

**CRIMINAL JUSTICE**  
**IMPROVE TECHNOLOGY AND DATA SHARING**

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>STANDARDIZING SENTENCING ORDERS</b></p> <ul style="list-style-type: none"> <li>• Issue: Staff at the Department of Correction spend valuable time trying to interpret sentencing orders that are inconsistently filled out and may include difficult-to-read handwritten notes. The goal is to have easily understandable sentencing orders that do not require interpretation, with information that is easy to calculate properly.</li> <li>• <b>Objective: The Courts will produce and send standardized electronic orders and related sentencing documents to the DOC</b></li> </ul>	<ul style="list-style-type: none"> <li>• Courts continue testing the new process and functionality while JIC takes their feedback and makes updates</li> <li>• Plan pilot courtrooms for testing the solution in a production environment – Schedule gradual rollout for all courts</li> <li>• JIC documentation of technical and procedural aspects of the solution in preparation for training and implementation</li> </ul>
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• (Q1 2020) Complete the remaining changes and updates and receive signoff on testing</li> <li>• (Q2 2020) conduct training with Court staff on the updated process in preparation for implementation</li> <li>• (Q2 2020) Implementation for Family Court and Justice of the Peace Court</li> </ul>	<ul style="list-style-type: none"> <li>• Resource constraints due to competing priority projects</li> </ul>

## CRIMINAL JUSTICE

### IMPROVE TECHNOLOGY AND DATA SHARING

1

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>CRIMINAL AND CIVIL E-FILING</b></p> <ul style="list-style-type: none"> <li>• Issue: Information sharing is not as easy or as timely as desired. Court information is still largely paper driven.</li> <li>• <b>Objective: Implement an integrated statewide management approach with criminal and civil e-filing in one system. Case Management and Document Management are also in scope.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Vendor solicitation produced 9 proposals which are under review by the evaluation committee</li> <li>• Proposals are being rated on a variety of criteria by the evaluation committee and recommendations will be provided to the Presiding Judges to identify 3 finalists</li> <li>• Existing Case Management Stabilization project is ongoing with JIC testing underway (Prerequisite to future solutions)</li> </ul>
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• (Q1 2020) Select 3 finalists for consideration</li> <li>• (Q1 2020) Continue engagement with partner agencies including Alderman Courts</li> <li>• (Q2 2020) Make final selection and complete contract</li> <li>• (Q1 2020) Complete Prerequisite Case Management System upgrade</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of comprehensive project funding, requiring a slower implementation process</li> <li>• Resource constraints due to personnel turnover</li> <li>• Prerequisite project to upgrade existing Case Management System through Q1 2020</li> </ul>

## CRIMINAL JUSTICE

### IMPROVE TECHNOLOGY AND DATA SHARING

3

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>CONSIDER TECHNOLOGY TO REDUCE COSTS, SUCH AS COSTS FOR TRANSPORTING INMATES</b></p> <ul style="list-style-type: none"> <li>• Issue: Some criminal justice activities, such as the transport of inmates from the Department of Correction for court hearings, are costly. Technology could potentially reduce the number of transports.</li> <li>• <b>Objective: Expand the use of videophones or other technology to reduce the need to transport inmates to save money, and promote public safety.</b></li> </ul>	
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• Organize a meeting of the Criminal Justice Focus Group to discuss opportunities in detail</li> <li>• Consider if legislation or resources would be needed for proposal</li> <li>• (TBD – need legislation and resources) Implementation of technology to promote safety and savings</li> </ul>	<ul style="list-style-type: none"> <li>• Change management amongst the courts and other agencies</li> </ul>

## CRIMINAL JUSTICE

### IMPROVE TECHNOLOGY AND DATA SHARING

2

Objectives and Achievements	In Progress
<p><b>ELIMINATE WASTEFUL PROCESSES LIKE THE MANUAL PAYMENT OF BAIL</b></p> <ul style="list-style-type: none"><li>• Issue: When modern processes and technology aren't pursued, wasteful or unnecessary processes continue.</li><li>• <b>Objective: Use technology and modernized processes to enable bail bond agents to pay the courts via more efficient methods of payment</b></li></ul>	<ul style="list-style-type: none"><li>• Reviewing work product from the University of Delaware Student Teams which ended in May to plan out the project</li></ul>
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"><li>• (July 2019) prioritize the manual payment of bail project and allocate resources to manage and work the project</li><li>• (July 2019) Establish a cross functional team comprised of Court SME's to collaborate on solutions and merge bail related efforts from the U of D student teams into a focused effort</li></ul>	<ul style="list-style-type: none"><li>• Cross-court procedural changes</li><li>• Cross-court application/system disparities</li></ul>

**CRIMINAL JUSTICE**  
**IMPROVE TECHNOLOGY AND DATA SHARING**

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>INCREASE THE CAPACITY OF DATA MANAGEMENT AND STATISTICAL RESEARCH</b></p> <ul style="list-style-type: none"> <li>• Issue: The Statistical Analysis Center and DELJIS are both chronically understaffed. They are a much-needed resource for the entire criminal justice system that cannot meet the demands</li> <li>• <b>Objective: Other criminal justice agencies should promote resources in the budget process that would have an overall positive effect on the system. CJC is interested in expanding the role of SAC to research best practices, provide further analysis and recommendations based on the data and their research of other jurisdictions.</b></li> </ul>	
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• Support SAC and DELJIS during budget hearings and Clearinghouse meetings</li> <li>• Support CJC's efforts to expand the scope of SAC</li> </ul>	<ul style="list-style-type: none"> <li>• Changing the perception that any new personnel is unnecessary or wasteful of tax dollars. There are cases in which additional personnel can increase efficiencies, save money, and improve performance in the long run.</li> </ul>

## CRIMINAL JUSTICE

### SIMPLIFY AND MAKE STATUTES MORE COHERENT

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>CRIMINAL CODE REFORM</b></p> <ul style="list-style-type: none"> <li>• Issue: Delaware’s criminal code is full of redundancies, inconsistencies and disproportionality. These issues have evolved over the two generations since Delaware adopted a criminal code based on best practices.</li> <li>• <b>Objective: Support the General Assembly’s Criminal Justice Improvement Committee to restore the Code to a clear readable and proportional code.</b></li> </ul>	<ul style="list-style-type: none"> <li>• (On-going) Meet with stakeholders and important partners to address concerns and request support</li> <li>• (Completed Nov 2017) Receive comments on Code from DOJ</li> <li>• Finalize Conforming Amendments and circulate for review</li> <li>• (Jan 2018) Drafting group responds to DOJ comments and revises bill</li> <li>• (March 2018) Completion of Final Report of working group to the CJIC and Judiciary Committees. Converted final text of Improved Code into bill format. Completed final text of the Conforming Amendments bill. Completed supporting materials</li> <li>• (May 2018) Final bills completed and filed for the 149<sup>th</sup> General Assembly</li> <li>• (June 2018) Strategic decision made not to work the bills</li> <li>• (July 2018) Letter sent to state agencies requesting their review of and comments on the bills</li> <li>• (Sept and Oct 2018) Met with state agencies to review their comments on the bills and make edits based on them.</li> <li>• (Dec 2018) Working group meets to approve final drafts of bills.</li> <li>• (Jan 2019) Final drafts of bills completed.</li> <li>• Senate Bills 40 and 52 was introduced on July 31, 2019 by Senator Harris McDowell.</li> <li>• On-going discussions with Department of Justice and other stakeholders to determine best approach to move forward.</li> </ul>
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• Meet with Working Group to determine “next steps.”</li> </ul>	<ul style="list-style-type: none"> <li>• Overcoming hesitation to make comprehensive change</li> <li>• Passage of legislation</li> </ul>

## CRIMINAL JUSTICE

### SIMPLIFY AND MAKE STATUTES MORE COHERENT

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>MODERNIZE THE PRETRIAL SYSTEM</b></p> <ul style="list-style-type: none"> <li>• <b>Issue:</b> The goal is to only detain those who threaten public safety and to apply other strategies for low risk offenders. While high risk offenders need to be detained for public safety, low risk offenders are often further destabilized by unnecessary detention, as even a short-term detention can mean the loss of employment or housing, or cause other family issues.</li> <li>• <b>Objective:</b> Use best practices to determine more objectively persons at risk to reoffend or fail to appear in court with possibility of detention or release with supervision, and presumptive release for low risk persons.</li> </ul>	<ul style="list-style-type: none"> <li>• (Completed Dec 2017) Determine path forward on assessment tool</li> <li>• (Completed Dec 2017) Draft of a constitutional amendment authorizing preventative detention</li> <li>• (Completed April 2018) Draft amendments to HB 204 providing for preventative detention.</li> <li>• (May 2018) Converted final text of bills into legislative format. Final bills completed and filed in 149<sup>th</sup> General Assembly</li> <li>• (June 2018) SB 221 Constitutional Amendment bill fails to garner necessary votes for passage; SB 222 never brought forward for a vote</li> <li>• (August 2018) Testing of DELPAT for inclusion of a violent crime risk factor</li> <li>• (Sept 2018) DELPAT with violence risk factor receives final approval. Drafting court rules and administrative directives for pretrial modernization.</li> <li>• (Oct 2018) Train judicial officers in new pretrial procedures including risk assessment instrument.</li> <li>• (Nov 2018) Finalize and get approval for court rules governing bail reform.</li> <li>• (Nov 2018) Continue to train judicial officers and court personnel in new pretrial procedures.</li> <li>• (Dec 2018) Judiciary issues Interim Special Rule of Criminal Procedure for Pretrial Release</li> <li>• (Jan 2019) Implementation of new bail processes according to HB 204 and Interim Special Rule for Pretrial Release.</li> <li>• (Jan 2019) Training and refinement of procedures connected to new pretrial processes.</li> <li>• (March 2019) Implementation teleconferences between courts and stakeholders identifying issues and answering questions.</li> <li>• (March 2019) CBT training module with Bluewater Learning complete and being reviewed by stakeholders.</li> <li>• (June 2019) Feedback from stakeholders submitted.</li> <li>• (January 2020) Working group met with a goal of finalizing the rule by mid-March 2020. Meeting with legislators and other stakeholders.</li> </ul>

<b>Next Steps (Future Activities)</b>	<b>Challenges (Issues and Risks effecting your effort)</b>
<ul style="list-style-type: none"><li>(March 2020) Finalize implementing the administrative and court rules.</li></ul>	



**CRIMINAL JUSTICE  
GIVE OFFENDERS A BETTER CHANCE TO SUCCEED**

<b>Objectives and Achievements</b>	<b>In Progress</b>
<p align="center"><b>REDUCE DEBT BURDEN ON EX-OFFENDERS</b></p> <p><b>Issue:</b> When ex-offenders are released from prison, the challenges of reentry (finding housing, finding stable employment, supporting children) can be even more difficult due to debt burden from the criminal justice system.</p> <p><b>Objective:</b> Allow offenders to work off debt burden in prison by offering a minimum wage credit for prison work programs. This will help the ex-offender focus on other important social obligations once released from prison, rather than having outstanding capiases for failure to pay. Credits could also be applied to other positive efforts, such as education or job training programs, substance abuse programs, etc.</p>	<ul style="list-style-type: none"> <li>• Discuss issues and challenges of implementation</li> <li>• Draft legislation</li> <li>• Work internally to develop implementation processes</li> <li>• Support from Governor Carney</li> <li>• Introduction of SB 123 sponsored by Senator McBride</li> <li>• Introduction of HCR 56 to establish an interagency task force to make finding and recommendations on the impact of fines and fees, sponsored by Rep. Lynn</li> <li>• Meeting with legislators</li> </ul>
<b>Next Steps (Future Activities)</b>	<b>Challenges (Issues and Risks effecting your effort)</b>
<ul style="list-style-type: none"> <li>• Plan needed changes or updates to technology which would allow DOC and the Court to communicate and apply credits in an automated way</li> <li>• Passage of legislation</li> <li>• Implementation of program</li> <li>• Preliminary evaluation of program</li> </ul>	<ul style="list-style-type: none"> <li>• Communication issues between DOC and the Courts so that the credit information can be easily applied to accounts appropriately</li> </ul>

## CRIMINAL JUSTICE

### GIVE OFFENDERS A BETTER CHANCE TO SUCCEED

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>DEVELOP A WILMINGTON COMMUNITY COURT</b></p> <p><b>Issue:</b> Low level offenders are often penalized with fees that they cannot pay, or with short-term incarceration for petty crimes. This can lead to issuance of <i>capias</i> and, in turn, further involvement in the criminal justice system. Short term incarceration can further destabilize low level offenders due to job loss and family issues. Incarceration and fees do not help the offender resolve whatever issues have led them to these violations and offenses.</p> <p><b>Objective:</b> The Community Court is a type of problem-solving court that addresses low-level crimes, public safety and quality of life issues at the neighborhood level. The focus of community courts is not isolated to a particular problem like the Drug Court or Mental Health Court, but rather to address multiple needs of a particular geographic area. Community court programs are focused on improving outcomes for the offender and reducing recidivism by addressing factors such as substance use, mental health and unemployment that are generally linked to criminal behavior.<sup>1</sup> The Community Court provides accountability to offenders by ensuring they give back to their communities through various community service initiatives. The Community Court is planned to have a rotating calendar by Wilmington neighborhood; the neighborhoods can discuss the current interests and concerns that affect their community. The Community Court will welcome providers, neighborhood associations, and others vital to community empowerment and improvement. Community Court can provide more convenient hours for truancy and problem-solving courts, making it possible for more to comply without missing school or work.</p>	<ul style="list-style-type: none"> <li>• Designation of Internal Community Court Planning Committee (Dec 2017); first meeting completed February 18, 2018</li> <li>• (Dec 2017) Create and announce a Community Court Steering Committee</li> <li>• (March 2018) Prepare community outreach agreements</li> <li>• (April 2018) Planning and steering committees meet.</li> <li>• Develop proposal for PSC calendar.</li> <li>• (May 2018) Explore funding possibilities with the Center for Court Innovation. Established partnership with DOL.</li> <li>• (June 2018) Applied for grant and awaiting approval. Create MOU's with necessary partners.</li> <li>• (July 2018) Engage treatment partners, education and job training partner, housing partners, financial literacy partners, veterans' partners, medical partners.</li> <li>• (Aug 2018) Host Community Resource Fair to promote Resource Center and connect service providers with community members.</li> <li>• (Sept 2018) Develop initial proposal for Community resource center, including: available services, referral system, inclusions of problem solving courts, specialized programs. Develop job position and post job for Community Court Coordinator.</li> <li>• (Nov 2018) Hire Community Court Coordinator position.</li> <li>• (Feb 2019) Delegation of Judiciary, AOC, ODS, and DOJ traveled to visit 4 community court sites in New York and New Jersey.</li> <li>• (Feb 2019 – April 2019) Needs Assessment - Community outreach to determine community's quality of life needs and criminal justice challenges.</li> <li>• (May 2019) Technical assistance site visit from the Center for Court Innovation.</li> <li>• (August 2019) Hosted the 2<sup>nd</sup> Annual Community Resource Fair to promote Resource Center and connect service providers with community members.</li> <li>• (August/September) Developing written procedures, forms, program objectives, etc.</li> <li>• (October 2019) Phase I of the Community Court becomes operational.</li> </ul>
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• (TBD) Develop necessary legislative changes for alternative sentencing.</li> <li>• (January 2020) Publish Needs Assessment Report.</li> <li>• Secure funding for continued operation of Community Courts.</li> </ul>	<ul style="list-style-type: none"> <li>• Complexity of coordinating multicourt initiative that is the first of its kind in the state</li> </ul>

<sup>1</sup> Kilmer, B., Sussell, J. (2014). *Does San Francisco's Community Justice Center Reduce Criminal Recidivism?* San Francisco, CA: RAND Corporation.

## CRIMINAL JUSTICE

### GIVE OFFENDERS A BETTER CHANCE TO SUCCEED

2

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>MORE COMMUNITY-BASED DRUG TREATMENT</b></p> <ul style="list-style-type: none"> <li>• <b>Issue:</b> Due to a lack of affordable and effective community-based substance abuse treatment, long-term incarceration is often necessary to gain access to such treatment.</li> <li>• <b>Initiative:</b> Look at the availability and affordability of substance abuse treatment resources throughout the state, and determine where additional resources may be necessary. Substance abuse treatment should include a holistic approach, providing vocational skills for clientele.</li> </ul>	
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• Research best practices and discuss/document current resources</li> <li>• Involve and partner with local non-profits and for-profit agencies</li> <li>• Determine a possibly phased approach to adding resources, including mental health, substance abuse and vocational resources, among others</li> <li>• Research needed funds and resources to make treatment available to the most people</li> <li>• Implement first phase of plan</li> </ul>	<ul style="list-style-type: none"> <li>• Funding</li> </ul>

1

**CRIMINAL JUSTICE  
THE MEANS TO PROGRESS**

<b>Objectives and Achievements</b>	<b>In Progress</b>
<p><b>EXPANSION OF PROCESS IMPROVEMENT EFFORTS</b></p> <ul style="list-style-type: none"><li>• <b>Issue:</b> Processes should be continuously evaluated, and the state should invest in employees to provide them the skills to do so.</li><li>• <b>Initiative:</b> Establish a culture of continuous improvement by teaching our employees valuable private sector skills.</li></ul>	<ul style="list-style-type: none"><li>• (On-going) Judicial Branch partnership with UD for training</li><li>• (On-going) Include all agencies within the criminal justice system to participate in training</li></ul>
<p><b>Next Steps (Future Activities)</b></p>	<p><b>Challenges (Issues and Risks effecting your effort)</b></p>

**CRIMINAL JUSTICE  
THE MEANS TO PROGRESS**

Objectives and Achievements	In Progress
<p><b>PARTNER WITH UNIVERSITIES FOR EXPANDED RESEARCH CAPACITY</b></p> <ul style="list-style-type: none"> <li>• <b>Issue:</b> Busy managers often find it difficult to undertake change and conduct the research needed to analyze possible initiatives.</li> <li>• <b>Initiative:</b> Partnering with the University of Delaware to contractually employ graduate-level students who study policy, such as those in Public Administration or Business programs, to provide research that can fuel positive improvements in the criminal justice system.</li> </ul>	<ul style="list-style-type: none"> <li>• (On-going) Judicial Branch partnership with UD for Judicial Fellows, process improvement, and research.</li> <li>• (On-going) Show other agencies what a small amount of resources can accomplish</li> <li>• 2020 UD student projects identified               <ul style="list-style-type: none"> <li>○ Research Service Desk Software</li> <li>○ Research Asset Management Software</li> <li>○ Research Document Management Software</li> <li>○ Develop Document Management Structure</li> </ul> </li> </ul>
Next Steps (Future Activities)	Challenges (Issues and Risks effecting your effort)
<ul style="list-style-type: none"> <li>• Develop high level requirements for UD students</li> <li>• Kick-off meeting scheduled for February 2020</li> <li>• UD student proposals due in late March</li> <li>• UD student final reports due in May</li> </ul>	<ul style="list-style-type: none"> <li>• New software compatibility</li> <li>• Existing software capabilities</li> <li>• Cost</li> <li>• Software scalability (current and proposed)</li> <li>• Project scope creep regarding small business vs enterprise software.</li> </ul>

## CRIMINAL JUSTICE THE MEANS TO PROGRESS

Objectives and Achievements	In Progress
<p style="text-align: center;"><b>IMPROVED ORGANIZATIONAL STRUCTURES</b></p> <p><b>Issue:</b> There are organizations and programs in various departments that may be a better fit elsewhere. For example, there are numerous advocacy or monitoring agencies within the Judicial Branch and the Department of Safety and Homeland Security which are not necessarily cohesive with their core missions (e.g., Non-Judicial agencies within the Courts, and disability organizations within DSHS).</p> <p>Another example is the DUI Provider Program within the Office of Highway Safety, DSHS, also referred to as the Delaware Evaluation and Referral Program or DERP. OHS has overseen this statutorily-mandated program for approximately 30 years (21 Del. C. § 4177D). At that time, the Department of Safety and Homeland Security was called the Department of Public Safety, which included the DMV. Over time, however, not only have there been structural changes to the department, but the OHS has been having to oversee and sometimes intervene in clinical issues, for which they do not have expertise or education.</p> <p><b>Initiative:</b> Finding appropriate homes for Non-Judicial agencies, where they can strongly advocate for their clients and their own operations, and in which they are not competing with the Judicial Branch’s core missions. The Judicial Branch has no ability to provide proper oversight of these agencies with the current level of staffing, or without creating additional conflicts.</p> <p>The Delaware Evaluation and Referral Program (DERP) should be relocated. Though at one time it was considered a conflict for DHSS to oversee the program, there is now agreement that no such conflict exists. DHSS also has expertise in these areas, and already oversees most of these treatment agencies currently. This change would improve the implementation and oversight of DUI Treatment and Education Provider contracts.</p>	<ul style="list-style-type: none"> <li>• Work with GEAR partners to determine best homes for the Non-Judicial Agencies, the disability agencies which are currently located in DSHS, and the DERP in OHS</li> <li>• Update history of the agencies, and state comparisons of similar agencies (Judicial Fellows assignment from January through May)</li> <li>• (Oct 2018 and Oct 2019) Request recommended approaches in the budget process</li> </ul>
<p style="text-align: center;"><b>Next Steps (Future Activities)</b></p>	<p style="text-align: center;"><b>Challenges (Issues and Risks effecting your effort)</b></p>
<ul style="list-style-type: none"> <li>• Draft legislation and regulatory changes as appropriate, consistent with the recommended approaches</li> <li>• Implement changes in new fiscal year</li> </ul>	