

# Justice Reinvestment Advisory Council

## Meeting Minutes

### September 22, 2023

The Justice Reinvestment Advisory Council met on September 22, 2023, at 9:00 a.m.-12:00 p.m. in Capital Center in Indianapolis. Justice Christopher Goff chaired the meeting.

**1. Members present.** The following members of the Council were present:

- Bernice Corley, executive director of Indiana Public Defender Council
- Liz Darlage, proxy for the commissioner of the Indiana Department of Correction
- Mary Kay Hudson, designee for chief administrative officer of Office of Judicial Administration
- Sheriff Randy Retter, president of Indiana Sheriffs' Association
- Judge Mark Spitzer, designee for president of Indiana Judges Association
- Chris Naylor, executive director of Indiana Prosecuting Attorneys Council
- Devon McDonald, executive director of Indiana Criminal Justice Institute
- Doug Huntsinger, designee for Governor
- Jay Chaudhary, executive director of Division of Mental Health and Addiction
- David Bottorff, executive director of Association of Indiana Counties
- Ashley Stevens, president of Indiana Association of Community Corrections Act Counties
- Andrew Cullen, proxy for chair of Indiana Public Defender Commission
- Rep. Mitch Gore, ranking minority member of House Courts and Criminal Code Committee
- Evan Robbins, proxy for ranking minority member of Senate Corrections and Criminal Law Committee (video)
- Zoe Frantz, president and CEO of Indiana Council of Community Mental Health Centers
- Stephanie Anderson, proxy for president and CEO of Mental Health America of Indiana

**2. Members absent.** The following members did not attend the meeting:

- Cody Wilson, proxy for State Budget Director
- Troy Hatfield, president of Probation Officers Professional Association of Indiana

- Rep. Wendy McNamara, chair of House Courts and Criminal Code Committee
  - Sen. Aaron Freeman, chair of Senate Corrections and Criminal Law Committee
- 3. Guests.** The following attended the meeting as guests: Denise Symdon and Richard Stroker from the Center for Effective Public Policy (video); Dr. J. C. Barnes and Chris D’Amato from the University of Cincinnati Corrections Institute; Lisa Thompson and Dave Williams from the Indiana Office of Court Technology (video); Angie Estes, Dalton Haney, Lauren Moore, Toni Sperle, Marc Kniola, and Holly McAlister from the Indiana Department of Correction; Chris Cunningham from Grant County Court Services; Michelle Henkle, Chad Long, Lora Moeller, and Reilly Sommers from the Indiana Office of Court Services; Rachael Ehlich from the Governor’s Office; and Vanessa Reyes, legislative assistant to Rep. McNamara.
- 4. Staff.** Jenny Bauer, April Dubree, Michelle Goodman, and Christopher Biehn attended as staff from the Office of Judicial Administration.
- 5. Approval of minutes.** The Advisory Council approved the minutes from the July 14, 2023, meeting on motion and second by Sheriff Retter and Doug Huntsinger seconded.
- 6. Workgroup Reports.**
- a) Annual Reports Workgroup.** Devon McDonald reported that the workgroup held its first meeting on August 21. The group plans to review statutes that require CJI, DOC, and OJA to submit legislative reports and look for overlap and outdated areas. Sen. Freeman will work with the group to move legislative proposals forward. The workgroup plans to meet again in October.
  - b) Racial Equity Workgroup.** Bernice Corley reported that the workgroup met on September 21 for a presentation from Dr. Julian Rucker on how to discuss racial inequalities. They plan to use this information to organize their work.
  - c) Local JRAC Workgroup.** Chris Biehn reported that the workgroup identified 12 sites for technical assistance and CEPP has already started the intensive sessions. He also reported that the workgroup is aggregating the information from the Local JRAC annual reports.
  - d) JRAC Reports Workgroup.** Michelle Goodman reported that all Q1 electronic monitoring reports have been submitted. She distributed a draft report to the

Council members and asked for feedback by October 13. Ms. Goodman will bring the final Q1 report to the November meeting for approval. She also reported that the annual report is due by the end of the year.

**7. HEA 1006 Procedures.** Mary Kay Hudson reported that the Office of Judicial Administration published a form created by the Probate Committee on the new HEA 1006 procedure for facilities to apply for emergency detention of a mentally ill and dangerous/gravely disabled person. She stated that OJA is planning an education session for judges at the end of the year. Zoe Frantz reported that the Indiana Council of Community Mental Health Centers is working with the Hospital Association and Rep. Steuerwald on legislation to clear up ambiguities in the new law. ICCMHC will present a webinar on December 13 to provide best practices and share experiences on the new procedures. The webinar will feature a panel with a mental health provider, judge, and law enforcement officer. The Council members discussed the procedures, resources, and opportunity for Local JRACs to be involved in building local processes.

**8. University of Cincinnati: Risk Assessment Validation Report Presentation.** Michelle Goodman reported that the University of Cincinnati Corrections Institute conducted two multi-year studies on the Indiana Risk Assessment System and the Indiana Youth Assessment System. The reliability study report was presented to stakeholders in 2019. The revalidation study was recently completed and the subject of today's presentation. UCCI considered the reliability study results and recommendations along with the revalidation results. Ms. Goodman introduced Dr. J. C. Barnes from UCCI to present highlights and recommendations from the revalidation study. Dr. Barnes reported that UCCI submitted a 140-page validation report to the Office of Court Services. He explained that the revalidation study looked at accuracy and the earlier reliability study looked at consistency. He noted that gathering and matching data was a challenge in the revalidation study and some anomalies in the data require a closer look. The study found that 5 of the 6 IRAS tools were statistically significant predictors of recidivism, with the Static Tool as the exception. The study also found that all 5 IYAS tools were statistically significant predictors of recidivism, but at the low end of predictive validity. Dr. Barnes recommended the following based on the study results: continue to use the IRAS and IYAS tools as designed; review and re-think the purpose of the IRAS Static Tool; continue to invest in continuous quality improvement related to IRAS and IYAS; review and adjust data collection efforts related to risk assessment information; and conduct a prospective study to re-examine the validity of the IRAS and IYAS tools.

**9. EBDM Discussion—Indiana JRAC through the EBDM lens.** The Council members discussed four topics related to the evidence-based decision making initiative—history, the Indiana story, plan to move forward, and introduction to the online workspace. Denise Symdon described the National Institute of Corrections’ EBDM initiative as a model to bring together stakeholders to apply empirical knowledge and research-supported principles to justice system decisions made at the state and local level. She highlighted the four principles of EBDM and NIC’s framework and starter kit resources. Richard Stroker highlighted the “Indiana Story” case study publication that is also available on the NIC EBDM website. The “Indiana Story” illustrates Indiana’s participation in the EBDM initiative. First with Grant County as one of the first pilot counties in the nation, and then later with the State Team and additional pilot counties when the initiative was expanded.

Judge Spitzer explained that the Grant County policy team developed change targets with the help of technical assistance through system mapping. The change targets included developing a data dashboard, reallocating probation caseloads to establish differential supervision and focus on people at high risk of offending, revising the probation violation process, and implementing pretrial policy. Mary Kay Hudson added that Grant County’s experience led to the State Team application and the local JRAC legislation. The State EBDM team developed a system map, change targets, and a sustainability plan, and operated in parallel with JRAC. Ms. Hudson stated that bringing back EBDM principles will allow JRAC to make further advancements and model the behavior expected from local JRACs. She reported that EBDM materials will be reviewed at future meetings to move forward, with added workgroups and outside members.

## **10. Member reports.**

- a) Indiana Council of Community Mental Health Centers.** Zoe Frantz reported that ICCMHC is working with the Department of Correction regarding outpatient mental health commitments.
- b) Mental Health America of Indiana.** Stephanie Anderson reported that the MHA annual symposium is scheduled for December 8.
- c) Indiana Association of Community Corrections Act Counties.** Ashley Stevens reported that IACCAC has a fall training scheduled for November 14-16. She also reported that IACCAC recently held a joint meeting with the Probation Officers Professional Association of Indiana.
- d) Indiana Prosecuting Attorneys Association.** Chris Naylor suggested focusing on the people providing mental health services.

- e) **Division of Mental Health and Addiction.** Jay Chaudhary reported that DMHA is working on the competency restoration waitlist. He also announced that DMHA is hosting a mental health forum on October 3, with Justice Goff scheduled as a speaker.
- f) **Supreme Court.** Justice Goff reported that the Summit for Rural Justice is scheduled for October 13 in Wabash.
- g) **Office of Judicial Administration.** Mary Kay Hudson reported that HEA 1359 requires juvenile courts to submit detention reports to OJA annually. OJA developed a survey that is due in early October. OJA will submit the aggregated report to the General Assembly by December 1.
- h) **Indiana Judges Association.** Judge Spitzer reported that IJA held its annual business meeting last week and presented an award to Jay Chaudhary for his work on competency restoration.
- i) **Indiana Public Defender Commission.** Andrew Cullen reported that information on the statewide shortage of lawyers is available on the Commissioner's website.
- j) **Department of Correction.** Liz Darlage reported that DOC is working on community corrections grant contracts and will complete the contracting process by November.

**11. Next Meeting Date.** The next Council meeting is scheduled for November 16, 2023, at 9:00 a.m. in the South Tower of the Capital Center.

Respectfully submitted,

Jenny Bauer  
Office of Court Services