

**Community Corrections Task Force
Colorado Commission on Criminal and Juvenile Justice**

Minutes

September 10, 2015, 1:00PM-4:30PM
710 Kipling, 3rd floor conference room

ATTENDEES:

CHAIR

Peter Weir, 1st Judicial District

TASK FORCE MEMBERS

Dennis Berry, Mesa County Criminal Justice System

Glenn Tapia, Division of Criminal Justice

Greg Mauro, City and County of Denver, Community Corrections Boards

Gregg Kildow, Intervention Community Corrections Services(Phone)

Harriet Hall, Jefferson Center for Mental Health

Jennifer Wagoner, Parole Board

Joe Cannata, Voices of Victims

Melissa Roberts, Department of Corrections/Adult Parole

Rose Rodriguez, Independence House

Shannon Carst, Colorado Community Corrections Coalition

ABSENT

Angel Medina, Department of Corrections /Case Management

Christie Donner, Criminal Justice Reform Coalition

Dana Wilkes, Division of Probation Service

Dave Weaver, Douglas County Commissioner

John Cooke, Senate District 13

Kathryn Otten, Jefferson County Justice Services

Kevin Strobel, Public Defender

Michael Vallejos, 2nd Judicial District

Mike McIntosh, Adams County Sheriff

STAFF

Paul Herman, CCJJ consultant

Christine Adams, Division of Criminal Justice

Kim English, Division of Criminal Justice

Guest

Steve Allen, Legislative Budget Analyst

Issue/Topic:	Discussion:
Welcome and Introductions	Mr. Weir started the meeting at 1:30 by welcoming everyone and calling the meeting to order. He had everyone introduce themselves for the benefit of the newest member in attendance, Rose Rodriguez.

Issue/Topic:	Discussion:
<p>Task Force Orientation</p> <p>Action</p>	<p>Mr. Herman stated that we're in the fourth phase of this group. In the beginning we spent time educating ourselves about community corrections and spoke a lot about what we thought community corrections should look like compared to what it looks like now.</p> <ul style="list-style-type: none"> - At this time we came up with a purpose statement (Handout #1, included below). <p>During the second phase, three work groups met to come up with multiple recommendations:</p> <ul style="list-style-type: none"> - One group examined referral issues; - The population group looked at the various populations. Not everyone is aware of the various groups that are part of community corrections so they helped to dispel some of the myths. Looked at two pops in depth. Specifically, high risk and low risk/high stakes offenders. - Board group looked at structural issues regarding boards. Makeup, tenure, training and utilizing EBP. <p>Third phase occurred after the recommendations had been presented to the Commission.</p> <ul style="list-style-type: none"> - Here we discussed follow-up issues for the recommendations that didn't pass the Commission, and we moved on to the topics of diversion, incentivizing communities and judicial education. <p>Now, in the fourth phase, we need to speak about where to go from here with these items.</p> <ul style="list-style-type: none"> - What are our next follow-up areas and what is/are the next area(s) to be addressed?

Issue/Topic:	Discussion:
<p>Community Corrections Profile Data</p> <p>Action</p>	<p>Dr. Adams presented the new interactive community corrections dashboard on the ORS site: https://www.colorado.gov/pacific/dcj-ors/community-corrections-profile</p> <p>The data presented here may be different from that presented elsewhere (e.g., reports from the Division of Criminal Justice, Office of Community Corrections) because this data represents the most recent</p>

	<p>termination for residential programs only and does not include information on individuals who participated in Short Term Residential, Intensive Residential Treatment (IRT), or mental health (TC) programs. In addition, some charts exclude "other" terminations (e.g., transfers).</p> <p>The site went live a few weeks ago. It allows viewers to look at individual Community Corrections programs from FY 2000 through 2014, by diversion/transition/combined, and a variety of profile information including demographics, LSI scores, financial (restitution paid, taxes paid, etc.), employment at entry/exit, program outcomes, and one/two year recidivism rates (new felony/misdemeanor filings, excluding Denver County).</p> <ul style="list-style-type: none"> - DCJ's Office of Research and Statistics will continue to develop and improve the web sites. <p>Task force members suggested that Condition of Parole and Condition of Probation be added as breakout groups instead of only diversion and transition (note that right now those groups are included but are merged into the diversion and transition categories).</p> <p>The group asked why these data will not match the annual report produced by DCJ's Office of Community Corrections. It was explained that the two analyses ask slightly different questions, and conduct different analyses.</p> <p>It was also mentioned was that it would be nice to compare programs within judicial districts, which is one of the improvements already planned for the future.</p>
--	---

Issue/Topic:	Discussion:
<p>Subsistence Grace Program Evaluation</p> <p>Action</p>	<p>In 2008 the CCJJ had a recommendation that began conversations about a Subsistence Grace Period program. Funding for and evaluation of this project was provided and requested by the legislature in 2014. This evaluation was conducted by the Division of Criminal Justice, Office of Research and Statistics.</p> <ul style="list-style-type: none"> - Steve Allen asked about the randomness of participants. Participants were randomly included such that if they were brought into the system during a specific time frame and while money existed they were included in the program. - Even though the evaluation showed that overall there was no difference between those in the pilot program and those in a comparison group, in fact the pilot group folks actually did worse, the long term effects of this program are unknown. Can't say that the outcome was only because of this difference. - Mesa County had their program participants focus on job searches during

	<p>this time while other programs did nothing to provide more services during this time, the clients were just not made to pay. –</p> <ul style="list-style-type: none"> ○ Didn't address criminogenic needs more than we normally do. - Mr. Allen stated that he will speak to the JBC about this and would like to hear feedback on what was good and bad about this study. <ul style="list-style-type: none"> ○ It was stated that to the extent that we could, doing actual random assignment may be useful. The program didn't work but why? Need to do more than just compare groups. ○ It was noted that a similar study was done for Peer I and that's the reason the commission made this recommendation and expected to see some positive impact. - We can only wish that changing offender behavior would be that easy. But we need to focus on their needs. Maybe waive subsistence and provide treatment for more criminogenic needs. - Need to address the other components that lead to positive behavior change. - It does tie to the money because of services <p>There was some confusion about the recidivism data. Ms. English explained that DCJ/ORS analyzes recidivism by looking at the number of new felony and misdemeanor filings for those that had successful terminations (this excludes Denver County).</p>
--	--

Issue/Topic:	Discussion:
<p>Comparing Public and Private Programs</p> <p>Action</p>	<p>At the end of the August task force meeting staff was asked to provide data that would help the group examine differences between private and publically owned community corrections programs.</p> <ul style="list-style-type: none"> - Dr. Adams provided a table (see the second handout below) to show outcome rates, recidivism rates, average LSI scores and average lengths of stay for each of the 5 public programs as well as public vs private as a whole. - It was stated by the group that The Haven and Peer I are both therapeutic communities (focused on treatment) and are actually state programs whereas the other public programs are county run. <ul style="list-style-type: none"> ○ Should look at these two public programs separately from the other public programs because of the special high risk population they serve (brings up public LSI average and brings down success rate). <p>Could you break this out by violent and non-violent crimes?</p> <ul style="list-style-type: none"> - An earlier DCJ/ORS report did look at this and the violent offenders were found to actually have a lower recidivism rate. - See the following report for more information: Harrison, L., Adams, C., Flick, P., & English, K. (December, 2013). <i>Community corrections in Colorado: Program outcomes and recidivism, FY 2012-13</i>. Office of Research and Statistics, Division of Criminal Justice, Department of Public Safety.

	<ul style="list-style-type: none"> - https://cdpsdocs.state.co.us/ors/docs/reports/2013_COMCOR_Report.pdf - Sex offenders also tend to have lower LSI scores which will pull down a program's average if the take that group of offenders.
--	---

Issue/Topic:	Discussion:
<p>Logic Model Presentation</p> <p>Next Step:</p>	<p>During the August meeting the Task Force chair, Mr. Weir, asked Mr. Tapia to crystalize a logic model idea that he'd been discussing about how the community corrections system works (see handout #3, below).</p> <ul style="list-style-type: none"> - Mr. Tapia stated that outcomes are the tip of the iceberg is what we, and the public, see. - Outcomes are connected to the programs. - Culture and climate, which are outside of the system itself, matter. You may not adjust or even notice a difference if you're used to the culture and climate. But the culture and climate do change and will have an effect on the program and in turn, the outcome. - Staff competency affects the program. Some feel undertrained and over worked. In addition, who we select as staff affect the program which affects the outcomes. - Leadership affects how staff will do their jobs. <ul style="list-style-type: none"> o We have to know what leadership is focused on – profit or outcome. - Funding architecture drives the provider culture. Currently it's based on capacity such that more is better. - This is driven by governor/legislature expectations. What is community corrections really about? Capacity has really been the driving factor. <ul style="list-style-type: none"> o But if we're in a system that's about using evidence based practices (EBP) but are still in a culture that is capacity based it will be difficult to work with implementation science. <p>Mr. Berry stated that a major piece not shown here is the risk/needs of the clients. This will impact the outcome significantly.</p> <ul style="list-style-type: none"> - We should be doing more EBP but this will lead to more high risk and fewer low risk offender which will affect the outcomes. - We should compare outcomes to what they were projected to be. We expect outcomes to be worse with higher risk offenders. How much does the outcome vary from projections? - Ms. English stated that one of the reasons that we always show LSI scores along with recidivism is to show risk levels and to help account for differences. - It was noted that we could compare offender categories to the whole group. But it's a policy decision to say what the various rates should be. <p>The system is telling us that we need to serve higher risk folks. But we</p>

	<p>don't want to over-serve those that may not need the help. It could actually make it worse.</p> <p>Mr. Tapia stated that the second part of the conversation last month was to show the intrinsic risk factors (see handout #4, below).</p> <ul style="list-style-type: none"> - Intrinsic risk reduction factors and extrinsic risk reduction needs. Have to deal with intrinsic issues before addressing the extrinsic issues. Intrinsic have been shown that they are tied more to reducing recidivism. - We can't just focus on the extrinsic and hope for the intrinsic to be better. - But the funding model forces providers to focus on the extrinsic (e.g., subsistence is only paid if they have a job). Instead we need to help people get stable before they are sent out to find a job. Will vary by population, but some need to focus on intrinsic factors first. - Ms. Carst stated that she's been trying to come up with a model like this but that she can't make it work along with the fiscal model. - It was stated that maybe we should have dual processes? But we can't look at this pyramid from the top down. - We also have to look at what the agencies are looking for when they put someone into community corrections. This makes it difficult for providers to figure out what they're supposed to be doing. The system says that they are meant for multiple things. Can't be everything for everyone. <p>There is a broad lack of confidence (based on the Diversion Survey conducted earlier this summer) but this could be because of the lack of focus regarding our purpose.</p> <ul style="list-style-type: none"> - Mr. Weir stated that it may be useful to push this issue to the whole commission. <p>Mr. Herman stated that the charge for this group was to discuss what community corrections <u>should</u> look like without worrying about the financial model, etc.</p> <ul style="list-style-type: none"> - This intent fills the bottom rung of the pyramid shown in the diagram. If we don't fill it in it won't get filled in because it's not the top priority for the legislature. - Using the Drug Task Force as a model this discussion came first; then then came the architecture. If we do all of this first we can then discuss what the money looks like. - If we start talking about the money now we'll be jumping ahead. <p>Mr. Mauro stated that it comes down to choices.</p> <ul style="list-style-type: none"> - We've had this conversation before but we keep expanding our purpose which keeps changing the focus. But depending on the client our purpose may differ. - Mr. Herman stated that the group has a purpose written (see handout #1, below). Your purpose has been decided but the parts need to be better defined.
--	---

<p>Issue/Topic:</p> <p>Task Force Work Plan</p> <p>Next Step:</p> <ul style="list-style-type: none"> • The August, 2015 minutes will be revised to reflect Mr. Berry's comment about boards' willingness to use decision guides. • Mr. Tapia and Mr. Berry will put together what they have that addresses questions #1 and #2 (define the various groups and services they should be provided). This will be presented at the next meeting. • Develop an official recommendation to the CCJJ regarding the need for judicial education. 	<p>Discussion:</p> <p>This task force has looked at populations and we have more medium and high risk people than we ever have before.</p> <p>Another work group looked at the very high risk offenders. It was decided that they need to be supervised differently – more monitoring and control. Some need intensive treatment while some need more surveillance. Found similar things for other populations. This goes back to the discussion that one-size fits all doesn't work.</p> <p>The low risk/high stakes population (admitted due to crime, political issues) – basically need to get out of their way or you may make them worse. But sex offenders may need to be their own category because they often score low on risk assessments.</p> <p>We're not talking about funding yet, but that this is how high risk and low risk/high stakes populations (we don't want just low risk) should be treated regardless of the program.</p> <p>For the very high risk population the real issue is to focus on control and surveillance. Research suggests that programing is more appropriate for medium and high risk clients.</p> <ul style="list-style-type: none"> - It was asked if the very high are even appropriate for community corrections. We've discussed that without community corrections they're coming out of prison homeless. - If the focus is monitoring and control should this be done on intensive parole? Community corrections has resources that parole does not to focus on stabilization. - Are the services for the very high risk and low risk are similar then? Just the control part. Low risk folks don't need UAs. For them it's more punishment based. They probably would have been fine on probation but for political reasons that doesn't feel right. - The question after every category really is whether community corrections is right for these people? - Very high risk people – you're wasting your money and creating conflict if you focus on cognitive issues. It's possible that they could be harming the group if you're working with a group model. - Maybe another factor should be what a reasonable expectation for each group is. The expectation and programing should look different for each group. - From now on we need to keep high and very high risk separate because they are very different groups. - Does community corrections have a place for low risk or low risk/high stakes? Low risk → no. <ul style="list-style-type: none"> ○ But we have to decide what our purpose is. If we're meant to be a stepping stone then maybe. Or if we're a punishment then maybe. Low risk folks receive 1 service – follow the rules and get a job.

	<ul style="list-style-type: none"> ○ Very high risk get 1 service – follow the rules and monitoring. - High and medium risk are appropriate for community corrections and are managed similarly. There is a lot of monitoring and control as well as behavior change treatment. <ul style="list-style-type: none"> ○ Should this be looked at as one group? Some said yes and some felt mixed because the high risk with intrinsic factors look different than the medium risk with extrinsic factors. ○ But their individual needs may differ and individual plans will differ for this. ○ Combining these two, in practice, won't happen. The high risk will take precedent. ○ The high risk criminogenic impulse control person will have different needs than someone else. So it's need driven? Yes. <ul style="list-style-type: none"> ▪ The reality is that your risk category is what places you because we are using the LSI but it's really the needs that drive your programming plan. - We can't ignore sex offenders but they are already part of specialized programming. - What about the folks who are low risk/high stakes (one step from DOC)? From this discussion it doesn't seem that they fit. <ul style="list-style-type: none"> ○ They're not appropriate for community corrections. Research would say that this would be too great of an intervention. - How many low risk people are there? Approximately 8% but this includes the sex offenders. <ul style="list-style-type: none"> ○ Mr. Weir asked if it seems higher because it's common for people to fail at probation and be sent to community corrections? Maybe, but are they actually low risk? ○ Goes back to our purpose – are we meant to serve as a punishment? ○ Is it a good idea to put someone who can't follow rules into a situation where there are even more rules? <p>There are four groups of offenders that community corrections would handle in different ways.</p> <ul style="list-style-type: none"> - Would it be possible to sit down and decide who should be excluded? - Asked Michelle Monzingo (guest attendee) and Shannon Carst if they could see all of these groups in their facilities. Hard to imagine the low risk. - It's hard to say we need staff to treat multiple groups in the different ways. <ul style="list-style-type: none"> ○ But with the progression matrix aren't we already doing this? ○ Sort of , but your day to day operations would be difficult to create and manage to appropriately handle each category of clients.
--	---

- | | |
|--|---|
| | <ul style="list-style-type: none"> ○ Dr. Hall is struggling with the specialized programs and what happens when all of your clients are in a special group. If you don't fit into one of the main categories and you don't have a specialized program for them, what happens? ○ Mr. Berry stated that his program has drawn a line to separate out the people we can't handle. We have different day rooms for different groups of offenders. This has helped us some. <ul style="list-style-type: none"> ▪ What do we end up doing with the people who no one can handle? We put them out homeless and that's horrible. Putting the very high risk all together is also bad though. It may be better to spread them around a facility but we have to be careful to not create victims. ○ If our issue is decide what community corrections should look like we may want more capacity for the specialized programs. ○ Mr. Tapia asked "Are we supposed to be cheap or effective?" There is pressure to stay cheap but as we increase our specialized programs we are also increasing our budget. <ul style="list-style-type: none"> ▪ The group was reminded that they don't need to talk about this yet. What do we want community corrections to look like and what is its purpose? Then we can discuss what the budget should look like. ○ Mr. Herman asked how the progression matrix helps to prescribe services for an individual. <ul style="list-style-type: none"> ▪ Mr. Tapia said that it does not do this. It tells you their needs but the staff has to decide the plan. Plans are less arbitrary now, which is good, but staff are having a hard time deciding what to do with the information they're given by the matrix. ○ How do we define the services that should be provided for these various groups? What would you need to do to accomplish this? In all probability this will lead to a change in funding for these various groups. - Mr. Herman suggested that 2-3 task force members sit down and define the various groups (question #1) and 2-3 others should define what we need for each of these groups (question #2). Then we can discuss what needs to change structurally (question #3). <ul style="list-style-type: none"> ○ Didn't the population group address the first task? Yes, at least part of it but we may need to be more detailed now. ○ We may not end up excluding anyone. That's okay, but we need to clarify who fits where. |
|--|---|

	<p>The first question was answered, at least for the most part, by the Population group. We could use that work to discuss the structural changes that are needed next.</p> <ul style="list-style-type: none"> - Glenn Tapia and Dennis Berry will put together what they have from work to addresses question #1 (specifically define various groups) and question #2 (define the services that should be provided for each group). <ul style="list-style-type: none"> o This will be presented at the next meeting. - Then we'll move on to the #3 (structural changes). <p>Referral Working Group- there has been discussion about the survey results and lack of confidence that exists about community corrections. But what was the conclusion regarding diversion and what additional work needs to happen in this area?</p> <ul style="list-style-type: none"> - Last month there was interest in what decision criteria are used by boards. But there was no guidance given as to what the next steps should be for this work group. - There are diversion issues. But we don't want to start talking about how to solve these problems until we discuss who it is we should be serving. But we're not saying there aren't problems to address. <p>Judicial education – there was consensus that the best place to educate judges is not at their conference. So is this something that we want to address here? Is this a priority for this group to work on?</p> <ul style="list-style-type: none"> - What can this group really do to add to this? Don't we just need to do this? - Maybe it should just be a recommendation to the CCJJ for this to be done. - General recommendation should be developed. <p>Incentivizing communities – this issue is off the table for now. Not necessarily gone forever but there isn't currently any interest.</p> <p>Public/Private – This may be about having public programs handle different populations than private programs but this would only work in jurisdictions where there are options available.</p> <ul style="list-style-type: none"> - We need to flush out the role of these type of programs. <p>Other Comments Before Adjourning:</p> <ul style="list-style-type: none"> - Mr. Berry stated that he wanted to clarify something that was said in last month's minutes. There was a comment that there is only one board (Denver) that uses a guide and that all others are unwilling to do this without statute to mandate it. He feels this is simply untrue. There is more interest in this. - Mr. Berry also stated that when it comes to a community corrections decision tool we have to help boards learn to think differently. Intuitively they want to take the low risk offenders, and
--	--

	<p>risk level is the only thing we have scientific evidence for (via actuarial assessments). But the decision about whether or not a person <i>should</i> be accepted is subjective.</p> <ul style="list-style-type: none">○ The August, 2015 minutes will be revised to reflect this comment.
--	--

Adjourned at 4:30pm

Meeting Schedule and Location for Remainder of 2015 and All of 2016

Thursday, Oct. 8 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, Nov. 12 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, Dec. 10 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, Jan. 7 th	1:00pm -4:30pm	700 Kipling St., 4th floor training room (Note: This is NOT the 2 nd Thursday)
Thursday, Feb. 11 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, Mar. 10 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, April 11 th	1:00pm -4:30pm	700 Kipling St., 4th floor training room (Note: This is NOT the 2 nd Thursday)
Thursday, May 12 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, June 9 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, July 7 th	1:00pm -4:30pm	700 Kipling St., 4th floor training room (Note: This is NOT the 2 nd Thursday)
Thursday, Aug. 11 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, Sept. 8 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, Oct. 6 th	1:00pm -4:30pm	700 Kipling St., 4th floor training room (Note: This is NOT the 2 nd Thursday)
Thursday, Nov. 3 rd	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room
Thursday, Dec. 8 th	1:00pm -4:30pm	710 Kipling St., 3rd floor conference room

The purpose of community corrections is to ensure public safety and further the sentencing goals of the State of Colorado. This is accomplished by utilizing community corrections boards and the local community to identify appropriate individuals to be placed in the community, implement research-based policies, practices and programs to assist individuals so that they may successfully function in the community.

Comparing Outcomes: Public and Private Community Corrections Programs

Table 1. Comparing Individual Public Programs to the Overall

		Individual Public Programs (Diversion and Transition)*					Overall Public	Overall Private	All Programs Combined
		Mesa County	Larimer	Garfield	The Haven	Peer One			
Termination Reason (FY 2104)	Success	69.4%	64.6%	69.6%	33.8%	55.4%	61.4%	52.7%	54.3%
	Technical Violation	24.7%	22.5%	23.9%	32.3%	29.3%	25.4%	27.4%	27.1%
	Escape	4.8%	11.2%	2.2%	33.8%	14.6%	11.8%	16.9%	16.0%
	New Crime	1.1%	1.8%	4.3%	0%	0.6%	1.4%	3.0%	2.7%
	Total N	186	185	46	65	157	739	3413	4152
1 year Recidivism (<i>successful termination in FY 2013</i>)(N)		22.1% (222)	23.0% (366)	23.6% (72)	16.0% (68)	17.0% (162)	21.0% (890)	22.5% (4152)	22.3% (5042)
Mean LSI Score at Intake (N)		30.3 (244)	27.7 (303)	31.8 (52)	39.4 (69)	37.1 (147)	31.42 (815)	28.85 (3583)	29.3 (4398)
Mean LOS for Successful Terminations (days) (N)		289 (129)	243 (184)	272 (32)	462 (22)	364 (87)	292 (454)	245 (1799)	254 (2253)

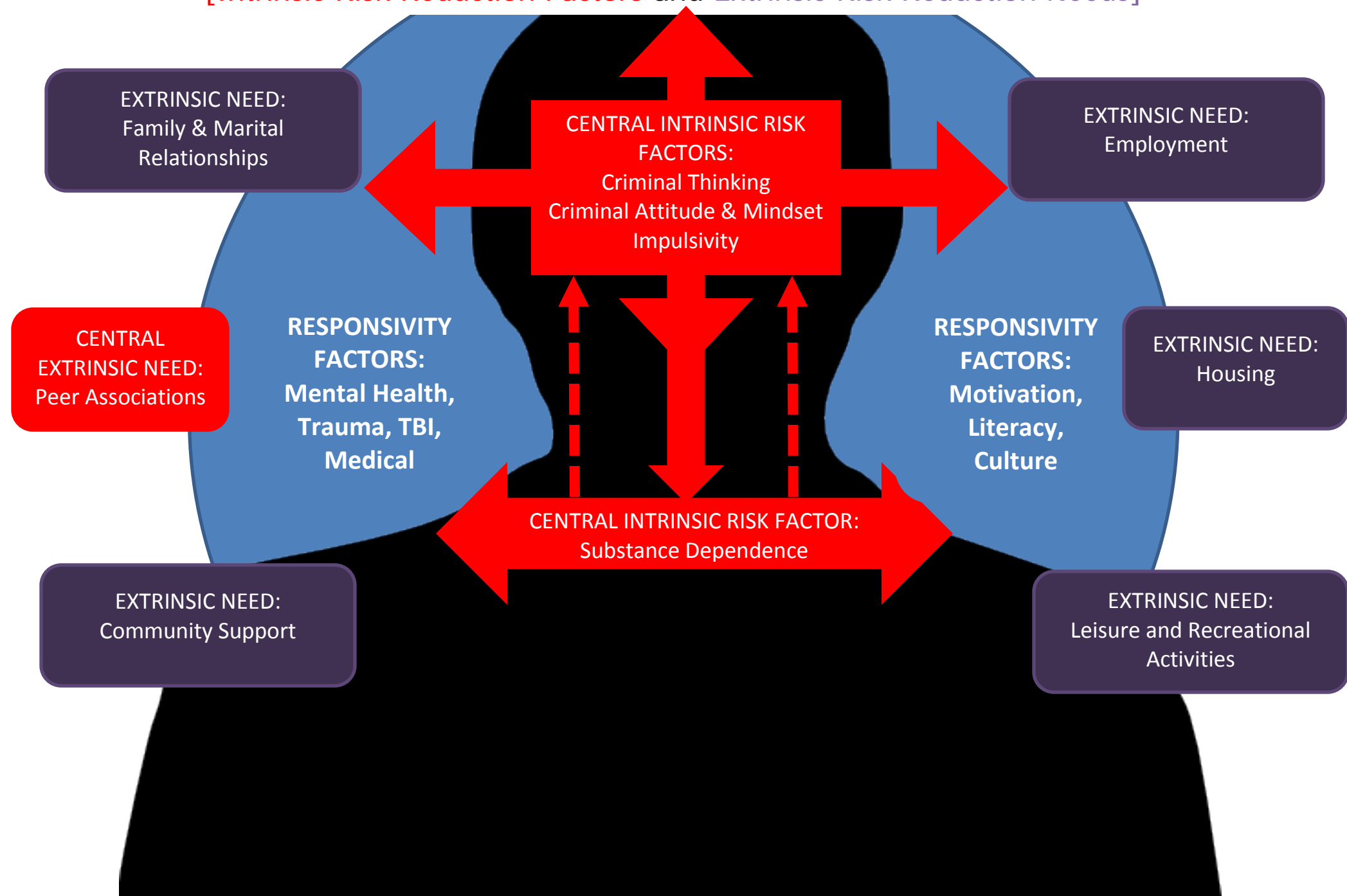
*Data for individual programs can be found on the Community Corrections Profile Data page of the ORS website,

<https://www.colorado.gov/pacific/dcj-ors/community-corrections-profile>.

Source: Community Corrections Information and Billing (CCIB) Data

The INSIDE-OUT Method of Risk Reduction

[Intrinsic Risk Reduction Factors and Extrinsic Risk Reduction Needs]



Outcomes

Program
Practices
(and EBP)

Staff Competency and
Selection

Program Leadership and
Administration

Funding Architecture and
General Funding Model

Expectations from Governor/General Assembly

Capacity & Compliance

vs

Effectiveness, Outcomes, Fidelity, Adherence

System/Political Culture

Climate

Climate

Provider
Culture

Provider
Culture

Implementation

Implementation

