

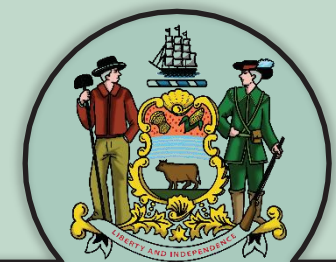
Final Report 2026

Joint Legislative Oversight Committee

- Summary of work completed during the 153rd General Assembly, 2nd session.

*Respectfully submitted to the
Governor and General Assembly
July 2026*

Authored by: Division of Legislative Services



Joint Legislative
Oversight Committee

JLOC Final Report, July 2026

Summary of work completed during the 153rd General Assembly, 2nd Session

In 2026, the Committee formally changed its name from the Joint Legislative Oversight and Sunset Committee, sometimes referred to as "the Sunset Committee," to the **Joint Legislative Oversight Committee** ("JLOC"). The updated name better reflects JLOC's focus on performance evaluation and oversight. **Read more about the Committee on page 5.**

The Committee formally changed its name to the Joint Legislative Oversight Committee ("JLOC").

The updated name better reflects JLOC's focus on performance evaluation and oversight.

Reviews: The Committee's staff presented the following 4 focused reviews:

- **Department of Labor, Division of Unemployment Insurance:** claimant services.
- **Division of Human and Civil Rights:** complaint-handling practices.
- **Delaware Department of Agriculture and Office of Animal Welfare:** processes and procedures used for domestic agricultural animal seizure cases.
- **Adult Correction Healthcare Review Committee:** monitoring health care grievances and vendor contracts within Delaware's correctional system.

These reviews examined a diverse set of entities and operational practices across state government, resulting in 25 adopted recommendations aimed at strengthening accountability, improving service delivery, and enhancing statutory compliance. **Read more about reviews on page 6.**

Legislation: The Committee and its staff drafted and introduced 3 bills. These bills implemented an adopted staff recommendation for the Division of Developmental Disabilities Services, removed a sunset provision in the statute governing the Council on Corrections, and updated JLOC's statutory name. **Read more about legislation on page 11.**

Joint Legislative Oversight Committee
2026 members:

Representative Cyndie Romer, Chair

Senator Kyra Hoffner, Vice Chair

Senator Russell Huxtable

Senator Nicole Poore

Senator Brian Pettyjohn

Senator Bryant L. Richardson

Representative Josue Ortega

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The Division of Legislative Services is a nonpartisan and confidential reference bureau for the General Assembly and provides many services, including staff support for JLOC.

We appreciate the assistance provided by entities under review and their staff.

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I. About This Report

The Joint Legislative Oversight Committee (“JLOC” or “Committee”) approved this final report on May 28, 2026. The following pages summarize the Committee’s work during the second session of the 153rd General Assembly which includes completed reviews, legislation, and future review selections. The Committee’s website provides full reports and additional information.¹

About the Committee

JLOC is a bipartisan 10-member legislative body which performs periodic legislative review of the performance and activities of state entities designed to increase accountability and improvement. The primary purpose of any JLOC review is to assess genuine public need and performance of the entity under review. JLOC recently updated its name to better reflect its focus on performance evaluation and oversight.² JLOC performs its duties with support provided by the dedicated and objective staff of the Division of Legislative Services (“DLS”). DLS serves as an independent and confidential reference bureau for the General Assembly and supplies many services, including staff support for JLOC.

About the Committee Staff

JLOC staff are full-time, year-round DLS professionals who conduct objective research and performance evaluations to support the Committee's oversight responsibilities. Staff perform independent, evidence-based analyses using nationally recognized evaluation standards.

In addition to conducting evaluations, staff draft reports and legislation, present findings and recommendations to the Committee, coordinate with reviewed entities and state oversight partners, maintain public information, and serve as the primary point of contact throughout the review process. Their work is grounded in professionalism, impartiality, and a commitment to providing legislators with objective, reliable information. As part of this commitment, JLOC staff maintain training with the following professional organizations and offices:

- American Evaluation Association (“AEA”).
- Association of Local Government Auditors (“ALGA”).
- Levin Center for Oversight and Democracy at Wayne State University Law School.
- National Association of State Auditors, Comptrollers and Treasurers (“NASACT”).
- National Conference of State Legislatures (“NCSL”).
- National Legislative Program Evaluation Society (“NLPES”).
- Research, Editorial, Legal and Committee Staff (“RELACS”).
- U.S. Government Accountability Office (“GAO”).

¹ Committee’s website available at <https://legis.delaware.gov/Committee/Sunset>.

² House Bill 287, 153rd General Assembly, signed May 2026.

II. Reviews

Review Process

The Committee conducts 2 types of reviews assigned by a majority vote of Committee members.

- Full Reviews: JLOC staff evaluate performance of an entire entity, like a board or commission, using set criteria established by JLOC statute. The entity under review submits a self-report and makes a public presentation to the Committee.
- Focused Reviews: Staff evaluate specific components or policies within an entity, using review criteria set by themselves and the Committee. These reviews don't require a self-report or presentation from the entity.

For each review, JLOC staff completes objective research and uses nationally recognized evaluation standards to thoroughly plan their work to ensure findings and conclusions are supported by sufficient evidence, with objectives, scope, methodology, and fieldwork detailed in each staff report. After each staff report is completed, JLOC will hold a public meeting to receive an overview and accept public comment on the scope of the review.³ Following this, the Committee will determine the next appropriate steps, which may include scheduling additional meetings for further discussion or adopting recommendations.⁴

Recommendations may include the continuance, consolidation, reorganization, transfer, or termination (sunset) of an entity. JLOC does not terminate entities that continue to serve a genuine public need and remain responsive to public interests, reserving termination only for entities that have concluded their statutory mission, are no longer operational, or duplicate an existing service. The Committee works with all continuing entities to formalize specific statutory and non-statutory recommendations with an end goal of improving the entity's overall function, performance, and accountability.

Public Participation in the Review Process

Public input is an important part of the review process and provides citizens with an opportunity to voice concerns. JLOC and its staff encourage the public to submit comments about any entity under review via email at sunset@delaware.gov or anonymously by using the [public comment form](#). JLOC also accepts public comments at presentation meetings as recognized by the Chair, limited to 2 minutes per speaker, and on the subject at hand, per JLOC rules.

³ Public meeting notices found on the Committee's website and the State of Delaware's Public Meeting Calendar.

⁴ 29 Del. C. § 10214.

Reports Presented

In 2026, JLOC held a total of 8 public meetings, received 4 focused review presentations, and adopted 25 recommendations.⁵ Below is a brief overview of the focused reviews presented by JLOC staff.⁶

1. **Topic:** Claimant Services.

Entity: Department of Labor, Division of Unemployment Insurance (“DOLUI”).

Presentations: January 22 and May 28, 2026.

Status: Adopted 1 staff recommendation and 2 JLOC recommendations on May 28, 2026.

2. **Topic:** Complaint-Handling Practices.

Entity: Division of Human and Civil Rights.

Presentation: March 26, 2026.

Status: Adopted 7 staff recommendations on March 26 and May 14, 2026.

3. **Topic:** Processes and Procedures Used for Domestic Agricultural Animal Seizure Cases.

Entities: Delaware Department of Agriculture (“DDA”), Poultry & Animal Health and Delaware Health and Social Services (“DHSS”), Office of Animal Welfare (“OAW”).

Presentation: April 23, 2026.

Status: Adopted 9 staff recommendations on April 23 and May 14, 2026.

4. **Topic:** Monitoring of Health Care Grievances and Vendor Contracts within Delaware’s Correctional System.

Entity: Criminal Justice Council (“CJC”), Adult Correction Healthcare Review Committee.

Presentation: May 21, 2026.

Status: Adopted 5 staff recommendations and 1 JLOC recommendation on May 21, 2026.

⁵ All meeting minutes and replay videos are available on the Committee’s [website](#) under “past meetings.” Full list of adopted recommendations found under Appendix A of this report.

⁶ Staff reports are available on the Committee’s [website](#) under “2026 reviews.”

Future Review Projects

On May 14 and May 21, 2026, JLOC selected the following entities for full or focused review.

1. **Topic:** Procurement portal (processes and procedures).
 Entity: Office of Management and Budget (“OMB”).
 Assigned: June 26, 2025, as focused review.
 Status: Research in progress, scheduled for staff report presentation in 2027.
2. **Topic:** Review all reports with General Assembly submission requirements and recommend methods to efficiently manage including reduction or consolidation.
 Entity: Delaware General Assembly.
 Assigned: May 21, 2026, as focused review.
 Status: Research in progress, scheduled for staff report presentation in 2027.
3. **Topic:** Implementation of school-based mental health initiatives enacted during the 151st and 152nd General Assemblies (2020-2024).
 Entity: Department of Education (“DOE”).
 Assigned: May 21, 2026, as focused review.
 Status: Planning in progress with tentative 2-year project timeline to include an update presentation in 2027 and full staff report presentation in 2028.
4. **Topic:** Processes and procedures of Classification and Compensation & Talent Acquisition.
 Entity: Department of Human Resources (“DHR”).
 Assigned: May 21, 2026, as focused review.
 Status: Planning in progress with tentative 2-year project timeline to include an update presentation in 2027 and full staff report presentation in 2028.
5. **Topic:** Real Estate Commission.
 Entity: Department of State (“DOS”), Division of Professional Regulation (“DPR”).
 Assigned: May 21, 2026, as full review.
 Status: Planning in progress with tentative 2-year project timeline to include an update presentation in 2027 and full staff report presentation in 2028.

Research

On May 14 and May 21, 2026, JLOC selected the following research topics.

1. Department of Education, certificate of necessity process.
2. Department of Education, curriculum requirements, national trends, and recent legislative changes.

Holdover Reviews

The following reviews are in holdover status, with staff reports presented and JLOC recommendations adopted for each. They now have legislation in various stages of drafting based on those adopted recommendations. Drafting is done in partnership with the entity and often takes longer than expected, as the goal is to ensure accuracy. These projects are frequently complex because they involve cleaning up areas of code identified through JLOC oversight reviews. Below is a list of the 12 entities associated with these holdover reviews and a brief synopsis of their drafting projects. Holdover status continues until JLOC votes to release from review or legislation is enacted.

1. DOLUI, Claimant Services.
 - Drafting TBD, entity presents holdover update January 2027.
2. Division of Human and Civil Rights (formally Human Relations).
 - Drafting TBD, entity presents holdover update January 2027.
3. DDA & OAW, Domestic Agricultural Animal Seizure Processes and Procedures.
 - Drafting TBD, entity presents holdover update January 2027.
4. Adult Correction Healthcare Review Committee.
 - Drafting TBD, entity presents holdover update January 2027.
5. Controlled Substance Advisory Committee
 - Technical corrections, update Committee duties, clarify staffing and administrative resources, update Secretary duties, update reporting requirements, and other statutory modifications.
6. Lead Poisoning Prevention Program.
 - Technical corrections, clarifying the State Lead-Based Paint Program and Childhood Lead Poisoning Prevention Program, updating annual reporting requirements, clarifying and updating duties of the Childhood Lead Poisoning Prevention Advisory Committee, and other statutory modifications.
7. Professional Standards Board.
 - Technical corrections, remove all PSB references for hearings and final orders, codify the entity's purpose, administration, operations, and other statutory modifications.
8. Delaware Guardianship Commission.
 - Technical corrections, statutory modifications.
9. Delaware Cemetery Board.
 - Technical corrections, update definitions, including application process and requirements, and other statutory modifications.
10. Public Integrity Commission.
 - Technical corrections, update duties regarding publication of training materials, update confidentiality requirements, update financial disclosure reporting requirements, and other statutory modifications.

11. Delaware Health Resources Board.

- Technical corrections, restructure into an advisory board, create state-wide utilization study, modifications to board composition, procedures, activities subject to review, charity care.
 - [HB 394](#): Introduced on May 14, 2024. Assigned to House Appropriations on May 22, 2024 (152nd General Assembly).

12. State Fire Prevention Commission.

- Technical corrections, statutory modifications.

III. Legislation

Legislation often emerges from the JLOC review process to either streamline or dissolve an entity.⁷ JLOC bills are based on consensus and compromise. The Committee's legislative attorney releases bills into the legislative process after review and approval by JLOC members. In odd-numbered years, bills begin in the Senate, while in even-numbered years, they start in the House. You can easily identify a JLOC bill by checking the first sentence of a bill's synopsis.

This session the Committee's legislative attorney drafted and presented 3 bills for JLOC consideration.⁸ A brief description and status for each bill is included below.⁹

- [House Bill 287](#): JLOC – Changes the name of the Joint Legislative Oversight and Sunset Committee to the Joint Legislative Oversight Committee.
 - JLOC approved on January 29, 2026.
 - Signed by the Governor on May 21, 2026.
- [House Bill 288](#): Division of Developmental Disabilities Services (“DDDS”) – Implements an adopted staff recommendation from the focused review of DDDS’ adult day and employment services requiring an annual report. The annual report will provide information relating to its services to increase the transparency of the services and highlight unmet needs for efficient service delivery.
 - JLOC approved on January 29, 2026.
 - Signed by the Governor on May 21, 2026.
- [House Bill 378](#): Council on Corrections – Removes the sunset provision so that the partnership between the Criminal Justice Council and the Council on Corrections may continue.
 - JLOC approved on April 23, 2026.
 - Signed by the Governor on July 23, 2026.

⁷ Legislation can also result from the Committee's ongoing clean-up project with the Governor's Office.

⁸ Committee staff posted draft bills with the applicable meeting notice 1 week prior to presentation and consideration.

⁹ Status as of July 30, 2026.

IV. Appendix A: Adopted Recommendations

Focused Review: Claimant Services.

Entity: Department of Labor, Division of Unemployment Insurance (“DOLUI”).

Presentations: January 22 and May 28, 2026.

Status: Adopted 1 staff recommendation and 2 JLOC recommendations on May 28, 2026.

Staff Finding 1: Agency Update. This focused review of DOLUI claimant services identified ongoing concerns related to outdated technology, fragmented service platforms, unclear modernization timelines, and persistent operational deficiencies. DOLUI has made progress through modernization efforts and leadership changes. DOLUI has provided updates on their progress, but several areas of concern remain outstanding. In the interest of this Committee’s oversight function, continued monitoring of DOLUI’s progress is advised to assess improvements and future needs.

- **Staff Recommendation 1:** JLOC may consider requesting a presentation or written communication from DOLUI in January 2027 to provide updates on the implementation of process improvements, including any legislative needs the department has identified. JLOC staff will supply an update form and presentation guidelines for DOLUI to use. As this topic is of mutual interest to members of the Joint Finance Committee, JLOC staff will extend an invitation for the members to attend the presentation.
 - ✓ **JLOC adopted staff recommendation 1 as updated on May 28, 2026.**
- **JLOC Recommendation 1:** DOLUI should establish a formal process that grants JLOC members and staff access to a secure, read-only system testing environment, along with periodic demonstrations and guided testing sessions.
 - ✗ **JLOC did not adopt JLOC recommendation 1.**
- **JLOC Recommendation 2:** DOLUI to provide JLOC with a detailed presentation of the features of the UI claims, weekly claims, and UI portal by January 2027.
 - ✓ **JLOC adopted JLOC recommendation 2 as presented on May 28, 2026.**
- **JLOC Recommendation 3:** DOLUI will revise their public dashboard to include claimant resolution, call abatement, and abandonment times, along with user experience measures, customer satisfaction data, and call wait times by January 2027.
 - ✓ **JLOC adopted JLOC recommendation 3 as presented on May 28, 2026.**

Focused Review: Complaint-Handling Practices.

Entity: Division of Human and Civil Rights.

Presentation: March 26, 2026.

Status: Adopted 7 staff recommendations on March 26 and May 14, 2026.

Staff Finding 1: Case processing timeliness exceeds statutory and federal benchmarks, resulting in an aging caseload. Data provided by the Division show that average time to close a case exceeded benchmarks for both complaint types during the review period. For DEAL complaints, the statute requires investigation and attempted resolution within 120 days; however, closed DEAL complaints averaged 341 days, and open cases included complaints pending since 2023, with cases averaging 276 days open. FHA complaints exceeded the 100-day state and federal benchmarks, with open cases averaging 135 days as of September 30, 2025. Prior HUD performance assessments have identified timeliness as a recurring challenge.

- **Staff Recommendation 1:** The Division should develop a timeliness improvement plan with measurable milestones and report progress to JLOC in January 2027. The plan should include:
1. Triage protocol for older cases.
 2. ~~Monthly~~ Weekly tracking of aged cases over 120 days. ~~(e.g., over 100/120 days)~~.
 3. Consistent use of required written delay notices for FHA matters when the 100-day benchmark cannot be met.
 4. Internal targets for each major step of the process, including intake completion, filing, investigation closure, determination, and final case closure.

✓ **JLOC adopted staff recommendation 1 as modified on March 26, 2026.**¹⁰

Staff Finding 2: Persistent recruitment and retention barriers have materially constrained the Division's ability to meet workload demands. The Division reported operating for extended periods with high vacancies and noted challenges attracting and retaining staff due to compensation that is not competitive with comparable roles in surrounding states. Its small staffing model also requires employees to take on multiple responsibilities supporting both Division operations and Commission activities, increasing the risk of burnout and operational bottlenecks.

- **Staff Recommendation 2:** The Division should request compensation and classification review for investigator and key support roles. JLOC may consider requesting that the Division seek an evaluation from the Delaware Department of Human Resources to determine whether current classification structures and pay ranges align with the complexity and legal requirements of fair housing and equal accommodations investigations, and whether these positions are compensated comparably to similar roles in surrounding states. The Division would then use the results to inform its discussions with OMB and JFC during the budget process and would provide the findings to JLOC.

✓ **JLOC adopted staff recommendation 2 as written on March 26, 2026.**

¹⁰ Edits displayed in strikethrough and underline.

Staff Finding 3: Public reporting is limited, reducing transparency. Comparable entities in other states publish annual activity reports that include basic caseload statistics, outcomes, and performance measures. The Commission and Division conduct substantial enforcement and outreach work but reporting that combines core metrics for legislators and the public is not required by statute.

➤ **Staff Recommendation 3:** Require an annual public report of complaint activity, outcomes, and timeliness. JLOC may consider drafting legislation requiring the Division to submit an annual report to the Governor, General Assembly, and the Division of Legislative Services summarizing annual complaint information such as:

- Total DEAL and FHA complaints received and referrals to other agencies.
- Alleged bases of discrimination summarized by major categories.
- Open and closed case status counts and average age of open cases.
- Total cases closed and disposition, including conciliation, withdrawal, dismissal, cause or no cause determinations, hearing outcomes, or court election outcomes where applicable.
- Basic respondent type categories, such as housing provider, public accommodation, or employer if applicable to intake fields.
- Timeliness measures as compared to statutory and federal benchmarks.
- Current staffing and salaries.
- Any identified legislative priorities to address gaps or improve accuracy in statute.
- Customer service benchmarks.

JLOC and Division staff will work together to develop statutory revisions, incorporating technical corrections if appropriate.

✓ **JLOC adopted staff recommendation 3 as modified on March 26, 2026.¹¹**

Staff Finding 4: Outdated regulatory references. JLOC staff observed that published regulations have not been updated to reflect the Division's and Commission's name changes.

➤ **Staff Recommendation 4:** Update regulatory references to reflect current names. The Division takes the necessary regulatory procedural steps to update the Division and Commission names where outdated references remain in published regulations.

✓ **JLOC adopted staff recommendation 4 as written on March 26, 2026.**

Staff Finding 5: Potential need for statutory clarification regarding representation and timing in fair housing cases. The Division reported recurring uncertainty regarding legal representation after a fair housing "judicial election" and the practical effect of statute-of-limitations interpretations when a case spends significant time in the administrative process. Delays in representation decisions and unclear timelines can increase litigation risk and threaten the viability of active cases.

➤ **Staff Recommendation 5:** Division should review statutory clarification regarding representation and timing in fair housing cases. The Division should convene discussions with the Department of Justice to clarify roles and timelines following a judicial election and to evaluate whether statutory amendments are necessary to ensure fair housing cases can be prosecuted effectively without unnecessary procedural delay. The Division will report an update to JLOC in January 2027.

✓ **JLOC adopted staff recommendation 5 as written on March 26, 2026.**

¹¹ Edits displayed in underline.

Staff Finding 6: Potential need for statutory clarification. The FHA and DEAL statutes were established in the 1960s and it is unclear whether they have undergone comprehensive review. A full evaluation of both may help ensure clarity, transparency, and accuracy.

- **Staff Recommendation 6:** Division should review FHA and DEAL statutes. The Division should review FHA and DEAL statutes against current processes, procedures, and known operational issues to identify areas where statutory clarification is needed. This review should itemize specific provisions requiring clarification and briefly explain why each clarification is necessary to ensure transparency, accuracy, and alignment with practical case-handling realities. The Division will report an update to JLOC in January 2027.

✓ **JLOC adopted staff recommendation 6 as written on May 14, 2026.**

Staff Finding 7: Holdover. Staff recommendations include action items that benefit from periodic progress updates. Beginning in January 2027, the Division could provide JLOC with a status report. These updates would support JLOC's future discussions regarding next steps, including whether any legislative changes should be explored or whether the entity is ready for release from review.

- **Staff Recommendation 7:** Division status report in January 2027. The Division will provide updates on all recommendations adopted by JLOC in January 2027. JLOC staff will provide the Division with instructions.

✓ **JLOC adopted staff recommendation 7 as written on May 14, 2026.**

Focused Review: Processes and Procedures Used for Domestic Agricultural Animal Seizure Cases.

Entities: Delaware Department of Agriculture, Poultry & Animal Health and
DHSS, Office of Animal Welfare.

Presentation: April 23, 2026.

Status: Adopted 9 staff recommendations on April 23 and May 14, 2026.

Staff Finding 1: Statutory responsibilities for domestic agricultural animal welfare are divided across agencies, creating operational complexity. OAW holds statewide enforcement authority for animal cruelty laws found in Title 11, Chapter 5, while DDA retains responsibility for domesticated agricultural animals covered in Title 3, Chapter 1. Many cases require coordination between the 2 agencies when investigations escalate to enforcement actions, including search warrants and animal seizures. The statutory framework does not clearly address all operational situations that arise when domestic agricultural animal welfare cases require enforcement by OAW. Additionally, statute modifications may be needed to effectively carry out duties such as enforcement of livestock at large and animal welfare cases. DDA and OAW may have unique or overlapping needs and should hold discussions about potential changes to clarify the law and therefore operations.

- **Staff Recommendation 1:** The General Assembly may wish to review and clarify statutory provisions governing domestic agricultural animal welfare enforcement to ensure that agency roles, enforcement authority, and responsibilities during seizure cases are clearly defined. DDA and OAW will convene discussions to clarify roles and evaluate whether statutory amendments are necessary to ensure agencies can effectively carry out their duties to enforce livestock at large and animal welfare cases. DDA and OAW will provide an update to JLOC in January 2027.
- ✓ **JLOC adopted staff recommendation 1 as written on April 23, 2026.**

Staff Finding 2: DDA maintains limited written procedures for animal welfare investigations compared to OAW. DDA does not maintain vendor procedures. DDA supplied only brief policy documents describing livestock neglect and livestock at large procedures. In contrast, OAW provided a detailed procedures manual outlining investigation workflows, enforcement protocols, and operational guidance. These differences in documentation may contribute to inconsistencies in case handling and coordination between the agencies. DDA also did not provide procedures or guidance for selecting or monitoring vendors used to shelter or auction livestock, including conflict-of-interest safeguards, and does not appear to use an RFP process comparable to OAW's.

- **Staff Recommendation 2:** DDA will consult with OAW to develop more comprehensive written procedures for domestic agricultural animal welfare investigations, ensuring consistent practices and improving coordination during joint investigations and enforcement actions. DDA will also establish a vendor policy that includes conflict-of-interest protocols, provides clear selection and monitoring processes, inspection and oversight of vendor performance, and incorporates an RFP process similar to OAW's. DDA will update JLOC with its progress in January 2027.
- ✓ **JLOC adopted staff recommendation 2 as written on April 23, 2026.**

Staff Finding 3: Record-keeping systems between the agencies are not standardized. DDA has used multiple systems over time—including SharePoint, CAD, spreadsheets, and USAHerds—to log complaints and investigations, and these systems, aside from Computer-Aided Dispatch (“CAD”), are not accessible or shared with law-enforcement agencies or OAW. In contrast, OAW, like law-enforcement agencies statewide, use a CAD system that provides structured case documentation, address histories, and investigative notes. Because DDA does not operate on a 24-hour basis, law-enforcement officers responding to DDA-initiated cases may have to do so without access to complete case information, creating potential safety risks. This challenge is compounded by limited communication between DDA and law-enforcement agencies on stray-livestock and animal welfare cases, which frequently occur outside DDA’s business hours. Related field communication protocols also differ: OAW uses radios to support real-time coordination and officer safety, including status checks and backup procedures, while DDA investigators reported using cellular phones to communicate with supervisors, and DDA policies do not include formal safety communication protocols for responding to calls.

- **Staff Recommendation 3:** DDA will coordinate with OAW to re-implement the CAD system and related radio equipment so that it is aligned with the system used by OAW and other statewide law-enforcement agencies, ensuring all parties always have access to the same information, including when DDA is outside its operating hours. CAD training is already incorporated into OAW’s animal welfare officer training program. DDA will also implement similar safety communication protocols for responding to calls. DDA will provide the status of this effort to JLOC in January 2027.
- ✓ **JLOC adopted staff recommendation 3 as written on April 23, 2026.**

Staff Finding 4: No formal memorandum of understanding (“MOU”) exists between DDA and OAW to guide interagency coordination. Although the 2 agencies frequently work together on domestic agricultural animal welfare and livestock at large cases, no formal agreement defines communication protocols, information-sharing expectations, or documentation standards. As a result, agency coordination, consistency, and safety is at risk.

- **Staff Recommendation 4:** DDA will develop a formal MOU with OAW establishing procedures for information sharing, case coordination, and communication during domestic agricultural animal welfare and livestock at large investigations and enforcement actions. MOU will include staff training requirements and procedures. DDA will provide a progress update and share MOUs developed between DDA and OAW with JLOC in January 2027.
- ✓ **JLOC adopted staff recommendation 4 as modified on April 23, 2026.¹²**

¹² Edits displayed in underline.

Staff Finding 5: Data provided by DDA during the review lacked consistent identifiers needed to track cases from complaint to resolution. Several datasets provided by DDA—including complaint logs, seizure records, financial vouchers, and sheltering records—cannot be reliably linked due to missing case numbers, inconsistent descriptions, or incomplete information. These limitations reduced the ability to assess enforcement outcomes and program costs.

- **Staff Recommendation 5:** DDA will improve data-collection practices by standardizing data fields and requiring case number identifiers across complaint, enforcement, and financial records. Improved data structure will enhance transparency and allow better evaluation of program outcomes. DDA will coordinate with OAW to discuss best practices. DDA will update JLOC with its progress in January 2027.
- ✓ **JLOC adopted staff recommendation 5 as written on April 23, 2026.**

Staff Finding 6: Training requirements are not consistently met for all DDA personnel involved in animal welfare investigations. State law requires individuals performing animal welfare enforcement duties to complete certified animal control officer training. DHSS regulations require annual continuing education after certification. While DDA investigators have completed the required training, other personnel involved in field responses or supervision—including veterinarians and agricultural inspectors—have not completed the certification program. It is unclear if DDA staff complete annual continuing education requirements. DDA training practices should align with OAW's model, in which all animal control officers and their supervisors complete the same initial certification and annual continuing education requirements.

- **Staff Recommendation 6:** DDA will coordinate with OAW to review staff training practices to ensure that personnel involved in domestic agricultural animal welfare investigations, field responses, or supervisory roles meet statutory training requirements and DHSS regulations, and receive required training, or limit enforcement and supervisor related duties to staff who have completed the required certification and annual continuing education. DDA will update JLOC with its progress in January 2027.
- ✗ **JLOC did not adopt staff recommendation 6 and instead incorporated its core intent into staff recommendation 4.**

Staff Finding 7: Staff turnover affects investigative continuity and enforcement capacity. Both DDA and OAW experience turnover in investigative positions. Turnover can affect case continuity, training investments, and the ability to maintain experienced personnel in specialized animal welfare enforcement roles.

- **Staff Recommendation 7:** DDA and OAW should separately request compensation and classification reviews from the Delaware Department of Human Resources for investigator and key support roles. These reviews would help to determine whether current classification structures and pay ranges align with the complexity and legal requirements of animal welfare investigations, and whether these positions are compensated comparably to similar roles. The results of these reviews would then inform each agency's discussions with OMB and JFC during the budget process. DDA and OAW should provide updates to JLOC in January 2027.
- ✓ **JLOC adopted staff recommendation 7 as written on April 23, 2026.**

Staff Finding 8: DDA public reporting is limited, reducing transparency. Entities throughout the state publish annual activity reports that include basic caseload statistics, outcomes, and performance measures. DDA conducts enforcement and investigations that often result in the collection of fines, impounding of animals, and the sale or transfer of ownership of unclaimed stray livestock. Annual reporting that combines core metrics for legislators and the public is not required by statute, while other Title 3 boards who collect fines or fees have annual reporting requirements.

- **Staff Recommendation 8:** Require an annual public report of complaint activity, outcomes, and timeliness. JLOC may consider drafting legislation requiring DDA to submit an annual report to the Governor, General Assembly, and the Division of Legislative Services summarizing annual information such as:
 - Total domestic agricultural animal welfare calls.
 - Total livestock at large calls.
 - Total number of seized animals, type of animal, and their final disposition.
 - Total number of calls with OAW assistance.
 - Total citations; including type, dollar amount, and status.
 - Current vendors for sheltering services of domestic agricultural animals; include type of animals authorized to shelter.
 - Total amount of sheltering fees paid to vendors.
 - Total collected impound fees from owners.
 - Current legislative and staffing needs.

JLOC and DDA staff will work together to develop statutory revisions, incorporating technical corrections if appropriate.

- ✓ **JLOC adopted staff recommendation 8 as written on May 14, 2026.**

Staff Finding 9: Missing DDA regulations. Regulations have not been promulgated for the administration and enforcement of livestock at large cases.

- **Staff Recommendation 9:** DDA will review administration and enforcement of livestock at large needs and take the necessary regulatory procedural steps to create regulations. DDA will consult with OAW as needed and provide JLOC with its progress in January 2027.
- ✓ **JLOC adopted staff recommendation 9 as written on May 14, 2026.**

Staff Finding 10: Holdover. Staff recommendations include action items that benefit from periodic progress updates. Beginning in January 2027, DDA and OAW should provide JLOC with a status report. These updates would support JLOC's future discussions regarding next steps, including whether legislative changes should be explored or whether the entity is ready for release from review.

- **Staff Recommendation 10:** DDA and OAW status update in January 2027. DDA will provide an update on all recommendations adopted by JLOC in January 2027. OAW will provide an update that includes observations and assistance provided to DDA pertaining to adopted recommendations. JLOC staff will provide the DDA and OAW with instructions on how to provide updates.
- ✓ **JLOC adopted staff recommendation 10 as written on May 14, 2026.**

Focused Review: Monitoring of Health Care Grievances and Vendor Contracts within Delaware's Correctional System.

Entity: Criminal Justice Council ("CJC"), Adult Correction Healthcare Review Committee.

Presentation: May 21, 2026.

Status: Adopted 5 staff recommendations and 1 JLOC recommendation on May 21, 2026.

Staff Finding 1: ACHRC's operations do not align with the full scope of its statutory duties. This review found that the ACHRC is not currently operating in a manner that aligns with the full scope of its statutory responsibilities. Established in 2008, this is the Committee's first formal review, and it indicates a need for ACHRC to reassess the feasibility, structure, and operational capacity of its current statutory mandates.

The Committee's statute assigns a broad range of responsibilities, including reviewing grievances and health care data, advising on vendor contracts, monitoring contractor performance and system-wide health care quality, reviewing accreditation information, identifying reoccurring issues, and communicating findings and recommendations. However, these duties are not supported by consistent processes, defined reporting structures, systematic collection and analysis of information, or formal mechanisms for stakeholder engagement. This review also found that the Committee does not routinely receive the information necessary to carry out these statutory responsibilities, such as detailed grievance data, vendor performance metrics, continuous quality improvement information, accreditation findings, audit results, or other system-level performance indicators. It also lacks formal processes for tracking trends, documenting follow-up actions, evaluating recurring concerns, or assessing whether corrective actions are effective over time.

In addition, ACHRC does not maintain formal mechanisms to obtain information from outside DOC. The Committee does not routinely solicit or receive structured input from incarcerated individuals, family members, employees, vendors, advocacy organizations, or the public, including through confidential or anonymous channels. The Committee also does not regularly coordinate with other relevant public bodies with overlapping subject matter responsibilities, such as the Council on Correction. These limitations reduce the Committee's ability to obtain independent perspectives, identify emerging concerns, and fulfill its broader advisory and oversight role.

As a result, the Committee's work reflects only a limited portion of its statutory charge, with many duties performed inconsistently, carried out in a narrow or incomplete manner, or not operationalized through routine activities; accordingly, its annual reports do not demonstrate sustained tracking of data, trends, or outcomes.

Collectively, these findings show that ACHRC has not established a comprehensive framework for determining which responsibilities are feasible, how they should be implemented, what information is required, or how oversight activities should be carried out and sustained over time.

-
- **Staff Recommendation 1:** Reevaluate and Restructure ACHRC Statutory Duties, Processes, Membership, and Oversight Role. ACHRC will convene structured discussions—including its 2 legislative members, relevant state partners, and stakeholders—to conduct a comprehensive reassessment of the Committee’s statutory responsibilities, operational capacity, oversight role, and long-term structure using the findings of this review.

As part of this effort, ACHRC will reassess each statutory duty to determine its feasibility, the information and input required to perform it, the entities responsible for supplying that information, the frequency with which materials should be reviewed, and the internal processes and resources needed to sustain the work. This review will also identify statutory clarification, restructuring, or where removal of duties may be necessary.

Following these discussions, ACHRC will develop and formally adopt a structured operational framework specifying how each retained duty will be executed. The framework will establish reporting requirements, information sources, review schedules, documentation and follow-up procedures, methods for tracking trends and corrective actions, mechanisms for obtaining information from outside DOC (including confidential submissions), processes for incorporating stakeholder input, and expectations for annual reporting to the Governor, General Assembly, and DOC Commissioner.

These discussions should incorporate national research regarding best oversight practices and consider whether changes to statute, membership composition, and Committee processes are needed. These discussions should also consider current staff support and determine which statutory duties are appropriate and which should be removed or revised.

The 2 legislative members of ACHRC will participate and help facilitate these discussions. CJC will provide JLOC with an update on the status of this effort in January 2027, including any recommended statutory or operational changes identified through the reassessment process.

- ✓ **JLOC adopted staff recommendation 1 as written on May 21, 2026.**

Staff Finding 2: DOC Policy Governing ACHRC Is Outdated. DOC Policy 8.50, which outlines the structure and responsibilities of the ACHRC, has not been updated since April 2015 and contains outdated and inaccurate information, including an incorrect number of voting members. The policy restates statutory language and does not define the specific data, metrics, or reporting frequencies that DOC staff must provide to the Committee.

- **Staff Recommendation 2:** Update DOC Policy 8.50 to Reflect Current Committee Structure and Information Requirements. ACHRC will discuss DOC Policy 8.50 with DOC staff to determine appropriate revisions to accurately reflect the current composition, responsibilities, and information needs of the ACHRC. ACHRC will request DOC update its Policy 8.50 to reflect these discussions and provide the revised policy to ACHRC and its staff. The revised policy will correct outdated elements—such as the number of voting members—and move beyond restating statute by clearly defining the specific data, metrics, and reporting frequencies that DOC staff must provide to the Committee. Establishing clear, current, and operational expectations in policy will support consistent information-sharing and strengthen ACHRC’s ability to carry out its statutory duties.

CJC will provide JLOC with the Committee’s progress and any policy updates in January 2027, including whether legislation is needed.

- ✓ **JLOC adopted staff recommendation 2 as written on May 21, 2026.**

Staff Finding 3: Requiring ACHRC to Request Accreditation Reports Results in Significant Gaps in Information and Oversight. Statute and DOC policy state that DOC will forward National Commission on Correctional Health Care (“NCCHC”) and American Correctional Association (“ACA”) surveys, reports, and evaluations to Committee members, but only upon Committee member request. In practice, the Committee typically receives only brief updates from DOC staff indicating when evaluations are scheduled or completed, which are then reflected as dates in a chart within the annual report. The Committee rarely receives findings, conclusions, or other substantive information from these accreditation reviews.

Committee members have not requested to receive or review the full reports. However, the statutory “upon request” structure, combined with the Committee’s current information-flow practices, places members in an awkward position—requiring them to ask for documents that should be routinely provided as part of their oversight role. ACHRC was created to provide independent oversight of DOC and its contracted health care vendor; members should not have to request accreditation reports and should instead receive them automatically and directly from NCCHC and ACA. Likewise, NCCHC and ACA should notify Committee members directly when onsite inspections or reviews are scheduled.

- **Staff Recommendation 3:** JLOC Consider Statute Changes to Ensure ACHRC Automatically Receives Accreditation Reports. To strengthen ACHRC, JLOC should consider sponsoring legislation to amend the Committee’s statute so that NCCHC and ACA accreditation reports, surveys, evaluations, and related findings are automatically and directly provided to ACHRC members rather than only upon request.

In addition to providing accreditation reports directly, statutory changes should also require NCCHC and ACA to notify ACHRC of scheduled inspections or evaluations. Establishing an automatic reporting requirement would eliminate the information gaps created by the current “upon request” structure and ensure the Committee consistently receives information. Direct and routine receipt of both information and notifications is consistent with widely recognized oversight best practices, which stress independent access to key documents and timely awareness of significant activities.

JLOC and CJC staff will work together to develop statutory revisions, incorporating technical corrections as needed.

- ✓ **JLOC adopted staff recommendation 3 as written on May 21, 2026.**

Staff Finding 4: ACHRC’s public reporting and public accessibility are limited.

Statute requires ACHRC to issue annual reports; however, the reports produced are largely repetitive across years and do not include system-level analysis, trend identification, or vendor performance metrics. Information related to facility accreditation is limited to a chart of review dates without corresponding scores or results. Annual reports also no longer provide summaries of meetings held, as they did prior to 2019.

The Committee does not systematically track or follow up on its own information requests in its annual reporting. For example, quarterly sick-call timeliness reports requested in 2022 were provided only once in meeting minutes and were neither incorporated into the annual report nor added to the list of information reviewed at each meeting. That list has remained unchanged across annual reports, and the reports do not elaborate on the results of any of these reviews or present data or trends observed. The Committee’s public website has also not been updated and does not list current members or all published reports; the only report available online is from 2019. As a result, public transparency into ACHRC’s activities and findings is significantly limited.

Overall, limited reporting structure, lack of trend-analysis reporting, inconsistent follow-through on data requests, undefined information-sharing expectations, and minimal public transparency constrain ACHRC's ability to conduct sustained, system-level oversight and provide meaningful data and advice in its annual reporting.

- **Staff Recommendation 4:** Strengthen ACHRC's Reporting, Data-Tracking, and Public Transparency Practices. ACHRC will implement a structured reporting framework that meets statutory requirements and supports providing meaningful data and advice in its annual reporting. This should include:
 - Producing comprehensive annual reports that incorporate system-level analysis, trend identification, vendor performance metrics, summaries of meetings held, and results of information reviewed throughout the year.
 - Complete accreditation information, such as review scores, findings, and corrective actions, rather than only listing review dates.
 - Establishing a formal process to track and follow up on information requests, ensuring requested data is incorporated into reports and added to the Committee's ongoing review list.
 - Regular updates to the Committee's public website to include current membership, all published reports, and timely information on ACHRC activities.

Implementing these measures would improve transparency, strengthen oversight, and ensure ACHRC's annual reporting provides meaningful, data-driven insight into the conditions of correctional health care. CJC will provide JLOC with the Committee's progress in January 2027, including whether legislation is needed.

- ✓ **JLOC adopted staff recommendation 4 as written on May 21, 2026.**

Staff Finding 5: Holdover. Staff recommendations include action items that benefit from periodic progress updates. These updates will support JLOC's future discussions regarding next steps, including whether legislative changes should be explored or whether the entity is ready for release from review.

- **Staff Recommendation 5:** Status updates in January 2027. Beginning in January 2027, status updates will be presented to JLOC as indicated in adopted recommendations. JLOC staff will provide CJC staff with instructions.

- ✓ **JLOC adopted staff recommendation 5 as written on May 21, 2026.**

- **JLOC Recommendation 1:** Send letter to Department of Corrections ("DOC"). Joint letter to DOC expressing concerns from focused review and recommending they review contract and assessment terms of health care provider.

- ✓ **JLOC adopted JLOC recommendation 1 as presented on May 21, 2026.¹³**

¹³ Copy of letter available in Appendix B of this report.

V. Appendix B: JLOC Recommendation 1 letter, Adult Correction Healthcare Review Committee.

Sen. Kyra L. Hoffner, Vice Chair
Sen. Russell Huxtable
Sen. Nicole Poore
Sen. Brian Pettyjohn
Sen. Bryant L. Richardson



Rep. Cyndie Romer, Chair
Rep. Josué O. Ortega
Rep. Melanie Ross Levin
Rep. Richard G. Collins
Rep. Valerie Jones Giltner

STATE OF DELAWARE

JOINT LEGISLATIVE OVERSIGHT COMMITTEE

May 28, 2026

Commissioner Terra Taylor
Delaware Department of Correction
245 McKee Road
Dover, DE 19904
Delivered via Electronic Mail

Dear Commissioner Taylor:

The members of the Joint Legislative Oversight Committee ("JLOC") write to express significant concerns regarding the State's contracted correctional health care vendor and the current oversight structure governing correctional health care services. These concerns arise directly from the staff findings presented in JLOC's focused review of the Adult Correction Healthcare Review Committee's ("ACHRC" or "Committee") monitoring of health care grievances and vendor contracts (copy provided electronically).

The review found that although ACHRC was established in 2008 to oversee Delaware's correctional health care system—including monitoring the contracted health care vendor and the Department of Correction's Bureau of Correctional Healthcare Services—it is not operating in alignment with its statutory responsibilities or national correctional health care oversight best practices. ACHRC is not meaningfully involved in contract development or vendor monitoring.¹ As a result, Delaware currently has an independent correctional health care oversight structure in statute, but not in practice.

The current contract with VitalCore Health Strategies is set to expire on June 30, 2026, and it is understood the contract may be extended for an additional two years. However, neither the Chair of ACHRC nor support staff from the Criminal Justice Council were aware of the contract's status. This is consistent with the review's findings that contract discussions occur within the Department of Correction without ACHRC involvement, despite statutory language indicating that the Committee should participate in contract construction and monitoring.²

The review further found that ACHRC lacks the structure, resources, and statutory clarity necessary to fulfill its intended role. Its work remains focused primarily on individual case reviews, without systematic processes for analyzing trends, monitoring recurring issues, or independently evaluating vendor performance. ACHRC also relies heavily on

¹ 11 Del. C. § 6518(f).

² 11 Del. C. § 6518(f) and (n)(2).

information provided by the Department of Correction and does not maintain formal mechanisms for obtaining independent information or structured input, whether anonymous or identified, from incarcerated individuals, family members, employees, advocacy organizations, vendors, or the public. As a result, Delaware lacks an independent data-driven oversight system capable of identifying systemic issues or supporting meaningful improvement in correctional health care delivery.

Given these findings, JLOC strongly recommends that the Department of Correction:

1. Reevaluate the metrics, assessment methods, and performance monitoring processes used to oversee the contracted health care vendor, including how this information will be shared with ACHRC.
2. Engage legislative members of ACHRC in discussions regarding the redesign, restructuring, and clarification of the Committee's statutory duties, particularly as they relate to contract development and oversight responsibilities.
3. Consider procurement options available under State rules, including contract extensions that would allow sufficient time for these reforms and discussions to occur before the next procurement cycle.

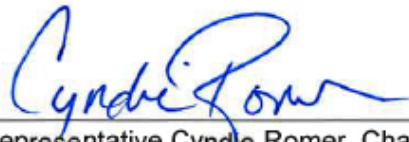
JLOC has adopted all five staff recommendations, including directing the legislative members of ACHRC—who are copied on this correspondence—to lead discussions on restructuring the Committee, defining its future functions, and identifying necessary statutory revisions. JLOC intends for these discussions to begin after the current legislative session concludes, with initial updates due in January 2027, and requests the Department of Correction's full cooperation with this restructuring effort.

Given the fiscal and operational implications of correctional health care, we also believe it is important that the Joint Finance Committee Chairs are made aware of these concerns and have therefore provided them with a copy of this correspondence and the staff report.

We appreciate your attention to this matter and look forward to the Department's cooperation as this effort moves forward to ensure Delaware's correctional health care system is supported by meaningful independent oversight, accountability, transparency, and high-quality care.

Sincerely,

Joint Legislative Oversight Committee


Representative Cyndie Romer, Chair


Senator Kyra L. Hoffner, Vice Chair

cc: Senator Trey Paradee, Joint Finance Committee Chair
Representative Kimberly Williams, Joint Finance Committee Vice Chair
Senator Ray Seigfried, Senate Corrections & Public Safety Committee Chair
Representative Larry Lambert, House Corrections Committee Chair