

LEGISLATIVE LIAISON: HOW CORRECTIONS DEPARTMENTS WORK WITH LEGISLATURES

Special Issues in Corrections

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Background

This study summarizes the ways in which state departments of corrections (DOCs) work with their state legislatures. Focusing on the role of "legislative liaisons," it describes DOCs' methods of assigning specific responsibility for working with the legislature. This role is important to most corrections agencies, as it ensures that proposed legislation is tracked and that the agency's position is clearly articulated and consistent.

The report is based on a written survey sent to contacts in each DOC, who forwarded it, in most cases, to a person in the agency who holds or is knowledgeable about the legislative liaison position. Responses were received from forty-nine states, the District of Columbia, Puerto Rico, and the Federal Bureau of Prisons.

A list of contacts in each DOC for matters related to legislative liaison is presented in Appendix A.

Responsibility for Liaison with the Legislature

Table I portrays how state DOCs assign the role of legislative liaison-as a full-time position; as one aspect of a full-time position filled by a person with additional responsibilities; as a responsibility shared

by two or more designated persons; or as the formal responsibility of no specific person(s) in the agency.

Findings indicate:

- **Working with the legislature is a full-time responsibility in thirteen** DOCs-Arizona, California, Florida, Georgia, Illinois, Massachusetts, Missouri, Ohio, Pennsylvania, Virginia, Washington, Wisconsin, and the Federal Bureau of Prisons. Most of the states in this category are among those with the largest general populations and the largest populations under correctional supervision. In all but Pennsylvania, the legislature meets every year. (See Table II, which summarizes each state's legislative schedule.) In agencies that perform multiple corrections functions-e.g., parole and/or probation supervision as well as institutional corrections-one legislative liaison covers all agency functions.
- **Working with the legislature is a part-time responsibility in fifteen** DOCs-Alabama, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Indiana, Iowa, Minnesota, New Jersey, Rhode Island, South Carolina, South Dakota, Tennessee, and Vermont. In these agencies, one person serves as legislative liaison on a less than full-time basis and has other responsibilities within the agency. In four of these states (Iowa,

New Jersey, South Carolina, and Tennessee) the legislative liaison also serves as executive assistant to the commissioner and, in this position, fulfills a variety of roles. Other responsibilities typically assumed by the legislative liaison include public information, planning and research, grant writing, or serving as liaison to other governments, boards, and commissions.

- **Working with the legislature is a shared responsibility in nineteen DOCs**-Alaska, Arkansas, Idaho, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Montana, Nebraska, New Hampshire, New Mexico, New York, North Carolina, Oklahoma, Oregon, Texas, and Wyoming. In most cases, the responsibility is shared among senior administrators, including the director/commissioner of the DOC. In **Alaska** and **Nebraska**, the legislative liaison role is shared by a member of the budget office. Oklahoma uses an unusual approach, in that the agency's regional directors are the primary point of contact with most legislators. In Maryland, legislative liaison responsibilities are also shared with the Division of Corrections' parent agency, the Department of Public Safety and Correctional Services.
- **Working with the legislature is not a formal assignment of any position in five DOCs**-Mississippi, Nevada, North Dakota, West Virginia, and Puerto Rico. These agencies rely on a flexible approach in which knowledgeable persons are called on to deal with the legislature, depending on the issue being addressed.

The Role of the Legislative Liaison within the Agency

Line of Authority

Because of the importance, in many state corrections agencies, of the legislative liaison's role in both analyzing and proposing legislation, those in this position usually report to a senior administrator in the agency. In thirty-four states, the legislative liaison position (whether one person or several) reports directly to the DOC director. In the remaining states, the person in this position reports either to a deputy director, department legal counsel, or a division

director. The Office of Congressional Affairs in the Federal Bureau of Prisons reports to the Chief of the Office of Public Affairs.

Duties of the Legislative Liaison

In nearly all states in which the DOC has a legislative liaison position, the person in this position has the following specific duties:

- Meeting with individual legislators/legislative staff
 - Attending hearings, providing statements re: the DOC's perspective on bills;
 - Providing the legislature with requested data and information;
 - Drafting legislative language;
 - Tracking bills in progress; and
- Informing staff about the progress of legislation being considered.
- Other duties commonly performed by the legislative liaison include:
 - Preparing fiscal impact statements on all bills that would affect the corrections agency (five DOCs);
 - Responding to legislative constituent inquiries (five DOCs); and
 - Serving as liaison to the governor's office (three DOCs).

The legislative liaison may also be responsible for tracking required reports, monitoring the implementation of new laws, coordinating revisions of department policy resulting from the passage of new laws, and providing all communication with the legislature.

Communications with DOC Staff

Legislative liaisons update agency staff on legislative matters through the following means:

- Through the DOC director/deputy director,
- Via reports at staff meetings;
- Via written reports;
- Via memoranda to relevant positions; and
- Informally/one-on-one briefings.

In most agencies, the liaison uses all the approaches listed. Other communications methods include e-mail, daily faxes to other offices, regular weekly reports, and DOC publications.

Staff communicate their concerns to the legislative liaison through the following means:

- Through the DOC director/deputy director,
- Via staff meetings;
- Via written memoranda; and
- Informally/one-on-one briefings.

In most agencies, all the listed approaches are used, though staff meetings and communications through the DOC director are used somewhat less frequently than the other approaches. Staff in some agencies also communicate their concerns via e-mail or voice mail.

Coordination of DOC Involvement with the Legislature

It is important for DOCs to coordinate all contacts with state legislatures to ensure that the department's response is consistent and that efforts are not duplicated. DOC respondents described the following approaches to coordinating staff involvement with the legislature:

- **In twelve states, the legislative liaison coordinates all contacts with the legislature, assigning others as appropriate**-Colorado, Delaware, Hawaii, Illinois, Indiana, Massachusetts, Minnesota, New Jersey, New York, Oregon, South Carolina, Texas, and Wisconsin. The legislative liaison sometimes provides overall coordination, while other individuals are assigned the front-line responsibility for specific issues or specific bills. In Wisconsin, all testimony at public hearings is coordinated by the legislative liaison, but calls on specific topics may be directed to individual staff. In Minnesota, the Commissioner's staff and department managers testify on issues or respond to questions from legislators on their specific areas; all contacts and hearings are monitored by or reported to the liaison.

- **The legislative liaison in six DOCs has a staff to assist him or her in coordination**-Alaska, Arizona, California, Florida, New York, and Ohio. In New York, for example, the legislative liaison may assign work to a senior attorney and a legislative assistant.
- **In six DOCs, coordination is achieved by assigning specific tasks to particular divisions of the DOC.** In Nebraska, North Carolina, and Rhode Island the DOC division responsible for the budget handles all fiscal matters related to legislation. In Ohio and Tennessee, specific divisions are assigned responsibility for fiscal matters, bill tracking, public information on legislation, and drafts of bills. The Oklahoma DOC coordinates its legislative efforts through a number of specific assignments. Regional directors are the primary contact with most legislators; they file reports of legislative contacts with the director. Various key staff are assigned to monitor bills in their area of expertise, write an impact statement on each, and attend committee hearings to testify, if needed. A Research and Evaluation staff member monitors an on-line database to track the status of bills, and impact statements from various areas are entered into a database to produce reports on demand.
- **In five DOCs, coordination takes place through informal contacts among senior administrators.** Informal contacts ensure coordination in Iowa, Michigan, Missouri, Pennsylvania, and South Dakota.
- **In three DOCs, coordination takes place through regular meetings. The Kansas, Kentucky, and New Hampshire DOCs rely on regular meetings for coordination of efforts.**
- **Three DOCs require that all contacts with the legislature be reported through a standard written format.** Coordination is achieved at least partly through standard reporting formats in Alaska, Idaho, New Hampshire, and Oklahoma.
- **The DOC directors in two states coordinate all legislative liaison efforts. In Louisiana and Nevada, all contacts with the legislature are coordinated through the head of the DOC.**

- **In one state, coordination is provided by the parent agency of the DOC.** The Maryland Division of Correction's legislative liaison works in conjunction with the director of legislative services in the Department of Public Safety and Correctional Services. That position has overall responsibility for working with the governor's legislative liaison, the state legislature, and several division liaisons to coordinate legislative services for the department.
- **In the Federal Bureau of Prisons, legislative liaison takes place on two levels.** The agency director and assistant directors make contacts with members of the U.S. Congress and key staff. Staff of the Bureau's Office of Legislative Affairs maintain routine contact with congressional staffers.

Personnel Issues

Qualifications for the Position

DOCs require the following knowledge and skills of those hired as legislative liaisons:

- Knowledge of the legislative process;
- Ability to track and interpret legislation;
- Knowledge of corrections and the corrections agency's operations; and
- Good written and verbal communication skills.

Other personal qualities cited by survey respondents include the ability to work under pressure, loyalty, credibility, and political sensitivity.

Training

Most state DOCs do not provide special training to those in the legislative liaison position. In two states and the Bureau of Prisons, legislative liaisons receive training specifically related to their positions:

- In Oklahoma, key legislative staffers conduct a briefing for regional directors on the legislature's methods and expectations.
- The Washington State governor's office or consultants from the state personnel department provide regular and broad-based training on managing the legislative process.

- Liaison staff in the Bureau of Prisons attend a seminar on congressional operations.

Potential Areas for NIC Assistance in Working with Legislatures

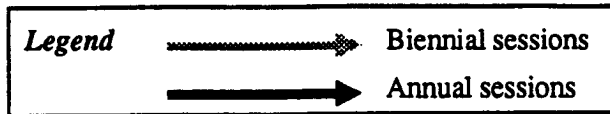
Survey respondents were asked to comment on how NIC might assist their agencies if resources were available. Among the suggestions received from respondents were the following:


























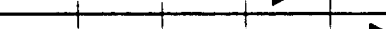
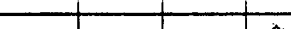
- Maintain issues files on hot topics such as "three strikes" legislation, boot camps, and DWI.
- Provide a twenty-four-hour quick information service on how many states have specific types of legislation, costs of various alternatives, etc.
- Develop a tracking system and computer accessible information resource to enable states considering legislation to determine if other states have similar laws and what their impact has been.
- Provide information and statistics on issues related to legislative initiatives-statutes, practices, and the actual or potential effects of legislation that has been introduced or passed in other states.
- Provide training for legislative liaisons.
- Produce a publication with tips for working with a legislature, including strategies to employ and those to avoid.
- Provide opportunities for networking with other state and federal correctional agency legislative liaisons, including conferences, seminars, and **training**.
- Provide opportunities for cross-jurisdictional research on issues related to legislation. ■

Table I. The Legislative Cycle and Liaison Responsibilities

	Frequency of Legislative Sessions	Assignment of Legislative Liaison Duties			
		Full-time, dedicated position	Full-time position with additional responsibilities	Shared by two or more positions	No formal assignment
Alabama	Annual		✓		
Alaska	Annual			✓	
Arizona	Annual	✓			
Arkansas	Annual			✓	
California	Annual	✓			
Colorado	Annual		✓		
Connecticut	Annual		✓		
Delaware	Annual		✓		
D.C.	Annual		✓		
Florida	Annual	✓			
Georgia	Annual	✓			
Hawaii	Annual		✓		
Idaho	Annual			✓	
Illinois	Annual	✓			
Indiana	Annual		✓		
Iowa	Annual		✓		
Kansas	Annual			✓	
Kentucky	Annual			✓	
Louisiana	Annual			✓	
Maine	Annual			✓	
Maryland	Annual			✓	
Massachusetts	Annual	✓			
Michigan	Annual			✓	
Minnesota	Annual		✓		
Mississippi	Annual				✓
Missouri	Annual	✓			
Montana	Biennial			✓	
Nebraska	Annual			✓	
Nevada	Biennial				✓
New Hampshire	Biennial			✓	
New Jersey	Annual		✓		
New Mexico	Annual			✓	
New York	Annual			✓	
North Carolina	Biennial			✓	
North Dakota	Biennial				✓
Ohio	Annual	✓			
Oklahoma	Annual			✓	
Oregon	Biennial			✓	
Pennsylvania	Two-year cycles	✓			
Rhode Island	Annual		✓		
South Carolina	Annual		✓		
South Dakota	Annual		✓		
Tennessee	Annual		✓		
Texas	Biennial			✓	
Utah	(Information not available)				
Vermont	Annual		✓		
Virginia	Annual	✓			
Washington	Annual	✓			
West Virginia	Annual				✓
Wisconsin	Annual	✓			
Wyoming	Annual			✓	
Puerto Rico	Annual				✓
U.S. Bureau of Prisons	Annual	✓		✓	

Table II. Schedule of States' Legislative Sessions



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Alabama ¹												
Alaska												
Arizona												
Arkansas ²												
California												
Colorado												
Connecticut												
Delaware												
D.C. ³												
Florida												
Georgia												
Hawaii												
Idaho												
Illinois ⁴												
Indiana ⁵												
Iowa												
Kansas												
Kentucky												
Louisiana ⁶												
Maine ⁷												
Maryland												
Massachusetts												
Michigan												
Minnesota ⁸												
Mississippi												
Missouri												
Montana												

- Alabama's legislative session begins on the third Tuesday in April (first year of the term), the first Tuesday in February (second and third years), or January 4 (fourth year).
- The session end date in Arkansas moves in alternate years.
- The D.C. session runs from September to July.
- The Illinois schedule includes a veto session in October–November.
- Indiana's legislative session ends in March in even years and in May in odd years.
- The Louisiana session runs from March to June in odd years, with an April–June fiscal session in even years.
- Maine's first session opens in December and the second session in January.
- The Minnesota legislative session varies each year, opening in January or February and closing in April or May.

Table II, continued

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
Nebraska ⁹	→												
Nevada	→												
New Hampshire	→												
New Jersey ¹⁰													
New Mexico	→												
New York ¹¹	→								→				
North Carolina ¹²	→												
North Dakota ¹³													
Ohio	→												
Oklahoma		→											
Oregon ¹⁴	→												
Pennsylvania ¹⁵	→												
Rhode Island	→												
South Carolina	→												
South Dakota	→												
Tennessee	→												
Texas	→												
Utah	(Information not available)												
Vermont	→												
Virginia	→												
Washington ¹⁶													
West Virginia	→												
Wisconsin ¹⁷													
Wyoming	→												
Puerto Rico	→								→				
U.S. Bureau of Prisons	→												

9. Legislative sessions in Nebraska alternate yearly between sixty and ninety days.

10. The New Jersey legislature meets twice a week throughout a two-year session.

11. New York's legislative session runs from September to July.

12. The North Carolina legislature holds a full session in alternate years, meeting briefly the second year to adjust the budget.

13. The North Dakota legislature meets in alternate years, opening in January.

14. Oregon's legislature meets in alternate years, plus special sessions and bimonthly interim committee meetings.

15. The Pennsylvania legislature meets in two-year cycles.

16. The legislature in Washington meets in sixty-day sessions in even years and 105 days in odd years, in addition to special sessions.

17. The legislative schedule in Wisconsin varies in alternating years, opening in January in odd years and May in even years.

Appendix A: DOC Legislative Liaisons

Alabama Department of Corrections

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50 No. Ripley Street
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Alaska Department of Corrections

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Arizona Department of Corrections

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California Department of Corrections

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Colorado Department of Corrections

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Legislative Liaison
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Colorado Springs, CO 80906
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Connecticut Department of Correction

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Delaware Department of Corrections

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District of Columbia Department of Corrections

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Florida Department of Corrections

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Georgia Department of Corrections

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Hawaii Department of Public Safety

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Idaho Department of Corrections

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Illinois Department of Corrections

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Indiana Department of Correction

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Kansas Department of Corrections

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Kentucky Department of Corrections

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Louisiana Dept. of Public Safety and Corrections

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Maine Department of Corrections

(Not available)

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Michigan Department of Corrections

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Martha Truscott/Legislative Assistant
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Missouri Department of Corrections

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Utah Department of Corrections

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