

# COMMISSION ON ALTERNATIVES TO INCARCERATION

The Commission on Alternatives to Incarceration was created by 2005 House Bill No. 1473. The bill required the Legislative Council chairman to select the chairman and vice chairman of the commission and provided for the membership of the commission as follows:

1. Three members appointed by the Governor, one of whom must be an academic researcher with specialized knowledge of criminal justice sentencing practices and sentencing alternatives;
2. The Attorney General or the Attorney General's designee;
3. Two members appointed by the Chief Justice of the Supreme Court;
4. The director of the Department of Corrections and Rehabilitation;
5. The director of the Department of Human Services;
6. Two local law enforcement officers appointed by the Attorney General;
7. One state's attorney appointed by the North Dakota State's Attorneys Association;
8. Three members of the House of Representatives, two of whom must be selected by the leader representing the majority faction of the House of Representatives and one of whom must be selected by the leader representing the minority faction of the House of Representatives;
9. Three members of the Senate, two of whom must be selected by the leader representing the majority faction of the Senate and one of whom must be selected by the leader representing the minority faction of the Senate; and
10. One representative of the North Dakota Association of Counties appointed by the Association of Counties.

House Bill No. 1473 required the commission to study sentencing alternatives, mandatory sentences, treatment options, the expanded use of problem-solving courts, home monitoring, and other related issues. The bill authorized the commission to request funding for consultant services from the Legislative Council and other interested entities if the commission determined that consultant services were necessary to assist the commission in conducting its assigned studies.

House Bill No. 1473 required the commission to provide to the Governor information and recommendations for the Governor's consideration in time for inclusion of the recommendations in the biennial executive budget. The bill establishing the commission is effective until June 30, 2009.

Commission members were Representatives Joe Kroeber (Chairman), Ron Carlisle, and Lawrence R. Klemm; Senators Dick Dever, Larry J. Robinson, and Thomas L. Trenbeath; Governor's appointees Edward Brownshield, Deborah Ness, and Dr. Gary Rabe; Attorney General's designee Sandi Tabor; Chief Justice's appointees Judge Gail Hagerty and Justice Mary Muehlen Maring; Director of the Department of

Corrections and Rehabilitation Leann K. Bertsch; Director of the Department of Human Services Carol K. Olson; Attorney General's law enforcement officer appointees Chris Magnus, who resigned in November 2005, and Paul Hendrickson; North Dakota State's Attorneys Association appointee John Mahoney; and North Dakota Association of Counties appointee Duane Johnston.

The commission submitted this report to the Legislative Council at the biennial meeting of the Council in November 2006. The Council accepted the report for submission to the 60th Legislative Assembly.

## BACKGROUND

Between 1995 and 2003, the number of incarcerated adults in the United States increased by an average of 3.4 percent annually to a total of 1,470,045 inmates at the end of 2003. Of those inmates, 1,296,986 were under state jurisdiction. United States Department of Justice Bureau of Justice Statistics estimates suggest that the lifetime chances of an individual going to prison for a male are over 11 percent. The Bureau of Justice Statistics projects that if recent incarceration rates were to remain stable, 1 of every 15 persons will serve time in a prison during that person's lifetime.

### Department of Corrections and Rehabilitation

The North Dakota Department of Corrections and Rehabilitation reported that as of July 5, 2005, the total inmate population was 1,356, of which 1,208 were males and 148 were females. Using current growth rates, it is estimated that the state could have approximately 2,200 individuals incarcerated by 2017. For fiscal year 2004, the daily cost of incarceration at the State Penitentiary was \$68.07; the James River Correctional Center was \$69.28; the Missouri River Correctional Center was \$46.41; and the Dakota Women's Correctional and Rehabilitation Center was \$83.55.

The Department of Corrections and Rehabilitation includes two major programs--juvenile services and adult services. Within each of the two programs is an institutional division and a community division. The four major areas of the department are the Prisons Division, the Juvenile Services Division, the Youth Correctional Center, and the Field Services Division. The Department of Corrections and Rehabilitation has contracted with the Dakota Women's Correctional and Rehabilitation Center to house female inmates since late 2003, and in 2005 the Legislative Assembly appropriated funds to continue to contract with the facility for the 2005-07 biennium. In addition, inmates can be held in local correctional centers, in the community placement program, and in other states through the interstate compact program.

### Prisons Division

North Dakota Century Code (NDCC) Section 12-47-01 provides for the establishment of the State Penitentiary. The main prison complex in Bismarck

consists of 550 prison beds and houses maximum security male inmates. The James River Correctional Center at Jamestown is classified as a medium security housing facility and has 405 prison beds and houses medium security male inmates. The Missouri River Correctional Center is south of Bismarck and has no walls or barriers to contain the inmates. The Missouri River Correctional Center has approximately 150 prison beds and houses minimum security male inmates whose sentences are not less than 30 days nor more than one year.

### **Division of Juvenile Services and Youth Correctional Center**

The Community Services Division of the Division of Juvenile Services has eight regional offices serving the eight human service regions across the state and is staffed to provide supervision to juveniles committed by the courts. The division's case managers supervise about 400 juveniles per day.

The Division of Juvenile Services also oversees the Youth Correctional Center, which is located west of Mandan and is the state's secure juvenile correctional institution. The Youth Correctional Center serves as a secure detention and rehabilitation facility for adjudicated juveniles who require the most restrictive placement and maximum staff supervision and provides appropriate programming to address delinquent behavior. Juvenile programming at the Youth Correctional Center includes drug and alcohol programming, child psychiatric and psychological services, sex offender programming, a pretreatment program for juveniles who are difficult to manage, and a security intervention group program to inform, educate, and provide juveniles with alternatives to gang activity and gang affiliation. The Youth Correctional Center provides adjudicated adolescents an opportunity to complete or progress toward completing their education coursework while in residence.

### **Field Services Division**

The Field Services Division has offices across the state staffed by parole and probation officers. The division manages offenders sentenced to supervision by a court, released to parole by the Parole Board, sent to community placement by the director, or placed at the Tompkins Rehabilitation and Correction Center. The division staff supervises offender compliance with the supervision conditions and provides cognitive behavioral and other forms of counseling services.

The Tompkins Rehabilitation and Correction Center, a combined program located on the campus of the State Hospital in Jamestown, is managed through the Field Services Division and houses both inmates and noninmates. The center is the combination of the Tompkins Rehabilitation and Corrections Unit from the Stutsman County Corrections Center and the Corrections Rehabilitation and Recovery Center. The center consists of three 30-bed wards--one ward (30 beds) for females and two wards (60 beds) for males.

### **Dakota Women's Correctional and Rehabilitation Center**

During the 2003-05 biennium, the Department of Corrections and Rehabilitation began to contract with the Dakota Women's Correctional and Rehabilitation Center to house its female inmates. The Dakota Women's Correctional and Rehabilitation Center is owned and operated by the Southwest Multi-County Correction Center Board, which consists of one member from each of the six counties represented in the Southwest Multi-County Correction Center. The six counties are Stark, Slope, Billings, Bowman, Dunn, and Hettinger.

The prison at the Dakota Women's Correctional and Rehabilitation Center consists of facilities for minimum and higher security inmates and for administrative segregation.

### **Mandatory Sentences**

During the 1980s and early 1990s, many states, including North Dakota, enacted laws providing for mandatory minimum sentences for certain offenses. Mandatory minimum sentencing laws require that a judge impose a sentence of at least a specified length if certain criteria are met. The proponents of mandatory minimum sentencing laws contended that the certainty and severity of the mandatory minimum sentences would reduce crime by deterring individuals from committing crimes and keeping criminals incarcerated longer. However, critics of the laws argued that the requirements unduly removed discretion from judges and would ultimately result in significant increases in the number of individuals incarcerated.

In 1983 the Legislative Assembly enacted Senate Bill No. 2373, which established mandatory minimum terms of imprisonment for offenders with multiple driving while under the influence offenses.

In 1991 the Legislative Assembly enacted House Bill No. 1062, which established mandatory minimum terms of imprisonment for the manufacture, delivery, or possession with the intent to deliver certain controlled substances. The bill amended NDCC Section 19-03.1-23 to provide specified minimum sentencing requirements based upon the classification of the controlled substance and whether the offender had previous offenses. The bill also established mandatory minimum sentences if the violation occurred within 1,000 feet of a school and if the offender were over the age of 21 and used a minor in the commission of the crime. Additionally, the bill amended Section 12.1-32-02.1 to impose mandatory sentences if the offender possessed a dangerous weapon or firearm while in the course of committing the offense. The bill created Section 19-03.1-23.2, which prohibits a court from deferring imposition of a sentence and from suspending a mandatory term unless the court finds that the offense was the defendant's first violation and that extenuating or mitigating circumstances exist to justify the suspension.

Subsequent Legislative Assemblies, including the Legislative Assembly in 2005, have established minimum mandatory sentences for sex offenders and

imposed requirements with respect to the service of sentences.

North Dakota Century Code Section 12.1-32-09.1, which was enacted by the Legislative Assembly in 1995 and amended in 1997, provides that an individual convicted of a crime that classifies the individual as a violent offender and who is sentenced to imprisonment is not eligible for release from confinement on any basis until 85 percent of the sentence imposed by the court has been served or the sentence is commuted.

North Dakota Century Code Section 12.1-20-03.1, which was adopted by the Legislative Assembly in 1997 and amended in 2005, prohibits a court from deferring imposition of a sentence of an individual convicted of the continuous sexual abuse of a child. In 2005 the Legislative Assembly, in House Bill No. 1313, further provided that if, as a result of injuries sustained during the course of the offense classified as gross sexual imposition, the victim dies, the offense is a Class AA felony, for which the maximum penalty of life imprisonment without parole must be imposed.

### **Drug Courts**

In 2001 the Legislative Assembly enacted House Bill No. 1218, which permitted an individual convicted of a third or subsequent driving under the influence offense to serve the mandatory minimum terms of imprisonment by serving at least 10 days' imprisonment and then successfully completing a drug court program approved by the North Dakota Supreme Court. The legislation contained an expiration date of July 31, 2003. In 2003 the Legislative Assembly enacted House Bill No. 1191, which removed the expiration date from the 2001 legislation and made the drug court program permanent law.

Before the enactment of House Bill No. 1218 (2001), the South Central Judicial District Court began implementation of a drug court in Burleigh and Morton Counties. That court held its first session on January 5, 2001. The announced goals of the drug court program were to reduce recidivism and increase safety for the community by providing an alternative sentence that would provide meaningful treatment and probation supervision while reducing incarceration for nonviolent offenders. In July 2001 the Supreme Court was awarded a grant of nearly \$300,000 from the United States Department of Justice to provide for the operation of the drug court program over a three-year period.

The Supreme Court established a Juvenile Drug Court Study Committee in October 1998 to study whether a juvenile drug court should be implemented in North Dakota. As a result of the findings of that committee, the Supreme Court applied for and received a grant of \$30,000 from the United States Department of Justice to assist in the planning for implementation of a juvenile drug court. The juvenile drug court program in this state began on May 1, 2000, with the establishment of pilot programs in Fargo and Grand Forks. In October 2002 the juvenile drug court program was expanded to Bismarck.

## **TESTIMONY AND COMMISSION CONSIDERATIONS Mandatory Sentences**

The commission received testimony indicating that other states have reconsidered minimum mandatory sentencing laws because the laws have resulted in significant increases in incarceration rates, while limiting judicial discretion. Proponents of reexamining minimum mandatory sentencing laws contended that if judges are allowed the discretion to provide alternative sentences for offenders and direct offenders into treatment programs, particularly nonviolent drug offenders, incarceration rates and recidivism rates would be reduced.

### **Department of Corrections and Rehabilitation Programs**

The commission received reports from representatives of the Department of Corrections and Rehabilitation regarding alternatives to incarceration programs implemented by the department. The testimony revealed that the department has implemented or cooperated with other entities to operate a number of programs to divert offenders from incarceration and to move adult offenders from prison into the community. In addition, through the Division of Juvenile Services, the department has implemented programs to divert juveniles from incarceration and move incarcerated juveniles back into the community.

### **Faith-Based Community Housing Initiative**

In 2005 the Legislative Assembly enacted House Bill No. 1408, which appropriated \$150,000 for the purpose of reimbursing a nonprofit faith-based organization for room and board costs associated with an extended residential care program in northwestern North Dakota for indigent adults with alcohol or other substance abuse issues as a pilot project. Although the department awarded the contract for the program to North Dakota Teen Challenge in Williston, the Teen Challenge program was moved to a facility in Mandan. The program provides residential treatment to individuals over a 13-month to 19-month period.

### **Last Chance Program**

Under the last chance program, an offender on probation under the supervision of the Department of Corrections and Rehabilitation who has violated the provisions of the offender's probation may be diverted from incarceration for the probation violation. The program provides addiction treatment for approximately 20 individuals through therapeutic treatment with supervision. The program uses a cognitive behavioral approach to attempt to reduce risky behavior.

### **Assessment Center Program**

Under the assessment center program, an assessment team conducts an evaluation of an offender's risk and treatment needs, which lasts from 10 to 60 days. The evaluation is used to determine the

appropriate level of treatment through a department or court-approved treatment program.

### **Day Report Program**

Under the day report program, a parole or probation officer works with an offender to ensure that the offender is utilizing available resources and services that target common risks which may assist in reducing recidivism.

### **Three-Day Parole Hold**

If an offender has a recovery relapse or a minor technical parole violation that may require detention as a means to continue treatment, the Department of Corrections and Rehabilitation may temporarily detain the individual to evaluate the individual's likelihood of reoffending and determine the risk to the community. With this evaluation, parole or probation officers can determine whether an offender's risk to reoffend may be reduced and managed with community corrections treatment and supervision of the offender.

### **Rapid Intervention Program**

Under the rapid intervention program, a parole violator who would be subject to arrest and a return to prison may be placed in an appropriate treatment program for up to 90 days to address an addiction and any underlying criminal thinking before being placed back in the community.

### **Tompkins Rehabilitation and Correction Center**

Treatment at the Tompkins Rehabilitation and Correction Center requires between 100 and 150 days of residential treatment and subsequent community supervision. Treatment at the Tompkins Rehabilitation and Correction Center may be utilized as a method to divert an offender from incarceration or as a means to assist the offender in transitioning from incarceration to the community.

### **Transition Programs**

The Department of Corrections and Rehabilitation has contracted with the Bismarck Transition Center and Centre, Inc., to provide facilities and programs to transition offenders from incarceration to the community. Centre, Inc., provides residential beds in Bismarck and Fargo to assist in the continuum of treatment and counseling of female offenders as the offenders prepare to return to their communities. The Bismarck Transition Center provides transitional treatment and educational and employment services to male offenders who do not have a history of serious violent crimes.

The department also contacts with Centre, Inc., for halfway houses and the Quarter House facility in Fargo. The purpose of the halfway houses is to provide community-based correctional treatment services. The Quarter House facility serves parole and probation violators who are completing or enrolled in corrections treatment programming to support recovery or risk reduction.

### **Parole**

The commission received testimony indicating that the Parole Board has implemented a policy that has increased the number of individuals on parole. Although the parole ratio was increased to approximately 4.5 inmates to one parolee, the revocation rate has increased only 3 percent and remains significantly below the national average. Testimony suggested that the use of transition programs has assisted in increasing the number of individuals eligible for parole, while not compromising public safety.

### **Electronic Monitoring**

The Department of Corrections and Rehabilitation began implementation of global positioning systems technology to monitor offenders' movements and activities after release from incarceration. Representatives of the department testified that implementation of electronic monitoring systems has been done cautiously so that staff can be properly trained and appropriate policies and procedures can be implemented. In addition, the implementation of electronic monitoring requires sufficient staff at the state and local levels to monitor the offenders. Although gaps in cellular telephone coverage in rural areas of the state have hindered the implementation of electronic monitoring of offenders in rural areas, the department has cooperated with the Department of Human Services and local law enforcement agencies to establish sex offender containment task forces in Bismarck, Fargo, Grand Forks, and Jamestown to identify sex offenders who may be appropriate subjects for electronic monitoring. Representatives of the department testified that the short-term goal of the electronic monitoring program is to have 25 to 35 offenders monitored by electronic systems by the end of 2006. The department began implementation of a pilot program to test remote alcohol monitoring technology.

The commission considered a bill draft that provides a framework through which the department may implement an electronic home detention and global positioning system monitoring program. The bill draft requires that before entering an order for commitment for electronic home detention or global positioning system monitoring, a court, the Parole Board, or the department must inform the participant and other individuals residing in the residence of the nature and extent of the approved electronic monitoring devices by securing the written consent of the participant in the program and ensuring that the approved electronic devices be minimally intrusive upon the privacy of the participant and other individuals residing in the residence. The proponents of the bill draft stated that the intent of the proposal is to provide the department specific authority to implement electronic monitoring programs and provide uniform standards for all individuals subject to electronic monitoring.

### **Juvenile Programs**

Because a juvenile is substantially more likely to reoffend once the juvenile has been incarcerated, there are 13 nonsecure holdover sites throughout the state

which are staffed only when needed and at which juveniles may be held temporarily so that further problems can be avoided and the issues with the juvenile can be addressed without adjudication. The sites are operated through the North Dakota Association of Counties.

The commission also received a report indicating that in addition to the vocational education, alcohol and drug treatment programs, and basic sex offender treatment program administered at the Youth Correctional Center, the Department of Corrections and Rehabilitation, through the Division of Juvenile Services, provides a continuum of programs to divert juveniles from incarceration and to return juveniles to their homes and communities. Those programs include in-home treatment, therapeutic foster care, residential foster care, and residential treatment. The division also provides aftercare services through its eight regional offices.

### **Judicial Branch Programs**

#### **Juvenile Drug Court**

The juvenile drug courts in Bismarck, Fargo, and Grand Forks have been administered in cooperation with state's attorneys, the Department of Human Services, and contract services from Lutheran Social Services. The drug courts operate with full-time case managers, with part-time coordinators in Fargo and Grand Forks, and with a full-time coordinator in Bismarck. The approximate cost of each juvenile drug court is \$64,500 per year. Testimony indicated that a juvenile drug court will likely be implemented in Minot during 2007 and that there is interest among individuals in Williston in implementing a juvenile drug court.

#### **Adult Drug Court**

The adult drug courts in Bismarck and Fargo operate as a cooperative venture among district judges, parole and probation officers, and treatment providers. In Bismarck, treatment services are provided through the West Central Human Service Center. Treatment services for the Fargo drug court are provided on a contract basis pursuant to a contract between the Department of Corrections and Rehabilitation and ShareHouse.

The commission received testimony indicating that the regional human service centers generally do not have sufficient staff to provide counseling and treatment services for drug courts. Testimony indicated that the cost to the Department of Human Services to add an addiction counselor to serve the drug courts would be approximately \$96,000 per position for the biennium. Testimony also indicated that expansion of the drug courts to Grand Forks and Minot would require the addition of a full-time parole officer position in each of those cities, at a cost of approximately \$100,000 per position for the biennium.

### **Department of Human Services' Programs**

The commission received reports stating that in addition to participation with the drug courts, the Department of Human Services is involved with prearrest, postbooking, and postadjudication diversion

programs through the regional human service centers. Because a significant percentage of adult and juvenile offenders suffer from cooccurring substance and mental health problems, the department's participation is focused on substance abuse and mental health issues. The department also cooperates with the Superintendent of Public Instruction in supporting community and school-based prevention programs and provides funding for 12 prevention coordinators statewide.

Testimony indicated that some of the regional human service centers were experiencing difficulty in hiring addiction counselors and that the caseloads for addiction counselors and case managers generally exceeded recognized industry standards. Testimony and commission discussion also revealed concern for the lack of treatment programs and the availability of aftercare for individuals who have completed treatment programs. The availability of treatment and aftercare appeared to be especially evident in rural areas of the state.

Testimony indicated methamphetamine addiction is a growing problem, and treatment of individuals addicted to the drug poses unique challenges and requires an intensive, structured process. In 2005 the Legislative Assembly enacted Senate Bill No. 2373, which required the Department of Human Services to implement a substance abuse treatment pilot program consisting of up to 20 beds at the State Hospital or at a private treatment facility through a grant as determined by the department for the treatment and rehabilitation of individuals who are chemically dependent on methamphetamine or other controlled substances. The bill required the department to issue a statewide request for proposal seeking providers for the program. The bill also appropriated \$500,000 from the general fund and \$800,000 from other sources to the department for treatment costs under the pilot program.

Pursuant to Senate Bill No. 2373, the department contracted with ShareHouse in Fargo to establish the Robinson Recovery Center. During the first eight months of operation of the Robinson Recovery Center, 94 individuals were referred to the center and 42 individuals were admitted to the program. Of the individuals admitted, 22 were male and 20 were female. As of September 2006, 11 individuals had successfully completed the program.

### **Superintendent of Public Instruction Programs**

In addition to receiving information regarding the cooperation between the Department of Human Services and the Superintendent of Public Instruction with respect to prevention programs, the commission received a report from a representative of the Superintendent of Public Instruction relating to the administration of federal safe and drug-free school grant funds.

Commission members engaged in discussion relating to the need for providing information to parents and children which addresses alcohol and drug use and suicide and other mental health issues. The commission members also discussed the correlation between

reducing a juvenile's likelihood of engaging in at-risk behaviors and keeping the juvenile enrolled in school.

## **Local Government Programs**

### **Community Service Agencies**

Since the early 1990s, the state has provided funding to assist community service programs. The 14 community service agencies throughout the state provide community-based alternatives to incarceration and allow juvenile and adult offenders to perform court-ordered community service obligations for the benefit of nonprofit organizations and local communities.

The commission received testimony indicating the Department of Corrections and Rehabilitation ceased providing the grants after June 30, 2006. Representatives of various community service agencies testified that the level of reliance on state funds varies depending upon local funding sources. Representatives of the Department of Corrections and Rehabilitation testified that in 2005 the Legislative Assembly reduced funding for the department's Field Services Division and that concerns with funding made the decision to end the grant program necessary. In addition, they contended, when the state first began providing funding for the agencies, it was intended the agencies would eventually become fully funded at the local level.

### **CounterAct Program**

The commission received a report regarding the CounterAct program implemented by the Burleigh County Sheriff's Office. Under the program, law enforcement officers go into schools and interact with youth and students. The law enforcement officers provide information regarding drugs and violence and work with students to develop skills for avoiding and counteracting the use of drugs and other negative behaviors.

### **Cass County Jail Intervention Coordinating Committee Project**

The commission received testimony regarding a proposal to implement a program to divert mentally ill individuals from incarceration after the individuals have been arrested. Under the program, when an individual is brought to a jail, jail personnel would attempt to identify whether a mental health problem underlying the individual's criminal behavior could be addressed without incarceration.

Representatives of the Cass County Jail Intervention Coordinating Committee testified the committee has submitted an application for a federal grant to implement the program. However, to implement the program, they indicated that additional funding would be necessary. Because about 10 percent of the approximately 250 individuals sent from Cass County to the State Penitentiary suffer from mental health problems, proponents of the program contended that the program could reduce the number of individuals sent to the Penitentiary from Cass County by about 25 per year.

## **Nongovernmental Program**

The commission received a report from a representative of the Central Dakota RSVP program regarding the receipt of a federal grant for implementation of a program to provide mentors for children of incarcerated parents. The report indicated that studies have shown that 70 percent of children with an incarcerated parent will eventually become incarcerated if the children do not have a positive influence in their life. In addition, those studies have also indicated that a child with a mentor is more likely to have improved test scores and is less likely to use alcohol and drugs.

## **RECOMMENDATIONS**

### **Electronic Monitoring Bill**

The commission recommends Senate Bill No. 2029 to provide standards under which the Department of Corrections and Rehabilitation may implement an electronic home detention and global positioning system monitoring program and to require that before entering an order for commitment for electronic home detention or global positioning system monitoring, a court, the Parole Board, or the department must inform the participant and other individuals residing in the residence of the nature and extent of the approved electronic monitoring devices by securing the written consent of the participant in the program and ensuring that the approved electronic devices be minimally intrusive upon the privacy of the participant and other individuals residing in the residence.

### **Executive Budget and Funding Issues**

The commission recommends the Governor include in the executive budget \$300,000 for room and board expenses for individuals admitted to a faith-based program to address addiction problems.

The commission recommends the Governor include in the executive budget approximately \$600,000 for the addition of two full-time equivalent positions for the Department of Corrections and Rehabilitation and four full-time equivalent positions for the Department of Human Services to assist in the expansion of drug courts.

The commission recommends the Governor include in the executive budget up to \$1.2 million for the expansion of the Robinson Recovery Center.

The commission recommends the Governor include in the executive budget \$200,000 to be administered on a cost-share basis with local governments for the operation of community service programs.

The commission recommends the Governor include in the executive budget \$582,000 to assist in implementing the Cass County Jail Intervention Coordinating Committee mental health project, to be contingent upon the receipt of a federal grant for the implementation of the project.

The commission expresses its support for an appropriate level of funding, staffing, and training for electronic monitoring programs and the continued use and expansion of the secure continuous remote alcohol monitoring program.

The commission encourages the Governor to assess the need for reducing caseloads for licensed addiction counselors, case managers for individuals with serious mental illnesses, and parole and probation officers to attempt to achieve industry caseload standards. The commission also recommends the provision of adequate funding for mental health and substance abuse programs.

The chairman of the commission sent a letter to the Governor outlining the commission's recommendations for inclusion in the Governor's budget for the 2007-09 biennium.

### **Other Recommendations and Statements**

The commission encourages the Department of Human Services to work with treatment providers to identify gaps in recovery support services and to assist

in the implementation of programs to provide early mental health screenings.

The commission encourages school districts to operate alternative schools to assist in keeping adolescents in school.

The commission encourages the continued study of the effectiveness of substance abuse treatment programs.

The commission encourages state agencies and other entities to place additional emphasis on education and awareness of substance abuse issues.

The commission expresses support for the work of the Prevention Council appointed by the Governor, including the identification of methods for strengthening families and healthy communities.

The commission expresses support and encouragement for private initiatives, such as the program that provides mentors for children of incarcerated individuals.