

Minutes of the Joint Legislative Oversight Committee*

March 14, 2001

J. R. Williams Office Building, Lower Level
Office of Performance Evaluations Conference Room
Boise, Idaho

Co-chair Representative Debbie Field called the meeting to order at 7:30 a.m. Committee members Co-chair Senator Lin Whitworth, Senators Grant Ipsen and Stan Hawkins, and Representatives Maxine Bell, Margaret Henbest, and Donna Boe attended. Senator Betsy Dunklin joined the meeting in progress. Staff members Nancy Van Maren, Eric Milstead, Lewissa Swanson, and Margaret Campbell also were present.

RECONSIDERATION OF SCOPE OF EVALUATION CURRENTLY UNDERWAY

Co-chair Field welcomed the committee and indicated minutes from the previous meeting had already been approved. She explained why the committee was meeting on an evaluation that was already underway: last week, OPE staff had asked her to consider the implications of a research problem associated with the evaluation of rehabilitation and parole, and she was now bringing it to the committee for consideration. She asked Ms. Van Maren to explain the concerns.

Ms. Van Maren reviewed the committee's action related to the evaluation to date: the original scope was approved in November and work had begun in late January. The working title to the evaluation was "impediments to timely release" – an assessment of barriers that may keep an inmate in prison beyond the point at which he or she has been determined eligible for release. To conduct this evaluation, OPE staff needed to: (1) identify, verify, and quantify how often impediments occurred; and (2) explain why impediments occurred and make recommendations to improve the process. The first steps in the process relied on data that would bring to light the impediments and explain how frequently they occurred. However, OPE had learned that answering the committee's questions relied on data that do not currently exist in an electronic format. While OPE could create a database to capture the needed information, this would require an extensive time investment (several months) by OPE staff. Further, at the end of the evaluation, OPE's investment in developing a database still would not have gotten the commission any closer to keeping data electronically.

Representative Henbest asked why the Commission was not recording information electronically. Ms. Van Maren said she did not have a good answer. The Executive Director of the commission appeared to be the one who kept most of the data and was the only one to fully understand how to interpret what was kept. The committee asked additional questions that Ms. Van Maren clarified could be answered in an evaluation focused more specifically on the data system.

* As approved by a majority of the Joint Legislative Oversight Committee (per signatures attached)

Co-chair Field said she had asked OPE to stop work on the evaluation underway last week because she did not feel it was OPE's responsibility to input the data needed for 4,000 offenders (the approximate size of the OPE study sample).

Senator Hawkins said he felt strongly that if OPE did not do it, no one would—and suggested spending whatever money was necessary to do it. Representative Boe said she understood a reluctance to move to an electronic system if the current system was working for the parole commission. However, she said it was essential that there was access to an electronic database, whether OPE developed it or the commission was mandated to do it. Co-chair Field said she had suggested OPE look at other states' database systems. She thought Utah had a system where both agencies were integrated into one system. Representative Boe said she had visited an Oregon site that had a database system that claimed to track the progress of an inmate hour by hour. By looking at other states, Idaho would not have to design a system from scratch.

Representative Henbest said that she agreed it should not be OPE's responsibility to enter information into the database, but it may be the only impetus for this to occur. In order for the state to get a handle on correction costs and set policy, lawmakers needed an analysis of what occurred in the parole process.

Co-chair Field said JLOC existed to provide lawmakers the information needed to set policy and JFAC the information necessary to set budgets. Representative Bell said she understood the committee's concerns, but was also concerned that it was a "black hole" in terms of money required to get this data into an electronic system. She said Ms. Craven had done what she could with the resources provided to her and had not had the opportunity or support to ask for the significant funds needed to develop a system. She cautioned to remember that no one likes this budget and does not want to put money into it, especially the "big" money this would require.

Senator Whitworth asked if there was a resistance from the Department of Correction to provide information to the parole commission. Ms. Van Maren said she had not received that indication at this point. Clearly, the corrections system and parole systems were interdependent, as offenders went back and forth between the two. However, it appeared there was little communication in terms of data systems.

Senator Ipsen asked if it were possible to measure attitudes among the staff providing information on the inmates. Ms. Van Maren said the present system could not capture this information, but perhaps a system could be developed that would.

Ms. Van Maren reviewed some options to consider. (1) Move ahead with the original evaluation, recognizing the time and expense. This would answer the committee's original questions, but be expensive and produce a database that stayed with OPE. (2) Rely on the summary data the commission kept by hand. This would be faster, but would not allow the questions to be answered. (3) Hire data system consultants and expand the evaluation scope to set up a data system that could be used by OPE for the evaluation and then given to the commission after the release of the report. This would increase the long term value of the evaluation, but would use OPE funds to create the database—and they may not be sufficient.

(4) Adjust the evaluation scope to focus on the data system, what could be learned from other states, and the interaction between Department of Correction and the parole commission. This evaluation would be quick, as much had already been learned, and capture other states' solutions.

Senator Hawkins said he was concerned about limiting the scope to just the data systems, as we might lose the opportunity to save money in the long term. An issue that needed to be explored is how the parole commission interfaced with the Department of Correction and the effect on the parole date. He asked if OPE had the authority to talk to parole officers on a confidential basis, even where there may be borderline criminal activity. Ms. Van Maren said there were provisions in OPE's statute that allowed OPE to keep the identity of individuals providing information confidential, but not the information they provide. In regards to potential criminal activity, OPE refers these allegations to the appropriate authority.

Mr. Milstead said he had learned that the Department of Correction had submitted a grant application to the Department of Justice seeking \$1.8 million to purchase Utah's information system. It appeared that Utah's system was designed to gather information from both the corrections and parole systems. Committee members discussed whether the Department of Correction could merge its current data tracking system with a new system, or whether the department would have to start over. Ms. Van Maren said the revised scope would consider that question and the costs implications.

Senator Hawkins said it made sense to get a data system in place that was meaningful and useable. However, he said he was not sure he would want the database controlled by the Department of Correction. He asked to hear the Executive Director's thoughts.

Co-chair Field called on Executive Director Craven. Ms. Craven said that if she did not maintain the reports by hand, they would not have reports at all. The offender system captures so little data, she would be unable to report on anything. Should it be a one-system approach? Yes. The parole commission used DOC data and DOC used the commission's. However, the department did not consider some information as important enough to add to the system.

Representative Henbest asked how extensively the Department of Correction had looked at Utah's system before drawing up the grant to purchase it. Will the Utah system be adequate for Idaho? Director Craven said she had not looked at the system yet, although they had installed the parole commission portion on one of their computers last week. She would be happy to look at the system and report her findings, or have OPE look at it. She said there were several DOC people who had looked at the system and seemed to be happy with it. Representative Henbest said it was critical to evaluate the system before receiving a grant for \$1.8 million to purchase it.

Senator Hawkins asked about Oregon's system (previously mentioned) and whether anyone had evaluated it before deciding to purchase Utah's system. He asked what would happen if the grant was approved: would the department purchase Utah's system without legislative input? Ms. Craven said the department maintained the offender system and she did not know what other systems were considered.

Co-chair Field called on Lewissa Swanson, Performance Evaluator. Ms. Swanson said OPE had preliminarily learned that Oregon's system was over-capacity; the state was doing update work to move it to a web-based, paperless system, expecting to have it in place by April 2002. Ms. Van Maren restated that the limited-scope evaluation could look at other states' systems, their security measures, and how they interact between the two systems.

Representative Henbest moved to proceed with two phases: (1) an evaluation of the electronic data systems and systems available in other states; and (2) an evaluation according to the original scope. Senator Hawkins seconded the motion.

Representative Henbest said that from a policy standpoint, she thought the committee would be remiss to not pursue the important issues involved in the original evaluation. A piece of the growing corrections budget was how long inmates stayed in the system. It was a black hole, but if lawmakers did not step into it, they would never get out of this situation.

Representative Boe asked if the Department of Correction would wait to find out what the evaluation discovered before purchasing the Utah system. If not, what good would it do? In discussion also involving Kathy Ruffalo, Governor's Office, and Cathy Holland-Smith, Legislative Services, it was determined that if the grant were approved, the terms of the application would need to be followed—in other words, they would have to use the funds to purchase the Utah system.

Senator Hawkins asked how the decision was made to pursue the Utah program. What were the standards—were the parole commission's needs considered as well as the department's? Ms. Ruffalo said that DOC fiscal personnel had done work and tested the Utah system. She did not know if they had compared their findings with any other states. Ms. Craven said that from her viewpoint, a benefit of the Utah system was that it could fit with many other states and it was the goal for many states in the West to be interconnected for information exchange. She said the process had not been lengthy—the money had become available and they responded to it quickly. Co-chair Field said perhaps that would be looked at in the limited-scope evaluation.

Co-chair Field said, in terms of funding, there may be some positions that could be moved around in the parole commission, as the current year budget from JFAC had three new FTEs. Ms. Van Maren said if there were resources already available in existing staff or new funds coming into the commission, it would be considered in the evaluation's assessment of costs.

The motion was passed unanimously by voice vote.

Co-chair Field said the committee had run out of time and would postpone hearing the Department of Fish and Game's update on the licensing contract until the next meeting.

The meeting adjourned at 8:40 a.m.