

Justice Reinvestment Advisory Council

Meeting Minutes

September 6, 2024

The Justice Reinvestment Advisory Council met on September 6, 2024, at 10:00 a.m. - 12:00 p.m. in the Capital Center in Indianapolis. Justice Christopher Goff chaired the meeting.

1. Members present. The following members attended the meeting:

- Liz Darlage, proxy for designee of the commissioner of the Indiana Department of Correction
- Chris Biehn, designee for chief administrative officer of Office of Judicial Administration
- Judge Mark Spitzer, proxy for president of Indiana Judges Association
- Zoe Frantz, president and CEO of Indiana Council of Community Mental Health Centers
- Devon McDonald, executive director of Indiana Criminal Justice Institute
- Doug Huntsinger, designee for Governor
- Chris Naylor, executive director of Indiana Prosecuting Attorneys Council
- Scott Hohl, president of Indiana Association of Community Corrections Act Counties
- Bernice Corley, executive director of Indiana Public Defender Council
- David Bottorff, executive director of Association of Indiana Counties
- Carolyn Travis, proxy for chair of Senate Corrections and Criminal Law Committee
- Derrick Mason, designee for chair of Indiana Commission on Court Appointed Attorneys
- Adam Carter, proxy for Sen. Rodney Pol, ranking minority member of Senate Corrections and Criminal Law Committee

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

- Rep. Wendy McNamara, chair of House Courts and Criminal Code Committee
- Rep. Mitch Gore, ranking minority member of House Courts and Criminal Code Committee
- Angela Morris, president of Probation Officers Professional Association of Indiana
- Steve McCaffrey, president and CEO of Mental Health America of Indiana
- Daniel Glass, designee for State Budget Director
- Howard Simms, designee for executive director of Division of Mental Health and Addiction

- Sheriff Dan Mawhorr, president of Indiana Sheriffs' Association
3. **Guests.** The following attended the meeting as guests: Dr. Evan Lowder, George Mason University; Catheryne Pully, Indiana Office of Court Services; Lora Moeller, Indiana Office of Court Services; Jamie Bergacs, Indiana Office of Court Services; Reilly Sommers, Indiana Office of Court Services; Zach Johnson, Indiana Office of Court Services; Maja Grgic, Indiana Office of Court Services; Shelby Bear, Indiana Office of Court Services; Angie Hensley, Office of Judicial Administration; Sydney Moulton, Indiana Council of Community Mental Health Centers; Scott Loveless, Indiana House of Representatives; and Davyd Hal, Indiana Council for Higher Education.
 4. **Staff.** Jennifer Bauer, April Dubree, Michelle Goodman, and David Sexton attended as staff from the Office of Judicial Administration.
 5. **Welcome and introductions.** Justice Goff welcomed everyone to the meeting and introduced Catheryne Pully as the new executive director of the Indiana Office of Court Services.
 6. **Approval of minutes.** Derrick Mason noted that the new name of his office should be reflected in the minutes. The Advisory Council unanimously approved the revised July 12, 2024, meeting minutes on motion by Doug Huntsinger and seconded by Scott Hohl.
 7. **Workgroup Reports.**
 - a) **Local JRAC Workgroup.** Chris Biehn reported the following:
 - i. Technical assistance through the Center for Effective Public Policy—the first round of technical assistance is wrapping up and several counties will receive assistance in the next round. He noted that some of these counties will explore future operations of Local JRAC and combining the county community corrections advisory board with Local JRAC.
 - ii. 2023 Local JRAC Reports—CEPP is analyzing the reports to identify sites that may need further assistance. Highlights from the report include 45% of counties operate as community corrections advisory board; 80% have completed or are working on system mapping; 60% are conducting sequential intercept mapping; and 43% have developed strategies to collect and analyze data. He asked for feedback on focus areas for the 2024 report.
 - iii. State JRAC Strategic Plan—CEPP provided feedback on the draft strategic plan and will work with JRAC to complete the plan and implement.
 1. The Council approved the 2023 Local JRAC Annual Report on motion and second by Bernice Corley and Mark Spitzer.
 - b) **JRAC Report Workgroup.** Michelle Goodman reported the following:

- i. Judicial LIT—the workgroup is continuing to work on the Judicial Local Income Tax report.
- ii. SEA 179—subcommittee developed a draft survey to comply with IC 33-38-9.5 -2.2(a) which requires a survey of all trial courts making indigency determinations for appointed counsel in criminal cases; item #14 was added at the request of the Public Defender Council; Bernice Corley suggested that JRAC survey counties about appointed counsel in CHINS and TPR cases; JRAC will include a footnote on this topic in the report to the legislature.
 - 1. Draft survey on motion and second by Mark Spitzer and Derrick Mason. Sydney Moulter voted as proxy for Zoe Frantz while Ms. Frantz stepped away from the meeting.
- iii. SEA 9 electronic monitoring reports—88 Q2 reports have been submitted and IOCS staff is conducting follow-up with the 3 outstanding counties; IOCS staff is preparing for the Q3 reporting cycle; Q1 report is ready for JRAC approval.
 - 1. Q1 EM Report approved on motion and second by Scott Hohl and Bernice Corley.
- iv. EM Report Legislative Proposal—the workgroup recommends technical changes to the statute to better align with the report instructions to supervision agencies, update the annual report deadline to May 1, and request removal of the false location alerts since this varies based on local policy and practice and is the most unreliable data element within the report.
 - 1. Electronic monitoring report legislative proposal approved on motion and second by Scott Hohl and Bernice Corley.

c) Racial Equity Workgroup. Bernice Corley reported that the workgroup last met on August 15th to review the final report on the research project which Dr. Lowder will present today. She thanked Dr. Lowder and the research team who have been incredible to work with during the first phase of the project. To continue this important work, Dr. Lowder has provided a scope of work for phase two. This next phase is estimated to cost approximately \$110,000. Ms. Corley noted that the Public Defender Council can contribute a quarter of the cost. IPDC invites other members to contribute funds toward this project as their budgets allow.

8. JRAC Racial Equity Project: 2023-2024 Findings Report. Principal investigator Dr. Evan Lowder presented the findings and recommendations from the JRAC Racial Equity Project. She highlighted that Porter County was the focus of the project because of data limitations in the other pilot counties. Using data from criminal justice agencies in Porter County and statewide data holders, the project measured 26 racial equity metrics over a 7-year period (2016-2022). According to Dr. Lowder, the findings suggest that racial disparities are present at multiple stages of the criminal-legal system in Porter County; however, the degree to which these

disparities exist depends on the specific event being measured. Overall, the study found no evidence of racial differences in arrest or sentencing outcomes. During the pretrial stage, Black individuals spent less time in jail relative to White individuals. However, Black individuals were more likely to be charged with a criminal offense. Disparities in charging decisions carried over and contributed to disparities in a guilty case disposition, demonstrating evidence of a cumulative effect of case processing on racial disparities. Dr. Lowder noted that although racial equity metrics do not explain why a specific disparity exists, these measures facilitate documentation of that disparity. Documenting where disparities exist—and where they are less likely to exist—is a precursor to understanding why disparities exist and how they might be ameliorated. Ongoing and continuous tracking of racial equity metrics can provide important real-time information as local practices change.

Dr. Lowder described the proposed scope of work for 2024-2025 as an expanded effort to document and explore drivers of racial disparities in criminal justice decision-making and outcomes, in addition to promoting sustainability of racial equity metrics into the future to inform opportunities for intervention to reduce disparities. The objectives for Phase II include: (1) consult with workgroup and other state agencies on data sources, data cleaning, and data operationalization required to produce racial equity metrics for other pilot counties (Dearborn, Marion, Vigo), (2) link Relative Disadvantage Tool responses to local jail data and court data to examine drivers of racial disparities, and (3) develop and implement a statewide survey of criminal justice professionals to understand how key decision-makers conceptualize disparities and opportunities for intervention. The Council members discussed the report findings and the need for better data. The Council approved the new scope of work on motion and second by Bernice Corley and Mark Spitzer.

- 9. IOCS Grants Update.** Angie Hensley reported that IOCS received over \$9.9 million in requests for problem-solving court grants and recommended awarding \$6.7 million after reductions to 129 courts for FY 2025. IOCS also received \$4.9 million in requests for pretrial services grants and recommended awarding \$3.8 million after reductions to 36 agencies for FY 2025.
- 10. Next Meeting Date.** The next Council meeting is scheduled for November 22, 2024, at 10:00 a.m. in the South Tower of the Capital Center.

Respectfully submitted,

Jennifer Bauer
Office of Court Services