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FOCUS ON CORRECTIONS

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A look back in time
As states are closing prisons in tough budget times, small towns where the prisons were located are especially affected. Small-town Standish, Mich., will lose jobs when the state closes down the maximum security prison there. But the town may get a new offer to keep the prison going—the federal government is considering using the facility to hold Guantanamo Bay detainees. Catch the latest on The Council of State Governments’ blog, Capitol Comments.

While 110 jurisdictions across the country have adopted the Juvenile Detention Alternative Initiative, known as JDAI, and 19 states signed on as state-level partners with the goal of replicating JDAI statewide, New Jersey is the only statewide model site. Read about JDAI on page 8, then check out Capitol Comments, CSG’s blog, to read more about New Jersey’s project.

The U.S. needs more than 15 million more college graduates by 2025 to equal the degree attainment in top-performing countries. One initiative that is gaining momentum is the Early College High School movement—a movement that could help the U.S. address its degree-attainment needs. Read more about state efforts in this regard in a policy brief at the CSG Web site, education policy area.

CSG, through the Southern Collaborative on Obesity Reduction Efforts—or SCORE—project, is helping a select group of Southern states create policies and programs that target childhood obesity. Learn about those projects in Kentucky, North Carolina, Tennessee, Texas, South Carolina and Virginia, states with the six highest rates of childhood obesity, at the CSG Web site http://www.csg.org/ policy/ed/SCOREprojects.aspx.

Look for the Capitol Comments indicator throughout the magazine to find Web extras on the CSG blog.

New State News Web site

Check out the State News’ Web site and gain access to online articles and special Web extras!

Question:
The recession that actually started last year impacted many states’ unemployment payments, and that was evident in the first payments in October 2008 compared to October 2007. Which state had the highest percentage change over that time period? Which state had the lowest?

To find the answer, log onto the State News Web site at statenews.csg.org
Kaiser Reports Examine Massachusetts Health Care Reform

In the face of a raging national debate on health care reform, the Henry J. Kaiser Family Foundation released new and updated reports focusing on Massachusetts’ health care reforms. And since Massachusetts is one of the states that pioneered early health care reform, it serves as a case study for how consumers and families fared under the state’s reformed health care system.

In the September report “Consumers’ Experience in Massachusetts: Lessons for National Health Reform,” Kaiser focused particularly on people’s ability to afford and access health care. That Kaiser report, available online at http://www.kff.org/healthreform/upload/7976.pdf, found:

- Public programs increased access to health care and provided affordable insurance coverage options for low-income individuals.
- Even under the Massachusetts reforms, some people still struggle to afford health care coverage and care because the state’s subsidized health insurance is not available to low-income workers who have access to health care coverage from their employer and moderate-income people with no access to employer-sponsored health care coverage.
- People with chronic conditions still face greater cost barriers to care because out-of-pocket expenses may not be affordable.
- Because of the state’s various programs with different eligibility and program rules, people with changing incomes and employment statuses can fall through the cracks, resulting in gaps in coverage.
- The fear of unaffordable medical bills and medical debt still create anxiety for some folks and cause many to delay or forgo needed health care services.

Kaiser also released another report detailing how families fared under the state’s health care reforms. “In Pursuit of Affordable Health Care: On the Ground Lessons from Families in Massachusetts” is based on discussions from three focus groups held in July 2009 in Boston, according to Kaiser. That report is available at http://www.kff.org/healthreform/upload/7975.pdf. There’s also a fact sheet on the state’s reform at http://www.kff.org/uninsured/upload/7777-02.pdf.

Report Details Midwestern Efforts to Improve Math, Science Education

Amid growing national concerns about student performance in math and science education, states in the Midwest are employing a diverse mix of policy strategies designed to improve teaching and learning in these subject areas, a new report from the Midwestern Legislative Conference shows.

“Laboratories of Reform: Initiatives in Midwestern States to Improve Math and Science Education” highlights numerous efforts in the region, including:

- new programs in Iowa and Minnesota to improve math and science teacher training and professional development; and
- the implementation of new elementary-level math standards in Minnesota and tougher high school graduation requirements in states such as Michigan and North Dakota.

Research for “Laboratories of Reform” was conducted as part of Kansas Sen. Jay Emler’s agenda as 2009 chair of the MLC.

The report reveals the policy steps states either are taking or can take to improve K–12 math and science education. They include redesigning K–12 schools, encouraging young people to succeed in these subject areas and to pursue related careers, training and retaining highly qualified teachers, and improving instruction and academic rigor at all grade levels.

The report is available at www.csgmidwest.org.
States Encourage Foster Care, Adoption

More than half a million children are in foster care in the U.S. Many of them dream of finding a safe, loving family through adoption.

Each year, the Congressional Coalition on Adoption strives to bring attention to that dream through National Adoption Day—set for Nov. 21 this year. It’s a day when children, parents, judges, adoption professional, volunteer lawyers and child advocates come together to celebrate and raise awareness.

And state officials across the country are taking up the cause, according to information provided by the coalition. Among them:

- California Gov. Arnold Schwarzenegger in 2006 allotted funding streams to create and expand adoption assistance programs in the state;
- Connecticut Gov. M. Jodi Rell created an adoption hotline, which provided information and assistance to families interested in adoption;
- Florida Gov. Charlie Crist began an “Explore Adoption” campaign, which aims to find permanent homes for children in his state’s foster care system;
- Nebraska Gov. Dave Heineman is engaged in a child welfare initiative to reduce the number of children in his state’s foster care system; and
- Virginia Gov. Tim Kaine this year signed a Foster Care and Comprehensive Service Act, which calls for recruitment and retention efforts for adoptive parents.

In addition, last year the president and more than 30 governors issued proclamations, and Congress and many state legislatures passed resolutions in support of National Adoption Day, according to a Congressional Coalition on Adoption press release.

For more information, visit www.nationaladoptionday.org.

Laws Help Protect Student Athletes

As student athletes across the country head back to the sports field this fall, many are protected from unscrupulous athletic agents armed with slick offers and false promises designed to net new clients.

That’s because 38 states have adopted the Uniform Athletes Agent Act, which was first developed by the National Conference of Commissioners on Uniform State Laws.

Iowa and Nebraska passed legislation to adopt the act during this year’s legislative sessions, while Oklahoma and Utah made changes to tighten the law, according to the American Bar Association blog. New Jersey has a similar bill under consideration this session, according to the NCAA Web site, and three states—California, Michigan and Ohio—have laws that regulate athletic agents but haven’t specifically adopted the Uniform Athletes Agent Act.

Eight states—Alaska, Illinois, Maine, Massachusetts, Montana, New Jersey, New Mexico, Vermont and Virginia—and Puerto Rico have no laws regulating athletic agents.

In 2003, The Council of State Governments recognized the importance and innovative nature of the legislation by selecting Indiana’s version of the act to be included in Suggested State Legislation, a collection of model legislation CSG members review and vote on.
Alternatives to Detention When Kids are Arrested

10 Top Population Drops
Local Juvenile Detention Alternatives Initiative Sites Where Juvenile Detention Populations are Decreasing

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Percentage Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Green County, Mo.</td>
<td>83%</td>
</tr>
<tr>
<td>2. Bergen County, N.J.</td>
<td>80%</td>
</tr>
<tr>
<td>3. Hopewell, Va.</td>
<td>78%</td>
</tr>
<tr>
<td>4. Bedford County, Va.</td>
<td>76%</td>
</tr>
<tr>
<td>5. Petersburg, Va.</td>
<td>74%</td>
</tr>
<tr>
<td>6. Multonmah County, Ore.</td>
<td>72%</td>
</tr>
<tr>
<td>7. Jefferson County, Ala.</td>
<td>72%</td>
</tr>
<tr>
<td>8. Clayton County, Ga.</td>
<td>70%</td>
</tr>
<tr>
<td>9. Central/Eastern Ore.</td>
<td>69%</td>
</tr>
<tr>
<td>10. Ramsey County, Minn.</td>
<td>68%</td>
</tr>
</tbody>
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“(Detention alternatives is) about reorganizing your current system in a way to ensure it’s functioning to its utmost capacity.”

—Jennifer LeBaron, New Jersey state coordinator for JDAI

States Help JDAI Sites
Several states have contributed financially to JDAI sites. Among them:

- New Jersey appropriated $4 million in 2008 to support juvenile detention reform efforts;
- Alabama matched the Casey Foundation’s grant, doubling the resources for its first sites;
- Washington state appropriated $200,000 the last few years to support JDAI expansion to new counties; and
- Virginia’s State Advisory Group provided a five-year grant to fund evening reporting centers.

As a state legislator, Tom Swisstack was used to seeing people visit the legislature to lobby for projects, whether roads or tax incentives or new buildings.

But as the director of a state juvenile detention center, he noticed something was missing.

“There wasn’t a constant lobbying force or anybody who had experience working with kids after they were arrested,” said Swisstack, who left the legislature at the end of 2007 and is now mayor of Rio Rancho, N.M., a suburb of Albuquerque.

As director for the Bernalillo County Juvenile Detention and Youth Services Center in Albuquerque, Swisstack brought the background of working with troubled youth to the table. He knew many of the youth detained in communities across New Mexico were actually high needs kids, not necessarily high risk kids.

They just needed a better juvenile system, one that provides alternatives tailored to suit children’s needs, because not every child who is arrested needs to be put in juvenile detention—the equivalent of jail for kids. And putting those low-level offenders in detention is not a good idea, many in the juvenile justice system believe. “Do you really want a kid who stole a bicycle … detained with a child that’s charged with committing capital murder? You don’t,” said Alabama Chief Justice Sue Bell Cobb.

In fact, Swisstack said, only 17 percent of juvenile offenders are a danger to themselves or the community or won’t show up for court—the rest, the majority of juvenile offenders, don’t need detention.

So New Mexico started looking for other ways to deal with these juvenile offenders. They settled on the Juvenile Detention Alternatives Initiative, or JDAI, a program of the Annie E. Casey Foundation designed to address juvenile justice issues across the U.S. Swisstack argued that not only would the program better serve New Mexico’s youth, it also offered the advantage of saving money.

Jurisdictions Across the Country Finding Success with Detention Alternatives for Juveniles

The Juvenile Detention Alternatives Initiative has been implemented in 110 jurisdictions across the country, with 19 states signing on as state-level partners with the goal of replicating JDAI statewide. The theory behind the project, which has been operating for the past two decades, is that many juveniles are better served by alternatives to detention such as house arrest programs, day and evening reporting programs and weekend programs that focus on education, teaching children to be successful on their own.

By Mary Branham
“What I tried to do was take children’s issues and talk about it in economic terms,” he said. “I talked about the cost of incarceration versus the cost of community-based programs.”

Mark Ferrante, director of leadership and training programs for the Coalition for Juvenile Justice, said the cost-savings are just the most obvious benefit of JDAI.

“It sort of makes sense that if you are able to provide for community-based alternatives for youth, it’s going to be a lot less expensive than it is to house youth in detention,” Ferrante said. The Coalition for Juvenile Justice is a Casey Foundation grant recipient and works with the state advisory groups, which are appointed by each state’s governor, that are charged with fulfilling the purposes and spirit of the federal Juvenile Justice and Delinquency Prevention Act.

The other benefit, he said, is that JDAI communities are able to maintain public safety, mainly because the youth in detention are low-level offenders.

Communities across the U.S. are seeing similar results. A new report from the Annie E. Casey Foundation found 24 of the 110 JDAI sites across the country cut their detention populations by at least half as of this June.

“Most successful JDAI sites not only have reduced their detention populations, they’ve also reduced the number of kids they commit to the state youth corrections system,” said Bart Lubow, director of the Program for High Risk Youth at the Casey Foundation.

The Casey Foundation has worked on juvenile justice reform through JDAI for the past two decades. Its model project in Broward County, Fla., has grown into a national model that many jurisdictions and states are adopting. Nineteen states have signed on as state-level JDAI partners with the goal of replicating JDAI statewide, according to “Two Decades of JDAI: From Demonstration Project to National Standard,” a progress report published by the Casey Foundation in September 2009.

“We’re a foundation whose entire mission is devoted to improving the life chances of the nation’s most vulnerable, most disadvantaged, most troubled children,” Lubow said. “We find those kids disproportionately in juvenile justice.”

Separating the Offenders

As JDAI programs emphasize, not all juvenile offenders are alike. And many of the low-level offenders can be influenced negatively when placed with the high-level offenders, those in the justice systems say.

“Mixing kids who really don’t need to be in detention because their crimes are not that violent …. with very heavy duty juvenile offenders is a recipe for disaster,” said Richard Lindahl, a retired New Mexico juvenile justice specialist who now consults with the state on juvenile justice issues. “They learn from tougher kids. It’s not a good mix.”

His state adopted a statewide risk assessment instrument to determine what would best serve the interests of the youth and the community.

Many in juvenile justice say some youth should not be in detention. Alabama rewrote its juvenile code and eliminated a court regulation, which allowed kids who hadn’t even committed a crime—they were either truant or ungovernable, Cobb said—to be locked up. That helped to reduce the number of juvenile detainments across Alabama, ranging from a 44 percent drop in Jefferson County up to a 69 percent drop in Tuscaloosa County, Cobb said. Four Alabama counties are participating in JDAI, but changes in philosophy have also spurred a drop in detention in other counties.

In order to determine which youth should be in detention, those in juvenile justice say states should separate the level of offenders and address the problems those youth face.

The first step in separating the level of offenders, said Lubow of JDAI, is changing the mindset of adults involved in the system. That means discarding the system’s “traditional reliance on myth, anecdote and worst cases.”

Lubow said analysis of detention utilization found it was idiosyncratic to sites. “It was not driven by juvenile misbehavior; it was driven by the decisions and behaviors of adults who work in and manage the system,” he said.

The detention populations across the country don’t always just include serious offenders, he said. “The majority of kids in detention are kids who have aggravated or frustrated or angered an adult, more than the kids who we are afraid of,” Lubow said.

When jurisdictions realize that, he said, many look to other strategies to deal with those offenders.

Ferrante of the Coalition for Juvenile Justice said many in the justice system believe detention is the safest place for juvenile offenders. “In reality, detention is not a safe place for kids,” he said. “They can sort of get sucked into the milieu in a detention center.”

Finding Alternatives

But to adequately serve the needs of these offenders, jurisdictions must offer some alternatives. That starts with changing the mindset of a community used to seeing juvenile offenders jailed.

“To many people, that might sound like being soft on crime … not holding youth accountable,” said Rand Young, who worked 35 years in the juvenile court in Spokane, Wash., and is now Washington state’s JDAI coordinator.

Young had to change his own attitude about juvenile justice. But the more he looked at JDAI—the cost-savings and the successes across the country—the more he became a believer.

“It seems to me that the strategies involved in JDAI are really
how the juvenile justice system should work in terms of having the right kids in the most expensive resource and having the other kids in resources that are not only more affordable, but more likely to produce better outcomes,” he said.

In Spokane, it all started with an overcrowded detention center. Young said taxpayers did not support a bond issue to replace the older facility. JDAI allowed Spokane to safely decrease the detention center population and alleviate the need for a new facility.

“For a much smaller amount of money, we were able to put on line a number of alternative programs that have proven to be really good and, in many ways, better resources for low-risk kids than putting them in secure detention,” said Young.

Those include house arrest programs where youth are confined to their homes, with the exception of attending school or work, and monitored through cell phone calls or random drop-in visits by counselors; day reporting programs where students attend an alternative school if they are out of school; evening reporting programs for youth who may be in school but need to be supervised after school; and a weekend program that also focuses on education.

“We are not going to have those kids on probation or in custody very long so we have to teach them to be successful on their own,” Young said.

In many cases, these programs require changes to state law and collaboration from stakeholders involved in juvenile justice.

In New Mexico, for instance, several changes to the children’s code have been made, including a change this year that authorized judges to designate an assessment center or day reporting program as an alternative to detention.

Jennifer LeBaron, New Jersey state coordinator for JDAI and manager of research and evaluation for the state’s juvenile justice commission, said the state has funded detention specialists that work with local jurisdictions on JDAI. New Jersey is the only JDAI state model program in the country.

LeBaron said support from local communities was “hugely critical to be able to expand this in numerous jurisdictions.”

The data illustrating success of these programs brought support from the legislature, governor’s office and key state agencies. It resulted in a $4 million allocation two years ago, according to LeBaron. That money was used to permanently fund detention specialists, who work with communities on detention alternatives.

Funding the Initiative

Funding is often a key to the success of JDAI programs. While alternative programs are cheaper than detention, they do require an investment, and those making budgets should recognize that.

“It’s important that people take seriously the notion of reinvestment of those saved dollars,” LeBaron said. “That really is a core message of JDAI.”

The economic downturn may be a double-edged sword for detention alternatives supporters. On one hand, some jurisdictions may explore these options because they can save money, Young said. On the other hand, many jurisdictions may not have the money to invest in alternative programs, LeBaron said.

Lubow of the Casey Foundation called the economic situation a huge challenge.

“(JDAI) is a good government approach that will save taxpayer dollars so people in positions over budgets are loathe to do things that would undermine JDAI reforms because they know that that will come back in a budgetary form to bite them,” he said.

And, he said, many jurisdictions that have adopted the JDAI philosophy have been able to re-engineer existing budgets or make a compelling case for new investment.

Take New Mexico’s Bernalillo County, where former legislator Swisstack manages the juvenile detention center. His operational budget has remained flat since 2000. Community programs cost an average of $24.95 a day—$5 more for electronic monitoring—compared to a whopping $289 a day for detention, he said.

And while monetary investment helps, LeBaron said jurisdictions don’t have to have a lot of money up front to make change.

“It’s about reorganizing your current system in a way to ensure it’s functioning to its utmost capacity,” she said.

That’s important for the future, Swisstack said.

“I’ve tried to deal with the majority of the kids, the 82 percent or the 83 percent that if you start to concentrate on will become productive members of the community,” he said.

—Mary Branham is managing editor of State News magazine.
States Forced to Close Prisons as Budgets Dwindle and Prison Populations Shrink

Kansas, New Hampshire and Michigan are singing the jailhouse blues as those states—like many others—are shutting down state prison facilities. Although some states are taking advantage of alternative corrections and criminal justice strategies to reduce prison populations, when a prison is closed, most often jobs are lost. And losing jobs due to prison closures is a hard pill to swallow in this recession.

By Mikel Chavers
People in small-town Stockton, Kan., got used to seeing the work crews from the local prison mowing the city’s lawns and keeping the parks clean. In fact, the inmate work crews were a welcome blessing as far as most of the town’s 1,500 or so residents were concerned.

But those work crews won’t be lending a helping hand anymore. After severe budget cuts, the state was forced to close down the 128-bed Norton Correctional Facility East Unit prison in Stockton and the inmates were moved to other prisons.

The work crews were a “really a big impact—most people don’t understand,” said Keith Schlaegel, city manager for Stockton. “They did so much work around town. We could have our paid employees do other things.”

And in a small town where the minimum security prison facility was a huge economic benefit, it’s not just the work crews the city will be missing.

“Job-wise, it’s another big hit,” Schlaegel said. His small, rural town lost 32 state jobs as a result of the closure.

The town also lost five to six contract jobs such as food service workers and other contract providers, according to Kansas Secretary of Corrections Roger Werholtz.

Other small, rural communities like Stockton were especially hard-hit when Kansas shut down prisons, Werholtz said. Often, the prisons were a huge economic driver for the small towns. Stockton, for example, is “in a part of the state that is losing its population,” Werholtz said. “They are looking for economic anchors to keep their kids from moving away.”

But incarceration is expensive. It costs, on average, more than $20,000 a year to house a state prisoner, according to the Pew Center on the States, but costs vary from state to state. In New York, for example, where the state is shutting down some prison camps and prison annex buildings, it cost $50,000 a year to incarcerate an inmate, according to New York Assemblyman Jeffrion Aubry.

In these hard economic times, budget cuts are forcing states to shut down prisons, something possible only with a shrinking prisoner population, experts say.

Michigan, for example, is suffering from cuts to the state’s corrections budget just as other states are. But Michigan is also using alternative strategies that are cheaper than keeping people in jail. So the state is in a position to close even more prisons.

**Budget Cuts Drive Prison Closures**

Stockton wasn’t the only small town in Kansas rocked by the prison closures. The state closed six prison facilities—five so far this year and one last year. (See sidebar.)

By closing those facilities and shuffling around other prisoners, the Kansas Department of Corrections cut 447 prison beds out of the state’s budget, according to Werholtz. That means a savings of around $7.8 million just by shutting down prisons.

To accommodate some of the displaced prisoners, Kansas corrections had to re-open a cell house on the campus of one of the state’s larger prisons for inmates who were moved out of closing facilities.

The main goal of closing these prisons was to save money, Werholtz said. The corrections department was under some pretty hefty budget pressures to the tune of more than $20 million. And although closing prisons alone couldn’t bridge that budget gap, they made up a chunk of the cuts.

“We were needing to ultimately cut about $23.5 million out of our budget,” he said.

Most of the facilities closed in Kansas were smaller, lower security prisons or boot camps, which serve as an alternative to traditional prisons.

“We first looked at the small facilities because we had a surplus of male minimum security beds
because we’d been pretty successful in driving the prison population down,” Werholtz said.

So Kansas was in a position to shut down prisons to save on operating costs. But it wasn’t all so straightforward.

Some of the closed facilities, such as the ones located in Toronto, Osawatomie and Stockton, just weren’t needed for the state’s current prison population. “They were beds that we did not need at that time,” Werholtz said.

But for others, budget cuts absolutely forced closure, he said.

“When you get to some of the other facilities that we closed, I would rather not have done that, because we were shutting down some beds that either we did need or they, in the case of the boot camps or conservation camps, provided a sentencing alternative that kept people out of prison for longer periods of time,” said Werholtz, who admits he’s not a big fan of the boot camps in general.

The additional facilities—if they had remained open—also meant the state was able to spread out the prison population, ensuring prison facilities weren’t so densely populated, Werholtz said.

New Hampshire is in the same bind as Kansas. The state closed its first prison in July. At 2:30 p.m., July 1, the final six inmates were moved from the Lakes Region Facility in Laconia, N.H. The Department of Corrections Honor Guard gave the facility an official closure, retiring the New Hampshire and American flags flown over the facility for many years, according to a New Hampshire Department of Corrections press release.

The closure was due to the “tough economy and budget constraints,” said Jeff Lyons, spokesman for the state’s Department of Corrections.

“As for the building, it will probably never be used as a prison facility again. The buildings and original grounds of the Lakes Region Facility dated back to the early 1900s—it used to be the Laconia State School, a place where mentally challenged children and children with disabilities were institutionalized.

In 1991, the state’s department of corrections inherited the prison facility and because it was such an old building, it was “never really conducive to being a prison,” Lyons said. The building suffered from maintenance issues that contributed to expensive upkeep, Lyons said.

The old prison cost the state $10 million a year to operate—a cost the state can now avoid, according to Lyons.

**Shrinking Prison Populations Yield Fewer Prisons**

On the other hand, states such as Michigan are using alternative strategies to shrink prison popu-
Michigan's Department of Corrections is finding the state simply doesn't need as many prison facilities and that there are ways to deal with offenders that are cheaper than keeping them in prison.

And those kinds of strategies couldn't have come at a better time—because with budget cuts, Michigan needed to shut down even more prisons.

Michigan has closed 15 state prison facilities throughout the decade—probably the most of any state, according to John Cordell, spokesman for the Michigan Department of Corrections.

“We were able to absorb most of the staff that would have been put out on the street” as a result of the prison closures, Cordell said, simply by shuffling staff. But this year, with the amount of budget cuts the state faces, the department of corrections could see up to 1,000 layoffs, Cordell said. Officials hope layoffs will be closer to 500 though, he said.

But for places like Standish, a small town in northern Michigan where there’s a maximum security prison the state is preparing to close, the economic effect of the closure will be felt pretty hard. The prison is the small town’s largest employer.

Michigan’s unemployment rate is already at 15 percent. “That creates even greater pressures for us,” Cordell said.

The Standish community fought the prison locating there, Cordell said, but now it provides a pretty good neighbor.

Cordell predicts the small town of Standish could lose 300 or more good paying jobs when the prison closes this year.

“It is a significant economic hardship,” he said.

Including the Standish Maximum Correctional Facility, Michigan will close eight prison facilities this year, five of them are prison camps. Closing the camps will end the department’s prison camp program altogether.

Closing the eight prison facilities will help the department of corrections meet a $120 million savings goal for the 2009-2010 fiscal year corrections budget and comes amidst the staggering situation of the Michigan state government, which is facing a $1.4 billion deficit next fiscal year, according to a Michigan Department of Corrections press release.

But as it turns out, Michigan is no stranger to shutting down prisons and dealing with budget pressures. “Budget considerations are always a driving force in corrections,” Cordell said. “We have had pretty significant budget issues since 2001-2002.”

But even with budget pressures, the state wouldn’t be in a position to shut down prisons if it weren’t for a shrinking prison population—something the state worked on with The Council of State Governments Justice Center.

“There’s no way to (close prisons) without a declining prison population,” Cordell said. “There’s no way we can purge prisoners into society.”

Together with the CSG Justice Center, the state was able to identify strategies to treat inmates more cheaply using alternative means instead of keeping them in jail for longer, Cordell said.

“CSG works to provide state policymakers with the information they need to make smart decisions. The CSG Justice Center is a prime example of the principle, ‘knowledge is power,’” said David Adkins, CEO and executive director of The Council of State Governments. “We’ve learned that when policymakers are committed to working together to enact sound public policy in the crime and sentencing arena, solutions can be found that make a state safer at a lower cost.”

Michigan together with the CSG Justice Center began looking at a corrections system that eats up $2 billion of general fund money every year, ac-
According to Cordell. “We were very good at warehousing prisoners. That’s fine. But we were missing the point to some degree. We need to provide an opportunity for prisoners to rehabilitate themselves and become better citizens,” Cordell said.

Since Michigan started down the road of rethinking the way the state does corrections, the prison population declined from 51,500 to 47,300, Cordell said.

The study, released this year by the CSG Justice Center, provided bullet points for the state to work on, Cordell said.

One of the recommendations was this: If prisoners could be released at their minimum sentence, then the state should be releasing them, according to Cordell. “That recommendation challenged us to look at our post-earliest release date prisoner population,” Cordell said.

And by that Cordell is referring to prisoners who actually serve more prison time than their minimum sentence. According to the CSG Justice Center, people released from prison in Michigan in 2007 on average served 127 percent of their court-imposed minimum sentence before they got out of prison and were placed under community supervision.

That was costing the state big bucks.

Based on an initial look, that meant 11,000 prisoners at the time were staying in prison past their minimum sentence, Cordell said.

But thanks to addressing that recommendation and by using other strategies in the corrections system, the state is now able to shrink the prisoner population.

“That’s part of the reason why we’re able to close eight facilities this year,” Cordell said.

—Mikel Chavers is associate editor of State News magazine.

### The Anatomy of Shutting Down Prisons

States are closing prisons under budget pressures in a down economy. Some states have worked for years to reduce prison populations and, as a result, are in a position to close some state prison facilities while shuffling around displaced prisoners to others. But the closures are resulting in job losses in communities where the prison facilities are located. That’s particularly painful for small, rural communities already hard-hit by the recession, said Kansas Secretary of Corrections Roger Werholtz. Kansas closed six prison facilities since the state hit hard budget times—five facilities were shut down this year:

**Osawatomie Correctional Facility**
- **Location:** Osawatomie, Kan.
- **Size:** 80-bed male minimum-security facility
- **Closed:** Feb. 6
- **Savings:** $900,000

**El Dorado Correctional Facility East Unit**
- **Location:** Toronto, Kan.
- **Size:** 70-bed minimum security male facility
- **Closed:** Feb. 27
- **Savings:** $900,000

**Norton Correctional Facility East Unit**
- **Location:** Stockton, Kan.
- **Size:** 128-bed male minimum security facility
- **Closed:** March 31
- **Savings:** $1.6 million

**EL Dorado Correctional Facility North Unit**
- **Location:** El Dorado, Kan.
- **Size:** 102-bed male minimum security facility
- **Closed:** June 12
- **Savings:** $1 million

**Labette Correctional Conservation Camps**
- **Location:** Oswego, Kan.
- **Size:** a 38-bed female boot camp substance abuse treatment program and a 198-bed male boot camp facility
- **Female facility closed:** Jan. 1, 2008
- **Male facility closed:** June 8
- **Savings:** $3.4 million for both facilities

*Photos courtesy of Kansas Department of Corrections. Labette photo courtesy of the Labette Avenue newspaper.*
The Corrections Crunch

Many states are reversing a decades-long trend and are cutting funding for corrections in a recession that’s hit virtually every state’s budget, according to a new Vera Institute of Justice report released late this summer. There’s a fiscal crisis in corrections, the report said.

6 states—Georgia, Idaho, Kansas, Montana, Nebraska and Washington—made double-digit cuts to their corrections budgets.

Getting Creative

Many states are using strategies to reduce the number of formerly incarcerated people who get sent back to jail—that means states are reducing costs associated with recidivism.

2 states—Missouri and Arkansas—are developing technical violator centers to address people who violate the conditions of their release from prison—and hopefully reduce the number of people sent back to jail for technical violations.

Colorado’s Crime Prevention and Recidivism Reduction Package includes $160,000 in funding for community corrections discharge planning $1.2 million for a pre-release program for working with inmates who are within four months of getting out of prison.

Michigan’s efforts to help prisoners reintegrate into society after prison received a funding boost in the budget—the state provided $56.6 million for the Michigan Prisoner Re-entry Initiative.

Missouri’s budget includes $3 million to expand a program providing community re-entry grants and another $900,000 for a St. Louis-based prisoner re-entry program.

Montana plans to use $1 million to add 33 beds to a special prison facility treating mentally ill, aging and disabled inmates who are getting ready to transition back into the community.

Making Cuts

States are:

- Decreasing health services;
- Reducing food services;
- Eliminating pay increases, benefits and overtime pay for staff;
- Laying off staff and implementing hiring freezes;
- Eliminating, reducing or renegotiating programs;
- Closing prisons or reducing prison beds; and
- Delaying construction or expansion of new prison facilities.

At least 28 states reduced staff, instituted hiring freezes, cut staff salaries and benefits and stopped pay increases in corrections departments.

19 states are downsizing, eliminating or renegotiating contracts for prison programs and other programs in the department of corrections.

At least 20 states are shutting down prisons, cutting prison beds, stopping prison expansions or delaying the opening of new prisons.

Michigan will close 8 prison facilities this year, in addition to the three prison facilities it has already closed this year.

New York will close 3 minimum security prison camps and parts of 7 more prison facilities.

Alaska expects to save $700,000 by delaying prison system expansion.

Colorado delayed opening 1 new prison and delayed expanding another prison.

Shirley S. Abrahamson

Shirley S. Abrahamson has served as chief justice of the Wisconsin Supreme Court since 1996. She was the first woman to serve on the court when she was first appointed in 1976.

Abrahamson, who graduated from the Indiana University Law School, also served as a professor at the University of Wisconsin Law School. She is a past president of the National Conference of Chief Justices and past chair of the board of directors of the National Center for State Courts. She also served as chair of the National Institute of Justice’s National Commission on the Future of DNA Evidence.

Sue Bell Cobb

Sue Bell Cobb took office as chief justice of the Supreme Court of Alabama in 2007 after serving 12 years on the Alabama Court of Criminal Appeals. Cobb graduated from the University of Alabama School of Law in 1981. As soon as she was admitted to the bar, she was appointed district judge of Conecuh County becoming one of the state’s youngest judges. She was elected twice to that position. She was appointed to serve as an alternate chief judge on the Court of the Judiciary in 1997, and was elected to the Court of Appeals in 1994.

Paul J. De Muniz

Paul J. De Muniz joined the Oregon Supreme Court in January 2001 and became Oregon’s 41st chief justice on Jan. 1, 2006. In 2008, he was elected to the board of directors of the Conference of Chief Justices and is one of eight state chief justices selected to attend a three-year Harvard University Executive Session to study the role of state court leaders.

De Muniz, who graduated from the Willamette University College of Law, has also served on the Judicial Fitness and Disability Commission and the Supreme Court Access to Justice for All Committee. In 2002, he founded a now-flourishing rule-of-law partnership with judicial leaders in Russia’s Far East.

John D. Minton Jr.

John D. Minton Jr. was sworn in as Kentucky’s fifth chief justice June 27, 2008, after serving two years as a justice on the state Supreme Court.

Minton, who graduated from the University of Kentucky College of Law in 1977, was appointed to the court in July 2006 and was then elected to an eight-year term in November 2006 to represent the Second Supreme Court District, which is comprised of 14 counties in western Kentucky. He had previously served on the Kentucky Court of Appeals, and before that served as a circuit court judge in Warren County, Ky., where he served as chief regional judge of the Green River Region.
What is the top issue facing state courts today?

“Funding is a significant issue for the court system. For instance, right now in the state of Alabama, we get $165 million from the state. Well 97 and a half percent is salaries and benefits. We’re running a system in 67 counties, 248 judges, in probably 85 courthouses. We’re doing that off 2 and a half percent of $165 million. That’s almost impossible to do. It is very difficult to be able to really provide true access to all our citizens to our courts.”

How does funding threaten the ability to have fair and impartial courts?

“There’s an increasing number of citizens that don’t have money to hire a lawyer or the claim is an amount that is simply not profitable for a lawyer to handle. We must do more in order to be fair and impartial—to be able to make the accommodations for self-represented litigants. When the budget is cut, we are unable to do that. One of our most fundamental principles is that justice should be the same regardless of your economic circumstances. …The budget again where we aren’t able to adequately fund legal services, volunteer for lawyer programs, pro bono programs … all of that still takes money and that’s another area where access is reduced because we aren’t able to fund them.”

So the current economic situation can impact fair and impartial courts?

“We have courts that lost significant percentages of their budgets. When they do, that means we can provide less access. … In bad economic times you need the courts more, not less. We have more child support cases, more small claims cases, more divorce cases. We have more criminal cases. Money is down, budgets are static … but the cases rise. It’s difficult to maintain the services you want to give.”
Judicial selection is another issue getting attention. How can the manner in which judges are selected affect the impartiality of the court system?

“We know (through surveys) the public has a lot of faith in their court systems. But I daresay you would see that faith in the system is higher in states where there’s merit selection. In states like mine, where we’re one of seven states that have all-out partisan election of judges, we know that confidence is undermined by the unbelievably expensive campaigns. We would like to decrease the influence of money and politics on judges. All the courts have is the respect of the people. If we damage the respect people have for us, then we don’t have anything.”

What will it take to change judicial selection processes?

“It is through the legislature. Courts can’t do it by themselves. We can help by establishing judicial campaign oversight committees and some mechanisms like that, but we have to have legislative backing to take on a difficult subject. This is a difficult subject in many states that have partisan election of judges.”

Why do you think this issue is getting so much attention?

“I think it’s the amount of money. There are 40 million people in California. Alabama has 4.5 million. During the election cycles of 2002, 2004 and 2006, in the state of California to retain their judges … all of those judges for the appellate courts spent less than $300,000. In that same six years, or three election cycles, candidates for appellate courts in Alabama spent $30 million.”

Do these contributions actually affect outcomes of cases?

“You can’t help but expect the public to think that those contributions would impact a judge’s actions on a case. The polling is showing that even judges believe that it has an impact.”

You have said judges need to work with other branches to resolve some of these problems. Why is that important?

“Judges are the gatekeepers to the most expensive services the state provides or the most expensive budget items—whether it’s a prison cell, jail cell, juvenile detention cell, mental health bed, foster home … We need to be at the table as a resource. It’s up to legislature to enact or establish the policy, but we definitely need judges at the table to help the process in terms of informing legislators of what the issues are.”

What can affect the interbranch relationship and create hurdles to getting things accomplished?

“We know there are tensions that run between the branches. It ends up that when there’s an argument between (the) legislature and governor … the court has to decide one way or another, which is again why we are so vulnerable, why we end up not being funded like we should be funded. We have states that they have not raised judges’ salaries in 10, 12 years. Judicial salaries are a significant way the legislature can perhaps unintentionally injure and impact the fair and impartial courts by keeping us from getting the quality of judges that we need.”

Is there enough transparency in our court systems?

“I’m convinced that there’s not. The public needs to be aware of what we’re doing. What is it they say? ‘Sunlight is the best disinfectant.’ It really is true. It also improves accountability; we need to be held accountable just like any other branch. Sometimes we’re our own worst enemies. Some judges are not as understanding of our responsibility of educating the public, our responsibility of increasing access.”
One day, after a speech on our state constitution back in New York City some years ago, a lawyer came up to me, aglow, saying “Judge Kaye, I never knew we had a state constitution! I feel like I’m swimming in a whole new sea of culture.” Those were precisely his words, a direct quote, unforgettable for me for the astounding depth of his ignorance. Plainly, we need to better educate and inform all the public about its justice system, especially about its state courts, starting in schools and continuing in every way.

It is, after all, the state courts that have the lion’s share of our nation’s litigation, and therefore by definition also the lion’s share of the court time of our trial lawyers and members of the public as witnesses and jurors. Indeed, well over 95 percent of all our nation’s cases are in the state courts, not the federal courts. In the New York state courts alone, there are more than 4 million new filings every single year—from a slip and fall on an icy sidewalk, or a custody or child support dispute, to mega-billion dollar failed global business deals, to multiple murders, to constitutional issues of great magnitude. Multiply that by the 50 states and other jurisdictions that make up the United States.

I think of the work, and role, of our nation’s state courts in two ways: the adjudicative (or judging) function, and the administrative (or operational) function. Overlaying both is Justice Louis Brandeis’s description of our individual states—each state different, unique in so many ways—as “laboratories” for democracy. That is true as well for the state courts, where decisions by our endlessly varied state tribunals may come to influence, even define, national law and policy. We’ve seen that so often. Two striking examples known to every law student are Gideon v. Wainwright (the right to counsel case) and Batson v. Kentucky (the jury selection case), both instances where rights first recognized by state tribunals under their state constitutions ultimately became bulwarks of national, federal constitutional law. That is true as well of so many administrative innovations that started in our state justice systems.

The Judging Role

I begin a deeper discussion with the courts’ adjudicative role—the tens of millions of common law, statutory and constitutional law issues in state courts throughout the nation.

And what a challenge they present, particularly in this dramatically changing society shaped by breathtaking advances in medicine, science and technology in a shrinking, warming, flattening world. Just think: a suit for equitable distribution of property in divorce when the property is the couple’s frozen embryos; or adoption by the same-sex partner of the biological mother; or application of the words of our centuries-old state and federal constitutions to unimaginable new issues surrounding DNA evidence, telecommunications and 21st century interpersonal relationships.

Yes, quite a challenge all by itself, without the additional pressures of today’s economy. Families, individuals, businesses, under stress and distress, inevitably more often find themselves in court these days—state courts in particular—whether the issues are evictions and foreclosures, or domestic violence and divorce, or criminal charges reflecting the growing despair of daily life. The dockets increase, in number and in complexity. We simply must be sure that our state courts function effectively for the litigants and the public generally.

Add to these difficult law issues the fact that our state courts often find themselves smack in the middle of some of the most contentious inter-branch political issues. In New York today, for example, the governor and legislature just now in state court are litigating the constitutionality of the governor’s appointment of a lieutenant governor; and three cases conserving the constitutionality of judicial salaries have just reached the New York’s high court.

All in all, quite a challenge. Yes, fair and impartial state courts most definitely do belong high on the agenda of the American Bar Association.
The Operational Role

But I think of the state courts’ evolving role in yet another sense—not just their adjudicative but also their administrative role, heightened in recent decades by the nature of their litigants and their mushrooming dockets. Just think: Thousands upon thousands of repeat low-level offenders, often drug-addicted, in our state criminal courts, corroding their own lives and the vitality of our neighborhoods. Thousands upon thousands of domestic violence cases, too often beginning with an assault and a court-issued order of protection and ending with a murder-suicide. Thousands upon thousands of child abuse and neglect cases, foster care cases, juvenile delinquency cases—generation after generation after generation of poverty, homelessness, mental illness, unemployment and crime. How sad! How tragic! What a waste of lives! What a waste of resources simply to be recycling these cases—these people—through the courts only to see them return again and again in worsening condition.

So state justice systems across the nation some years ago began asking themselves: Can our court interventions possibly be more constructive, more productive? Something more than just a case disposition, often with a sentence of “time served”? In effect, the process is the punishment. State court systems began asking themselves: Can these “laboratories” for democracy intervene positively, to help stop the downward spiral of so many litigants’ lives? And the answer came back, resoundingly yes.

And here too, while it is easiest for me to speak from personal experience in giving a few home state examples, what I’m about to tell you is by no means limited to New York state. It’s a widespread national, even international, development that began in our nation’s state courts.

I speak, of course, of community courts, focused on quality-of-life crimes—shoplifting, illegal vending, vandalism, prostitution. The judges are the leaders, convening all the necessary collaborators—prosecution and defense, as well as social service agencies—to effectuate a meaningful resolution that both punishes wrongdoing and repairs the community that has been harmed. And I speak of the drug courts—now numbering in the thousands across the United States—basically offering a “second chance” as an alternative to incarceration; or offering parents serious about ending their drug habit a chance for early family reunification; or offering drug-addicted juvenile offenders a chance to get back on course. And I speak of state mental health courts, holding out the chance for needed mental health services as an alternative to incarceration where that is appropriate. And I speak of domestic violence courts, aimed at preventing that all-too-frequent murder-suicide.

And on and on and on: countless examples of state court-led “laboratories” bringing together the necessary participants to find meaningful solutions for the underlying problems especially plaguing society in these tense and difficult times. Perhaps there is no better, no more important, example of state court interventions than the one I know will be addressed by Ohio Supreme Court Justice Eve Stratton and National Center for State Court Government Affairs Director Kay Farley, because they have been such passionate proponents of focus on families and children who grow up in our states’ family courts, too often simply graduating to their criminal courts.

And there in a nutshell are just a few of the challenges facing state courts today: how to deal most effectively with today’s enormously challenging legal issues, and today’s enormously challenging litigants—challenges even further magnified by the times, both in their complexity and in the scarce availability of legal resources to meet them.

Clearly, plainly, both in their adjudicative and administrative roles, the nation’s state courts are thrust right into the midst of the hottest legal, human, issues being litigated today. They are desperate for resources to meet the rising demands. They are necessarily dependent on excellent relations with their legislative and executive partners in government, who have both the power of the purse and the power of ameliorative legislation. And in the overwhelming number of states where judges are elected, not appointed, they additionally find themselves in the cauldron of political issues surrounding judicial selection. New challenges; new headaches. Definitely a new day for our nation’s state courts.

—Judith S. Kaye retired in 2008 after serving 15 years as the chief judge of the New York Court of Appeals, longer than any other chief judge in New York’s history. Earlier this year she joined the law firm of Skadden, Arps, Slate, Meagher & Flom LLP.

“Just think: Thousands upon thousands of repeat low-level offenders, often drug-addicted, in our state criminal courts, corroding their own lives and the vitality of our neighborhoods. Thousands upon thousands of domestic violence cases, too often beginning with an assault and a court-issued order of protection and ending with a murder-suicide. Thousands upon thousands of child abuse and neglect cases, foster care cases, juvenile delinquency cases—generation after generation after generation of poverty, homelessness, mental illness, unemployment and crime. How sad! How tragic! What a waste of lives! What a waste of resources simply to be recycling these cases—these people—through the courts only to see them return again and again in worsening condition.”

—Judith S. Kaye
FROM PUNISHMENT TO TREATMENT

Drug Laws Changing in the Wake of Rockefeller Reforms

This year, New York reformed its landmark Rockefeller drug laws and experts say the reforms mark a shift in the states from a strictly punitive drug policy to more of a treatment model.

By Mikel Chavers

Tony Papa was sentenced to 15 years to life in prison under New York’s Rockefeller drug laws. The first-time nonviolent drug offender said painting helped him cope with the harshness of prison life. Papa painted this self portrait called “15 to Life” while in Sing Sing, New York’s maximum security prison.
Anthony Papa did hard time in Sing Sing, New York’s maximum security prison, after the judge handed him a 15 years to life prison sentence for a first-time, nonviolent drug offense under New York’s notoriously harsh Rockefeller drug laws in 1984.

That was the mandatory minimum sentence for a drug offense under the laws, the same sentence as for second-degree murder.

“I was a first-time nonviolent offender who made the biggest mistake of his life in 1984,” Papa said. Desperately needing money to pay rent, Papa agreed to deliver a package for a man he met at the bowling alley he frequented.

“I delivered a package of four and a half ounces of cocaine from the Bronx to Mount Vernon, N.Y., for $500,” he said. “I was a mule for 500 bucks.”

Papa walked right into a sting operation and was caught by police.

At the time, New York’s Rockefeller drug laws, enacted in 1973 and named after then-Gov. Nelson Rockefeller, were some of the harshest in the country and many states followed in New York’s footsteps enacting harsh drug laws.

“It really started a trend in 1973,” said Gabriel Sayegh, who directs the State Organizing and Policy Project with the Drug Policy Alliance advocating for drug law reform.

But for Papa, the laws were more than a trend of the times; they offered little leeway in a sentence that would ultimately determine more than a decade of his life.

“Because of mandatory minimum sentencing, the judge didn’t want to, but he had to sentence me to 15 years to life,” Papa said.

He wound up serving 12 years before former Gov. George Pataki pardoned and released him in 1996, largely based on Papa’s talent for painting developed while he was in prison. Papa wrote a book in 2004 about his ordeal.

He’s been an advocate for Rockefeller drug reform movement ever since.

His efforts—and those of many others—met with success when the Rockefeller drug laws were changed in April. Experts say New York’s reform signals a shift from a strict policy of jail time and punishment for drug offenders to more of a treatment model. That’s something experts say is catching on—particularly in this down economy when states simply can’t afford to lock up as many offenders.

“Basically the trend now (is) to more of a treatment model than a punitive model, where in my case I was treated strictly punitively,” Papa said. “And now it’s different. Judges have more discretion. This to me is really big and it’s significant.”

Harsh Drug Laws No Longer Economical

Experts say the Rockefeller drug laws cost the state billions to lock up hundreds of thousands of drug offenders. Some of those offenders are still in the state’s prisons and jails serving out their sentences.

The reforms to the Rockefeller drug laws eliminate the mandatory harsh sentences under the original laws by giving judges total authority to instead divert some nonviolent drug addicts to treatment, according to New York Gov. David Paterson’s office.

The reforms also beefed up drug treatment programs, according to New York Assembly Member JEFFRION AUBRY, chair of the Assembly Corrections Committee.

The reforms in New York were enacted April 24 as part of the state’s 2009-2010 budget.

The old laws did not emphasize treatment and “led to huge disparities,” Aubry said. “We felt they skewed the justice system and ultimately in the 1980s and 1990s led to a huge prison population.”

And New York was spending a whopping $2 billion to $3 billion a year on corrections, according to Aubry.

In fact, the budget pressures were part of what sparked the need for reform, according to Sayegh with the Drug Policy Alliance.

“New York and many other states were more than willing to spend gobs and gobs of money on prisons that were bursting at the seams,” Sayegh said. But that is slowly changing.

“It cost New Yorkers $45,000 a year to incarcerate someone for drug offenses,” Sayegh said.

“The legislature had to find savings.”

In May 2008 on the 35th anniversary of the Rockefeller drug laws, a meeting signaled a turning point, according to Sayegh. The legislature’s criminal justice and correc-

States Tout Drug Courts

In the wake of the Rockefeller drug law reforms that changed some of the harshest state drug laws in the nation, New York law now calls for drug courts in each of the state’s 62 counties, according to Assembly Member Jeffrion Aubry.

Drug courts are boutique courts where judges have special training to be able to understand the complexities of drug addiction, according to Aubry.

“The judges are trained and selected based on their capacity to deal with this population,” Aubry said.

In a drug court, the judge is part of the treatment process and now that the Rockefeller drug law reforms in New York give judges more discretion, the judges are able to divert some nonviolent drug offenders into treatment programs instead of simply incarcerating them.

In Alabama, the state went from 18 counties with drug courts to 50 adult drug courts in 48 counties, according to Sue Bell Cobb, Alabama Supreme Court chief justice. Alabama also added 14 juvenile drug courts to the four that were already in existence, according to Cobb.

“We have grown drug courts in my state in two years because of the support of the legislators and I have made it a priority,” said Cobb. “We have support from governor. It’s truly an interbranch success story.”
tions committees joined three public health committees. The six committees held joint hearings on drug law reform.

“No longer did you have a debate that was essentially turning on criminal justice language,” Sayegh said. Public health and drug treatment was now in the debate.

The options, Papa said, would have benefited people with drug habits who, under the old Rockefeller drug laws, sat in prison for long sentences. “They definitely would have significantly made out better getting treatment than being put in jail,” he said.

The new reforms put “the judge in the driver’s seat and not the prosecutor who had previously been in the driver’s seat,” Aubry said. This way, judges have discretion and can divert drug offenders to treatment instead of incarceration. The practice is evident in New York’s use of drug courts, where judges have specialized training to deal with drug offenders and their unique issues. (Please see sidebar.)

“This year we were able to restore a lot more discretion to judges so they could make decisions based on the individuals who were in front of them,” Aubry said.

Reform Spreads to Other States

That same kind of reform is catching on in other states. One example is Connecticut, where similar drug laws were passed in the wake of the Rockefeller drug laws.

Connecticut’s drug laws in the 1980s and 1990s were “right on par with New York,” said Lorenzo Jones, executive director of A Better Way Foundation, a nonprofit advocacy group focusing on drug law reform.

“Like almost every state, we had a huge amount of people doing time for drug-related offenses. The prisons are loaded up with drug offenders—there’s no doubt about it. At the end of the day, you had a lot of people in prison,” said Connecticut Rep. Mike Lawlor.

“Connecticut, like a lot of other states, our prisons are bursting at the seams and we’re trying to figure out ways to bring that prison population down.”

Lawlor thinks mandatory minimum sentences along with harsh penalties for even trace amounts of drugs had a lot to do with the problem.

“My sense is that the existence of the mandatory minimums gave the prosecutors quite a bit of leverage in the plea bargaining process. So a lot of people ended up pleading to jail or prison time mainly because if they didn’t, then they went to trial and they’d get much longer,” Lawlor said.

Lawlor used to be a prosecutor and saw the effects firsthand.

For instance, under Connecticut’s old drug laws, a person caught selling as little as half a gram of crack cocaine—the solid form of the drug—could face a potential life prison sentence. But the laws treated other forms of the same drug differently. Selling 1 ounce of cocaine in powder form—that’s equal to 28.3 grams—triggered the same potential life prison sentence.

The mandatory minimum sentence was also different for the two forms of cocaine. Half a gram of crack cocaine triggered a mandatory five-year minimum prison sentence while an entire ounce of powder cocaine triggered the five-year minimum prison sentence.

Half a gram of crack cocaine—which equals roughly half a packet of sugar substitute—amounted to about $30 if sold on the street, while 1 ounce of powder cocaine would amount to about $700 if sold on the street, according to Jones.

But in 2005, Connecticut reformed the laws and balanced the punishment for the two forms of the drug, raising the quantity
CASE STUDY: School Zone Drug Laws

New Haven, Conn.

Anyone caught with drugs or caught selling drugs in a school zone in Connecticut faces a mandatory minimum sentence—harsher than penalties for drug offenses outside of school zones. Because the state’s school zones stretch for 1,500 feet in either direction of a school, public housing project or day care, virtually every bit of the cities in Connecticut’s urban areas are located in a school zone.

For a law designed to keep areas around schools drug free, many say the laws actually result in treating virtually all drug offenses as school zone offenses in the state’s urban areas. Connecticut Rep. Mike Lawlor is one of those people—he believes the school zone drug laws are resulting in racial disparities in the state’s prisons because many who live in the urban areas are of various races other than white.

>> PENALTIES

- Selling drugs or possession with intent to sell drugs: three-year mandatory minimum sentence
- Possession of drugs: Two-year mandatory minimum sentence
- Possession of drug paraphernalia: One-year mandatory minimum sentence

Source: Connecticut Office of Legislative Research. Note: The Connecticut Office of Legislative Research did not have access to files showing property boundaries so the map shows the 1,500-foot radius from the center of the property instead of from property lines. As a result, the map underestimates areas where the enhanced penalties apply.

threshold for crack and lowering the threshold for the powder form of cocaine. The new threshold is half an ounce for either drug.

The state’s drug laws also include increased penalties for school zone laws—those that address possessing or selling drugs within a certain distance of schools, day care centers and public housing projects. What began in the late 1980s as a minimum sentence triggered by selling drugs within 1,000 feet of a school in all directions, increased over the years to a 1,500-foot radius from schools, day cares and public housing projects, according to Lawlor.

The problem was, in the state’s urban areas like New Haven, the school zones encompass virtually every location in the city.

“So you start drawing those circles and it pretty much covers every square inch of the town,” Lawlor said.

So drug offenders caught virtually anywhere in the cities are charged under the school zone laws, which often come with increased penalties. And consequently, many residents of the state’s urban areas are from various racial backgrounds, as compared to the nonurban areas of the state, which are mostly white, Lawlor said.

He would like to see the school zone laws reformed, because based on his observations, the school zone laws are resulting in racial disparities in the state’s prisons.

And even though the Rockefeller reforms signal a shift in drug law policy in the states, it’s not over yet. That’s evident when it comes to the school zone laws in Connecticut, Lawlor said. Drug law reform touches on many issues including budget, justice is-
sues and issues of racial disparities, he said.

But right now, it just may be the budget pressures that are speaking the loudest.

“The budget reality in a lot of states is forcing people to say, alright do you really need to put all these people in jail … it gets really expensive at one point, like the point we’re at now, it’s really expensive. Unless you make a change, it’s going to keep on getting worse,” Lawlor said.

—Mikel Chavers is associate editor of State News magazine.

CSG TRENDS FACTS & FIGURES

The Economic Impact of Substance Abuse on States

A new Trends in America policy brief from The Council of State Government examines how drug abuse and drug treatment are hitting the states hard, especially in this recession. Here’s what the brief reports:

• States are spending nearly 15 percent of their total budgets on substance abuse and addiction, and its peripheral effects—second only to spending on elementary and secondary education, according to The National Center on Addiction and Substance Abuse at Columbia University.
• For every dollar spent on drug treatment, states can reduce the future cost burden by $12 or more in reduced drug-related crime, criminal justice and health care costs, according to the National Institute on Drug Abuse.

Check out the full brief at the Trends in America publications section at www.csg.org or http://www.csg.org/pubs/pubs_tia.aspx.
Intimate partner domestic violence is among the most prevalent forms of violence in the U.S., resulting in nearly half a million crimes against women annually, according to data from the U.S. Department of Justice. Community corrections personnel are often involved in supervising domestic violence cases, but face many challenges. The American Probation and Parole Association, an affiliate of The Council of State Governments, recently released a set of guidelines for community corrections agencies in responding to domestic violence.

By Carrie Abner

Kristin Lardner, a talented young art student living in Boston, tried to end her relationship with Michael Cartier after he brutally beat her April 15, 1992.

A month and a half later, Lardner was dead.

Cartier, who was on probation, violated the restraining orders his ex-girlfriend and two others had against him. He shot Lardner three times in the head May 30, 1992, then ran to his apartment, where he was later found dead from a self-inflicted gunshot wound.

Lardner’s father, a Washington Post reporter, found a “disjointed system of justice” that failed to hold Cartier accountable for his crimes and intervene to protect his victims. George Lardner won a Pulitzer Prize for the 1993 article he wrote about his daughter’s murder, and in 1995 published The Stalking of Kristin: A Father Investigates the Murder of His Daughter, which detailed his daughter’s death.

George Lardner found the justice system failed to address Cartier’s violations of probation and did not process warrants for his arrest in a timely manner. He also found the courts did not sufficiently review Cartier’s lengthy criminal record.

Now, nearly two decades after Lardner’s death, some jurisdictions are making changes to ensure cases like Cartier’s don’t fall through the cracks of the system.

Communities Making Changes

Despite these challenges, state and local community corrections agencies, in partnership with other justice agencies and community-based organizations, are taking a more active role in holding domestic violence offenders accountable for their crimes and promoting the safety of victims.

That’s because community corrections personnel are on the front lines when it comes to domestic violence offenders who are out on parole or probation.
Intimate partner domestic violence is among the most prevalent forms of violence in the U.S., resulting in nearly half a million crimes against women annually and accounting for approximately one-fifth of all violent crimes against women, according to data from the U.S. Department of Justice.

While rates of domestic violence have steadily declined since 1993, according to the Bureau of Justice Statistics, national and state hotlines and agencies that assist victims of domestic and sexual violence are reporting an increase in calls over the last year.

The National Domestic Violence Hotline, for instance, reported a 21 percent increase in calls for assistance in September 2008 over calls made in September 2007. According to a six-week study conducted by the hotline, 54 percent of callers reported a change in their household’s financial situation over the past year—so the recent economic situation may be contributing to increased stress, and perhaps an uptick in domestic violence complaints.
The American Probation and Parole Association, known as APPA—in partnership with the National Center for State Courts, the New York State Coalition Against Domestic Violence, and the Safe Return Initiative—recently published Community Corrections’ Response to Domestic Violence: Guidelines for Practice. The resource, funded by a grant from the United States Department of Justice Office on Violence Against Women, provides 41 research-based guidelines designed to enhance the ability of community corrections staff to understand and address intimate partner violence through effective supervision of domestic violence offenders and coordination with other justice system and community-based services.

Developed through consultation with experts from community corrections and law enforcement practitioners as well as domestic violence victim advocates, these comprehensive guidelines offer practical guidance to probation, parole and pre-trial service agencies and staff on a broad range of topics, including:

- Professionalism and Ethical Practice
- Case Investigation
- Community Supervision and Enforcement
- Victim Safety and Autonomy
- Batterer Intervention Programs

Nancy Halverson, corrections unit supervisor for an adult field service unit of the Hennepin County Department of Community Corrections in Minneapolis, called the guide “a valuable tool for officers who conduct investigations and supervise abusers on their caseloads, and for agencies working to become more effective partners in their community’s coordinated response to domestic abuse.” APPA is an affiliate of The Council of State Governments.

In New York, for example, the Office on the Prevention of Domestic Violence, the Division of Probation and Correctional Alternatives, and the New York State Coalition Against Domestic Violence have been working together since 1998 to enhance the state’s county probation departments’ response to domestic violence. Through the Probation Domestic Violence Intervention Project, these agencies developed a series of model domestic violence policies and procedures for local departments on addressing intimate partner abuse and are training community corrections officers on the role they can play in supervising domestic abusers and promoting victim safety.

In traditional community corrections practice, the primary focus of a probation officer is on the offender and compliance with a community supervision sentence. New York’s Probation Domestic Violence Intervention Project puts the focus on the victim and her safety. Community corrections officers are trained on how to contact and work with victims in a safe way, refer victims to available services, and use information provided by victims without putting them at risk of further abuse.

For example, when a victim reports to a probation officer that her abuser has been drinking in violation of his supervision requirements, officers are trained to confirm the violation through other means, such as a urinalysis or a visit to the bar where the offender often drinks. That way, probation officers can hold the offender accountable without revealing the victim’s involvement.

In addition, every probation department in the state has designated probation domestic violence liaisons to serve as point people on domestic violence within their respective agencies, to provide information and expertise on domestic violence, and to assist in the development of appropriate policies within their departments.

The project, said Elizabeth Bliss, systems and policy specialist at the New York State Coalition Against Domestic Violence, enables a more effective, systemic response to domestic violence offenders under community supervision in the state.

“Probation officers have a unique opportunity to intervene in domestic violence cases, but in order to do that, they need specialized skills in not only supervising domestic violence offenders, but also in working with victims,” she said. “Through this initiative, we’ve been able to provide probation officers across the state with the information and knowledge they need to hold abusers accountable while helping victims remain safe.”

In Arizona, there’s a special community corrections unit keeping tabs on domestic violence offenders. Maricopa County Adult Probation has a dedicated unit—the Domestic Violence Program—for supervising domestic abusers on probation in Phoenix. The unit provides enhanced supervision and treatment designed for offenders who engage in intimate partner abuse.

Cases assigned to the unit include those in which the offense involves violence against an intimate partner regardless of the immediate charge. In addition, offenders who are on probation for nondomestic violence crimes but who have a prior history of domestic violence may also be assigned to the unit for supervision.

The program emphasizes offender accountability and requires abusers to participate in a batterer intervention program in addition to other requirements of supervision. The programs provide group counseling and educational programs designed to address the patterns of violent and abusive behavior exerted by domestic violence offenders. In addition, as part of efforts to enhance abuser accountability, offenders may be required to participate in programming by the Maricopa County Domestic Violence Court. This specialized domestic violence court works in conjunction with adult probation’s domestic violence unit, the public defender’s office, the county attorney’s office, and community victim advocates to closely monitor abusers during the period of community supervision, provide offenders with counseling opportunities and enhance the safety of their victims.

Another tool the Phoenix-area unit uses to enhance victim safety is the use of Global Positioning System technologies, or GPS as it’s commonly known, to supervise and monitor offenders out in the community. At least 14 states have passed laws...
allowing courts to require an abuser or stalker to wear a GPS tracking device, notifying law enforcement or the victim if the offender violates restraining orders or other court orders, according to the Cynthia L. Bischof Memorial Foundation, which tracks GPS domestic violence bills in the states.

In addition, probation officers in the unit have frequent contact with victims in an effort to provide needed services and referrals to ensure their safety. The unit includes two domestic violence victim advocates who provide direct assistance and support to victims throughout the offender’s supervision period.

Efforts to address domestic violence in community corrections aren’t exclusive to probation services like the special unit in Arizona. Parole programs increasingly are actively addressing domestic violence among parolees, their partners and families upon their re-entry to the community.

In New York, for example, the state Department of Corrections is identifying offenders with domestic violence histories before their release to communities and is providing training to all parole staff statewide on the dynamics of and effective responses to domestic abuse. That action comes in response to a state law passed in 2008 requiring orders of protection against offenders on parole supervision be transmitted to the state division of parole.

And in Washington, victims of intimate partner violence are offered a variety of services prior to their abusers’ release from prison. Through community victim liaisons, the state Department of Corrections is working directly with domestic violence victims to better meet their safety needs before and after a prisoner’s return to the community.

During victim “wraparound” consultations, the community victim liaison, law enforcement officers, parole agents, domestic violence victim advocates and others meet with victims to conduct safety planning, explain the role of parole in supervising the offender, and identify specific concerns that should be addressed in the offender’s re-entry plan to enhance the victim’s safety. The meetings also attempt to provide individualized services to the victim, offering a customized plan to ensure her safety and the safety of other family members once the offender is released using resources available through community-based victim service organizations as well as the criminal justice system.

“The barriers to effective prisoner re-entry are well-known to corrections professionals: employment, housing, substance abuse, and education are all critical issues,” said Steve Eckstrom, victims services program manager for the Washington Department of Corrections.

“Of equal importance to successful prisoner re-entry, though, is ensuring the safety and security of an offender’s family upon his or her return. Domestic abuse must be addressed as a part of broader re-entry services. The failure to do so can have dangerous—even deadly—consequences.”

—Carrie Abner is a research associate with The American Probation and Parole Association.

THANKS

Thanks to our MGA Partners!

The Midwestern Governors Association wishes to thank the following organizations for their membership in our MGA Partners Program. We are grateful for their support of our activities and events.

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* denotes Founding Partner
CSG has recently released several special reports, including:

- **Increasing Public Awareness of Infrastructure Costs and Finance**—a Trends in America special report that focuses on the unmet needs in the transportation sector as states face an uncertain future in trying to pay for them.

- **Smart Grids**—an issue brief that focuses on the needs and benefits for a smart grid for the nation’s power needs.

- **Mental Health Parity**—an issue brief that explores the impact of the Mental Health Parity and Addiction Equity Act of 2008 on people enrolled in group health insurance plans.

- **Nuclear Power May Make Comeback**—an issue brief that looks at the growing interest in nuclear power, thanks to concerns about climate change, energy independence and the rising cost of energy.

- **Facts and Figures**—Topics include state government compensation, Advanced Placement programs, health information technology, funding highways and bridges, high-risk insurance pools, public transportation, water quality, women in state government, covering the uninsured and access to emergency services.

To read the Trends in America publications, please visit [www.trendsinamerica.org](http://www.trendsinamerica.org).

State legislators from 13 Western states spent three days in intensive training this summer at the West’s premier academy for newer lawmakers. The Council of State Governments-West convenes the Western Legislative Academy each year in Colorado Springs, Colo.

From morning until night, legislators take classes in the legislature as an institution, time management, governance, ethics, communications and negotiations. A half day is spent at the U.S. Air Force Academy engaged in some of the same team-building exercises offered to officers and cadets. Faculty is drawn from academia, corporate and public sectors and the military.

Admission to the CSG-West Academy is competitive, and 38 lawmakers graduated this year. Since its beginning in 2000, the Academy has graduated nearly 400 legislative “students,” many of whom go on to state legislative leadership positions. Three WLA alumni now serve in Congress and two serve in the U.S. Senate.


Applications for the 2010 Western Legislative Academy will be available in January. Lawmakers in their first four years of total service are eligible to apply. Call (916) 553-4423 for more information.

CSG Partners with 2010 Census

Each year, more than $300 billion in federal funds are awarded to the states and communities, according to the U.S. Census Bureau. And it’s all based on Census data—data that is collected more accurately and completely if the Census Bureau works with those in the states.

“It’s important for state officials and for an organization like ours to get behind the work of the 2010 Census because it will not only shape the political boundaries in the states, but also the funding from the federal government to the states,” said David Adkins, CEO and executive director of The Council of State Governments.

CSG is supporting the 2010 Census effort through a resolution to be voted on at the CSG 2009 Annual Conference in La Quinta, Calif. CSG supported the last Census effort with a resolution in 2000 calling for the accurate and complete collection of 2000 Census data.

Census data determines the redistricting of state legislatures, county and city councils as well as voting districts, according to the Census Bureau. It also affects each state’s seats in the U.S. House of Representatives.
NASTD Announces Executive Board for 2010

The National Association of State Technology Directors or NASTD, which represents information technology professionals from the 50 states, through four regions, and the private sector, announced its 2010 Executive Board at its annual conference in Montgomery, Ala., in August.

Andy Cannon, assistant director from the state of Alabama’s Information Services Division, was named NASTD president. Dan Corcoran, acting director of New York state’s IT Infrastructure Delivery Services Unit, will serve as vice president. Claire Bailey, agency director and chief technology officer for the Arkansas Department of Information Systems, will assume responsibility as NASTD treasurer.

Midwestern Legislators Gather at Meeting

More than 650 people gathered in Overland Park, Kan., in August for this year’s conference hosted by The Council of State Governments Midwest Legislative Conference chair Kansas Sen. Jay Emmer and his colleagues in the Kansas Legislature. Improving math and science education in the Midwestern states was the focus Emmer’s agenda as 2009 MLC chair.

At the 64th Annual Meeting, the MLC unveiled a special report, “Laboratories of Reform: Initiatives in Midwestern states to Improve Math and Science Education.” (See Toolbox.)

APPA Announces New Officers

The American Probation and Parole Association announced members of its executive committee, selected during the Annual Training Institute held Aug. 23–26, 2009 in Anaheim, Calif.

The executive committee members are: Barbara Broderick, chief adult probation officer, Maricopa County, Ariz., president; Scott Taylor, director of Multnomah County Community Justice, Oregon, president-elect; Carmen Rodriguez, senior training specialist, Cook County Adult Probation, Illinois, vice president; Gary Hinzman, director of the Sixth Judicial Department of Correctional Services, Iowa, immediate past president; Bruce Vandersanden, division manager of the Sixth Judicial Department of Correctional Services, Iowa, treasurer; Susan Burke, assistant juvenile court administrator, Utah, secretary; Carl Fox, Western Correctional Association
The National Association of State Technology Directors raised $700 for the Information Technology Academy at Robert E. Lee High School in Montgomery through a silent auction at the 32nd Annual Conference and Technology Showcase in Montgomery, Ala. in August.

Each academy student also received an NASTD back-pack, donated by conference attendees.

Forty enthusiastic students, along with their teacher and principal, greeted the NASTD volunteers. The group spent a few hours with students discussing careers and personal experiences in communications and information technology. They also stressed the themes of education, hard work and career satisfaction. The volunteers also discussed the importance of building a professional network in order to gain experience and opportunities.

More than 150 technology professionals representing 26 states and 77 leading technology organizations gathered at the conference to network, share ideas and view demonstrations of the latest technology products and solutions available to state governments at the conference. Discussion topics ranged from the American Recovery and Reinvestment Act to securing infrastructure and “greening” the data center.
This calendar lists meetings as designated by CSG’s Annual Meeting Committee. For details of a meeting, call the number listed. “CSG/” denotes affiliate organizations of CSG. Visit www.csg.org for updates and more extensive listings.

**October 2009**

Oct. 3–7  CSG/Southern Legislative Conference 2009 Center for the Advancement of Leadership Skills (CALS)—Morgantown, WV. Contact Lori Jones-Rucker at (404) 633-1866 or visit www.slcatlanta.org for more information.

Oct. 5–8  CSG-WEST Annual Meeting—Santa Fe, NM. Contact Cheryl Duvauchele or Kristy Bivens at (916) 533-4423 or csgw@csg.org.

Oct 6–7  Midwestern Governors Association Jobs and Energy Summit—Detroit, MI—MotorCity Hotel. Contact Daniel Stenberg at (292) 624-5460 or dstenberg@csg.org.


Oct. 15–16  Midwest Interstate Passenger Rail Commission Fall Meeting—Columbus, OH—Westin Columbus. Contact Laura Kliewer at (630) 925-1922 or lkliewer@csg.org.

**November 2009**

Nov. 2–9  Interstate Commission for Adult Offender Supervision (ICAOS) Annual Business Meeting—Reno, NV—Grand Sierra Hotel. Contact Barno Saturday at (859) 244-8235 or bsaturday@interstatecompact.org.

Nov 4–7  20th Border Legislative Conference/2nd Annual Americas 2020 Summit—San Antonio, TX. Contact Edgar Ruiz or Martha Castañeda at (916) 533-4423 or enru@csg.org or mcbastianlo@csg.org.

Nov 12–15  The Council of State Governments 2009 Annual Conference—La Quinta, CA—La Quinta Resort & Club. Contact registration at (800) 800-1910 or registration@csg.org.

Nov. 16–18  Military Interstate Children’s Compact Commission 2nd Annual Meeting—La Quinta, CA—La Quinta Resort & Club. Contact Crady deGolian at (859) 244-8068 or cdegolian@csg.org.

Nov 19–22  National Hispanic Caucus of State Legislators (NHCSL)—Santa Monica, CA—Lowes Santa Monica Beach Hotel. Contact Rhina Villatoro at (202) 434-8070 or rhina@nhcsl.org.

Nov. 29–Dec. 1  National Association of State Treasurers (NAST) Issues Conference—New York, NY—The Barclay Inter-Continental Hotel. Contact Adnène Hamilton at (859) 244-8174 or ahamilton@csg.org.

**December 2009**

Dec. 1–3  Interstate Commission for Juveniles 2nd Annual Meeting—Albuquerque, NM—Hyatt Tamaya Resort & Spa. Contact Crady deGolian at (859) 244-8068 or cdegolian@csg.org.

**January 2010**

Jan. 29–31  National Association of State Personnel Executives (NASPE)—Washington, D.C.—Dupont Hotel. For state executive HR directors and deputies only. Contact Jessica Ruble at (859) 244-8179 or jruble@csg.org.

Jan. 31–Feb. 3  CSG/American Probation and Parole Association (APPA) Winter Training Institute—Austin, TX—Hilton Austin. Contact Kris Chappell at (859) 244-8204 or kchappell@csg.org.

**March 2010**

March 6–9  National Emergency Management Association (NEMA) Mid-Year Conference—Alexandria, VA—Hilton Alexandria Mark Center. Contact Karen Cobuluis at (859) 244-8143 or kcobuluis@csg.org. Information will be available December 2009.

**May 2010**

May 20–23  The Council of State Governments Spring Conference—New York, NY. Contact registration at (800) 800-1910 or registration@csg.org.

**July 2010**

July 12–15:  CSG-WEST Western Legislative Academy—Colorado Springs, CO. Contact Cheryl Lee Duvauchele or Mary Lou Cooper at (916) 533-4423 or csgw@csg.org.

July 31–Aug. 4  CSG/Southern Legislative Conference—64th Annual Meeting—Charleston, SC. Contact Elizabeth Lewis at (404) 633-1866 or elewis@csg.org.

**August 2010**

Aug. 8–11  CSG/Midwestern Legislative Conference—65th Annual Meeting—Toronto, ON, Canada. Contact Cindy Andrews at (630) 925-1922 or candrews@csg.org. Visit http://www.csgmidwest.org for more information.
Although the federal government tends to get more attention, state officials are often on the front lines of cutting-edge trends and issues. On the other hand, sometimes in the community of state governments, the more things change, the more they stay the same.

In print since 1958, State News (formerly State Government News) has chronicled many of the changes … and continuities. Here’s what we reported on:

40 years ago—October 1969

Differing Approaches to Construction

President Richard Nixon met with the nation’s governors in the fall of 1969 to coordinate action to implement federal construction cutbacks, according to the October 1969 State Government News. Nixon ordered an immediate 75 percent cut in new federal construction projects and called on state and local governments to reduce their own construction plans, many of which also included federal funds.

The cutbacks were ordered to ease inflationary pressures in the construction industry as well as to hold federal spending within the $192.9 billion budget for the fiscal year. Governors at the White House meeting said they supported the president’s goal and program.

Update: The American Recovery and Reinvestment Act of 2009 included one of the largest investments in federal construction spending in the states. The Recovery Act included $130 billion in federal funding to supplant state spending in areas that included transportation and education. Funding these “shovel-ready” projects were intended not only allow states to move forward with road projects they already had but also to stimulate the faltering economy. Look for a CSG special report coming this fall about the transportation spending in the Recovery Act.

25 years ago—October 1984

States Delve into International Trade

Nearly half the states in 1984 were considering legislation to help business communities become more active and successful in exporting, according to the October 1984 State Government News. The magazine called the interest in international trade a national “export mentality.”

In fact, federal, state and private-sector international trade events were rising. The number of industry organized and government approved overseas trade missions doubled from 1983 to 1984, according to State Government News. The National Association of State Development Agencies developed a database on state export programs and found 34 states had more than 300 trade missions, trade fairs and shows from 1980 through 1985. Illinois and New York held the lead in the number of trade events.

Update: The interest by states in international trade is still high. In fact, according to The Council of State Governments, international trade is the single largest category of state international engagement. The 50 states spend a combined total of about $100 million each year helping state businesses create jobs at home by selling products abroad.

CSG works in partnership with the State International Development Organizations—or SIDO—the national association of state international trade directors, to share best practices among state agencies, provide professional development for trade directors, and advocate the role of states in international trade. SIDO is dedicated to supporting state international trade agencies. It’s the only national organization focused exclusively on state international trade development.

In addition, CSG’s Eastern Regional Office works to promote international economic opportunities for northeastern states through the Eastern Trade Council, an association of the 11 state trade agencies of the northeast region. CSG also promotes the interests of state governments in national trade policy through its participation in the Intergovernmental Policy Advisory Committee on Trade. This committee provides a vehicle for states to have input into ongoing negotiations and trade policy decisions. CSG also hosts frequent discussions of trade policy at its national and regional meetings.

10 years ago—October 1999

States Provide Health Insurance for Children

Then-U.S. Health and Human Services Secretary Donna Shalala announced in the fall of 1999 that every state and territory had in place plans to provide health coverage for uninsured children through the Children’s Health Insurance Program, commonly known as CHIP, according to the October 1999 State Government News. Wyoming and Washington were the final states to approve plans that fall. Allotments totaling $4.3 billion were available to states with approved plans. The federal CHIP law, passed in 1997, appropriated $24 billion over five years to expand health insurance to children whose families earn too much to qualify for Medicaid but were unable to get private insurance coverage.

Update: The Children’s Health Insurance Program Reauthorization Act of 2009 reauthorized the Children’s Health Insurance Program. The reauthorization finances CHIP through the 2013 fiscal year, according to the Centers for Medicare and Medicaid Services Web site. Among the provisions are expanded eligibility, expanded mental health and dental coverage, improved access to private coverage, additional funds and incentives to states, and priority for children and pregnant adults.
Spencer Wells, Ph.D.
Friday, Nov. 13
The National Geographic Explorer-in-Residence has dedicated much of his career to studying humankind’s family tree and closing the gaps in knowledge about human migration. He leads National Geographic’s Genographic Project.

Jon Meacham
Saturday, Nov. 14
The Newsweek editor won a Pulitzer Prize for American Lion, a biography of Andrew Jackson. At Newsweek, he supervised coverage of politics, international affairs and breaking news as managing editor.

Ben Self
Saturday, Nov. 14
The founding partner of Blue State Digital and new media guru served as the Democratic National Committee technology director and supervised the technology of projects of the national party during the 2008 election.

For complete information, click on "Meetings" at www.csg.org.