

Council on Correction: Recommendations

<u>Recommendation</u>	<u>Status</u>
<p style="text-align: center;">Recommendation 1: Continue or Terminate</p> <p>Under DEL. CODE ANN. tit. 29, §10213(a), the Committee must determine whether there is a genuine public need for an agency under review. To meet this requirement, the Committee may select one of the following options.</p> <p><u>Option 1</u>: Council on Correction shall continue, subject to any further recommendations that JLOSC adopts.</p> <p style="text-align: center;">- OR -</p> <p><u>Option 2</u>: Council on Correction is terminated. The Committee’s legislative attorney shall draft legislation, which the Committee will sponsor, to implement the termination.</p>	<p>Status: 5/6: First consideration of this recommendation.</p> <p>OPTION 1 APPROVED Motion made by Representative Spiegelman Seconded by Representative Dorsey Walker 8 Yes; 0 No; 2 Absent (Delcollo, Lopez)</p>

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Recommendation 2: Terminate and Reestablish Under CJC

Contingent on the FY 21 budget process and the addition of a state-supported staff person, do the following:

- a. Terminate the Council as it exists under the Department of Correction ("DOC") in Chapter 89, Title 29, and re-assign its duties to the Criminal Justice Council ("CJC") in Chapter 87, Title 11 through a new CJC subcommittee to advise the Department of Correction.
- b. Through legislation drafted by JLOSC's legislative attorney and in consultation with the Council and the CJC, add to CJC's governing statute language establishing the new subcommittee to take over the Council's mission and duties.*

OPTION 1: The legislation drafted under subsection b. should mirror, in large part, the Council's current mission, by-laws, and statute, and any other legislative recommendations listed here that JLOSC approves.

OPTION 2: This recommendation is limited for a 1-year trial period beginning July 1, 2019. A sunset provision will be included in the legislation under this recommendation.

OPTION 3: The Council is held over and its successor under this recommendation must report back to JLOSC in January 2020 to update JLOSC on the status of the change from the DOC to the CJC.

Status:

5/6: First consideration of this recommendation

TABLED

Motion by Representative Spiegelman

Seconded by Representative Dorsey Walker

10 Yes; 0 No

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Recommendation 3: Annual Report

Add to the Council's governing statute in Chapter 89, Title 29:

The Council shall submit an annual report, no later than December 1 of each calendar year, to the Commissioner and Deputy Commissioners of the Department of Correction, Governor, and General Assembly. The report shall include:

- Meeting agendas and minutes
- Training and development completed
- All legislative priorities and activities
- All correspondence with the Department of Correction
- Goals and priorities for the coming year

Status:

5/6: First consideration of this recommendation

APPROVED

Motion made by Senator Hansen

Seconded by Senator Walsh

10 Yes; 0 No

Recommendation 4: Council Procedures & Technical Corrections

JLOSC will sponsor a bill drafted by the Committee's Legislative Attorney to make technical corrections to the Council's governing statute, § 8905, Title 29, including the following:

- a. Adding standard removal and quorum provisions.
- b. Codifying the Council's updated by-laws.
- c. Adding language requiring the Council to hold **at least 1** meeting per year in each county and any other meeting called at the discretion of the Chair.

Status:

5/6: First consideration of this recommendation

APPROVED as amended

Motion made by Representative Spiegelman

Seconded by Representative Dorsey Walker

10 Yes; 0 No

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<p style="text-align: center;">Recommendation 5: Communication with the Public</p> <p>Add to the Council's governing statute in Chapter 89, Title 29:</p> <p>a. The Council will update its website and keep it updated to include current information on each of the following:</p> <ul style="list-style-type: none">(1) Council members, statute, and by-laws.(2) Meeting agendas and minutes, both past and future.(3) Contact information for the public. <p>b. The Council will post its meeting agendas, locations, and minutes on the State's Public Meeting Calendar.</p>	<p style="text-align: right;">Status:</p> <p>5/6: First consideration of this recommendation APPROVED Motion made by Representative Spiegelman Seconded by Senator Delcollo 10 Yes; 0 No</p>
<p style="text-align: center;">Recommendation 6: Updates from the Commissioner</p> <p>The Commissioner of the Department of Correction shall provide the Council with 3 direct updates per year, at a scheduled Council meeting, of the Department's current priorities.</p>	<p style="text-align: right;">Status:</p> <p>5/6: First consideration of this recommendation First motion was to codify the amended recommendation Motion made by Senator Delcollo Seconded by Representative Bentz 6 Yes (Lockman, Bentz, Delcollo, Hansen, Lopez, Walsh); 4 No (Bennett, Dorsey Walker, Spiegelman, Yearick) MOTION FAILED APPROVED as amended without adding it to the governing statute Motion made by Representative Spiegelman Seconded by Representative Dorsey Walker 8 Yes; 1 No (Walsh); 1 Abstention (Delcollo)</p>

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<p style="text-align: center;">Recommendation 7: Training</p> <p>The Council on Correction shall seek and attend the following training within 1 year:</p> <ul style="list-style-type: none"> a. Maintaining FOIA compliance. b. Board leadership and cohesion training. 	<p style="text-align: center;">Status:</p> <p>5/6: First consideration of this recommendation APPROVED Motion made by Representative Spiegelman Seconded by Representative Dorsey Walker 10 Yes; 0 No</p>
<p style="text-align: center;">Recommendation 8:</p> <p>The Council on Correction shall meet with willing families of the Delaware inmates who were moved to Pennsylvania and provide a written report to the Commissioner of the Department of Correction, the Governor, and the General Assembly. The report shall not contain personal and identifying information of the inmates.</p>	<p style="text-align: center;">Status:</p> <p>5/6: First consideration of this recommendation APPROVED as amended Motion made by Representative Spiegelman Seconded by Senator Delcollo 9 Yes; 1 No (Yearick)</p>
<p style="text-align: center;">Recommendation 9:</p> <p><u>Option 1:</u> Council on Correction is released from review upon enactment of recommended legislation <i>and</i> submission of the annual report.</p> <p style="text-align: center;">– OR –</p> <p><u>Option 2:</u> Council on Correction is held over and shall report to the Committee in January 2020.</p>	<p style="text-align: center;">Status:</p> <p>5/6: First consideration of this recommendation OPTION 2 APPROVED Motion made by Senator Hansen Seconded by Senator Delcollo 10 Yes; 0 No</p>