

Alaska Criminal Justice Commission

Meeting Summary

Monday, October 2, 2017

9:30 AM

Snowden Training Center
820 W. 4th Avenue, Anchorage
And teleconference

Commissioners present: Greg Razo, Joel Bolger, Sean Case, Jahna Lindemuth, Stephanie Rhoades, Brenda Stanfill, Quinlan Steiner, Trevor Stephens, Dean Williams, Steve Williams, Matt Claman, John Coghill

Commissioners absent: Walt Monegan (Deputy Commissioner Bill Comer sat in for Commissioner Monegan)

Participants: Claire Sullivan, Karen Cann, Gen Moreau-Johnson, Geri Fox, Rob Henderson, Randall Burns, Lizzie Kubitz, Heather Parker, Robb Sylvan, Aliza Kazmi, John Skidmore, Kaci Schroeder, Taylor Winston, Matt Moore, Trey Watson, Cathleen McLaughlin, Don Habeger

Staff: Susanne DiPietro, Staci Corey, Susie Dosik, Barbara Dunham

Approval of Meeting Agenda

Chair Razo called for a motion to approve the meeting agenda. Commissioner Steve Williams so moved, and Commissioner Lindemuth seconded the motion. There was no opposition and the motion passed.

Approval of Last Meeting's Summary

Chair Razo called for a motion to approve the summary of the previous meeting. Commissioner Steve Williams so moved, and Commissioner Stanfill seconded the motion. There was no opposition and the motion passed.

Annual Report – Revised Reinvestment Section

Susanne DiPietro gave the Commission an overview of the revised portions of the most recent draft of the annual report. She said that staff had received feedback from some Commissioners and their staff. The report is due on November 1, so the Commission needs to approve the final draft at the October 12 meeting.

Commissioner Stanfill noted that there were parts of the report with placeholders for additional information—was staff waiting on information from anyone? Ms. DiPietro said that some of that information, including information from CDVSA, had already been received and staff was confident that the rest would be coming in soon. Commissioner Stanfill wondered whether the report could include a

quantitative measure of the people served by reinvestment money. She wanted to know how those dollars were spent.

Judge Rhoades agreed. She understood there were issues with treatment providers at DOC but thought there needed to be some accounting. The Commission frequently talks about the importance of program evaluation. For bed reductions at DOC, she would like to see the specific drivers of those reductions. The Commission had the benefit of a great drill down on this with Pew.

Barbara Dunham noted that the data section of the report was still forthcoming, and that might answer some of Judge Rhoades' questions. Chair Razo asked about the timing for when that data might be available. For the numbers about who is in DOC custody, Ms. Dunham said that staff have those data, but they need to confirm their analysis with DOC's analyst.

Ms. DiPietro said that it might be possible to compare the pie charts of the population at DOC from Pew's analysis in 2014 to now. Chair Razo said that was a good idea and hoped that process was capable of repetition.

Commissioner Claman suggested that for the data section, the report should make it as clear as possible that the data is limited. The law has only been in effect short term, and it is hard to say that anything is a trend at this point. He said he keeps hearing about the 2016 crime report on radio and wanted to make sure that limitation [on the inability of the short term data to indicate a trend] is clear.

Chair Razo said that further to that point, it was also important to say why it is difficult to correlate crime rates with SB 91—it would be more of a mathematical statement than anything.

Commissioner Stanfill also suggested noting that any current complaints about things happening pretrial don't have anything to do with SB 91. It might also be worth noting that the changes to probation have not been on board for very long. She also suggested explaining the steps that have been taken to implement pre-trial services.

Ms. Dunham noted that there was a section on pre-trial implementation in the draft, and asked whether there should be more detail. Commissioner Stanfill said that would be helpful. Geri Fox offered to provide more detail to staff.

Commissioner Case wanted to know more about what happened to people who are not in jail but would have been pre-SB 91-- what are we doing with those people? Ideally the answer would be treatment but he didn't think that was actually the case.

Chair Razo asked if there was data on arrests and citations. Ms. DiPietro explained that DPS was working on creating a new field in APSIN to track them. Deputy Commissioner Comer said he believe it has been implemented or would be quite soon. Ms. DiPietro said this meant they would be tracked going forward, but there was no historical data to compare it to. Chair Razo asked whether it could be tracked with the court system. Ms. DiPietro said probably not.

Commissioner Dean Williams said that he had just returned from a trip to tour the prison system in Norway with House Speaker Bryce Edgemon and Senate President Pete Kelley and Judge Stephens. He said it was eye-opening, and he will be talking to the Governor about implementing some of the ideas he saw there. He wanted to add a paragraph on this to the reinvestment section of the report. There is a

reason why countries like Sweden and Norway have a 30% recidivism rate. The one thing prisons here are missing is a dynamic security system, what happens inside prison.

Commissioner Dean Williams said that the people that are the highest risk of committing crime are criminals. Once someone gets in Norway's prison system, it's fundamentally different from ours. Their outcomes are very different. He would like to put a paragraph into the report on this as it's something he would like to focus on – it is a way to get another bite at the apple in terms of addressing recidivism and why people are worse coming out than in. Alaska needs to make fundamental changes about how it addresses incarceration. In Norway, the focus is on reentry from day one—and that system produces different people on reentry than we do. The participants on the trip did a lot of planning and workshopping on this. DOC has been spending a lot of money on treatment and things have been slow to change. DOC needs to retrain staff to adopt some of these principles. It needs to move away from a trauma-based experience, more toward normalizing life in terms of encouraging prisoners to focus on jobs and education. What Alaska does behind prison walls will have a big impact on recidivism.

Chair Razo said that sounded like more than a paragraph in the report, maybe a paragraph and an appendix.

National Network for Safe Communities

The Commission next heard from representatives from the National Network for Safe Communities (NNSC): Michael Friedrich, Senior Research and Policy Associate; Meaghan McDonald, Director of the Group Violence Intervention Program; and Rachel Teicher, Director of the Intimate Partner Violence Intervention Program.

Mr. Friedrich began by giving the Commission a broad sense of the organization. NNSC operates out of the John Jay College in New York. It serves as a clearinghouse for information on how to address serious violence, a connector of like-minded practitioners, and a provider of technical assistance. Its work follows from Director David Kennedy's Operation Cease Fire project in Boston, which made a dramatic difference in group-related violence there. NNSC has found that serious violence is dramatically concentrated; a very small sector of the population will drive the majority of crime. This is especially true for homicide. NNSC works in neighborhoods most affected by violent crime. All of its work is extrapolated from basic principles learned from the Boston project.

NNSC's basic principles are: to intervene in a community without additionally harming the community; to get deterrence right; to get help to people who want it, especially those who are highest risk; to build trust in law enforcement; and to be procedurally just, and give advance notice to those targeted. This is the basic approach in the abstract.

Ms. McDonald explained the group violence intervention (GVI) program. She reiterated that their experience shows that a small percentage of the population is involved in serious violence (shootings and homicides), and that this is true in small and large cities. When they dig deeper and work with law enforcement and partner agencies to target these individuals, more often than not these individuals are associated in groups. They don't use the word gang, because in their experience, the term is too constrictive, and doesn't necessarily reflect what they're seeing. People have preconceived notions about the word gang, and most group violence is not usually so organized or hierarchical. They are typically

loosely affiliated groups, and don't necessarily have a common goal. The majority of criminal activity from these groups is tied to issues of disrespect and personal conflict, in which others get involved.

NNSC's approach involves collaboration with law enforcement agencies, community moral voices (people who have standing and credibility in the eyes of those targeted), and service providers. The key approach is to give those involved in group violence prior notice of the consequences of their activities. One method for doing this is a "call-in." Call-ins bring together representatives from identified groups to hear directly from law enforcement, community members, and service providers. They give the group members personalized targeted messages that the group is on notice that the community knows who they are and that the next group to get involved in criminal activity will be fully prosecuted. The group members then hear a message from social services offering help, tailored to be responsive to their needs. Community members then try to disrupt the tenet of the group that encourage criminal thinking patterns. These speakers could be a former criminal or the mother of a crime victim. The idea of the call-in is to put all groups on notice at the same time, and to demonstrate the community's commitment to addressing this problem.

NNSC is currently working with 25 jurisdictions on GVI, and they can tailor the intervention to the needs of the jurisdiction. Mr. Friedrich added NNSC has seen a real impact on violence in cities where GVI has been in place, including reductions in homicides and shootings. Their issue brief has details on this.

Ms. Teicher explained that the Intimate Partner Violence Intervention (IPVI) has a similar approach as GVI; it is built on the same framework, bringing together law enforcement, community members, and service providers. They are specifically looking to target lethal violence between current or former intimate partners (so not all family violence). Research shows that chronic DV offenders are known to law enforcement officers for a variety of criminal activities. IPVI focuses on the offenders. There is a strong victim advocacy piece as well, but the idea is to take the burden of holding the offender accountable off the victim, and to put it on community partners. The goal is to let the offender know the community is watching, and to send a clear message that the community will not tolerate intimate partner violence. The intervention engages offenders at every step along the way, and targets all known offenders. Intervention is tailored to the level of offender, and is not a one size fits all approach.

With intimate partner violence, an added level of safety is required, and IPVI includes messaging to the victim. Typically not every incident of intimate partner violence will be reported to law enforcement, so the goal is to build trust in law enforcement so that victims report incidents and offenders face a consequence for every incident. It is important that both victims and offenders know this. Offenders often feel they can get away with intimate partner violence, and victims feel there's no point in coming forward.

Mr. Friedrich noted that the GVI program has been in play for over 20 years while IPVI is newer. However some of the oldest pilot sites for IPVI – this is also in their issue brief.

Mr. Friedrich explained that the drug market intervention program also uses the same basic approach as GVI to target the group of people responsible for drug crimes in a given community. In High Point, North Carolina, for example, they thought they had many dealers, but it turned out to be a core group of only 16 people. The drug market intervention also involves call-ins. The dealers hear from the community about what's expected of them and the potential consequences of deal. The drug market interventions have been able to rapidly shut down markets without displacement. They have applied the

model to the opioid and heroin market, and NNSC has a white paper on that that he can send to the Commission.

Chair Razo said it would be helpful to send that white paper. He asked how a community goes about inviting the NNSC to provide technical assistance. Ms. McDonald said they are usually approached by a law enforcement or prosecutor's office, often after a community has seen a spike in violence, and is looking for a response. They get a lot of word of mouth referrals. To start the process, they do a closed-door session with stakeholders, which usually takes 9 hours. They typically work with municipalities, but are now starting to work on coordinated state projects in New York and Connecticut.

Chair Razo asked if there was a cost. Ms. McDonald said yes, if there is interest they can send a proposal for a more formal TA relationship with team of experts to guide practitioners through implementation. Chair Razo asked what size community was appropriate for these interventions. He has seen group violence in the small community of Kodiak, for example. Ms. McDonald said that one of the smallest cities is 30,000 people, and size doesn't seem to matter. The effort is about the same in terms of gathering stakeholders and partners.

Justice Bolger asked if this approach has been tried in rural areas. Mr. Friedrich said mostly not, as they see group violence problems mostly concentrated in urban areas. But the drug market intervention and IPVI can be translated to more rural areas. The drug market intervention pilot took place in Rutland, Vermont, a place with many rural qualities. Ms. Teicher said they are also working with small community in upstate New York.

Commissioner Stanfill noted that the Commission's focus is on reduction in recidivism, and wondered how the IPVI program evaluates success. Ms. Teicher said there are a couple of ways to do that, though for the IPVI program only one full pilot has been fully evaluated, which started in 2009. For that pilot, the 5-year recidivism rate was below 20%. They also saw a decrease in repeat calls for service, though that is a tricky metric. There was no change in overall calls for service, but repeat calls for service went down. They heard from victims services representatives that victims were not feeling any pressure not to call. They also reported a positive change in trust in the community, and a reduction in violence. The focus is on prevention and deterrence, recognizing that a community is not going to arrest or prosecute its way out of this problem. To gauge success they want to see a reduction in new cases.

Commissioner Stanfill asked if IPVI had any group or family teaching component. Ms. Teicher said they work with direct services providers—hosting workshops and training with them. They do not promote any one batterer intervention program, but work with the jurisdiction to tap into resources, and provide linkage to ideas from other jurisdictions.

Randall Burns said he assumed it was important for the intervention team to have access to local data, and wondered if that was a challenge? Ms. McDonald said that for GVI it was important but hasn't been much of an issue; they have been given open access. They have nondisclosure agreements and don't publish about any data they receive, they just use the data to inform strategy. Ms. Teicher said that it was more challenging for IPVI, particularly because it is often difficult to identify the type of relationship within databases.

Mr. Burns also asked if NNSC does legislative advocacy. Mr. Friedrich said they didn't, though they were happy to provide information and help stakeholders with messaging if they need it.

Chair Razo asked if they had done any work on prevention in schools. Mr. Friedrich said they tend to work in places where there is already a serious violence problem. They have done call-ins in schools—providing messaging delivered to teens already involved in group violence dynamics.

[Break]

Chair Razo asked if there was any further discussion on NNSC. Commissioner Dean Williams said that Anchorage used a similar model when he worked with Mayor Begich about 15 years ago addressing youth gang violence. That effort brought in other stakeholders and community members that would not normally be involved. They got results out of that effort including less expulsion in the school district and the creation of an expulsion/suspension school. With different stakeholders involved, they rethought their approach. Anchorage mostly did this on its own, but had some support from a national organization. He saw a lot of reasons to explore this further, including costs. A lot of talk going on now [about crime] is concerning. He wanted to look to see if this could bear fruit.

Commissioner Lindemuth said first reaction was that it might be difficult to layer on top of SB 91 but that was not necessarily a reason not to do it. She suggested looking at the programs separately. Regarding the IPVI program, the Commission heard from the Results First initiative that it would be good to look at something new. She suggested referring that to CDVSA to look at feasibility. For GVI, there are efforts going on—she would refer NNSC to those groups.

Judge Rhoades agreed. She wanted to talk about process. One concern she has about the annual report is that the Commission doesn't have data on the drivers of jail bed use and recidivism. There is a need to understand who's in and who's out before looking at a strategic plan. Further to what the Attorney General said she would refer specific reinvestment strategies to specific subcommittees. The Commission needs to talk about how to get to a strategic plan.

Commissioner Case said there is a meeting this Friday meeting with stakeholders looking at approaches similar to NNSC's pulling levers approach. They are still putting pieces together. They are trying to patch together fields of expertise for long-term solutions. They may need to pull in more stakeholders, and he can get someone from that group to present to the Commission.

Chair Razo said NNSC's interventions are similar to work done with sex offenders, letting people know that there are eyes on them. He thought it seemed like it might be beneficial.

Commissioner Claman said he thought it seemed there were two conversations happening: one on reinvestment/recidivism and one on prevention. There was a need to keep finding ways to address violence but it might be outside the purview of the commission, although reinvestment within the purview.

Commissioner Stanfill said she had similar thoughts. The Commission's role might be to put forth some ideas of best practices, but this might be more of a community-driven thing. Reinvestment could be pilot programs in smaller communities but she was not sure the Commission should be driving the boat here.

Judge Stephens said he agreed that there should be a strategic plan so that reinvestment efforts complement one another, and so that someone has a grasp on the big picture, and efforts are not siloed.

Commissioner Lindemuth said a lot is happening behind the scenes. The governor put her in charge of developing a strategic action plan. She agreed that there was a need to strategize and break down silos. But ideas need to start at the Commission to be vetted.

Judge Stephens agreed the Commission has a role as to recommendations.

Commissioner Lindemuth also agree there should be a strategic plan, and maybe that was something the Commission could recommend. Looking at where dollars have gone thus far, she thought everyone could agree there was not enough going toward behavioral health treatment and that additional funding should be put there. She thought the report should flag that as a big principle/focus.

Judge Rhoades said she thought the Commission could agree on that generally. She noted that the report referred to Results First. One thing about that is that Results First is a baseline. The programs evaluated were not necessarily part of a strategic plan. They don't represent a strategic plan. For instance, nothing in the report represents treatment on demand. Some programs in Result First are at risk for the chopping block but really just need to be improved.

Commissioner Stanfill said she also wanted to mention in the report that Law is understaffed, and has been cut year after year. She would like the Commission to think about that in the reinvestment discussion— reinvestment doesn't have to be in a program necessarily.

Commissioner Dean Williams agreed, though that was not necessarily a recidivism reduction strategy. Everyone would like more functional departments, and the ability to retain staff. Half of all recidivism occurs within the first 6 months, 2/3 within the first year. That says we're doing something wrong within the prison walls. Jobs and housing are key. Successes that exist are because of efforts made by groups like Partners for Progress. Sending people out of prison without a place to live may be a big driver for the problem. It is a basic but essential problem. DOC has spent a lot of money on treatment within the department, but that has not changed recidivism rates. He knows the halfway house model has problems, and he is working to address that, but the future lies in a sensible way of letting people out. DOC lets out 11,000 people every year, and we know that three or four thousand at least will commit crime when they get out. Getting rid of that recidivism will help with property crime. He agreed with Judge Rhoades that there was no overall strategy. He wanted to focus on getting people a job and housing. It might be useful to devote a whole session of the Commission to this. He would like to get consensus on shifting gears in Alaska's approach to corrections. He felt as though Alaska has been doing same thing for years with the same results.

Public Comment/Reinvestment Discussion

Cathleen McLaughlin, Director of the Partners Reentry Center, said she wanted the Commission to know that Partners got \$250k of reinvestment funding this year, and used that enhance housing for the highest risk and highest need reentrants. Housing services used to be 30 days, but they were able to extend that based on needs. For example, one recent client was in prison for 26 years, 12 of them in solitary— someone like that can't be expected to launch successfully after 30 days. Partners now also has a full time data person. They are housing between 80-130 people per month. She wanted to let the Commission know that they are taking their status as a reinvestment recipient very seriously, and she hoped they can be used as a model. They are also doing more work pre-release, as a soft handoff is essential to successful reentry.

Judge Rhoades said it occurred to her that Partners would know what gaps in services exist—for example, the lack of adequate housing. Ms. McLaughlin said that the housing market has actually improved, and landlords are calling them for placements. Judge Rhoades said she wanted to find a way to access data to identify needs and drivers of recidivism, whether housing, jobs, or something else. Randall Burns noted that recidivism was not driven by just one thing. Judge Rhoades agreed and said data should also reflect that.

Ms. McLaughlin said she can give the Commission the data they have at any time. They had to create their own database because they didn't have a model. They haven't had a 3rd party evaluation, but they are open to have anyone look at their data. They are doing a study of their own data, and trying to create a control group.

Regarding gaps, Ms. McLaughlin said that real-time treatment and mental health services were an obvious lack. She has seen a lot of recidivism because people are not going to treatment or getting medications. Commissioner Case suggested working with the reentry coalition to identify services needed. Ms. McLaughlin said she can do that. Commissioner Case asked what she considered a success for Partners. Ms. McLaughlin said if someone with a high LSI-R score stays out of trouble for 6 months, they are much more likely to succeed after that.

[No other public comment was offered.]

Commissioner Stanfill said she felt like there are variations in services around the state, and wondered if there was any resource that could list what exists and where. Mr. Burns said DHSS has data on who are grantees. Commissioner Stanfill asked if there was data on who tries to access services, and where there were waiting lists. Mr. Burns said you would have to go to the individual program for that information. Substance Use Disorder providers are required to track waiting lists. Mental Health Providers are not required. Services are also very community specific. He was not surprised to hear there are geographic differences. Sometimes it has to do with the stability of providers. Many are struggling with billing Medicaid.

Commissioner Lindemuth asked Mr. Burns if he could furnish the Commission with a list of providers. He said he could. Chair Razo said that was a key point- you can't have programming without providers.

Commissioner Steve Williams said he thought the Commission should keep in mind that not only is preventing crime complex, but so is creating a sustainable community system to keep track of needs for services. You need to constantly ask these questions. Regarding data collection, treatment information is housed in a variety of sources, but it can be pulled together. He would also encourage everyone to think about the long haul; many ideas talked about will take years to bear fruit. But if we don't talk about early intervention and prevention, we will continue to see same results. Things that can be implemented in the near term are necessarily more reactive than proactive.

Judge Rhoades said she keeps hearing that we have data, but it is not collected. Pew had resources to collect this data. The Commission could suggest reinvestment for that. Ms. DiPietro said that anyone can send a spreadsheet and the Judicial Council can analyze it. The bottleneck is not necessarily the collection of data but in uniformity. Each agency tracks their data differently and there are only so many people at each agency can explain their data—often just one. The bottleneck is at the agency level.

Justice Bolger said he was interested in the IPVI program; it sounded like it could be effective in smaller communities. It seemed more prosecution and law enforcement-driven. It was promising if given enough resources to make the interventions called for at each level. Chair Razo said it seemed amenable to a pilot program in a smaller hub community. Justice Bolger added that the program called for discreet interventions, which could be easily measured for success.

Recommendations for Reinvestment from DHSS

Ms. DiPietro prefaced the discussion by explaining that DHSS Deputy Commissioner Karen Forrest offered to put forward ideas for reinvestment, and she accepted—the list of recommendations provided for the meeting is what DHSS suggested.

DBH Director Randall Burns suggested that these are ideas that respond to pressure points identified by the department but that may not be addressed by the upcoming 1115 waiver.

The first suggestion was for a forensic hospital feasibility study. DHSS officials toured the closed Palmer correctional facility last week to see if might meet these needs. The reasons for needing a forensic hospital are twofold: there is a great deal of pressure on API for forensic evaluations, with only 10 beds available for that purpose. (Forensic beds were purposely restricted to that many because of the demand for beds for acute admissions. There were 24 people waiting for an acute bed last Friday.) DHSS also wanted to be able to respond to court system requests more immediately and have the space to do restoration. The reason is that many seriously mentally ill prisoners are discharged from custody without enough treatment—this is a driver of recidivism. There is a need for more clinical treatment for those in custody and better preparation for discharge.

The Palmer campus has a minimum security facility that could be used for this purpose, and could also be used for residential treatment. DHSS is asking for a feasibility study for the forensic use.

DHSS's next suggestion was for withdrawal management and residential substance abuse treatment. The legislature allocated \$6 million in FY17 for substance abuse treatment. DHSS received three responses that had demonstrated an identified need: a sobering center in Fairbanks, withdrawal management in Soldotna, and residential treatment (primarily for women with children) in Mat-Su. Those programs are off the ground. But there is no withdrawal management in Mat-Su, and only 14 beds for this in Anchorage. DHSS is suggesting reinvestment in withdrawal management and residential substance abuse because it will relieve pressure on hospital emergency rooms. The public is concerned about treatment options for opioid addicts.

The next suggestion was to increase funding to behavioral health providers' capacity to serve the reentry population. The Reentry Coalitions know what does and doesn't work, and where there are gaps in each community. DHSS suggests funding expansion of services for the reentry population. Not every community has capacity, but this suggestion will help agencies that exist and are overwhelmed.

The next suggestion was for the Alaska Medicaid Coordinated Care Initiative. This initiative is already getting started in DHSS. It targets superutilizers of Medicaid, including reentrants, and will keep them connected to medical services.

The final suggestion was to fund the an Interface with Department of Corrections Electronic Health records (EHR) and State of Alaska Health Information Exchange (HIE), which was also in the works.

Mr. Burns noted that all of these suggestions would require additional dollars other than what has been allocated for recidivism already.

Commissioner Dean Williams agreed there was a need for a forensic hospital, and thought the Commissioners could all agree. He was not sure about the solution. It was not necessarily a priority for him but he recognized it might be for others. Chair Razo noted that everyone will have different priorities.

Mr. Burns said the hospital doesn't have to be an existing DOC facility; DHSS was just interested in looking at feasibility. But urgent need to free up 10 forensic beds at API

Judge Rhoades said she was not sure the Commission would be able to work through these recommendations in the remaining hour. The first recommendation is closely related to the UNLV process. Chair Razo said he didn't disagree but there was a benefit to getting the Commission's reactions.

Commissioner Lindemuth said the forensic feasibility study is a small ask, and wanted to know Commissioner Steve Williams' opinion. He said he was encouraged that people were thinking about this and looking for solutions outside the box, and looking for a use for this facility. Forensic beds pull away from API's capacity on the civil side, so there is a definite need. He was not sure if the Palmer facility was best, and it sounded like it could be used for multiple purposes. But it was worth looking into.

Mr. Burns said the forensic facility could also be used for assaultive seriously mentally ill patients. There was also a need to discuss where to put incompetent defendants who can't be tried.

Commissioner Claman said that in terms of a strategic plan, he thought a feasibility study might be putting the cart before the horse. The state might not want to spend money on looking at the feasibility if the result is not part of the plan.

Judge Rhoades said that she already knew there was a problem with competency evaluations—typically there is a 6 to 8 week wait. Jail is not the best place for those people to wait or the evaluation or to be restored, especially misdemeanants who remain there for longer than they would be sentenced. Would like to see data on how many people need to be restored. There are benefits and burdens to this proposal.

Chair Razo said it seemed like some of these suggestions were fundamentally tied to capacity building as a long-term strategic goal. He agreed there was a need to focus on strategy. There were a lot of moving parts here. He welcomed thoughts on process. Would the Commission like to establish a working group? A strategic plan will be different for different people.

Commissioner Stafill suggested that the Commission take ideas from all stakeholders and choose the priorities from those ideas.

Commissioner Lindemuth said she agreed with Judge Rhoades' idea about getting recommendations from each work group. She was not sure that the Commission's job is to develop a strategic plan, but to identify pressing issues and suggest where resources should be directed.

Chair Razo asked the Commission to boil down the discussion to what can be achieved for the next report, which is due November 1. He thought the Commission could faithfully report what has been done, what information it has. He wanted to get direction from the Commissioners regarding what needs to be done yet.

Judge Rhoades said she didn't want to abandon the idea of strategic plan. She kept coming back to the issue of needing data analysis. She thought the Commission could probably agree to devote some money to looking at what the drivers of recidivism are. She thought the workgroups might be a way to get recommendations for reinvestment but the Commission might want to look at whether the workgroups should be retooled.

Ms. DiPietro suggested that DOC will soon have a reinvestment coordinator who might be used for developing a strategic plans.

Commissioner Claman said it seemed to him there have been a lot of Commission recommendations that have gone nowhere, which might suggest mission creep. The 21 recommendations were successful. He suggested getting a chart with all of the Commission's recommendations and what happened to them.

Commissioner Stanfill noted that list is in the draft report. She didn't see anything to suggest mission creep, but enacting recommendations takes political will. She thought the Commission would welcome suggestions from Commissioners Claman and Coghill on what to do about engaging political will.

Commissioner Steve Williams said he didn't think the Commission needed to make recommendations for the purpose of making recommendations. But if the Commission wants to recommend a strategic plan, the Commission will need to agree to that plan. Any recommendations for reinvestment will need the full support of the Commission.

Commissioner Lindemuth suggested that the report could state that the need is great everywhere and that the Commission does not have enough data to make any specific recommendations. The Commission could recommend asking AJIC to get the needed data. The Commission's recommendations should be based on data.

Chair Razo thought that the Commission could just agree on a general framework, one that expands capacity for treatment programming.

Judge Rhoades said it was not just about capacity building, but capacity targeted to specific needs. The Access to Recovery program was based on a voucher system and was very successful at developing small treatment programs. She has heard that people can't afford treatment and can't get it when it's needed.

Commissioner Stanfill urged the Commission to recall that there is also the victim's role in all of this. The victim's roundtable can also make recommendations.

Justice Bolger said he was hearing a tension between recidivism reduction and reentry efforts and broader discussion of societal needs that engage the criminal justice system. He didn't have an answer to resolve that tension but agreed there was a need to focus on the mission.

Annual report - Savings

Ms. DiPietro explained that she had rewritten this section in response to feedback and the discussion at the last meeting. She walked the Commission through the revised section. She took out mention of savings from the discussion on bed reductions based on feedback on DOC's budget. Further

to this, she added a section on context explaining DOC budget cuts. She hadn't had a chance to talk to Commissioner Dean Williams about his thoughts on this.

Chair Razo asked what method for calculating prison bed usage was used by Pew. Ms. DiPietro said they used a July 1 snapshot. Chair Razo suggested mentioning that. He thought this section looked good, as it points out that there are a lot of ways to look at data.

Ms. DiPietro said she also took out a table that had tried to summarize savings. Feedback indicated it was too simplistic, and a quick reading of it could lead some to faulty conclusions.

Commissioner Lindemuth asked Commissioner Dean Williams whether he thought bed usage would continue to decrease. He responded that in the last couple of months, bed counts have started to go back up. Bed usage is a moving target. The budget is the difficult issue. DOC would need to get to certain benchmarks before getting to substantial savings. Bed reductions don't mean much until DOC can close a wing or a facility. There is no much difference between 90% capacity or 100% capacity. In this regard it is important to talk about the averted costs of not building a new prison. Since DOC already closed the Palmer facility, he didn't see closing another facility in the foreseeable future. He can be strategic about certain things, but cannot cut anything more out of institutions or staffing. DOC is in a very tenuous place. Things can go very wrong by stressing systems out and trying to cut corners; it results in dysfunction. He thought the report was good representation of where things are now.

Commissioner Dean Williams went on to say that the recidivism rate hasn't changed in a long time. This is why he's looking outside of the system, far and wide for new ideas. He wanted to keep the Commission's focus on recidivism reduction because it is the Commission's charge, and it affects public safety.

Ms. Dunham noted that she had added a section suggesting "frontloading" reinvestment. This was based on feedback from Commissioners and other members of the public that more should be done up front, and recognizing that much of the anticipated savings has already been accounted for in DOC's reduced budget. She said she put it in the report tentatively pending the Commission's approval; the Commission agreed it should stay in.

Next steps

The Commission agreed to get any additional feedback to staff by Thursday with a goal of producing a new draft by Friday. Commissioner Lindemuth suggested adding a paragraph noting that in terms of reinvestment, the needs are great, and there should be a strategic plan for reinvestment.