

SUMMARY OF REENTRY BILLS: HB 1425, HB 1417, HB 1549

Overall Goal: Make better use of ND's prison & jail beds by being smart on crime

Reentry Study Report: With assistance from the Crime & Justice Institute, a team of 15 leaders from the legislature, DOCR, DHHS, court system, county jails, and community reentry service providers met as the “Reentry Study Work Group” to discuss important data findings from North Dakota’s criminal justice system and make recommendations for improving reentry outcomes in the state. Key findings included:

- ✓ ND’s prison population is rising while nationally it is declining.
- ✓ Drug/alcohol offenses and revocations are the primary drivers of the increase.
- ✓ People of color, particularly Black and Native individuals are disproportionately represented.
- ✓ People leaving incarceration face barriers to success such as affordable housing, behavioral health care, gaps in Medicaid access, and a lack of state-issued IDs.

Policy Recommendations: The Reentry Study Work Group identified about two dozen policies to address the issues highlighted by the report. Some will move forward as proposed legislation, some will be implemented as policy/practice changes within state agencies, and some will not move forward until more stakeholder conversations occur.

Goals: The recommendations aim to ensure public safety, make the best use of our prison and jail beds so we have capacity for our most serious offenders, save taxpayer dollars by controlling the expected ongoing growth of admissions, and improve the lives of justice-involved individuals.

Legislative Proposals: Several of the Reentry Study Work Group’s recommendations are represented in 3 proposed bills that require a change to North Dakota’s statute.

HB 1425:

Targets the "front-end" of reentry, including strengthening the continuum of deflection, diversion, and pretrial services to expand pathways to alternatives to incarceration.

- **Deflection Program:** If a community establishes a deflection program, law enforcement & behavioral health shall collaborate and establish standard protocols, training & data collection processes.
- **Prosecution-led Diversion Program:** Counties that establish a prosecution-led diversion program shall establish guidelines and eligibility criteria. Appropriates funds for DOCR to run a pilot program in three counties for the supervision of prosecution-led diversion program participants and appropriates funds to DHHS for services to participants.
- **Pretrial Services:** Appropriates funds to study the cost savings of this program.

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HB 1417:

Focuses on supervision violations and indigent defense (public defenders).

- **Revocations:** Develops tiered sentencing recommendations for supervision violations due to technical violations for a more consistent response and updates definitions.
- **Eliminate fees:** Eliminates supervision fees (\$55/month) and the application fee for indigent defense (\$35) and the court's ability to request reimbursement of public defense costs.
- **Study other fees:** Examines other fees, including the rate collected and the impact on revenue and on justice-involved individuals.

HB 1549:

Focuses on "back-end" of reentry, including stronger collaborations that support successful transitions back into the community.

- **Correctional facility program grants:** Creates a grant program for local jails to help them improve their programming/reentry efforts. Establishes a grant committee and appropriates \$1.5m for grants.
- **Medicaid & IDs:** Requires the DOCR to partner with DOT to offer people leaving prison a state-issued ID and to partner with DHHS to offer eligible people Medicaid assistance or other programs.
- **Reduce racial disparities:** Creates a reentry program for Native Americans through a partnership between ND's tribes and DOCR. Requires the Minority Justice Implementation Committee to summarize its work in an annual report to legislative management.
- **Expand housing resources for the justice-involved population:** Creates a task force to collaborate with housing stakeholders to examine housing assistance for those leaving incarceration to prevent homelessness, housing for sexual offenders, sober housing, and low-barrier housing.
- **Improve data:** Requires DOCR and its system partners to examine our criminal justice data collection, retention, and dissemination and make recommendations for tracking uniform data points, standardizing data collection and sharing, and improving data connectivity between system partners.
- **Study:** Examines the potential of expanding access to criminal record sealing including automation.
- **Subgrants:** Requires the DOCR to apply for federal justice reinvestment implementation grants to help fund coordination and implementation of reentry policies and programs.