

INTERIM JOINT COMMITTEE ON APPROPRIATIONS AND REVENUE

Budget Review Subcommittee on Justice and Judiciary

Minutes of the 1st Meeting of the 2019 Interim

June 4, 2019

Call to Order and Roll Call

The 1st meeting of the Budget Review Subcommittee on Justice and Judiciary of the Interim Joint Committee on Appropriations and Revenue was held on Tuesday, June 4, 2019, at 8:00 AM, in Room 129 of the Capitol Annex. Representative Jason Nemes, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Jason Nemes, Co-Chair; Senators John Schickel and Robin L. Webb; Representatives Angie Hatton, Nima Kulkarni, Jason Petrie and Brandon Reed.

Guests: John Tilley, Secretary, Justice and Public Safety Cabinet (JPSC); Stacy Woodrum, Budget Director, JPSC; Hilarye Dailey, Deputy Commissioner of Support Services, Kentucky Department of Corrections (DOC); Cyndi Heddleston, Legislative Liaison, DOC; Kathleen Kenney, Interim Commissioner, DOC; Randy White, Deputy Commissioner of Adult Institutions, DOC; Leigh VanHoose, Chair, Kentucky Parole Board; and Tim Havrilek, Chair, State Corrections Commission.

LRC Staff: Zachary Ireland, Savannah Wiley, and Benjamin Thompson.

Discussion on 2017RS SB 120 Implementation

Secretary Tilley spoke on the budget of the Department of Corrections (DOC), as well as the implementation of Senate Bill 120 that was passed in the 2017 Regular Session.

In response to a question from Senator Schickel, Secretary Tilley confirmed that Interim Commissioner Kinney retired from the Federal Bureau of Prisons and had been selected as the Commissioner of the DOC after a national search.

In response to a question from Representative Hatton, Secretary Tilley stated that raises for probation and parole officers had been worked out. Secretary Tilley noted that the former Commissioner of the DOC had announced the raises prematurely.

In response to questions from Senator Schickel, Secretary Tilley stated that lowering the age requirement for correctional officers from 21 to 18 might be helpful in staffing correctional institutions. Ms. Heddleston said that DOC is in the beginning stages of establishing an apprenticeship program for individuals under the age of 21. Deputy Commissioner White noted that a post has already been identified where individuals could work in an apprenticeship situation with less face to face time with inmates. Secretary Tilley confirmed that DOC is likely trending toward lowering the age requirement for correctional officers.

In response to questions from Senator Webb, Secretary Tilley said that the cost of sending correctional officers from eastern Kentucky to understaffed facilities elsewhere in the state is about thirteen million dollars in transportation and overtime. Deputy Secretary White stated that DOC first requests volunteers to help staff other facilities. If there are not enough volunteers, then overtime duties are assigned by shift supervisors.

In response to questions from Chair Nemes, Secretary Tilley noted that DOC has had to reopen one private prison in order to safely house Kentucky's expanding prison population.

In response to a question from Senator Webb, Ms. Heddleston stated that roughly half of the judges across the state utilize discretionary detention. Ms. Heddleston stated that parole officers have the authority to utilize discretionary detention post-incarceration by statute.

In response to questions from Senator Webb, Secretary Tilley said the Justice and Public Safety Cabinet doesn't have the authority to tell constitutionally elected county jailers whether or not to allow work release for inmates.

In response to a question from Chair Nemes, Ms. VanHoose stated 95% of participants have completed the accelerated docket program and the parole board is working to expand the program.

In response to questions from Senator Webb, Ms. VanHoose stated that parole violators are served with a notice of hearing. Individuals then have the choice to either waive the hearing, come directly to the parole board, or have a hearing with an administrative law judge.

In response to a question from Senator Schickel, Mr. Havrilek confirmed that the Jail Standards Committee is still in existence.

There being no further business before the subcommittee, the meeting was adjourned at 10:01 AM.