

# Justice Reinvestment Advisory Council

## Meeting Minutes

### August 6, 2021

The Justice Reinvestment Advisory Council met on August 6, 2021, by Zoom video platform. Justice Christopher Goff chaired the meeting, which was live-streamed on the JRAC website ([www.in.gov/justice](http://www.in.gov/justice)) for simultaneous viewing by members of the public.

**1. Members present.** The following members of the Council attended the meeting by Zoom video:

- Bernice Corley, executive director of the Indiana Public Defender Council
- Chris Naylor, executive director of the Indiana Prosecuting Attorneys Council
- Jay Chaudhary, director of the Department of Mental Health and Addiction
- Christine Blessinger, designee for the commissioner of the Indiana Department of Correction
- Mary Kay Hudson, designee for the chief administrative officer of the Office of Judicial Administration
- Devon McDonald, executive director of the Indiana Criminal Justice Institute
- Amber Finnegan, president of the Indiana Association of Community Corrections Act Counties
- Troy Hatfield, president of the Probation Officers Professional Association of Indiana
- Kirsten Haney, designee for the State Budget Director
- David Bottorff, executive director of the Association of Indiana Counties
- Judge Darrin Dolehanty, proxy for the president of the Indiana Judges Association
- Andrew Cullen, proxy for the chair of the Indiana Public Defender Commission
- Sen. Karen Tallian, ranking minority member of the Senate Corrections and Criminal Law Committee
- Doug Huntsinger, designee for the governor
- Steve McCaffrey, president and chief executive officer of Mental Health America of Indiana

- 2. Members absent.** The following members did not attend the meeting:
- Sheriff Brett Clark, president of the Indiana Sheriffs' Association
  - Sen. Mike Young, ranking majority member of the Senate Corrections and Criminal Law Committee
  - Rep. Wendy McNamara, chair of the House Courts and Criminal Code Committee
  - Rep. Ragen Hatcher, ranking minority member of the House Courts and Criminal Code Committee
  - Rick Crawley, interim CEO of the Indiana Council of Community Mental Health Centers
- 3. Staff.** Jenny Bauer, April Dubree, Michelle Goodman, and Angie Hensley-Langrel attended as staff from the Office of Judicial Administration. Michelle Shorter attended as staff from Justice Goff's chambers.
- 4. Introduction of new members.** Justice Goff introduced the two new JRAC members added during the 2021 legislative session and welcomed them to JRAC. The new members are Rick Crawley, interim CEO of the Indiana Council of Community Mental Health Centers, and Steve McCaffrey, president and CEO of Mental Health America of Indiana.
- 5. Approval of minutes.** Bernice Corley made a motion to approve the April 23, 2021 meeting minutes and Devon McDonald seconded the motion. The motion carried unanimously.
- 6. Workgroup Reports.**
- a) Community Corrections Code Revision.** Justice Goff reported the CC Code Revision work group has met several times to review the community corrections provisions. The workgroup plans to meet three more times to produce a report for DOC by December 1<sup>st</sup>. The report will be submitted to the full Council for consideration at the October 29 meeting. He invited members to send items for consideration to Michelle Goodman or April Dubree at the Indiana Office of Court Services.
  - b) Racial Equity.** Bernice Corley reported Dr. Evan Lowder agreed to work with the Racial Equity Workgroup on race data research. The workgroup will select 3-4 counties to participate in the research on racial disparities in the justice system. The workgroup will meet in August.
  - c) EBDM.** Amber Finnegan reported the EBDM workgroup met three times since June. The workgroup plans to meet monthly with consultant Mimi Carter, from the Center for Effective Public Policy (CEPP), as part of a

contract to provide guidance for establishment of local JRAC's. Justice Goff shared the list of draft deliverables provided by CEEP. Sen. Tallian moved to approve the deliverables and Chris Naylor seconded the motion. The motion carried unanimously.

- 7. Open Door Policy.** Justice Goff explained that the JRAC meeting was changed to a remote meeting due to the local surge in transmission of coronavirus cases and the extension of Gov. Holcomb's emergency order which permits remote meetings through August 30. After this date, JRAC will be subject to the open-door laws which became effective through HEA 1437. Portions of the Act established new procedures, restrictions, and policies for electronic attendance of state agency governing body meetings through amendments to sections of I.C. 5-14. To comply with the Act, JRAC must adopt a policy to address participation by members who cannot attend in person. Mary Kay Hudson reported that the policy was drafted by OJA staff attorney Richard Payne based on information from the Public Access Counselor. The Council discussed the proposed policy and made the following changes: request permission to attend by electronic communication at least two days before the meeting, with chair discretion in emergencies to allow electronic participation with shorter notice; and email confirmation of remote votes within 72 hours of the meeting. Justice Goff called for a roll-call vote to approve the policy. Jenny Bauer conducted the roll-call vote and reported all members voted to approve the policy.
- 8. Member reports.** Justice Goff stated members will have an opportunity to share information, but each agency will not be required to provide an individual report out. If there is a particular item that a member would like to share during a meeting and anticipates it will take substantial time, he requested the information be sent to April Dubree to add as an individual agenda item. The following members made reports:

  - a) Indiana Criminal Justice Institute**—Devon McDonald reported CJI submitted the report on bail, pretrial release, and rearrest to the Legislative Council in July. The report includes 2020 data on the rearrest rates in Indiana based on the number of individuals released on own recognizance and bail (less than \$1,000), as required by the Indiana General Assembly. He stated that the report highlights CJI does not have access to enough data to conduct a full analysis required by statute. Mr. McDonald also reported the data project with DOC is making progress with contracts and data sharing agreements. He expects data flowing in 4-5 months.
  - b) Division of Mental Health and Addiction**—Jay Chaudhary shared a positive story related to DMHA's mini grants to law enforcement for crisis intervention training. Bartholomew County sent a team of officers to the

CIT training in April and used the skills learned at the training soon after to help a man out of a dangerous situation and into treatment.

- c) **Indiana Public Defender Council**—Bernice Corley reported the Public Defender Council is collaborating with the Prosecuting Attorneys Council on HEA 1199 Driving While Suspended to get people back on the road. They plan to develop training and a toolkit with the Bureau of Motor Vehicles, Court Services, and Indiana Legal Services.
- d) **Indiana Department of Correction**—Chris Blessinger reported that DOC received \$90M in grant requests from 258 programs, including 13 new requests. DOC is working with Court Services to review requests from pretrial services programs. Ms. Blessinger also reported volunteers are permitted back into DOC facilities and non-contact visits are scheduled to resume on August 30.
- e) **Senate Corrections and Criminal Law Committee**—Sen. Tallian reported the interim Corrections and Criminal Code Study Committee meetings are scheduled for August, September, and October. She expects a lot of discussion on pretrial release related to the recent public position by Fraternal Order of Police. She suggested JRAC make a recommendation on non-violent pretrial release.
- f) **State Budget Agency**—Kirsten Haney reported SBA is working on internal controls for federal coronavirus relief funds based on recent guidance from the U.S. Treasury. She announced that she will be on maternity leave soon and plans to return in time for the 2022 legislative session.
- g) **Indiana Prosecuting Attorneys Council**—Chris Naylor asked about the concept of preventive detention. He stated that the issue was discussed by the EBDM State Policy Team during work on pretrial release and has not been discussed since the EBDM merger with JRAC. He suggested it is a key concept to consider and could distinguish between violent and non-violent offenders. Justice Goff suggested that this should be an agenda item for future meetings before the legislative session.

**9. Next Meeting Date.** The next Council meeting is October 29 at 10:00 a.m. in the South Tower of the Capital Center.

**10. Adjournment.** The Council adjourned at 10:50 a.m.

Respectfully submitted,

Jenny Bauer  
Office of Court Services