



Colorado Commission on Criminal and Juvenile Justice

Minutes

September 9, 2016

480 South Allison Parkway
Lakewood, CO 80226

Commission Member Attendance

Stan Hilkey, Chair	Bill Kilpatrick	Pat Steadman - ABSENT
Doug Wilson, Vice-Chair	Evelyn Leslie	Scott Turner- ABSENT
Jennifer Bradford	Beth McCann	Michael Vallejos- ABSENT
John Cooke - ABSENT	Joe Morales - ABSENT	Dave Weaver
Kelly Friesen	Norm Mueller	Peter Weir - ABSENT
Charles Garcia	Joe Pelle	Robert Werthwein
Mike Garcia - ABSENT	Rick Raemisch	Meg Williams
Kate Horn-Murphy - ABSENT	Rose Rodriguez	Dave Young
Jessica Jones	Lang Sias - ABSENT	Jeanne Smith, <i>Ex Officio</i>

Substitutes:

CALL TO ORDER AND OPENING REMARKS

Stan Hilkey, Chairman and Executive Director of the Department of Public Safety

Stan Hilkey, Chairman of the Commission and Executive Director of the Department of Public Safety (CDPS), called the meeting to order. He reported on the absentees and reviewed the agenda. Mr. Hilkey then introduced Commissioners to the newest member of the Executive Director’s Office at the Department of Public Safety, Gabby Reed. He explained that Ms. Reed is replacing Jana Locke as the Legislative Liaison for CDPS. He pointed out that during her time in that role; Ms. Locke performed a tremendous amount of work for the Commission, particularly around the Commission’s legislative recommendations. He added that Ms. Locke has taken another position within the department.

Next, Mr. Hilkey provided an update on the two-day Colorado Summit Resource Compendium convened by the Equitas Foundation on August 31st and September 1st. Hundreds of stakeholders from across the state attended the workshop with the goal of untangling and addressing behavioral health and criminal justice issues in the state. A handful of Commissioners were present for the workshop including Rick Raemisch. Mr. Raemisch added that the main focus of discussions was on diverting those with mental health issues from the criminal justice system. The organizers of the event are compiling the outcomes and a final work product is scheduled to be released in the near future.

NATIONAL CRIMINAL JUSTICE REFORM PROJECT**Jeanne Smith, Division of Criminal Justice**

Jeanne Smith reminded Commissioners that the state of Colorado had applied to be part of a National Governor's Association and National Criminal Justice Association's effort called the National Criminal Justice Reform Project (NCJRP). Ms. Smith announced that Colorado was accepted as one of the 20 states invited to send a four person team to participate in a two-day summit to be held in Denver, October 17-19, 2016. One of the goals of the summit is for the states to learn about the NCJRP selection process for ongoing training and technical assistance. Another objective for the organizers of the event is to analyze state-level survey data to help identify priorities for reform. Following the two-day summit, five states will be selected to participate in the full project and will receive in-depth planning and implementation assistance over the next several years.

Colorado's proposal to participate included a letter of interest submitted by Governor Hickenlooper describing the need for better collection and integration of criminal justice data, with an emphasis on jail data and the intersection of criminal justice and behavioral health data. The Adams County Information Sharing Exchange project and the Commission's creation of the Mental Health/Point of Contact through Jail Release Task Force were also used as examples of ongoing work.

Ms. Smith concluded by sharing that the summit attendees will be Adrienne Russman representing the Governor's Office and the Department of Corrections, Adam Zarrin of the Governor's Office, Commission Vice-Chair Doug Wilson and herself.

HOUSING ISSUES / NATIONAL OVERVIEW**Annie Bacci, Corporation for Supportive Housing**

Mr. Hilkey introduced the next segment of the agenda by reminding Commissioners that during the February retreat there was a call for more in-depth presentations during Commission meetings regarding the work taking place in the individual Task Forces. To that end, at the May 2016 meeting Commissioners were provided with a panel presentation of the issues under consideration by the Mental Health/Jails Task Force. The August Commission meeting featured a detailed presentation of issues being addressed by the Data Sharing Task Force along with a broader view of Justice Information Sharing (JIS) strides across Colorado and specifically in Adams County. Mr. Hilkey reported that the meeting today will feature matters regarding housing and the work of the Re-entry Task Force. Specifically, the presentations will start with a broad national overview of housing challenges for justice involved individuals, followed by a look at state and local issues. Additionally, there will be an update on housing initiatives underway at the Department of Corrections and an explanation of the current housing priority work areas identified by the Re-entry Task Force.

Mr. Hilkey introduced Annie Bacci from the Corporation for Supportive Housing (CSH). Ms. Bacci provided a PowerPoint presentation to Commissioners entitled Supportive Housing for Justice-Involved Populations. The full presentation can be found on the Commission website at www.colorado.gov/ccjj. Presentation highlights are noted below.

PRESENTATION HIGHLIGHTS

Ms. Bacci began by stating that CSH is a national organization working to advance supportive housing solutions around the country, with much of the work centered on both housing and affordable health care.

Supportive Housing combines affordable housing along with services, in the hopes of helping people who face complex challenges live with stability, autonomy and dignity. Specifically, the services can range from things like employment services and mental health services to life skills coaching and substance abuse treatment. Additionally, Supportive Housing service providers are expected to bring a high level of engagement to their work. Supportive Housing does not include things like a shelter, nursing home, transitional housing or treatment/detox centers.

Different types of Supportive Housing include Single Site models which can consist of one or more buildings or apartments at one location, alternatively, Scattered Sites consist of two or more buildings or apartments at multiple locations.

Supportive Housing must:

- Be affordable,
- Provide tenants with leases,
- Engage tenants in voluntary services,
- Coordinate key partners,
- Connect tenants with the community, and
- Target households with multiple barriers, which includes the re-entry population.

One of the emerging best practices in Supportive Housing is the Frequent Users Systems Engagement model or FUSE. FUSE targets the frequent users of the jail system, the homeless system and the behavioral health system. The FUSE model has been shown to increase cost savings for communities and increase system collaboration while promoting quality of life and self-sufficiency. At the same time, FUSE decreases shelter usage, jail recidivism and use of other public systems. The program is operating in several cities and counties across the country including locally in Colorado with Denver's Pay for Success project.

FUSE outcomes include:

- Over a 90% reduction in shelter days,
- An average public cost savings of \$15,000 per year, per tenant,
- In New York there has been a 50% reduction in shelter days, and 50% fewer psychiatric inpatient hospitalizations,
- In Charlotte two-year results show a 90% retention rate for housing stability and a 52% increase in improved family relationships, and
- Nationally there is a 35-40% reduction in jail rate with FUSE.

Another model is the Pay for Success Initiative (PFS) and there is a PFS program currently in operation in Colorado as well. This initiative is also commonly referred to as a Social Impact Bond. PFS is based on a performance-based loan from private investors intended to provide up front capital for service intervention for the re-entry population, with the goal of achieving

certain outcomes. Once outcomes are achieved a community (in this case the City and County of Denver) will pay back private investors. PFS initiatives are gaining favor with the U.S. Department of Justice and the U.S. Department of Housing and Urban Development (HUD). PFS challenges communities to use pay for success as an intervention, however, Ms. Bacci noted that while it is a good policy tool it is also very complicated and that if communities do not have to use it there are other, better programs.

In Denver, PFS is targeting frequent users of the jail system (those with at least 8 arrests over the last three years) along with those in the homeless system. This group was chosen because the top 250 users of the Denver jail system (who were also homeless) accounted for 14,000 days in jail, along with over 2,200 visits to detox, 500 emergency room visits and 1,500 arrests. Each year, Denver spends approximately \$7 million on those 250 individuals to cover these expenses. It took Denver two years to structure the PFS model with a total investment of \$8.6M. With that investment there is an expectation of a 35 – 40% reduction in jail days over a three year time frame, along with an 85% housing stability rate. If outcomes are better the city will pay more, and if the outcomes are not as good as anticipated the investors will receive a little less.

Representative Beth McCann asked Ms. Bacci what happens exactly with the homeless people being served by the PFS model. Ms. Bacci replied that the PFS intervention is a supportive housing model. Individuals are identified (often while they are still in the jail) and connected with a housing unit and an array of services. There is also a mobile team that travels to where the services are needed. The only limitations with the program are tied to HUD guidelines that exclude housing vouchers for lifetime registered sex offenders and people convicted of manufacturing methamphetamine in public housing.

Ms. Bacci offered another example of a program showing positive outcomes called Returning Home Ohio which has been operating since 2007 as a pilot and as a formal state sanctioned program in Ohio since 2012. This program is one of the re-entry options that case managers can select when performing discharge plans for individuals leaving prison. It connects folks with a supportive housing solution and specifically targets those with severe and persistent mental illness and HIV. The program is 100% funded by the Ohio Department of Corrections. Research shows 60% of the people in this program are less likely to recidivate back to prison and 78% achieve housing stability up to two years. Outcomes from these types of initiatives offer the potential for other Departments of Corrections to explore the opportunity of shifting current investments that may not be providing positive outcomes, to something with proven results.

HOUSING ISSUES / STATE AND LOCAL PERSPECTIVE

Kristin Toombs and Susan Niner, Department of Local Affairs, Division of Housing

Mr. Hilkey introduced Kristin Toombs and Susan Niner from the Department of Local Affairs (DOLA). Ms. Toombs provided a PowerPoint presentation to Commissioners outlining the role of DOLA in addressing housing issues in Colorado. The full presentation can be found on the Commission website at www.colorado.gov/ccjj. Presentation highlights are noted below.

PRESENTATION HIGHLIGHTS

Ms. Toombs began by explaining that much of the work of DOLA overlaps with the work of the Corporation for Supportive Housing. The Division of Housing (DOH) was originally created as a way to increase affordable housing throughout Colorado. This is accomplished through a number of mechanisms including:

- Providing funding for the acquisition, construction or rehabilitation of buildings that are affordable,
- Acting as the regulatory body for communities in Colorado that do not have their own housing authority or codes departments, and
- Operating the Fort Lyons Supportive Residential Community.

DOH and the Governor's Office have developed a toolkit to help communities create affordable housing projects that also include supportive services to build capacity. Housing deals are financially complicated and communities need rental assistance vouchers from DOH to help assist in paying for housing units and other gap financing. Therefore DOH helps coordinate the many elements of housing development that take place at the community and state level.

In 2015, 282 new units were created throughout the state and another 135 are slated for 2016. This is the largest increase in the creation of housing units in Colorado to date. DOH has also served over 31,000 households and created 3,000 new affordable housing opportunities in 2015. The average voucher recipient makes a little over \$11,000 per year. Also, over 80% of individuals who receive vouchers are those with disabilities.

One of the main objectives at DOH is to build a strong continuum of housing resources and to ensure those resources are supported. Resources range from emergency shelters and transitional housing to rapid re-housing, permanent supportive housing, rental assistance and sometimes eventually home ownership. However, Ms. Toombs noted that the current trend in housing nationwide is to move away from transitional housing because it results in too much movement for an individual. It is better to get someone into a place that is their own, so they do not have to continue to be unsettled.

Colorado's Housing Choice Voucher Program, also commonly known as Section 8, provides basic rental assistance. DOH is the largest housing authority in the state of Colorado and distributes approximately 6,000 vouchers statewide every year, with preference given to people who are homeless or disabled. The Homeless Programs Team at DOH also has several different niche programs that provide an additional 1,000 housing vouchers.

The main barrier with many voucher programs is that there simply are not enough vouchers to meet the need. Therefore barriers to housing are not necessarily specific to the re-entry population. Ms. Toombs went on to describe DOH's specialty programs and the populations they serve. She emphasized that programs operating with state funds are more flexible than those supported through federal funds because they are not tied to HUD parameters. Also, many programs are targeted for individuals with mental illness coming out of the state system (state mental health hospitals and DOC) into homelessness. The Colorado Second Chance Housing and Reentry Program (C-SHARP) is an initiative originally funded by the U.S Department of

Justice and which currently operates through the Office of Behavioral Health (OBH) at the Department of Human Services. C-SCHARP is one of the few programs targeted specifically at the criminally justice involved and DOH provides up to two years of tenant based rental assistance for the program. C-SCHARP targets dually-diagnosed adults coming out of prison and into homelessness; it serves over 30 individuals and recently expanded to Colorado Springs. Preliminary outcomes show some promising reductions in recidivism, but no statistically significant differences as of yet. However, the data to date is extremely limited and the second year analysis will capture more data points for a larger cohort and a longer time period.

Program participants are selected through their case managers at the Department of Corrections. Unfortunately, one of the main barriers with the program is that it uses tenant-based vouchers which requires that a person find their own unit, and that can be challenging for people when they have to explain their criminal histories.

Ms. Toombs went on to explain that housing Best Practices include the Housing First model, Permanent Supportive Housing, Rapid Re-housing and Coordinated Entry along with landlord recruitment. She emphasized there is no way for Colorado to 'build' its way out of the housing crisis, especially when it comes to re-entry populations, and that it is essential to partner with current housing options, landlords and opportunities that already exist.

Representative McCann asked about the growing homeless population and if there are any thoughts on what cities like Denver can do to address this large number of people. Ms. Toombs replied that 'moving people along' and out of parks and off of the streets might result in a short-term effect of cleaning an area, but it also results in a continuous cycle. There are other best practices that show a more lasting and effective impact than shifting people around or criminalizing homelessness. Coordinated Entry is one way to effect change. It includes outreach teams and service providers who often go with police to parks and other areas and engage with individuals. The teams will administer an assessment tool that places people on a list and prioritizes them for many of the resources previously mentioned. Ms. Toombs noted that this is the best way in the Denver metro area for individuals to connect with housing opportunities and resources. Another option is for someone who is homeless to call 211 and tell the operator they are interested in services and resources, which will connect them to the Denver Outreach Collaborative. There are 57 entities in the Denver metro area who administer and offer the coordinated assessment tool. Ms. Toombs reiterated that one of the main problems is still capacity and that there are long waitlists for those waiting for assistance.

No community can move the needle on ending homelessness with federal funds alone, but the more HUD funding that can be secured the better. It is proven that moving someone into housing with services connected is the most cost effective way to address the homeless population. DOH is also working with housing providers and landlords to encourage them to change their criminal history background policy. Recently HUD and DOJ released a statement (from a fair housing standpoint) informing housing providers that they cannot operate under an umbrella ban of refusing to serve certain populations (for example, people with criminal histories).

HOUSING ISSUES / DEPARTMENT OF CORRECTIONS**Melissa Roberts, Division of Parole**

Mr. Hilkey introduced Melissa Roberts, Director of the Division of Parole in the Department of Corrections. Ms. Roberts provided a presentation on the Department's housing initiatives.

PRESENTATION HIGHLIGHTS

Ms. Roberts began by stating that the Division of Adult Parole has been working to get a clearer grasp on issues around the homelessness population and in so doing; last November the Division began a pencil to paper exercise tracking the number of homeless releases. Outcomes from that exercise showed that approximately 25% of people releasing to parole are releasing from prison homeless (this number does not include those who discharge their sentence). The region most affected by homeless releases is the Denver metro area; however rural areas feel the impact as well.

Parole has been working diligently with DOLA and the Governor's Office of Homeless Initiatives to develop relationships with landlords to address housing issues as they relate to individuals with criminal records. Parole wants to better leverage supportive housing vouchers for justice involved individuals, along with developing partnerships with developers. DOC is currently in discussions with a developer who is looking to repurpose what was industrial office space to create 80 transitional living beds.

DOC is also working to determine the most appropriate housing model for parolees re-entering the community. There is an inherent assumption that people leaving prison need a significant amount of support services wrapped around them, but actual needs vary case by case and oftentimes a parolee may simply need a roof over their head. The Department has a \$1.1M budget annually for housing vouchers. Those vouchers are often used for motel rooms on Colfax, which is not always the best use of funds. Living in motels returns offenders to an environment from where they often got in trouble originally. The Department is working to be creative with how best to leverage funding for more stable housing and successful outcomes.

The Department is also updating its CWISE case management system and parole officers began entering more specific data in early August. Previously, DOC entered residence information for each offender in terms of whether or not they had a place to live. Currently, officers are specifically tracking what type of housing the offenders are participating in along with tracking the funding source for that housing. About 50% of the parole population data has been entered to date and the remainder of the data should be entered soon. Outcomes from that data will show the total number of offenders in each housing category (transient, temporary, shelter, motel/hotel, transitional housing, permanent housing and long term care) and the average length of stay.

Of the data that has been entered, 84% of the DOC parole population does currently have permanent housing. Going forward, Parole will continue to focus on housing stability issues, which have proven to be a major component of successful re-entry.

DOC also created a Housing and Stabilization Unit which consists of a team of nine officers, a team leader and a supervisor. Parole also moved a field operation team of officers into the Re-entry Center at the Broadway Parole office, resulting in officers from the Stabilization Unit working side-by-side with the re-entry staff to better address the issues of housing in general, with a specific focus on high risk/high need individuals.

One other complicating factor is the issue around how Medicaid dollars can be leveraged as they relate to homelessness issues. Medicaid dollars cannot be used for brick and mortar structures or rent, but they can be applied to the cost of support services. To that end, DOC now requires all approved treatment providers to be Medicaid certified.

HOUSING ISSUES / RE-ENTRY TASK FORCE WORK-TO-DATE

Richard Stroker, Commission Consultant

Mr. Hilkey explained that the next item on the agenda is a status report on the Re-entry Task Force work to date as it relates to housing. He introduced Commission consultant Richard Stroker who provided background information and an overview.

Mr. Stroker began by stating that the issues currently under consideration by the Re-entry Task Force are twofold: housing and collateral consequences. Housing is an enormous problem for many people in Colorado and for justice-involved individuals the barriers are significantly magnified. The issues around housing and the criminal justice system are bilateral in that people who are homeless tend to have prior criminal justice involvement and people who come through the criminal justice system are more likely to face homelessness.

Mr. Stroker reminded Commissioners that they identified housing as a high priority area during the February retreat. He noted the Re-entry Task Force effort to date has been largely centered on getting a clear picture of all the elements at play and understanding the impacts and ongoing activities and programs. Task Force members have heard multiple housing presentations and have considered options and studied what is happening in both Colorado and nationally. They have also considered any data available on outcomes and successes.

Mr. Stroker directed Commissioners to a handout in their packets outlining a variety of housing efforts underway by other agencies and organizations. This information was collected in an effort to try to compile as much information as possible in one place to get a clear picture and understanding of other efforts and what is happening with those initiatives. Task Force members are working to get smarter about all the issues while simultaneously narrowing the focus of the work they believe would be most effective.

The task force has determined that at this juncture they believe it is essential to establish a Capacity Working Group. That group will work to identify a specific population on which to focus, identify some specific initiatives, consider opportunities or programs that appear promising, and then determine if there are other agencies or efforts worthy of partnering with to help effect change. Additionally, individuals from the Governor's office have expressed interest in helping with the discussions around Capacity.

The second piece to this work is around the enormous number of collateral consequences that also impact a justice involved person's ability to effectively reenter society and move forward with their lives. Therefore the Task Force has established a second working group focused on various types of collateral consequences, including collateral consequences regarding housing, while also studying collateral consequences around employment, public benefits, and numerous other obstacles. This group is exploring both the barriers that result from collateral consequences and the opportunities to overcome those barriers. Mr. Stroker summarized that the two working groups (Capacity and Collateral Consequences) will continue their work by moving from the information gathering stage to the action stage, with the end goal of developing meaningful recommendations.

Mr. Stroker added that all of the task forces have an over-arching goal of finding more clarity with each meeting as to what the groups want to address, what the focus will be and determine the areas where the groups can offer some particularly meaningful recommendations.

Chief Kilpatrick asked if the Re-entry Task Force has looked at any of the issues various cities are struggling with around homelessness and camping. Mr. Stroker replied that the task force has not touched on that issue area yet but that they will keep it in mind.

SEPTEMBER MEETING INFORMATION

Stan Hilkey, Chairman and Executive Director of the Department of Public Safety

Mr. Hilkey summarized a few items under the adjournment section of the agenda. He noted that the full 'Task Force Report Out' section of the Commission meetings will now take place approximately every other month, rather than every month. This will allow time for more in-depth panel presentations (similar to the housing panel today) on the detailed work of the individual task forces. Mr. Hilkey added that the 2017 Commission meeting schedule has been solidified and will be emailed to Commissioners. He also noted that traditionally the Commission meetings have been held from 12:30 pm to 4:30 pm, but that moving forward those hours will be shifted with future meetings scheduled to start at 1:00 pm with an adjournment of 3:30 pm. He pointed out that those hours will be flexible and may be expanded for meetings that require more time due to more content. With that said the next meeting is scheduled for Friday, October 14th, from 1:00 pm to 3:30 pm.

ADJOURN / NEXT STEPS

Stan Hilkey, Chairman and Executive Director of the Department of Public Safety

Mr. Hilkey thanked Commissioners for their time and asked the group for any final comments. With no further business, Mr. Hilkey adjourned the meeting at 2:42 p.m.