

that for drug or alcohol use that there would have to be a finding of guilt rather than simply citation for a disciplinary award. It clarifies the structured programming that would have to be offered, and it mandates the awarding of that good time, up to three additional years for each year of the offenders' term upon successful completion of the provisions that are set forth in those amendments, which include, as I just mentioned, education, completion of the department's educational plan, the completion of a substance abuse or addiction treatment plan, successful criminal personality treatment plan, committed...the demonstration of committed offender's work ethic as demonstrated by maintaining regular employment at the correctional facility, successful completion of department-approved psychiatric counseling or treatment program, or any other program deemed necessary and appropriate by the department. I should make clear that all of these are things that are already being offered by the Department of Corrections so it does not have a fiscal impact of requiring increased dollars going to Corrections to provided these. These are all things that are already being offered. What it does is it encourages the inmate to participate in what is being offered. The second area in that area is striking language making specific reference to random drug testing by the department for inmates who are eligible for parole within twelve months, and the reason for that, Corrections asked that we change that because they already have the authority to do that, and their fear was that by putting that in, they felt that it might restrict them to the random testing only in those last twelve months rather than throughout the term of incarceration. The second major area of the amendment is in the area of the boot camp. Boot camps language, as initially drafted, would not work, and I think there was a consensus of that because briefly or shortly before that, last fall a case called State v. Phillips was decided by the Supreme Court which limited the ability of the legislative or judicial branches of government from altering the sentence after the judgment had become final. Because of that, the Supreme Court determined that only the Pardons Board had the authority to reduce the sentence. Boot camps had been the...the thought had been and the way it has worked in a lot of other states is that the Department of Corrections would determine who was eligible for a boot camp, and make that determ...once such a determination was made, they would participate in a boot camp and the Department of Corrections could then reduce that sentence. That would not be constitutional now because of that case, so another alternative was determined to be used. The way