

MINUTES
CRIMINAL JUSTICE REINVESTMENT INTERIM COMMITTEE
June 18, 2013
3:00 p.m. to 4:35 p.m.
Room WW55, Capitol Building
Boise, Idaho

Co-chair Representative Rich Wills called the meeting to order at 3:00 p.m. Members present were: **Co-chair Senator Patti Anne Lodge**, Senators Russell Fulcher, Jim Rice, Jim Guthrie, Les Bock; Representatives Linden Bateman, James Holtzclaw, Luke Malek, Grant Burgoyne; and ad hoc member Representative Shirley Ringo. Staff members present were Brooke Brouman and Jackie Gunn.

Others present were: Senate Pro Tempore Brent Hill; Representative Sue Chew, District 17; Idaho Senior District Judge Barry Wood and Patti Tobias, Idaho Supreme Court; Dan Chadwick and Seth Grigg, Idaho Association of Counties; Marshall Clement, Marc Pelka, Anne Bettesworth, Ed Weckerly and Chenise Bonilla, Council of State Governments (CSG); Lindsey Carlson and Richard Jerome, Pew Charitable Trusts; Cathy Holland-Smith, Legislative Services Office; Brent Reinke, Idaho Department of Correction; and Holly Koole, Idaho Prosecuting Attorneys Association.

NOTE: Copies of the presentation, reference materials and handouts are on file at the Legislative Services Office. PowerPoint presentations are posted at the Idaho Legislature website: www.idaho.legislature.gov.

Co-chair Representative Wills opened the meeting. He stated that the committee is tasked with improving the criminal justice system and saving citizens' dollars. He stated that he does not want to reinvent the wheel, but rather send the wheel in a new direction.

Co-chair Senator Lodge stated that the committee's mission is to enhance what the agencies are doing and to ensure that folks coming into the system become productive citizens. She then introduced each Senate interim committee member and explained their individual expertise. She then introduced **Mr. Marc Pelka, Program Director, CSG Justice Center**.

Mr. Pelka began with introductory remarks and continued with the digital presentation "*Idaho Justice Reinvestment Interim Committee, First Meeting*." Mr. Pelka's complete presentation can be found at: http://legislature.idaho.gov/sessioninfo/2013/interim/criminaljustice0618_csg.pdf.

Mr. Pelka wrapped up his remarks and explained that his group stands ready to provide analysis.

Co-chair Representative Wills thanked **Mr. Pelka** for the overview and opened up the meeting for discussion from the committee members.

Senator Bock asked for clarification of the role of the interim committee. **Co-chair Representative Wills** stated that after information is gathered and presented by CSG analysts, the committee will determine what needs to be done legislatively for both short-term and long-term results. He continued, explaining that the effort is more than a three meeting endeavor as the committee members will stay current on the activities of the Justice Reinvestment Working Group.

Co-chair Senator Lodge explained that the working group will meet in August and October and the interim committee will meet in November and December. She noted that the committee will receive a report from the working group in December.

Senator Guthrie referred to the graph in **Mr. Pelka's** presentation that depicts the anticipated prison population growth in Texas, noted that the anticipated growth did not happen and asked **Mr. Pelka** to explain what was responsible for this outcome. **Mr. Pelka** explained that Texas built the infrastructure within its probation system to manage probationers, which led to better outcomes. He noted that by improving the probation system, Texas saw fewer people come into prison. **Senator Guthrie** asked if the savings were net or if there were some front end expenses not accounted for. **Mr. Pelka** clarified that the savings were overall savings.

Senator Guthrie then asked about unanticipated negative results when focusing more on the high-risk population and diverting funds away from others. **Mr. Pelka** discussed the research associated with low-risk/high-risk population behaviors. He stated that data suggests that high-risk individuals have a higher opportunity for positive behavior change. He also stated that applying more intensive programs to those less likely to reoffend can increase their likelihood of reoffending. This is caused by grouping the low risk people in with the high risk people.

Representative Ringo discussed Mr. Pelka's assessment that Idaho's crime rate decreased while new commitments increased. She noted that the analysis was from a different four-year period. She expressed an interest in data relating to the treatment of behavioral health issues. **Mr. Pelka** stated that the issue of behavioral health funding is very important. He further stated that Director Armstrong from the Department of Health and Welfare is a member of the working group and has provided good data regarding behavioral health. **Co-chair Representative Wills** affirmed that the committee will study the issue of behavioral health, as well as many other issues including mental health and education.

Representative Bateman asked about the nationwide percentage of the prison population incarcerated due to drug-related offenses. **Mr. Pelka** explained that, nationwide, there is wide variation. Drug offenses often come in for parole and probation violations. **Representative Bateman** noted that today, drugs are more

powerful and addictive, thus creating a challenge for people in mental health treatment programs.

Representative Burgoyne requested that the committee receive copies of the comments voiced at the working group meeting. He discussed the benefits of a fact and evidence-based approach, pointing out that consensus can be reached using this approach and it tended to yield better results. He remarked that the fact-based, evidence-based approach may also work when addressing health and welfare and education issues.

Co-chair Representative Wills commented that the committee will aim to identify immediate and long-term positive solutions.

Co-chair Senator Lodge asked **Mr. Pelka** for the list of points addressed at the working group meeting, as well as the list of the successful experiences in other states where CSG conducted this initiative, including a quantification of the savings those states recouped. She asked if the committee could review data related to the 18 to 25 year old population, including information about what precipitated their entry into the prison system. Also, **Co-chair Senator Lodge** requested any other details from other states relating to successful education programs in prisons, including community college programs.

Mr. Pelka discussed the benefits of this reinvestment process and explained that he will provide the lists and information requested. He will provide members with the publication "Lessons from the States," a report that clearly identifies impacts on budgets and prison populations using reinvestment approaches. He addressed the requests in turn and assured the committee that the CSG staff will provide the data requested.

Co-chair Representative Wills remarked that Legislative Services will provide to the committee information distributed at the working group meetings.

Senator Bock encouraged the committee to be mindful of the Governor's comments made at the press conference regarding the need to strengthen families and to address some of these issues at a much earlier point in time. He mentioned his economically diverse district neighborhoods and emphasized the need for some families to receive guidance. He suggested this be incorporated into the committee's strategy.

Senator Fulcher stated that there is an ongoing funding struggle in Idaho and the Legislature is continually trying to find ways to save taxpayers money. He asked about inmate worker program success stories in other states. **Mr. Pelka** responded that his group does not have data relating to inmate worker programs but stated that it is an issue worth exploring.

Mr. Pelka mentioned the upcoming June conference in Deadwood, South Dakota. The conference will focus directly on the application of the reinvestment approach that led to

positive outcomes through legislative enactment in South Dakota. The conference is hosted by the Pew Charitable Trusts.

At the request of **Co-chair Senator Lodge**, **Mr. Pelka** introduced his associates with the Pew Charitable Trusts and his fellow staff members. **Co-chair Representative Wills** thanked each of them for their work.

Co-chair Senator Lodge asked **Mr. Pelka** to detail how email correspondence will be addressed to the interim committee members. **Mr. Pelka** answered that Anne Bettsworth will be the point of contact on correspondence from CSG and agreed that the email subject line will clearly state "Interim Committee."

Representative Malek asked whether the committee members will receive minutes from the working group meetings. **Co-chair Representative Wills** stated that minutes will be sent to members and encouraged the committee members to attend the working group meetings.

Co-chair Representative Wills thanked everyone for being at the meeting. There being no further comments or questions, **Co-chair Representative Wills** adjourned the meeting at 4:35 p.m.