

NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

JUSTICE REINVESTMENT COMMITTEE

Thursday, August 23, 2018
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Jon O. Nelson, Vice Chairman, called the meeting to order at 9:00 a.m.

Members present: Senators John Grabinger, Dave Oehlke; Representatives Jake G. Blum, Karla Rose Hanson, Pat D. Heinert, Karen Karls, Lawrence R. Klemin, Lisa Meier, Jon O. Nelson, Bernie Satrom, Steve Vetter

Members absent: Senators Kelly M. Armstrong, Dick Dever, Arne Osland; Representative Tom Kading

Others present: Senator Rich Wardner, Dickinson, member of the Legislative Management
See [Appendix A](#) for additional persons present.

It was moved by Representative Meier, seconded by Representative Karls, and carried on a voice vote that the minutes of the April 26, 2018, meeting be approved as distributed.

JUSTICE REINVESTMENT

Vice Chairman Nelson called on Ms. Leslie Bakken Oliver, Counsel, Governor's office, for a presentation (Appendices [B](#), [C](#), and [D](#)) of the final report and recommendations from the Justice Reinvestment Oversight Committee. Ms. Bakken Oliver said the Council of State Governments may have suggestions for legislation in the coming months.

In response to a question from Vice Chairman Nelson, Mr. Dave Krabbenhoft, Director of Administration, Department of Corrections and Rehabilitation, said the grant process has been one of the most difficult he has been involved with during his time at the Department of Corrections and Rehabilitation (DOCR). He said North Dakota was awarded the first grant in June; however, the funds have yet to be received.

Vice Chairman Nelson called on Ms. Pamela Sagness, Director, Behavioral Health Division, Department of Human Services, and Dr. Lisa Peterson, Clinical Director, Department of Corrections and Rehabilitation, for a presentation (Appendices [E](#) and [F](#)) relating to the behavioral health system and recovery reinvented.

Ms. Sagness said when discussing justice reinvestment, it is important to remember justice reinvestment includes both juveniles and adults.

In response to a question from Representative Heinert, Ms. Sagness said many of the services within the Department of Human Services (DHS) are being reorganized to eliminate duplication. She said DHS is working to provide social detox services in each of the human service regions.

In response to a question from Representative Hanson, Ms. Sagness said crisis services are the number one gap in the state. She said law enforcement does not know what the behavioral health needs are and what those services should be because no one is talking about crisis intervention. She said unless an individual has an acute need and is able to wait a few weeks for a 1-hour appointment, services do not exist for that individual.

In response to a question from Vice Chairman Nelson, Ms. Sagness said although peer support services are a fairly new concept to the state, the practice is effective. She said DHS began providing peer support training in February and has trained nearly 100 individuals. She said DHS plans to introduce legislation for peer support certification, including minimum ethics and continuing education requirements. She said the primary issue facing the use of peer support services is a lack of a sustainable reimbursement. She said a financial analysis, which will be completed soon, will provide DHS with the fiscal information it needs to decide whether to continue providing existing services and whether it should expand the program to allow individuals to access the program in a pretrial setting.

Dr. Peterson said recovery reinvented has 448 individuals participating with a statewide capacity of 796 individuals. She said referrals to the program have increased each month with most of the referrals from the Fargo and Bismarck-Mandan human service regions. She said 87 percent of participants have substance abuse issues and another behavioral health diagnosis and 83 percent have a moderate-high to high-level risk of criminality. She said 24 percent of participants noted a Native American heritage. She said more than 225 women have been referred to the program.

In response to a question from Representative Hanson, Dr. Peterson said it is important for mental health professionals to be aware of the cultural differences when providing treatment to Native Americans. She said DOCR will continue to look at the disproportionate representation of Native Americans and determine the appropriate risk and need level.

Comments by Interested Persons

Mr. Jon Tracy, Jamestown, said he provided jail ministry services for 37 years. He said it is important for spirituality to remain a component of any successful treatment program.

JUVENILE JUSTICE

Vice Chairman Nelson called on Mr. Cory Pedersen, Director, Juvenile Court Services, South Central District Court, for presentation ([Appendix G](#)) relating to the Dual Status Youth Initiative. Mr. Pedersen said the goal of the group is to change the trajectory of alleged abused and neglected children from entering the juvenile justice system by establishing child and family centered multi-disciplinary policies and practices. He said the initial implementation of the family engagement policy will be in Grand Forks, Ramsey, Ward, Burleigh, Stutsman, Mercer, McLean, Oliver, and Sheridan Counties.

NATIVE AMERICAN DEVELOPMENT CENTER

Vice Chairman Nelson called on Ms. Lorraine Davis, Executive Director, Native American Development Center, for a presentation (Appendices [H](#) and [I](#)) regarding the mission of the Native American Development Center in Bismarck. Ms. Davis said the goal of the center is to help Native Americans build successful businesses.

In response to a question from Representative Vetter, Ms. Davis said the center provides personal and consumer loans to assist individuals in building credit. She said interest rates are minimal and the focus is on underwriting and employment stability.

In response to a question from Vice Chairman Nelson, Ms. Davis said because of the differences in cultures among the tribal nations, the center provides different services. She said the urban tribal population falls through the cracks because urban Native Americans are unable to access services from both tribal governments and state agencies.

ONE RX PROGRAM

Vice Chairman Nelson called on Dr. Jayme Steig, Quality Health Associates of North Dakota, for a presentation (Appendices [J](#) and [K](#)) regarding the ONE RX program. Dr. Steig said ONE Rx is an opportunity to pull pharmacies into the realm of prevention and treatment. He said the program can be applied in any community outpatient setting to identify individuals at risk of overdose or risk of misuse. He said the assessment tool, which considers family history of substance abuse, previous childhood traumatic experiences, and an individual's prescription history, allows a pharmacist to suggest various interventions based on the results. He said the goal of the program is to identify individuals at risk while also identifying individuals who may be exhibiting potential risk factors.

In response to a question from Representative Klemin, Dr. Steig said part of the assessment tool includes options after completion of the assessment, including non-opioid alternatives.

In response to a question from Representative Hanson, Dr. Steig said pharmacists will be able to complete training on the assessment tool during a live training or via web-based trainings for continuing education credit. He said the training will be offered in October 2018.

COMMITTEE DISCUSSION

It was moved by Senator Grabinger, seconded by Representative Satrom, and carried on a voice vote that the Chairman and Legislative Council staff be requested to prepare a report and the bill draft recommended by the committee and to present the report and recommended bill draft to the Legislative Management.

It was moved by Senator Grabinger, seconded by Representative Satrom, and carried on a voice vote that the committee be adjourned sine die.

No further business appearing, Vice Chairman Nelson adjourned the committee sine die at 12:00 noon.

Samantha E. Kramer
Counsel

ATTACH:11