municipal Court would most likely be able to conduct the Rule 11 hearings with its current staff resources. He suggested that perhaps it might be necessary to have one judge who is dedicated to those hearings, as well as the creation of a specific Court docket.

Magistrate Tafoya pointed out that the Court's staff was proactive in contacting the defendants or their family members to remind them of their upcoming pre-evaluation appointments.

Chairman Finter thanked staff for their informative presentation. He also commented that on a frequent basis, court administrators from across the country visit the Mesa Municipal Court for the purpose of learning about the innovative and cutting-edge processes and procedures that have been implemented.

2-b. Hear a presentation and discuss an update on the Community Care Response Program.

Mesa Fire and Medical Department (MFMD) Assistant Chief Mary Cameli introduced Grants Administrator Tony Lo Giudice and Deputy Chief Steve Ward, who were prepared to address the Committee.

Chief Cameli displayed a PowerPoint presentation (**See Attachment 2**) and provided a brief overview of the Centers for Medicare and Medicaid Healthcare Innovation grant, which was awarded to the City of Mesa and its regional partners. (See Page 2 of Attachment 2) She reported that on July 8, 2014, the MFMD was notified of the three-year grant, which amounts to \$12,505,714 (no cost match) and stated that the monies would be used to fund the Community Care Response Program.

Chief Cameli explained that the grant's period of performance began on September 1, 2014 and noted that a majority of the program was fully operational by December of last year, although the Department had a February 1, 2015 timeline in order to begin the process.

Mr. Lo Giudice discussed the goals of the Community Care Response Program as follows:

- Evaluate cost savings through pseudo billing practices – As part of the grant award, a third-party billing contractor is tasked with submitting fake claims to the insurance companies in order to determine whether the MFMD would receive reimbursements for services if they were, in fact, provided. The MFMD is also able to compare and contrast new services as opposed to traditional services offered in the past. Since the grant is innovative, the MFMD is in the process of creating billing codes for certain services provided under the grant that currently do not exist.
- Improve patient healthcare outcomes – MFMD crews will evaluate, educate and work to improve the person's health and safety behaviors.
- Improve healthcare system efficiencies – This goal seeks to direct the patient to the correct services (i.e., primary care physician, specialists and testing services).
- Test sustainability – To be accomplished by achieving the above-mentioned goals, as well as present the MFMD's findings to the Council at the conclusion of the grant.
- Continue improving service delivery by the MFMD.

Mr. Lo Giudice, in addition, highlighted the grant oversight process, which entails weekly meetings with MFMD staff and other City departments; weekly meetings with MFMD staff and the responders, providers and field crews in an effort to assess the kinds of problems they have encountered in the field; biweekly meetings with MFMD staff and the Centers for Medicare and Medicaid (CMS) Project Officer; attendance at monthly webinars; and standing meetings with MFMD staff and the program partners.

Chief Ward offered a short synopsis of some of the elements of the Community Care Response Program that have been implemented. He reported that three Community Care Units (CCUs), which include a Physician Assistant or Nurse Practitioner and a MFMD Paramedic, operate 24 hours a day, seven days a week. He explained that the units are located at Mesa Fire Station 201, Mesa Fire Station 202 and Superstition Fire and Medical District Station 263. He also noted that three Community Care Special Units (Behavioral Units), which include a licensed Crisis Counselor and a MFMD Paramedic, operate from noon to 10:00 p.m. seven days a week. He said that another service that has been partially implemented is a nurse triage at the

Communications Center. He indicated that those individuals will take some of the 911 calls that are filtered through a triage system and serve as a resource for the field crews. He added that staff is also in the process of developing a follow-up care process with Mountain Vista Medical Center for the patients who receive assistance and care from the above-noted units.

Chief Ward further highlighted components of the program that are already in progress. He reiterated that staff is working with the third-party contractor to research a billing code model for services provided by the Department. He cited two areas for consideration as follows: a traditional fee-for-service model; and a billing code for services provided under the grant that currently do not exist. He also stated that the Department was waiting for the delivery of recording equipment for a 24/7 Centralized Medical Control process. He noted, in addition, that the CCUs will transition from transporting patients in the Transitional Response Vehicle (TRV) apparatus to new Ford Explorers. He added that such a transition will be more cost effective and provide a more comfortable ride for the patients.

In response to a question from Committeemember Kavanaugh, Chief Ward clarified that although he did not have the necessary data to discuss the cost differential between the TRV apparatus and the Ford Explorers, in his estimation, the cost to operate and maintain a Ford Explorer would be about half that of a TRV.

Chief Cameli pointed out that some of the programs being developed by the MFMD, such as the billing code model for services, are groundbreaking and have never been done before in the fire service. She stated that for those reasons, staff was proceeding in a cautious and responsible manner. She also thanked Mr. Lo Giudice and Chief Ward for their hard work and professionalism throughout this process.

Chief Cameli, in addition, remarked that although the MFMD was awarded the grant, the Community Care Response Program is a Citywide effort. She expressed appreciation to the Mayor, City Council, the City Manager's Office and a variety of other City departments. (See Page 8 of Attachment 2)

Chairman Finter stated that he was amazed by staff's efforts and extremely proud of the MFMD for developing such an innovative and unique program that is receiving feedback from agencies throughout the country.

Deputy City Manager John Pombier commented that he would like to recognize Chief Information Officer Diane Gardner and her staff, as well as Business Services Director Ed Quedens and his staff for "thinking outside the box" and assisting the MFMD in moving forward with the Community Care Response Program process in a quick manner.

Chairman Finter thanked staff for the presentation.

2-c. Hear a presentation, discuss and provide a recommendation regarding the proposed Mesa Regional Fire and Medical Dispatch and Emergency Operations Center.

(See Committee action under item 3.)

It was moved by Committeemember Glover, seconded by Committeemember Kavanaugh, that City staff follow the direction provided in Executive Session.

Chairman Finter declared the motion carried unanimously.

3. Convene an Executive Session.

It was moved by Committeemember Glover, seconded by Committeemember Kavanaugh, that the Public Safety Committee meeting adjourn at 4:15 p.m. and the Committee enter into Executive Session.

Chairman Finter declared the motion carried unanimously.

3-a. Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A (3)) Discussion or consultation with designated representatives of the City in order to consider the City's position and instruct the City's representatives regarding negotiations for the purchase, sale, or lease of real property. (A.R.S. §38-431.03A (7)) Discussion or consultation with the City Attorney in order to consider the City's position and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4))

1. Mesa Regional Fire and Medical Dispatch Center and Emergency Operations Center.

(The Executive Session adjourned and the Public Safety Committee meeting reconvened at 5:01 p.m. See Committee action under item 2-c.)

4. Adjournment.

Without objection, the Public Safety Committee meeting adjourned at 5:02 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Safety Committee meeting of the City of Mesa, Arizona, held on the 6th day of April, 2015. I further certify that the meeting was duly called and held and that a quorum was present.



DEE ANN MICKELSEN, CITY CLERK

Mesa Municipal Court

New Initiatives 2014 - 2015



PUBLIC SAFETY ASSESSMENT COURT PILOT PROJECT

- The Mesa Municipal Court has entered into a Memorandum of Understanding with the Arizona Supreme Court and the Laura and John Arnold Foundation.
- Implement and evaluate a Public Safety Assessment-Court which is a pretrial risk assessment which assists the judge in assessing a defendant's behavioral risks during the pretrial phase for the following new criminal activity, new violent criminal activity, and failure to appear.
- Mesa will use this tool on defendants who are being seen in the In-Custody Courtroom on weekends (Friday through Sunday) and holidays.

PUBLIC SAFETY ASSESSMENT COURT PILOT PROJECT

- Mesa began using this tool for defendants being seen in the In-Custody Courtroom of 8/15/2014.
 - 3 Staff are currently working on overtime to complete these assessments
 - Mesa Municipal Court received a \$65,000 Case Processing Assistance Fund (CPAF) Grant to fund this project
- Staff have completed over 1400 Public Safety Assessments since August 2014 on defendants being seen in-custody

VETERANS COURT

- Started February 12, 2015
- One year to prepare
 - Training of Judges and staff
 - Assembling of resources:

Veterans Justice Outreach Representative

Mental Health Services

Judge ProTem

Prosecutor

Public Defender

Veterans “Navigator”

Other Support

VETERANS COURT PROCESS

1. Veterans are referred to veterans' court.
2. Eligibility determined by VJO
3. Voluntary on the part of the veteran
4. All veterans are considered
5. Evaluation conducted for all veterans' issues: PTSD, TBI, Homelessness, Transportation, Health, etc.
6. Veterans are expected to comply with requirements while receiving assistance
7. Court enforces requirements - if veteran completes requirements and progresses, possible consideration may be given in case penalties
8. Some serious cases may be pending long periods of rehabilitation

NEW MENTAL HEALTH CASE PROCEDURES

Cases in which the mental health or competency is in question

1. Pre-evaluation is now conducted at the court once a month
This has reduced the “no show” rate from 40% to 2 - 3%
2. By agreement of the Prosecutor and Public Defenders, typical motion practice is suspended, allowing immediate evaluations to be scheduled
This eliminates the delays associated with the exchange of motions and court ruling on the motions.
3. Court has contracted with two doctors, approved by Maricopa County Superior Court
4. Currently about 50% are referred to Superior Court for complete mental health evaluation for a ruling on mental competency (Rule 11)
5. The Mesa Municipal Court is seeking to allow Mesa Judges to conduct these rulings

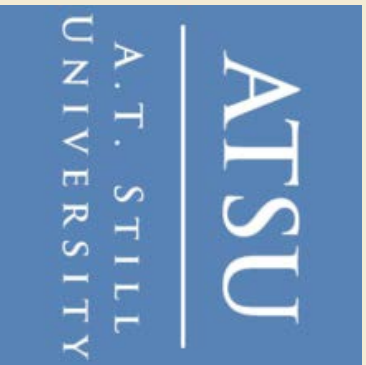
Mesa Fire and Medical Department Centers for Medicare and Medicaid Healthcare Innovation Award





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GRANT PARTNERS





AWARD INFORMATION

- Notified July 8, 2014
- Grant Award is \$12,505,714 (No cost match)
- Three year grant: Period of Performance started 9/1/2014
- Majority of program was up and running 2/1/2015





PROGRAM GOALS

- Evaluate cost savings through pseudo billing practices
- Improve patient healthcare outcomes
- Improve healthcare system efficiencies
- Test sustainability
- Continue improving service delivery





GRANT OVERSIGHT

- Weekly meetings with Staff
- Weekly meetings with responders
- Bi-weekly meetings with CMS Project Officer
- Monthly webinars
- Standing meetings with Partners





COMMUNITY CARE PROGRAMS IN PLACE

- Three Community Care Units operating 24/7
- Three Community Care Special (Behavioral) 7 days a week during peak time hours
- Nurse Triage in Communications Center





IN PROGRESS....

- Coding with Billing Services (never done before)
- Recording equipment for 24/7 Centralized Medical Control
- Waiting on new vehicles for the CCU's





CITYWIDE PROJECT

THANK YOU TO THE FOLLOWING....

- Mayor, Council and City Manager's Office
- Information Technology Division
- Office of OMB
- Mesa Police Department with Behavioral Unit
- Purchasing Division
- Legal
- All areas within the Fire Department



Mesa Fire and Medical Department Centers for Medicare and Medicaid Healthcare Innovation Award

Questions??

