



**ARIZONA STATE SENATE**  
*Fifty-Second Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1439

prisoners; mental health; transition program

Purpose

Requires the Director of the Arizona Department of Corrections (ADC) to establish a mental health transition pilot program for qualified prisoners.

Background

Current statute requires the Director of ADC (Director) to develop and maintain an earned release credit eligibility classification system. Within the system, the Director establishes one class of earned release credit eligibility and as many other classes of non-eligibility as he deems necessary or desirable. Each person committed to ADC is required to be classified pursuant to the earned release credit eligibility system.

The Time Computation Unit at ADC is responsible for the calculation of release eligibility dates for all offenders as well as oversight of the institution release processes. This would include the auditing of intake documents for accuracy, recalculation of release eligibility dates due to forfeiture of release credits, a change in release credits earned due to disciplinary sanctions and monitoring of the release eligibility dates ([corrections.az.gov](http://corrections.az.gov)).

Inmates who have reached their Earned Release Credit are required to be released to begin the term of Community Supervision imposed by the committing court, and inmates with consecutive sentences who have reached their Earned Release Credit date are required to begin serving any consecutive term imposed. The Director is able to deny or delay a prisoner's release if the Director believes the prisoner may be a sexually violent person until certain determinations are made.

Statute prohibits a prisoner who fails to achieve functional literacy at an eighth grade literacy level from being released to the prisoner's term of community supervision until the prisoner achieves an eighth grade literacy level or until the prisoner serves the full term of imprisonment imposed by the court, whichever occurs first. Statute outlines exceptions to this literacy requirement, such as inmates who have a medical, developmental or learning disability, or inmates who are foreign nationals (A.R.S. § 41-1604.07).

ADC has not yet determined the anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the Director to establish a mental health transition pilot program (pilot program) for offenders who are released on community supervision and who ADC determine would benefit from mental health care.
2. Requires the pilot program to include:
  - a) nonprofit or private entities with whom ADC contracts and that have transitional navigators who provide guidance and resources to released prisoners with mental health issues, including assistance with enrollment in community benefit programs and other resources, job placement and, if appropriate, furtherance of prisoners' education; and
  - b) psychoeducational counseling and case management, including substance abuse treatment, anger management, cognitive skills training, parenting skills and family reunification training.
3. Requires the Director to identify prisoners who are eligible for the pilot program, and, in making that determination, to identify those prisoners who are most likely to benefit from the pilot program's goal of reducing recidivism and enhancing public safety.
4. Requires the Director to order prisoners to participate in the pilot program as follows:
  - a) in FY 2016-2017, at least 600 eligible prisoners;
  - b) in FY 2017-2018, at least 800 eligible prisoners; and
  - c) in FY 2018-2019 and thereafter, at least 1,000 eligible prisoners.
5. Terminates the program on July 1, 2026.
6. Contains technical and conforming changes.
7. Becomes effective on the general effective date.

Prepared by Senate Research

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