

Rep. Stephanie T. Bolden, Chair
Rep. Andria L. Bennett
Rep. Gerald L. Brady
Rep. Timothy D. Dukes
Rep. Jeffrey N. Spiegelman



Sen. John J. Walsh, Vice-Chair
Sen. Anthony Delcollo
Sen. Stephanie L. Hansen
Sen. Brian G. Pettyjohn
Sen. David P. Sokola

STATE OF DELAWARE

JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

Minutes – 05.10.18

Chair Bolden called the meeting to order at 12:05 pm. Committee members present included Representatives Bolden, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh. Entering late were Representatives Bennett and Brady. Senators Delcollo and Hansen were absent. Staff members present included Julie Fedele, Committee Analyst; Holly Vaughn Wagner, Legislative Attorney; Huma Haroon, Legislative Analyst, Controller General's Office; Victoria Cook, Legislative Fellow; and Julia Dumas Wilks, Administrative Specialist. A quorum was met.

Chair Bolden welcomed everyone to the Joint Legislative Oversight and Sunset Committee ("the Committee") in the 149th General Assembly, Second Session and called for introductions of members present. Representative Spiegelman motioned to approve the May 8, 2018 minutes, seconded by Senator Pettyjohn. The motion carried 8 (Representatives Bennett, Bolden, Brady, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh); 2 absent (Senators Delcollo, Hansen).

The Committee members' attention turned to the representatives from the Council on Corrections ("the Council"). The Council was represented by the Vice-Chair, Mohammad Salaam and council members Richard Senato and Jane Hovington. The Department of Correction was represented by Deputy Commission Alan Grinstead. Discussion moved to the Committee's remaining recommendations from the prior meeting on March 20, 2018.

The Council read in comments regarding the Committee's proposed Recommendations and reviewed changes the Council plans to introduce as they move forward. Correspondence from the Department of Corrections was discussed.

Recommendation 1 to vote on termination remained tabled. Discussion ensued regarding the Council's duty to advise the Department of Corrections. Representative Spiegelman motioned to combine and approve Recommendations 2 and 3 regarding clarification of the Council's duties and submission of a semi-annual report of its advisory activities. The report must be submitted to the Committee, the Commissioner and Deputy Commissioners of the Department of Correction, the Governor, and General Assembly. The motion was seconded by Representative Brady. The motion carried 8 (Representatives Bennett, Bolden, Brady, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh); 2 absent (Senators Delcollo, Hansen).

Recommendation 4 requires the Council to draft and submit to the Committee amendments to Title 29, §8905 to remove a Council member for gross inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office. Representative Spiegelman motioned to approve Recommendation 4, seconded

by Senator Pettyjohn. The motion carried 8 (Representatives Bennett, Bolden, Brady, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh); 2 absent (Senators Delcollo, Hansen).

Recommendation 8 specified the Council undergo training to support development and leadership as a unit. Concerns were expressed regarding the \$5,000 cost of training to the State, and the pending appointments to fill vacancies and expired terms of current board members by Lydia Massey, Director of the Office of Boards and Commissions. Christian Kervick, Executive Director of the Criminal Justice Council (“CJC”) offered to include the Council in his regular trainings, which are provided by the CJC. Representative Spiegelman motioned to revise Recommendation 8 to include sending a letter to the Governor to review and fill vacancies and expired terms of Council members, seconded by Senator Pettyjohn. The motion carried 8 (Representatives Bennett, Bolden, Brady, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh); 2 absent (Senators Delcollo, Hansen).

Discussion turned to consolidating the Council under the CJC. Mr. Kervick clarified that committees under the CJC remain autonomous, while maintaining access to the administrative infrastructure and national professional networks available through the CJC. The Council expressed concerns of consolidating the board under the CJC, without first acting on the recommendations of the Committee.

Representative Spiegelman suggested adding a new Recommendation 9, which would move the Council under the CJC and motioned to table the revised Recommendation 9, seconded by Senator Sokola. The motion carried 8 (Representatives Bennett, Bolden, Brady, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh); 2 absent (Senators Delcollo, Hansen).

The Council revised Recommendation 10, and Option 1: the Council is released from review upon enactment of recommended legislation, or Option 2: the Council is held over and shall report to the Committee in January 2019. Representative Spiegelman motioned to approve Recommendation 10, Option 2, seconded by Senator Sokola. The motion carried 8 (Representatives Bennett, Bolden, Brady, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh); 2 absent (Senators Delcollo, Hansen).

Representative Spiegelman motioned to adjourn the meeting at 1:10 pm, seconded by Senator Pettyjohn. The motion carried 7 (Representatives Bennett, Bolden, Brady, Dukes, Spiegelman; Senators Pettyjohn, Sokola, Walsh); 2 absent (Representative Senator Delcollo, Hansen).

Respectfully prepared by:

Julie Fedele, Committee Analyst, Joint Legislative Oversight and Sunset Committee.

Access to the audio recording of this proceeding is available upon request.