**Notes from the Justice Reinvestment Policy Oversight Board meeting held remotely on September 14, 2020.**

**Time of meeting: 11:00am – 12:30pm**

EOTSS Secretary Curtis Wood opened the meeting at 11:05am.

Introductions and roll call of board members and guests; review of Agenda.

**AGENDA:**

1. Roll call
2. Review and approve meeting minutes from July 13, 2020
3. EOPSS update pursuant to M.G.L. c. 7D, § 11, review status of compliance with M.G.L. c. 6A, § 18¾.
4. Discussion regarding planning and strategy for upcoming meetings.
5. Matters not reasonably anticipated by Chair

2nd meeting for FY 21 for Justice Reinvestment Policy Oversight Board. Secretary Wood thanked the group for their work and their service.

**Roll Call (Attorney Shannon Sullivan):**

Secretary Curt Wood, EOTSS

Alicia Rebello-Pradas, Attorney General’s Office

Chief Justice Paula Carey

Sue Terry, EOPSS

Anne Landry, Senator Brownsberger’s Office

Rhianna Kohl, Governor’s Appointee

Gina Papagiorgakis, Governor’s Appointee

Brook Hopkins, Governor’s Appointee

\*\*A quorum of voting members was not present. Accordingly, there will be no votes or deliberation. Informational session only.

**Update from EOPSS (Undersecretary Kerry Collins):**

Have been soliciting feedback from various agencies – thank you to those who responded. Middlesex sheriff, DOC and Parole, Brook Hopkins, TSS and Trial Courts provided good responses. Plan on filing regulations this Friday with goal of public hearing on 9/23. Have been identifying parts of regulations we feel need more time and effort so will not be filing on Friday. Appreciate Trial Courts comments sent – concern of needing further legal review for these regulations – whether or not they could be deliberately omitted from reporting standards, and if PSS could enter into MOU in regard to reporting standards. Would like to meet with Trial Courts further, as one of the recommendations from Board for report was how non-custodial criminal justice agencies could contribute data to tracking system. As we identify what we want to collect, looked at statute 12I which sets forth data standards. We then looked at what else Criminal Justice Reform Bill required, which is data from Sheriffs, which we incorporated. Also incorporated data from comments we received over the summer. Started off with what was statutorily required, and what is being required of various custodial agencies. When looking at cross-tracking system purpose, Board’s recommendations to how all agencies would fit in has been brought up repeatedly in discussions. So while we were working on what standards should be reported, more needs to be done on how the standards will affect the agencies, including the Trial Courts and their legal considerations. Goal is to enable HOC and DOC to have good quality data to be anonymized for community at large to review. One of the comments we wanted to discuss with Board was to bring to attention Trial Courts’ comments, and to add to that Board’s thoughts on non-custodial criminal justice agencies and how, in light of Trial Courts’ comments, they could participate in a cross-tracking system.

Judge Carey: think we can work it out; really just a separation of powers issue. We want the data as well and want to be able to identify these folks and be rowing in the same direction.

Secretary Wood: as far as regulations are concerned, you will delay filing regulations pending further conversations?

Kerry Collins: correct. Trial Courts brought up issue of SID, which is required by cross-tracking system, which is another point I wanted to bring up to the Board. Number comes from someone who is fingerprinted. Ability for regulations to require a defendant to be fingerprinted when they had not been at another point in the criminal justice system. There is a statute that requires felony arrest to have SID. Criminal Justice Reform required each person indicted on felony arrest have SID. But that does not capture individuals who have not been arrested. Research we have done, including states of PA and OK, they have statutory requirements for fingerprinting individuals entering the criminal justice system. Wanted to bring up ability to have SID attach to each criminal defendant. Comments about incorporating booking procedure into regulations, but that doesn’t address how we would get SID. What happens when have a potential defendant who will be arraigned and comes into court without a SID – then what? Welcome comments from the Board on that as well. Recognize important and required, but to get to SID in unique and uniform way, more discussion needs to be had.

Secretary Wood: my recommendation is to form a small working group to validate work flow already inexistence and account for what is in place, and work with Court, local PD, Sheriff’s Office, DOC, MSP, CJIS should be at the table validating that. That group can work out a process; this Board does not have practical experience on how this works.

Kerry Collins: appreciate the suggestion of the working group; this is something we are taking a look at.

Kerry Collins: we have looked at our current data contributors and systems we have to see what we are able to potentially publish now. Meeting routinely on a manner on how to possibly publish anonymized data from HOC. Also inventorying DOC, Sheriffs’ systems to see what we can collect now from these systems, and looking at what a cross-tracking system would look at and what upgrades it would require, as Sheriffs updating their system now. Have reached out to vendors to mock-up what that would look like. Also looking into who would participate in that system. That parallel effort is ongoing. As for budget, we are looking at ways money can be spent on developing a system as well. We made progress in that we are working on what the Board has asked us to do we just need more time.

Secretary Wood: when we discuss cross-tracking system, cross-tracking data elements from research-perspective?

Kerry Collins: we look at the statute – looking at from both, in that importance of system is SID being able to enable data that DOC and HOC can capture and report out on populations, and keeping in mind the statute discussed anonymized cross-agency data being made available to the public for analysis as well. So we are looking at both ends of that.

Secretary Wood: from a funding perspective, as part of Capital Bond bill passed by Legislature, there is $10mil for this project, however, first: there is not a Terms Bill, so no capital money as of yet – working with Ways and Means to get moved; and second: $10mil not part of Capital plan for FY 21. Once a detailed plan has been put forth, the Board will get more information on the funding of the integrated project plan. Plan is likely a topic for our next meeting.

Rhianna Kohl: the contractor you are looking to work with – is that just about connecting agencies so info can be shared? As we know, it’s a multi-level process in terms of having the info captured consistently. Is it to set up a blueprint to technologically share info internally and externally?

Kerry Collins: we are looking at a company to take all data and put in a system for public consumption, not so much for individual agencies and their own data consumption. Also looking at capability to generate reports, as s.13 requires an annual report from various agencies of this data.

**Discussion regarding planning and strategy for upcoming meetings:**

Attorney Shannon Sullivan: four (4) more meetings scheduled. Next meeting is Monday, November 9; will remind invitees of upcoming meeting to ensure we have a quorum at the next meeting.

Secretary Wood: hoping can get regulations published this Fall. What else will team present to Board at next meeting?

Kerry Collins: working with Trial Courts and their comments, and whether we can publish data prior to establishing a cross-tracking system. Anticipate update will be regulations filed or about to be filed, public comment hearing, working group, parallel efforts and data contributors’ ability to produce anonymized data.

Secretary Wood: would like to see an integrated project plan accounting for the different streams. If come in for funding, will be a requirement to provide more information. This Board can help with that as well. Identify timelines, milestones, dependencies, progress, etc.

Brook Hopkins: Nothing to add; sounds good. Interested in seeing what’s coming together.

Judge Carey: Echo there needs to be an alignment, agreeing on data points and how we pull it together. Getting agencies, Trial Courts together – no one is objecting to the end result.

Alicia Rebello-Pradas: Agree with Chief Justice. Given time we’re in, there are other working groups/stakeholders discussing just how important this data is. Think many of them know of the work of this group, but may be important to make sure the message is out there that we are all working together and reminding that we don’t necessarily have all the information but we are working toward it and may help for those groups to assist.

Rhianna Kohl: Echo. Would add that, there are other DOCs in the country I can reach out to get more info from them – we can use that network.

Anne Landry: Appreciate feedback. Given that you said legislature gave funding that should be transferred from DCAMM to TSS, anything you need?

Secretary Wood: $10mil put in as line item under DCAMM; was advised I can administratively transfer that. We need to account for that in our annual Capital plan, which it is not right now. ANF, Gov’s Office aware. Only outstanding issue is fact we just need Terms Bill enacted, then funding can start moving.

Gina Papagiorgakis: thank everyone for efforts; look forward to updates.

Sue Terrey: thank you for all the work on this; complicated issue with many different stakeholders.

Secretary Wood: urge to get a working group together as discussed. Some of this is just process we need to tighten up.

DCJIS Commissioner Gagnon: have done some work on proof of concept – software that can take data from is disparate formats and put into dashboards/other easily readable formats. Looking forward to producing a proof of concept. Agapi would be right person to work with on regulations and workflow.

Secretary Wood: Undersecretary Collins has also made progress on some of NIBRS and MSP data being published; please provide us an update next meeting.

Kerry Collins: certainly.

Meeting adjourned at 11:50am.