



Governor's Re-entry Council, Steering Committee Minutes – Meeting #20 – Date May 5, 2010

Steering Committee Members Attending: Cindy D. Booth, Mark Cadotte, Ron Chase, Ginger Martin, Tom McClellan, Pegge McGuire, Ross Shepard, Jeremiah Stromberg, Patrick Vance

Guests: Kimberly Allain, Paula Bauer, Megan Churchill, Kimberly Dailey, Lorin Dunlop, Debra Girard, Craig Keyston, Vicki Massey, Amanda Pietz, Paul Solomon, Ted Smietana, Ted Swigart, Ted Urton

Item	Discussion	Action
Welcome and Introductions		
Review of Minutes from the May 5, 2010 Meeting		Copies were distributed for review. Members are asked to send corrections/revisions to Denise Taylor.
Announcements and Updates from Members	<p>Ginger Martin asked members to share those items that are being worked on in relation to re-entry outside the priorities of the steering committee and workgroups.</p> <p>Ms. Martin reports that New Mexico has passed legislation known as “ban the box”, which eliminates the question about the applicant’s criminal history from the initial application except for jobs where a conviction prevents hiring. (attached) Multnomah County and the City of Eugene both have made the decision to not ask this question on job applications. Our Employment Workgroup has been using the Minnesota law as a model for language for a legislative concept for Oregon, which would apply much more broadly.</p> <p>The DOC has established an Inmate Employment Office, which is using an Inmate Work Application form (CD #1523) to be used by all inmates applying for specific jobs or to be placed on waitlists for jobs. The intent is for inmates to become familiar with filling out a form similar to those they will use when applying for jobs in the community. The application contains a background review section that will be used to consider all areas of an inmate’s institutional background. This review will incorporate Correctional Case Management principles more formally into the work assignment process. This is the first step in a system that will eventually also include job interviews, recruitment, work expectations, performance</p>	

Item	Discussion	Action
	<p>reviews and a work history summary and/or resumé. The resumé and work history can be used for job applications in the community and will give those inmates who do not have the opportunity to attend the transition classes a work history. The application form is available in English and Spanish.</p> <p>Prison Fellowship is sponsoring re-entry conferences around the country and a conference will be held October 25-27, 2010 in Portland. Prison Fellowship is a private faith-based prison outreach and criminal justice reform organization. The conference is called Out4Life. DOC is a partner in this event.</p> <p>Ron Chase distributed flyers with information about the building dedication ceremony of the new Sponsors, Inc. men's transitional housing facility. (See attached)</p> <p>Vicki Massey of Oregon Housing and Community Services reported that their program that guarantees rent and/or damages is paid to landlords for those tenants that are at-risk. The Obama Administration just awarded \$300,000 to the program. They are working with Sponsors, Inc. to assist 20 offenders coming out of prison to their new facility.</p> <p>Cindy Booth updated the pilot being conducted at Oregon State Correctional Institution that allows limited access to inmates to the internet through the Employment Department's iMatch system to assist with finding employment prior to release. Since this is the system they will use when released, it allows them to be better prepared for the employment process. Photos of the secured hardware are attached. This pilot is going well and the plan is to have computers available at each of the releasing institutions. There is a DOC employee supervising and available to answer questions. The DOC and Employment Department Information Technology Services worked closely to make this pilot successful.</p>	
<ul style="list-style-type: none"> ▪ OYA Second Chance Act Statewide Council <ul style="list-style-type: none"> ○ Discussion of Roles 	<p>Paula Bauer explained that the previous discussion suggested this Steering Committee take on the role of steering committee with a few additional members and would meet following the regular Re-entry Steering Committee meeting on a quarterly basis. Several of those additional members have volunteered. The first meeting would be in October 2010. The role of the steering committee would be to give guidance and direction to the 3 regional pilot sites. The Re-entry Council agreed to be the barrier buster, if needed, for statewide policy. The regional/local project coordinators will notify the steering committee when they have items needing consideration. The independent evaluator organization has been selected, but the contract has not been signed, so will not be named today, but will have representative(s) attend the next steering committee meeting. The independent evaluator will do the system development during the first 18 months and build the infrastructure during the second 18 months. The local agencies will make the decisions about how and what services will be provided. An overview of the two council structures is attached.</p>	

<ul style="list-style-type: none"> ▪ Employment Department Federal Bonding Program <ul style="list-style-type: none"> ○ Eligibility requirements ○ Communication Plan 	<p>Craig Keyston explained that at the last meeting he reported that he had just learned that his agency was going to make use of the newly revised federal bonding program (attached), but did not have the any of the details that this group wanted to know at that time. The program that had been in place a decade or more ago, required that the applicant be denied a bond by their employer in order to take advantage of the program benefits. What usually happened at that time was that the bonding company would look at the application and determine an extremely high dollar amount in order to issue the bond. The employer would then determine that the cost was too high and either not hire the applicant or let them go because they didn't want to pay the high price for the bond. That is no longer the case. Now, once the person has a job offer, they can apply for the bond through the federal program.</p> <p>The information about this program will be added to the Employment Department website. There are a number of avenues the Employment Department uses to distribute information like this to employers throughout the state. The DOC will include information about this program in the transition curriculum. The community social service providers will also be made aware of the program. Paula Bauer offered to include the program information to the County Juvenile Justice agencies. Vocational and technical schools as well as community colleges will be provided with information about this program.</p>	
<ul style="list-style-type: none"> ▪ DOC-DMV Feasibility Study <ul style="list-style-type: none"> ○ Update on Project 	<p>Tom McClellan explained that in November 2009, DOC and DMV entered into an intergovernmental agreement to do a feasibility study to look at the options to determine how to provide those being released from prison with state-issued identification. Tom introduced Amanda Pietz, a research analyst with ODOT who is leading the group and working with researchers from Oregon State University. They have found that 28% of releasing inmates have 2 required identification documents that can be used to obtain a state-issued ID card. There are also those who have a record on file with the DMV that confirms the required documents were presented at one time. With the photo in that file, there may be a process developed that can be used to issue the ID card. DOC has been working to obtain an original birth certificate and a Social Security Card on as many inmates as possible, starting during the intake process, which is helpful. About 50% of releasing inmates have their birth certificate. About 38% have a Social Security Card. Mr. McClellan said that in their sample the group found that within a month of release, 25% obtained an ID card or drivers license. Paul Solomon asked if processes in other states had been reviewed that could be duplicated in Oregon. The workgroup is looking at other states' processes. The report will be presented at the July or August Steering Committee meeting. The report will be a public document.</p>	
<ul style="list-style-type: none"> ▪ Funding for State-issued IDs <ul style="list-style-type: none"> ○ Update on Planning 	<p>Lorin Dunlap from the Criminal Justice Commission explained that the CJC has money available to pay for obtaining the state-issued ID. A process is being developed to get a process in place to get the money to the DMV in a timely manner on a statewide basis. July 1, 2010 is the target start date.</p>	

<ul style="list-style-type: none"> ▪ Continuity of Care <ul style="list-style-type: none"> ○ General Assistance Concept Proposal 	<p>The workgroup met with Ted Urton who has been working with the Oregon Law Center to assist those with mental illness without community support and those with mental illness being released from jail or prison without community support. They have drafted the attached concept paper for a pilot program of general assistance. This pilot is an excellent fit for supporting the recommendation of the Continuity of Care Workgroup to facilitate the transition of mentally ill inmates to mental health providers in the community at release. Ron Chase pointed out that this concept would help not only corrections released people, but all mentally ill people in the community. He also explained that the funding is all reimbursed once the client is approved for Supplemental Security Income (SSI) and would eliminate large expenses by local law enforcement by keeping the mentally ill from being homeless, untreated and unmonitored. The workgroup requested that this concept be forwarded to the Re-entry Council for support, which was approved by the Steering Committee.</p>	
<ul style="list-style-type: none"> ▪ Legislative Concepts Update: Limited Liability for Employers and Landlords, Rules for Job Applications, Certificate of Rehabilitation 	<p>Pegge McGuire distributed a memo (attached) explaining the outcome of a meeting with Anne O'Malley and Judge Michael McShane (Re-entry Council member). Judge McShane offered the assistance of a legal intern to do research on the legislative concepts recommended by the Legislative Concept Workgroup. It was agreed to move forward and to inform the Council at the next meeting later this month.</p>	
<p>Next Steps</p>	<p>Ms. Martin asked for input the upcoming Re-entry Council meeting on May 26th.</p>	
<p>Next Meeting</p>	<p>The next meeting will be on July 7, 2010.</p>	

NEW MEXICO BANS THE BOX

New Mexico is the second state to pass a state "Ban the Box" law. A job applicant's criminal history may only be considered at the point that the applicant is a finalist for a position. The law also now prohibits the consideration of arrests that did not lead to conviction and misdemeanor convictions that do not involve moral turpitude. New Mexico employs fair hiring standard that gives qualified applicants with past criminal histories a fair chance for public employment



*****SAVE THE DATE*****

**SPONSORS BUILDING
DEDICATION
CEREMONY**

**Thursday, July 29, 2010
4:00-6:00 p.m.**

Join us for food & music - Speakers include:

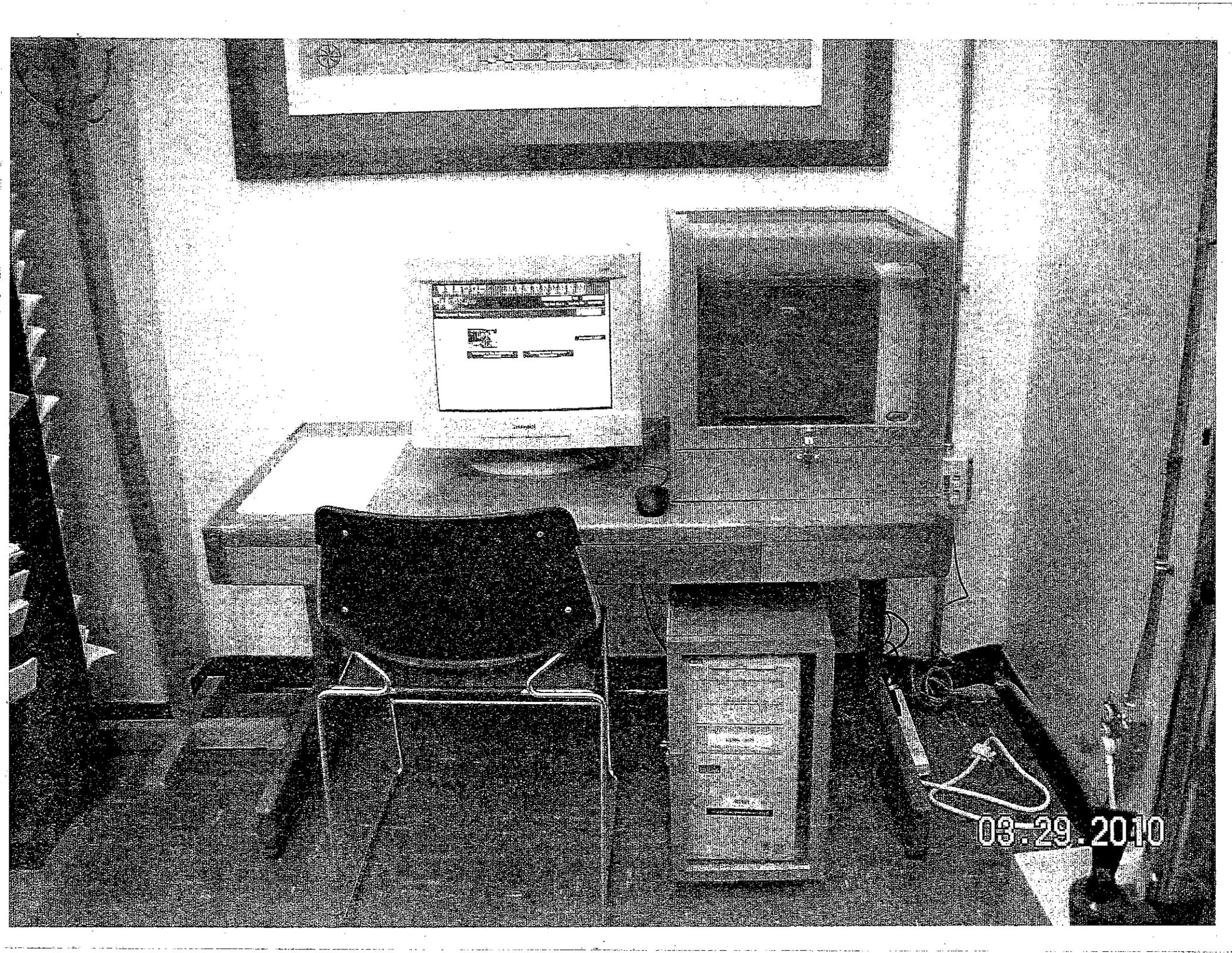
- Mayor Kitty Piercy
- State Senator Floyd Prozanski
- Max Williams, Director, Oregon Department of Corrections
- Victor Merced, Director, Oregon Housing and Community Services

**338 Highway 99 North
Eugene, OR (Directions to follow)**

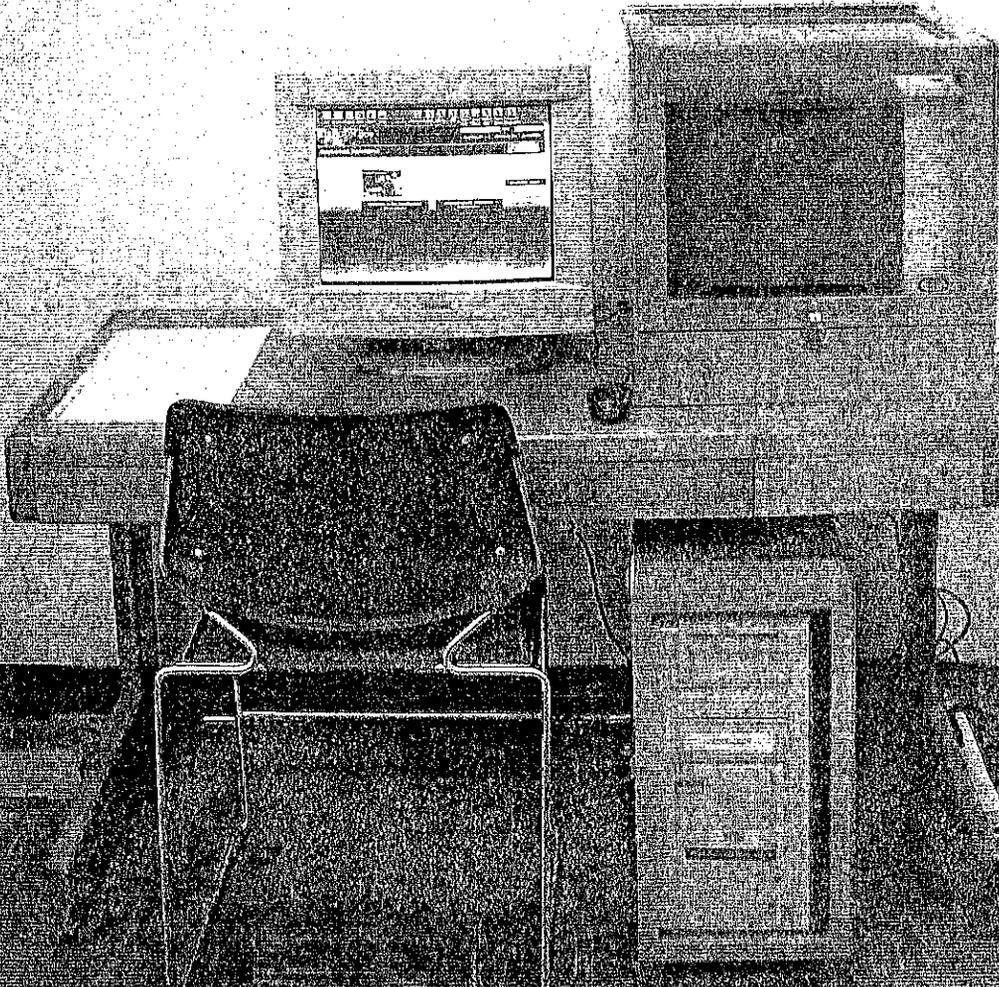
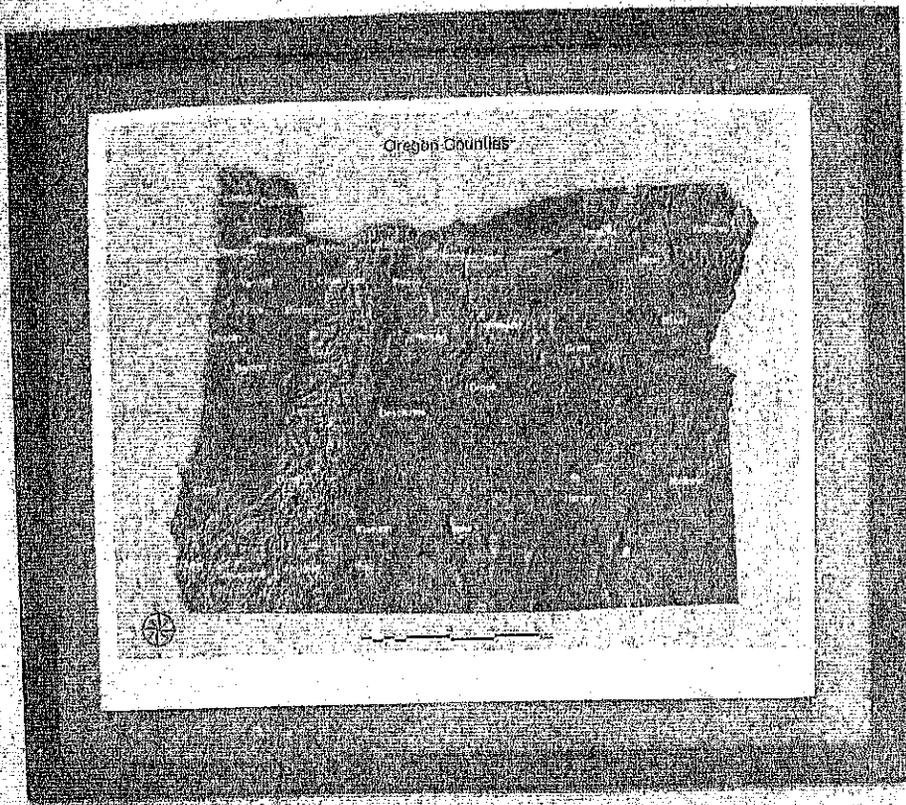
Join as we celebrate the dedication of our new Men's Transitional Housing facility. Our 3 new buildings (and a remodeled warehouse) will provide 72 beds for ex-offenders, support services, and bring together clients and staff from scattered sites in a new, uniquely designed, energy efficient site constructed to enhance program services and capacity.

HELP US COMMEMORATE THE UNIQUE PARTNERSHIPS THAT HAVE MADE THIS PROJECT POSSIBLE, INCLUDING:

- SIUSLAW BANK
- HOUSING AGENCY AND COMMUNITY SERVICES OF LANE COUNTY
- DEPT OF VETERAN AFFAIRS
- OREGON DEPARTMENT OF HOUSING AND URBAN AFFAIRS
- CITY OF EUGENE
- EUGENE WATER AND ELECTRIC BOARD
- OREGON DEPARTMENT OF JUSTICE
- OREGON HOUSING AND COMMUNITY SERVICES
- THE COLLINS FOUNDATION
- FANNIE MAE
- ESSEX CONSTRUCTION
- BERGUND DELANY ARCHITECTURE
- OUR GENEROUS DONORS



08-29-2010



08-29-2010

OYA Second Chance Act Grant Statewide and Local/Regional Reentry Advisory Councils

Two council structures are established to oversee the reentry program: the Statewide Reentry Advisory Council and five local/regional reentry councils.

Statewide Reentry Advisory Council

Membership: OYA, the Oregon Juvenile Department Directors Association, a tribal representative, and state-level agency representatives from education, vocational training, housing, public health, mental health and addiction services, public assistance, employment

Role:

- Project oversight
- Develop strategies to address barriers identified by the Local/regional Councils
- Work collaboratively to resolve systemic barriers through interagency agreements, policy modifications, and/or administrative rule changes
- Technical assistance and support on state-level issues (i.e., statutes, administrative rules, state agency policies) that impede the ability of the system to provide youth with the necessary reentry services

Local/regional Councils:

Membership: The local/regional councils will consist primarily of local resources, including state agency branch personnel, county programs, local law enforcement, local service providers, and family members and youth who have been served by the juvenile justice system.

Role:

- Monitor how the system is working
- Provide a technical assistance and consultation for the local processes
- Problem solve any local access or resource issues identified by program stakeholders
- Bring forward any state-level issues that are impeding the process in the local communities.

Local/regional councils will have project coordinators responsible for working with the councils to identify existing local system resources or gaps in resources, to develop a strategic plan for addressing the gaps, and to develop linkages with existing community-based services to support the youth throughout reentry.

Grant Management:

The grant manager, project supervisor, local/regional project coordinators, and the research analysts will participate across councils for purposes of maintaining communication between local- and state-level planning groups.

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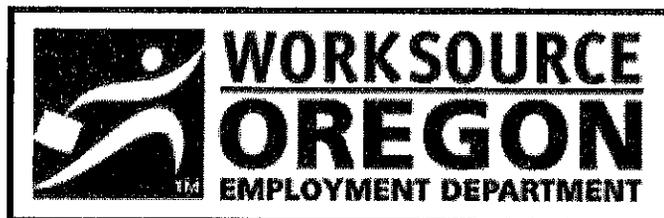
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FEDERAL BONDING PROGRAM IN OREGON

The Oregon Employment Department is again participating in the Federal Bonding Program. Employers receive \$5,000 fidelity bonds free of charge as an incentive to hire hard-to-place job applicants. This program, sponsored by the U.S. Department of Labor, has a 99 percent success rate nationwide, as only one percent of over 40,000 workers receiving bonds proved to be dishonest.

What is Federal Bonding?

- A job placement tool
- Fidelity insurance through the McLaughlin Company, an agent for Travelers Insurance Company
- Protects employers against employee theft or dishonesty
- \$5,000 coverage for a 6-month period (no deductible)

Types of Workers Covered

At risk job applicants denied (or potentially denied) commercial bonding due to:

- Arrest, conviction or imprisonment
- Alcohol or drug abuse
- Poor credit history
- No employment history
- Dishonorable discharge from the military
- Any other reason that makes the job seeker "Not Bondable"

Based on the information received, the Oregon Bonding Coordinator will make the call on whether a job seeker is "Not Bondable." The hiring company is not required to first attempt to bond the job seeker through their normal commercial bonding process.

The Bond

- Free of charge to job seeker and employer
- Covers theft, forgery, larceny, or embezzlement
- Does not cover poor workmanship, injuries or accidents

Requirements for Coverage

- Firm job offer (with start date) contingent on receiving the bond
- Full-time or part-time job
- Job has employer-employee relationship with federal taxes automatically deducted
- Permanent job (job expected to last at least 6 months)
- Not self-employment or an independent contractor

Application Process

- The bonds will be processed by Oregon's Federal Bonding Coordinator, an employee of the Oregon Employment Department
- Contact the Bonding Coordinator when you have a job seeker with a firm job offer contingent upon receiving a fidelity bond
- The Bonding Coordinator will ask for some basic information about the job seeker, employer and job
- If requirements are met, the Bonding Coordinator will complete the Fidelity Bond Certification Form and mail it to the McLaughlin Company
- The Bonding Coordinator will also send a confirmation letter to employer
- The bond is effective the day the job seeker starts work (The start date is entered on both the certification form and the employer confirmation letter)
- The McLaughlin Company will mail the actual Bond Certificate to the employer within 15 working days
- Neither the employer nor job seeker need to fill out any paperwork

Questions ???

Doug Barrett (Oregon's Federal Bonding Coordinator)
Oregon Employment Department
875 Union St NE
Salem, OR 97311
503 947-1680
503 947-1668 Fax
Douglas.D.Barrett@state.or.us

More information is available at the Federal Bonding web site:
<http://www.bonds4jobs.com/>

In the near future, we will also be adding a link to information about the Bonding Program on our web site: <http://www.employment.oregon.gov/>

General Assistance Coalition
Concept Paper for a pilot General Assistance Program
Providing a bridge for the "Poorest of the Poor" Returning to the Community
April 28, 2010

Concept: Helping inmates with disabilities in prisons and local jails to successfully adjust to life in the community through a targeted General Assistance Program

Background - States have long had general assistance programs, and the origins can be traced back to "Relief" programs from the Depression era. With some variation, states fund programs that serve people with disabling conditions who are not receiving federal disability benefits, and who are not otherwise eligible for workers compensation or unemployment insurance. The recipients are very low income individuals or childless couples with very few assets. Although state funded, states may claim reimbursement of the cash assistance paid to clients when recipients qualify for federal disability benefits. This is an incentive to encourage states to maintain GA programs.

Oregon's Program – GA was a flexible program before the establishment of the federal Supplemental Security Income (SSI) program in 1974, and for sometime thereafter, although it was never very well funded, and was often offered up as a potential program elimination to balance the budget of the Department of Human Services (DHS.) A person could qualify for GA: on a temporary basis (e.g., a day laborer with a broken arm); on an ongoing basis (e.g., a client in long term care); or on the basis of meeting impairment and financial eligibility criteria and agreeing to apply for federal disability benefits.

By 2002, GA was essentially limited to the last category, and was structured as a pre-federal benefit program. Clients had to have no more than \$1,500 in assets, of which only \$50 could be liquid assets, have little to no income, and had to be unable to work for a year or more. Advocates often referred to this population as the "poorest of the poor." The statewide caseload was about 2,500 people. The program had three basic features: cash assistance (\$314/month); Oregon Health Plan (OHP) Plus eligibility; and case management assistance to help the clients qualify for SSI and/or Social Security Disability Insurance (SSDI.)

GA was eliminated January 31, 2003, and then re-opened in November of 2003 as a program for those people assessed as likely to qualify for SSI. Anyone with work history that might qualify for SSDI was excluded. This very limited program continued until September 30, 2005, and has been closed since that time. ORS 411.710 to 411.730 is still on the books, and the statutes are very "general" indeed.

Attempts to restore the program – Advocates worked to restore full GA funding in the 2007 and 2009 legislative sessions. Although very well received, unanimously supported, and passed by the House Human Services Committee, the bills never emerged from the budget writing Ways and Means committee.

New Concept – establish a Pilot Project in the 2011 session – We recognize that in this economic climate, any program with a fiscal impact will be difficult to move. Given this reality, advocates have been looking at a smaller, targeted pilot project to serve a limited number of high needs people with disabilities and highlight the potential cost-savings to the State. Advocates remain committed to full restoration when economic conditions improve.

We know that very low-income, vulnerable people with disabilities are at great risk of homelessness and incarceration, ultimately costing all of us in human service and public safety expenditures. The proposed pilot project would provide case management to people with disabilities who are leaving the Oregon prison system. In addition, a parallel program would be created in one urban and one rural county to work with the jail population. Our belief is that a targeted GA program would help reduce recidivism rates, potentially saving money while providing a critical service for an at-risk population.

How the Pilot Project would work – SB 913, passed in the 2005 session, mandated the suspension of Medicaid and disability benefits at the time of incarceration. To ensure that benefits are reinstated or newly established, the State Department of Corrections (DOC) and the Department of Human Services, (DHS) are working collaboratively to screen for benefits for inmates with mental health disabilities prior to release. According to DHS, 5-8 inmates are approved for Presumptive Medicaid through the pre-release process, and approximately one third of this group have been awarded SSI and/or SSDI benefits. Another third have been previously denied for technical reasons, and the final third do not have pending applications. In other words, 2/3 of those released could benefit from advocacy and assistance to obtain benefits. Also, those who are qualified for SSI and or SSDI have an average wait of 42 days before receiving disability benefits. There is an income gap for those people.

Intensive case management and limited case assistance would help stabilize those with disabilities released into the community. This would be coordinated with community partners, including corrections, acute and mental health providers, the local SPD/Area Agency on Aging office. Housing, SNAP (formerly Food Stamps), and other services would be secured. While SB 913 did not identify those with physical disabilities, this pilot project proposes to work with this population as well. Further, two county jails would be identified to run a parallel program. The features of the pilot are envisioned as follows:

- One case manager to work with all inmates with severe disabilities leaving the State's prison system (state staff)
- One case manager to work with inmates in local jails (an urban and a rural county would be selected to participate in the pilot; staff functions would potentially be contracted out)
- A cash assistance grant would be established as a bridge until the first disability check is received. A representative payee or money management volunteer would

be identified, as needed, to handle the GA cash grant to pay for housing and other necessary services

- A local team would be established, consisting of the case manager, corrections staff, and a lead local social service agency
- Every effort would be made to ensure that the former inmates would connect with their OHP physical health care and mental health providers
- Client outcomes will be tracked over time

Next Steps/Followup – As we move forward, the following information would be needed:

- Information on the non SB 913 population – i.e., inmates with physical disabilities (information needed from DOC, to be requested)
- Establishing potential caseload size and costs (Advocates and SPD)

In addition, these would be items of follow-up:

- Hearing before the September 2010 Human Services Interim Committee (Advocates)
- Approaching a university and/or foundation to seek support for evaluating the pilot project (Advocates)
- Seeking support - we met with the Continuity of Care Work Group on April 19, 2010. We are submitting this revised concept, seeking initial approval of the Re-Entry Council Steering Committee and the Department of Human Services. A joint policy option package could be developed. Advocates would proceed with a bill in any case, since even with agency support, there would be no guarantee this project would be in the Governor's Recommended Budget (All)
- Work to identify an urban and rural county interested to participate (Advocates)
- 2011 session follow-up (Advocates)

Further Discussion and Information – In an April 25, 2010 Statesman Journal article (“Prisons to adapt to Mental Illnesses”) it was noted that 6,797 prisoners, or nearly half of the total prison population, are mentally ill. The article describes changes in procedures and alternate hospital placements, but these numbers also underscore the need for successful re-integration back in the community. We have also been working with the Center on Budget and Policy Priorities in Washington DC. While tracking information goes back to 2006, and there is limited current information, it is clear that most states (38) had some form of General Assistance programs at the time of the study. Again, advocates will continue to work to restore a full program in future years, but we are committed to a modest pilot project for a very costly and at-risk subset of the population in need.

May 3, 2010

To: Pegge McGuire

Re: Proposing legislation regarding landlord liability when renting to people with a criminal record

From: O'Malley Anne

I met and pondered with Judge McShane last Friday and he suggested that we ought to:

1. Do more research as to what has and has not worked in other states. Please see the articles cited below.

- ✓ Hall and the coalition are working on another endeavor, which is aimed at breaking down housing barriers to ex-offenders in Chicago. Last January, Seattle changed its ban on public housing for ex-felons by lowering the time they had to wait before they were eligible to apply. In the past, Seattle's wait time varied from three to 10 years; now it is only 12 months. This significant reduction has inspired local agencies to advocate for similar change.
<http://news.medill.northwestern.edu/chicago/news.aspx?id=115407>;
www.nlada.org/DMS/.../CIVIL%20REENTRY%20BARRIERS.doc
- ✓ See page 28 of the following for laws recently enacted around the nation.
http://www.crjustice.org/cji/ex_offenders_employers_12-15-06.pdf
- ✓ Note the 2008 Washington State law that was almost instantly repealed and why: PART VI - Housing: A landlord who rents to an offender is not liable for civil damages arising from the criminal conduct of the tenant if the landlord discloses to residents that he or she has a policy of renting to offenders and takes steps to repeat or halt known criminal activity on the landlord's premises. Housing authorities are encouraged to formulate policies that are not unduly burdensome to previously incarcerated individuals.
- ✓ Minnesota Law H1301-3, August 5, 2009, Statute 181.986 Limitation on the Admission of Evidence regarding a criminal history.
- ✓ The gist of this research is that landlords who think that the person is working hard at 'being a better person' are significantly more likely to rent to ex-offenders. The number of landlords willing to rent to a person with a criminal history increased by 30% when the person had a certificate of rehabilitation issued by the releasing institution.
http://www.uscourts.gov/fedprob/June_2007/landlord.html

2. Get more input and buy in from various stakeholders.

3. Add tax incentives for landlords to whatever we write.

4. Try to shorten the time period that crimes are pertinent. He suggested 3 years based upon probation periods.

<http://www.leonking.org/cfiles/Second%20Chance%20Legislation%20Presentation.ppt>

5. Think about perhaps carving our exceptions for crimes that are less than class A felonies.

6. Speak with, at the very least, Judge Marcus, Joe O'Leary, and the state realtors' association (I think this is PMAR) attorneys. I would add the Fair Housing Council of Oregon.

Additionally, he has a judicial intern, from the U of Wash., starting June 1 (he thinks June 1). The intern allegedly has some research skills and Judge McShane has offered to lend him to us for the purpose of helping to create the draft legislation.

By following the process above we

1. Gain support from other stakeholders;
2. Discover what the opposition will maintain;
3. Utilize other state's experience;
4. Avoid proven errors;
5. Use best practices; and
6. Use a variety or combination of approaches increasing our odds of a win.

If we split up the tasks among the members of the legislative committee we could have the foundation work done within one month. At that point we can craft the legislative concept draft. During this time, Judge McShane's intern can be double checking our findings through the legal databases and judicial opinions available to him. By July 1st we could have a final concept draft ready for the Council and if found favorable we can shoot it over to legislative drafting by August 1st, provided we have the sponsor(s).