

MINUTES
LEGISLATIVE CRIMINAL JUSTICE OVERSIGHT TASK FORCE
SENATE INTERIM COMMITTEE ON JUDICIARY
MEETING JOINTLY

EXHIBIT B.1

August 12, 2015

The Legislative Criminal Justice Oversight Task Force met jointly with the Senate Interim Committee on Judiciary at 10:00 a.m., Wednesday, August 12, 2015, in Room A-MAC, Little Rock, Arkansas.

Legislative Criminal Justice Oversight Task Force members present: Senator Jeremy Hutchinson, Co-Chair; Representative Matthew Shepherd, Co-Chair; Senator Joyce Elliott, Representative Dwight Tosh, Gary Arnold, Drew Baker, Cristi Beaumont, Kenton Buckner, Tjuana Byrd, Ken Casady, John Felts, John Wesley Hall, Tim Helder, Wendy Kelly, Bobby Glover (for Benny Magness), Steve Newsome, Robin Raveendran, and Sheila Sharp.

Senate Judiciary members present: Senator Linda Collins-Smith, Vice Chair; Linda Chesterfield, and Terry Rice.

Representative Shepherd called the meeting to order.

Consideration to Approve Minutes from the June 17 and July 13, 2015, Meetings (Exhibits B.1 & B.2)

Without objection, the Minutes from the June 17 and July 13, 2015, meetings were approved.

Andy Barbee, Research Manager, Council of State Governments (CSG), spoke on the possibility of CSG providing technical assistance to the state and working with the Task Force in the near future. Mr. Barbee stated that any services provided will be at no cost to the state. A letter of interest has been signed by Governor Hutchinson, House Speaker Gillam, Senate President Pro Tempore Dismang, and the Chief Justices of the Supreme Court. Senator Hutchinson advised Mr. Barbee to keep committee staff informed of any changes.

Overview of the State of Georgia's Juvenile Justice and Delinquency Prevention/Reform Programs and the Legislative Role in Promulgating Sentencing Laws (See Exhibits C.1 - C.4 for complete reports)

The Honorable Steven Teske, Chief Judge, Clayton County Juvenile Court, presented a report on reforming juvenile justice and the problems states are facing today. Judge Teske said the goal of the Georgia Council of Criminal Justice Reform was to develop fiscally sound, data-driven juvenile justice policies that ensure Georgia's tax dollars are used effectively and efficiently; focus on offenders who are adjudicated delinquent and sent to an out-of-home placement; and identify reforms to current dispositional practices that improve public safety and control costs through more effective use of community-based options. By building on the recommendations listed below, the state of Georgia reduced commitments by 62%, closed two detention centers, and saved of \$65 million.

Problems:

- too many low-risk youth committed to state custody
- high cost for commitments to secure facilities (\$91,000 per juvenile); non-secure facilities (\$29,000 per juvenile)
- high recidivist rates (65% in secure facility within three years and 53% in non-secure facility)
- lack of evidence-based programs and practices in the community
- lack of a centralized data collection system to measure performance and outcomes (CSG can provide assistance)
- lack of coordination of agencies at local level to deliver services

Recommendations:

- implement a performance incentive structure similar to Ohio and Texas
- create a two-class system within the Designated Felony Act
- prohibit status offenders and some misdemeanants from being committed to secure residential facilities and reinvest savings into the community
- require juvenile courts to collect and track data regarding referrals to the juvenile justice system

Introduction and Overview of the Management Training Corporation (See Exhibit E for complete report)

Mike Murphy, Vice-President Corrections Marketing, Management Training Corporation(MTC), spoke on the mission and services provided by MTC. Mr. Murphy said MTC will be a leader in social impact by:

- preparing youth for employment, citizenship, and successful transition into communities
- providing quality health care and promoting healthy lifestyles; providing greater opportunity for citizens globally through economic and social development; investing in communities

Education & Training

- largest provider of Job Corps facilities serving 14,000 under-privileged youth in 21 centers (since 1981)
- corrections: operates 25 prisons in 8 states serving over 32,000 offenders (since 1987)
- medical: serves 20,000 offenders at 16 facilities promoting healthy lifestyles

Design/Build/Finance Experience

- designed, built, and financed 13 major jails and prisons since 1993 worth over \$1 billion
- provided operational components in all facilities at significant cost savings
- facilities built for diverse customer base including counties, states, ICE, FBOP, and US Marshals Service

Presentation on the Recovery Home and Diversion from Prison Program (See Exhibit E for complete report)

Dr. Keith Noble, PhD; Joe Krieger; and Cori Putz, Preferred Family Healthcare, presented a report on the Recovery Homes Prison Diversion Proposal. The report states that the Recovery Home Approach is an intervention model that brings about a collective impact and leads to sustainable change. The Substance Abuse and Mental Health Services Administration (SAMHSA) Recovery Program is a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential. Mr. Noble believes by implementing the Recovery Home Program, the state could see a possible savings of \$379,602,000 over an 8-year period. The company operates 43 locations in Arkansas and is the largest provider of health services to children in the state--currently serving approximately 8,000 individuals.

Review of Training Programs for Law Enforcement Officers Responding to Persons with Mental Health Issues (Handout 1)

Mr. Juan Reyes, Training Supervisor, Arkansas Law Enforcement Training Academy(ALETA), spoke on training law enforcement officers to deal with persons with mental health issues. All basic training courses include specific training for mental health issues. From August 1, 2014 – August 1, 2015, ALETA provided 33 classes with a total of 174 hours (mostly online classes). Mr. Reyes said training is in accordance with § 12-9-116, which states that all law enforcement officers in the state shall complete additional continuing education and training as needed relating to persons with disabilities.

Overview of the Importance of Individualized Assessment of Sex Offender Management (See Exhibit G for complete report)

Ms. Sheri Flynn, Sex Offender Screening & Risk Assessment Administrator; and Dr. Mike Wood, Sex Offender Community Notification Supervising Psychologist, Arkansas Department of Correction (ADC), briefed the committees on the Sex Offender Community Notification Assessment Program (SOCNA). Ms. Flynn said ADC began assessing offenders in the fall of 1999 and developed one of the top programs in the country providing expertise in assessment and uniformity across the state. The report described the purpose of the registry and stated there is no one solution to the problem.

Representative Shepherd inquired if Arkansas is in compliance with the federal Adam Walsh Act. Ms. Flynn stated that Arkansas is not and that only 17 states are in compliance. There are serious concerns regarding public safety, cost, juveniles being placed on a public sex offender registry, and retro-activity of an offender which would require them to be placed back on the registry if reconvicted of a non-sex related crime. It was also noted that the Act contradicts years of research by experts in the field.

With no further business, the meeting adjourned at 3:00 p.m.

REPORT OF THE LEGISLATIVE CRIMINAL JUSTICE OVERSIGHT TASK FORCE EXHIBIT B.2

September 30, 2015

The Legislative Criminal Justice Oversight Task Force met at 10:00 a.m., on Wednesday, September 30, 2015, in Room B-MAC, Little Rock, Arkansas.

Task Force members present: Representative Matthew Shepherd, Co-Chair; and Senator Joyce Elliott; Judge Gary Arnold, Drew Baker, Judge Cristi Beaumont, Ken Cassidy, John Felts, John Wesley Hall, Wendy Kelley, Benny Magness, Steve Newsome, Robin Raveendran, and Sheila Sharp; non-committee members present: Senators Bobby Pierce and Alan Clark; Representatives Clarke Tucker and Camille Bennett.

Senator Elliott called the meeting to order.

Action/Requests

Consideration of a Motion to Authorize Chairs to Approve Special Expenses Incurred by the Task Force

Without objection, a motion was made to authorize the Co-Chairs to approve special expenses incurred by the Legislative Criminal Justice Oversight Task Force.

Prison and Jail Overcrowding (see Handout 1 for complete report)

Sheriff John Montgomery, Baxter County, presented a report on repeat offenders and prison overcrowding and stated that some repeat offenders are not deterred by prison sentences because they know they will not have to serve their full sentence. He said the state should do away with parole and have parole officers work with first-time offenders to keep them from going to prison in the first place. Sheriff Montgomery's report also included solutions that focus on punishing career criminals, enforcing the sentence given, and working to help those with addictions.

Presentation on In-House Parole (see Handout 2 for complete report)

Ms. Catherine McVey, Senior Policy Advisor; and Mr. Andy Barbee, Research Manager, The Council for State Governments Justice Center, gave a presentation entitled *The Parole System: Advancing Recognized Best Practices* and spoke on the following topics:

- Criminal justice trends: tremendous growth in number of people under criminal justice jurisdiction;
- Changes to parole: looking to research showing possibility of behavior change; understanding role in improving safety and functioning of larger system; and
- Best Practices in Parole: using risk to target resources; transparency and collaboration.

Discussion of Electronic House Arrest Monitoring (see Handout 3 for complete report)

Kris Keyton, President; Doug Wyatt, National Sales Director; and Johannes Lombaard, Software Developer; E-Cell, Inc., provided an overview of the E-Cell House Arrest App, which provides electronic monitoring of low-level offenders as an alternative to ankle-bracelet monitoring. Advanced features include: GPS Tracking, Biometric Identification, and Dynamic Remote Check-ins.

E-Cell Alternative Sentencing Benefits

Costs Savings: \$1.50 to \$5.00 per day vs. \$66.00 per day for incarceration

Increased compliance: electronic monitoring compared to other forms of community supervision reduced the risk of failure to comply by 31%

Behavior Modification: increased communication with probation, courts, and other law enforcement; daily attainable goals and removal of social stigma associated with ankle bracelets

Streamline Probation: dashboard monitoring center; offender scorecard; real-time communication with offenders

The next Task Force meeting will be held at 1:00 p.m., on October 27, 2015. With no further business, the meeting adjourned at 1:00 p.m.