

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Monday, February 19, 2024
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-Chairman Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just
Representatives Co-Chair Horman, Miller, Bundy, Raybould, Furniss, Handy, Lambert, Petzke, Tanner, Green
ABSENT/ EXCUSED: None

Co-Chair Horman called the meeting to order at 8:00 a.m.

Ms. Christine Otto, Principal Analyst, LSO Budget & Policy, gave an overview of the Commission of Pardons and Parole. The Commission is charged with the responsibility for parole, commutation, and pardons of inmates. Its goal is to provide the highest degree of protection to the community while providing the offenders the opportunity to become responsible members of society.

Ms. Otto reviewed the organizational structure and five-year averages of FTP and personnel costs. The Commission has one dedicated fund, derived of bonds collected from parolees who are approved to move out of state. She reviewed the Commission's FY 2023 expenditures.

Ms. Otto reviewed the FY 2023 and FY 2024 budget enhancements. She explained the FY 2025 budget requests for replacement items and extradition costs.

Ms. Ashley Dowell, Executive Director of the Commission of Pardons and Parole, answered a committee question about the request for extradition costs. The Northwest Shuttle Service suspended operations during the Covid pandemic and the service has not resumed.

Ms. Otto gave an overview of the Idaho Department of Correction (IDOC). The Department performs the functions of the constitutionally created Board of Correction and the statutorily created Commission of Pardons and Parole.

Ms. Otto reviewed the organizational structure of IDOC and stated it has six budgeted divisions: Management Services, State Prisons, Community Corrections, Community-Based Substance Abuse, County and Out-of-State Placement, and Medical Services. She reviewed the five-year averages of FTP and personnel costs. Ms. Otto gave a high-level review of the various dedicated funds associated with IDOC.

In response to a committee question, **Ms. Otto** stated IDOC has 142 FTP vacancies.

Ms. Otto gave an overview of Management Services. She reviewed the organizational structure of the division. She reviewed the five-year base snapshot and explained the growth in the budget.

Ms. Otto reviewed the FY 2023 and FY 2024 budget enhancements. She explained the FY 2025 budget requests for supplemental and enhancement appropriations. These include requests for replacement items, a training center and related equipment, the Atlas software upgrade, various FTP, and community re-entry operations.

In response to a committee question, **Ms. Otto** explained most of the revenue in the Inmate Labor Fund comes from 35% of the gross wages for the inmates participating in work-release programs. The Drug/Mental Health/Family Court Services Fund receives revenue from an annual transfer from the Liquor Fund; last year, \$440K was transferred. These monies are used for drug and mental health courts.

Mr. Josh Tewalt, Director of the Idaho Department of Correction (IDOC), answered committee questions. He explained the budget requests related to the training center and equipment. IDOC had a significant backlog of correctional officers awaiting Peace Officers Standards and Training (POST) certification; without this certification, these officers could not work their assigned jobs. IDOC received an exemption from the Permanent Building Fund Advisory Committee to lease and modify space for a new training facility. By the end of April 2024, IDOC will have trained and certified over 200 correctional officers. IDOC has an academy scheduled at the POST campus for patrol officers.

In response to committee questions about the request for GPS/geotracking equipment, **Dir. Tewalt** stated this wearable technology will help track the prisoner population and increase efficiency for correctional officers. A pilot program at the South Boise Women's Correctional Center demonstrated the increase in efficiency as well as its potential use for remote work crews and emergencies. Dir. Tewalt pointed out the chief limitation in wearable technology for correction systems is battery life; a sole vendor meets the requirements for 90-day battery life in low-security environments.

In response to committee questions, **Dir. Tewalt** explained Atlas is the offender management software system. This system takes the place of three outdated legacy systems; he acknowledged some problems during the transition to the new system. Half of the request is for hardware servers to support Atlas; the other half is for the customization necessary for the off-the-shelf software so the system functions as intended. Dir. Tewalt stated the \$150K ongoing request is for the software maintenance subscription.

In response to additional committee questions, **Dir. Tewalt** stated the community re-entry centers are key to reducing recidivism, crime, and the burden on taxpayers. The re-entry centers primarily focus on employment but also address many of the other supports necessary for post-release success. The \$650K line item request is to stand up the Pocatello re-entry center. Dir. Tewalt further explained the monies to fund this facility were appropriated years ago; this FY 2025 request will fund the back-end support. The FTP requests for staff at the Pocatello re-entry center will appear in the Community Corrections budget.

In response to a committee question about the budget realignment line item, **Ms. Otto** explained this request will appear throughout the Department's budgets. These are net-zero transfers throughout the Department. In the past, this would have been a base budget adjustment; for transparency, these realignments have been submitted as FY 2025 line items.

In response to a committee question about the communications costs incurred by inmates, **Dir. Tewalt** stated IDOC is in the process of developing a negotiation plan to prioritize connection over commission on all technology platforms. However, he did point out IDOC relies on fees and commissions to make those communication systems exist.

In response to further committee questions about the Atlas upgrade, **Dir. Tewalt** explained this budget request will not replace all the servers in the system. This request is a stopgap to avoid catastrophic failure as IDOC works on a strategic plan. The \$150K ongoing maintenance funds personnel maintaining and supporting the customization and functionality of Atlas.

Mr. Brian Smith, Deputy Administrator, Office of Information Technology Services (OITS), gave further information about the requests related to the Atlas upgrade. The ongoing \$150K will fund annual licenses for the software running on the hardware. Mr. Smith commented there is a difference between what a vendor considers end-of-life for hardware, which is typically five to six years, and end-of-support for software, which is ten years. After ten years, software vendors cease supplying security and software patches. The existing Atlas servers are approaching the end of their support life.

Ms. Otto gave an overview of State Prisons, which has ten budgeted programs. She reviewed FY 2023 and FY 2024 budget enhancements. She pointed out the FY 2024 Correctional Alternative Placement Program (CAPP) operational change was a net-zero transfer from another area in the budget.

Ms. Otto explained FY 2025 budget enhancement requests, including replacement items, additional FTPs, and budget realignment.

In response to a committee question, **Dir. Tewalt** gave further explanation about how the request for Covid health monitoring relates to the GPS/geotracking wearable technology. The pilot program did not begin with Covid monies. However, this second generation of the wearable technology includes some health data. Due to this functionality, IDOC can access available spending authority in the existing federal grant.

In response to committee questions, **Dir. Tewalt** gave further explanation about the mental health facility in the South Boise Complex. He stated IDOC requests a facility from the Permanent Building Fund to deal with the Dangerously Mentally Ill (DMI) population. This stand-alone DMI facility would be jointly operated by IDOC and the Department of Health and Welfare (DHW) and would provide significantly higher clinical resources to people in need of acute care.

Currently there are nine beds in the C Block at the Idaho Maximum Security Institution for people found to be Dangerously Mentally Ill. Some individuals have been civilly committed but not criminally charged. Others are sent to IDOC for competency restoration after being criminally charged. These patients cannot be safely managed at a less secure facility such as a state hospital or county jail. IDOC frequently needs more than the existing nine beds. **Dir. Tewalt** pointed out some challenges in offering therapeutic clinical services in a facility designed for criminals.

In response to further committee questions about the process, **Dir. Tewalt** explained after a judge determines an individual to be Dangerously Mentally Ill, he does not automatically come to the State Prison. However, the State Prison does not house an individual without this DMI designation. Dir. Tewalt further explained the Southwest Idaho Treatment Center (SWITC) is not intended to accommodate DMI patients. The civilly committed DMI patients need proximity to high-security resources for their own safety and the safety of other patients and staff.

Dir. Tewalt reaffirmed the IDOC request for 16 DMI patient beds; in order to maximize efficiency and use of clinical resources, IDOC requests an additional ten beds for other critical needs such as prisoners with dementia.

In response to a committee question, **Dir. Tewalt** stated IDOC maintains its readiness to carry out the future execution by lethal injection.

In response to a committee question about IDOC's requests for FTPs, **Dir. Tewalt** pointed out several of these positions will create the revenue to support the personnel costs.

In response to a committee question, **Dir. Tewalt** spoke to the request for educational FTPs. IDOC has more people engaged in education than ever before, yet the need still outpaces resources. Most of the previous funding came through grants, which have not kept pace with competing demands. IDOC sees virtual learning as the most efficient way to increase educational opportunities for incarcerated persons who choose to better themselves. He stated research demonstrates education is the most effective way to reduce recidivism.

Ms. Otto gave an overview of Community Corrections and Community-Based Substance Abuse. These are two separate budgeted programs. She gave a high-level review of growth in the budgets over the last five years and reviewed FY 2023 expenditures.

Ms. Otto reviewed FY 2023 and FY 2024 budget enhancements. She explained FY 2025 budget supplemental and enhancement requests for replacement items and expansion of the Community Re-entry Program.

Mr. Tewalt answered committee questions about the expansion of the Community Re-entry Program. He explained participants have a demonstrated history of compliance, with employment, transportation, and a suitable home residence; IDOC allows those individuals to spend the last six months of their incarceration in this program. The recidivism rate for participants is less than 13%. Dir. Tewalt suggested comparing the cost of the Community Re-entry Program to the cost of adding 150 county jail beds.

A committee member asked **Dir. Tewalt** for suggestions about where to direct monies to decrease criminal offenses and incarceration. Dir. Tewalt emphasized recommendations from the Behavioral Health Council for medication-assisted treatment, re-entry support, and case-management support. He pointed out Idaho has some of the strongest drug laws in the country. Eight years ago, 24% of the prison population had been convicted of drug-only crimes; today, it is 37%. Dir. Tewalt stated drug abuse is not decreasing; more punishment is not the solution. He stressed the need to treat opioid and fentanyl abuse with medication. Dir. Tewalt argued the state must hold people accountable as well as address root causes of drug abuse.

Co-Chair Horman noted the time and stated the committee would hold the remaining agenda item until a later meeting.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:38 a.m.

Representative Horman
Chair

Alyson Jackson
Secretary