

MINUTES
Approved by the Committee
Criminal Justice Reinvestment Oversight Committee
Thursday, October 29, 2020
9:30 A.M.
Boise, Idaho

Cochair Lakey called the meeting to order at 9:30 a.m.; a roll call was requested – all members/staff participated via video conference.

Members present: Cochair Senator Todd Lakey and Senators Patti Anne Lodge, Jeff Agenbroad, and Mark Nye; Cochair Representative Greg Chaney and Representatives James Holtzclaw and Melissa Wintrow; LSO staff Ryan Bush and Ana Lara.

NOTE: presentations and materials distributed to members are posted to the Idaho Legislature's website: <https://legislature.idaho.gov/sessioninfo/2020/interim/cjro/cjro-materials/>; and copies of those items are on file with the Legislative Services Office located in the State Capitol.

After opening remarks, Cochair Lakey introduced Josh Tewalt, Director of the Department of Correction (DOC), to give his presentation. Mr. Tewalt's presentation pertained to the DOC's response to Covid-19, custody population trends, handling of CARES Act funding, and changes in supervision practices.

- Cochair Lakey asked how the DOC was handling quarantine practices. Director Tewalt explained that the reduction in the prison population and the building of temporary housing has helped with implementing quarantine practices, but there are still complications that the DOC faces. He added that the DOC needs more options and more space to better implement these practices.
- Representative Wintrow expressed appreciation for the changes the DOC has made in order to be more efficient during the Covid-19 pandemic. Representative Wintrow asked if the process of moving people through the DOC system was occurring at a faster rate. Director Tewalt confirmed that it was because the DOC has shifted prioritization in order to be more efficient. Representative Wintrow asked if there was enough money appropriated to the DOC for reentry practices and to help with stabilization. Director Tewalt explained that typically the DOC shapes its criteria based on the funding it is given. He added that CARES Act funding has significantly helped them in regards to reentry and stabilization practices. He believed the DOC has been funded appropriately, but he is willing to ask for more if needed.
- Cochair Lakey asked if there has been a decrease in recommitments. Director Tewalt confirmed that there was a decrease in recommitments because the DOC has reexamined probation and parole practices.
- Senator Lodge asked if there were any classes that would help inmates with interactions with law enforcement after they have been released. Director Tewalt explained that some of the DOC's curriculum is geared to help inmates who struggle with authority. He added that the DOC needs to focus more on intervention practices that will help prevent recommitments. Senator Lodge commented that it's important that former inmates and even young people should learn how to interact with law enforcement.
- Representative Holtzclaw asked about the opportunities inmates have to better themselves during their time in custody. Director Tewalt explained that there are educational programs, vocational programs, and programs focused on cognitive and behavioral issues. Representative Holtzclaw commented on other countries' reentry programs and their success. Director Tewalt responded that those types of programs represent what the DOC is trying to implement in its environment.

Cochair Lakey introduced Ashley Dowell, Executive Director of the Commission of Pardons and Parole, to give her presentation. Her presentation included information regarding the parole

decision-making process, the Justice Reinvestment Initiative (JRI), parole grant rates, the parole violation process, and Covid-19 updates.

- Cochair Lakey asked about the process for technical violations. Director Dowell explained that some technical violations can be serious violations.
- Later in the presentation, Cochair Lakey asked what goes to the full commission and what goes to the 3-member panel. Director Dowell explained that reviews go to the 3-member panel and if the panel does not come to a unanimous decision, then it will go to the full commission. Cochair Lakey asked how the members for the 3-member panel are chosen. Director Dowell explained that one of the full commissioners will create a schedule a year in advance that tries to keep the number of days a commissioner serves similar to one another.
- At the end of the presentation, Cochair Lakey asked for clarification on a legislative audits report that showed a spike in revocations in 2016 and if that was caused by changes in JRI. Director Dowell confirmed that statement to be accurate, and that the 90- and 180-day sanctions were not effective in changing behavior, which ultimately led to increased revocations.

Cochair Lakey invited members to make closing comments.

- Representative Wintrow expressed appreciation for Director Tewalt and Director Dowell and hoped that the lessons learned during the Covid-19 pandemic would carry on in the future.
- Cochair Lakey commended Director Tewalt and Director Dowell for always making public safety a priority.
- Senator Lodge expressed how impressed she was with Director Tewalt and Director Dowell and their adaptations during the Covid-19 pandemic. Senator Lodge asked Director Dowell if the increase in decisions could be attributed to the increased number of commissioners. Director Dowell stated that the increased number of decisions are due to re-reviews and cases related to the Covid-19 pandemic.
- Cochair Lakey added that he was impressed with the changes that allow victims to testify from home, which can keep them safe from potential harassment.

The meeting was adjourned at 11:39 a.m.