

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

Minutes

April 7, 2016 1:00PM-4:30PM
700 Kipling, 4th floor Training Room

ATTENDEES:

CHAIR

Pete Weir, 1st Judicial District

TASK FORCE MEMBERS

Alexandra Walker, Parole Board

Harriet Hall, Jefferson Center for Mental Health

Glenn Tapia, Division of Criminal Justice

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

Gregg Kildow, Intervention Community Corrections Services

Kathryn Otten, Jefferson County

Melissa Roberts, Department of Corrections/Adult Parole

Paul Hollenbeck, Department of Corrections /Offender Services

Rose Rodriguez, Independence House

ABSENT

Dana Wilkes, Division of Probation Service

Dave Weaver, Douglas County Commissioner

Dennis Berry, Mesa County Criminal Justice System

Joe Cannata, Voices of Victims

John Cooke, Senate District 13

Kevin Strobel, Public Defender

Mike McIntosh, Adams County Sheriff

Michael Vallejos, 2nd Judicial District

Shannon Carst, Colorado Community Corrections Coalition

STAFF

Paul Herman, CCJJ consultant

Christine Adams, Division of Criminal Justice

Kim English, Division of Criminal Justice

Issue/Topic: Welcome/Introductions	Discussion: Mr. Herman opened the meeting at 1:08 p.m. Members of the task force, staff and the audience introduced themselves before discussion began.
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Issue/Topic: Report Back from CCJJ Retreat Action	<p style="text-align: center;">Discussion:</p> <p>At the CCJJ retreat members of the Commission broke into small groups to discuss current work as well as future interests. Areas of priority included:</p> <ul style="list-style-type: none"> • Policing, • Behavioral Health/Mental Health and Jails, • Housing, • Specialty Courts, and • Juvenile justice issues <p>See below for more detail.</p> <p>Commission members discussed current task force work as well as the Governor’s letter to the Commission. Currently the Commission is scheduled to sunset in 2018. The groups were asked to provide their top three areas of interest that could be addressed before that date.</p> <p>The top area was behavioral health and the decided area of focus was point of arrest to point of release from jail. The group does not want to focus on substance abuse but mental health issues while in custody. The Chair will be Sheriff, and Commission member, Joe Pelle.</p> <p>Juvenile justice was the second issue discussed. County and state systems are not always identical nor do they correspond. The group would like to focus on continuity of care between the trifurcated systems (e.g., youth corrections, child welfare, and probation). The chair of this group will be Commission member, Robert Werthwien Director of the Department of Human Services, Office of Children, Youth and Families.</p> <p>The next area of focus was housing. This will be examined within the existing Reentry Task Force. That task force met yesterday to discuss how to structure and proceed with this work.</p> <p>The existing members of the Data Sharing Task Force had coincidentally said that they wanted to focus on municipal courts. There is currently no central depository for municipal court data and this group had already made this a priority. Mr. Weir asked if Denver County court data was discussed. Mr. Herman noted that it had been referenced but not fully discussed. It was stated that Denver is distinct because it is the only</p>
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	<p>county with its own unique system but it is also the only municipality that is also a county. <i>[Editor’s note: Denver may have its own unique system but Broomfield is also a municipality and county.]</i></p> <p>The Community Corrections Task Force finalized its top three priorities in February: Outcomes, inmate status offenders, and utilization of specialty beds.</p> <p>The ISPI is an area that this group agreed to pursue. There are other vehicles to pursue specialty beds and the group agreed to not pursue specialty courts as there is not a lot of interest and an extensive amount of research already exists.</p> <p>Mr. Weir asked about specialty courts and the overlap with behavioral health and housing issues. Mr. Herman stated that the courts are unlikely to be a point of focus for the current mental health/jail task force and that the housing issue is specifically about the people coming out of prison, jail and community corrections. Dr. Hall noted that no matter how focused you try to be housing is often a barrier to many of these other issues. The key to success for many is housing. Ms. Roberts added that stable housing is the first key to success rather than their status as a former offender. Mr. Herman emphasized that if task forces attempt to take on too big of an issue they will not be successful. So instead we need to focus on a specific topic.</p>
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Issue/Topic:	Discussion:
<p>Pilot Program Presentation</p> <p>Action</p>	<p>Mr. Tapia and Ms. Schamper presented information on the community corrections pilot program. Mr. Tapia stated that the bottom line was that two recommendations from this task force have funding and intentions for FY 2017:</p> <ol style="list-style-type: none"> 1. Pilot program (e.g., Results First) 2. Program evaluation tool. <p>SB 15-007 had 5 recommendations from this task force which ultimately failed due to the fiscal note.</p> <p>The Results First report showed that regular community corrections beds had a positive outcome while the specialty beds had a negative outcome. The JBC and the Governor’s Office wanted some action to improve community corrections: A program evaluation tool and the CBT program.</p> <p>Mr. Tapia stated that some of specialty bed money was repurposed to do a pilot program in a single jurisdiction in order to test the CBT program for a few years. The Governor’s office wanted us to measure program fidelity (we had a task force recommendation to do this as well) so a budget amendment was submitted to use our funds for this next year. It</p>

was originally tabled but after testifying again it was approved for approximately \$1.8 million.

Currently, there is an average of 48 Beds per day over 5 years for the diversion program. We will have to work with DOC to do the same thing for transition.

Dedicated staff are needed to use the program evaluation tool and we need to work with a consultant to get a baseline and to validate the tool.

Ms. Walker congratulated Mr. Tapia for this accomplishment and stated that she hopes they can move forward on the transition side because there are many people on parole in the high risk/high need category that would benefit from this program. Mr. Tapia agreed and expressed that 1/2 to 2/3 of the population would benefit from this program based on research done by Faye Taxman.

Currently it is a Diversion program because Community Corrections did not want to duplicate what was already occurring within DOC. But Mr. Tapia stated that there is no reason that the same program could not happen with the transition population as well. Ms. Roberts stated that this would require a complete reorganization of the pods in at least some facilities.

Ms. Walker stated that the parole board may often feel that someone is a good fit for community corrections but that information is not always getting to the community corrections boards. She clarified that people are being deferred because we want them to go through community corrections.

Mr. Mauro stated that the problem is often in the community release form rather than the action form. Ms. Otten added that the community corrections boards often do not know why an individual was deferred. Were they that bad or was it that the parole board was hoping for an individual to be accepted into community corrections.

Mr. Hollenbeck asked whether there is still a mandatory 6 month wait if DOC sees the parole board deferment is due to them wanting the individual to go to community corrections. Some task force members said yes, some said no, and some said that it is up to local policy.

Ms. Rodriguez asked if it the program is only intended for Diversion. Mr. Tapia stated that it is currently only written for Diversion clients and reiterated that while parolees could be placed in the program they do not want to duplicate efforts occurring within DOC.

The pilot program is intended to be one metro area program that will hopefully open its doors to adjacent counties. Mr. Tapia explained that it

	<p>will take time for an RFP and bid to go out and that once it begins data will be collected every 3 years.</p> <p>Mr. Weir asked if there was a report generated for the Results First? Mr. Tapia said, yes, and that it is on the Governor’s office website. He will send it to Dr. Adams, to send to the task force with the minutes. Ms. Otten expressed some concern with the Results First study.</p> <p>Ms. Schamper then discussed the Conditions of Placement Working Group within the Reentry Task Force who had recently discussed community corrections. She stated that not much of their work is statutorily driven but that lately they have developed the “Be Smart” list of requirements for programs.</p> <p>Although there are a few statewide “musts” and “can not’s”. Most programs develop their own rules and regulations.</p> <ul style="list-style-type: none"> • We have 14 programs that are in some phase of the Be Smart program (10 using, 4 planning to use). The majority have decided to implement the modified placement conditions. • This came from the Reentry Task Force but it is consistent with the Be Smart rules, which the DCJ, Office of Community Corrections was already developing. • The basic concept is that if you do certain things you will still be allowed to stay in community corrections but if you do one or more things from another list you will not be allowed to stay. <ul style="list-style-type: none"> ○ Little things from the provider rules list are separated. They may still exist and will vary by provider. <p>It is good practice to state things in an affirmative manner. It is difficult to give directions when you are constantly telling people what not to do. So the lists are written in an affirmative method.</p> <p>Three final outcomes:</p> <ol style="list-style-type: none"> 1. Recommendations regarding parole conditions which feed into parole directives were approved yesterday at Reentry Task Force meeting. 2. No further probation changes were recommended. Their conditions were changed to the affirmative in 2013. 3. It was recommended that that the work of Community Corrections continue to be supported.
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<p>Issue/Topic:</p> <p>ISPI Working Group</p> <p>Action</p>	<p>Discussion:</p> <p>One of the issues that this group wanted to resolve was ISPI. The Commission has instructed the task force to move forward with this issue. This task force will be on hiatus until a solution is proposed by a working group.</p>
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Ms. Roberts stated that inmates who remain in the community while they are not paroled are problematic because although they may not create problems statute states that they must be supervised at highest level until they have been paroled.

Mr. Tapia noted that these individuals have often completed community corrections but the parole board will not parole them (often due to the severity of their crime, not their risk to reoffend) so they stay on ISPI status and are non-parolees in the community.

It was stated that presumptive parole should start begin once community corrections is complete.

- Ms. Roberts notes that these individuals have mandatory release dates (MRD) but only the parole board can grant them discretionary parole.
- Mr. Weir asked what it is about these people that keeps them on parole?
- Ms. Walker responded by stating that typically they are good for parole but they either
 - 1) did something horrible but got accepted to community corrections relatively early. Parole would end these individuals' sentences earlier than the original sentence intended. Or
 - 2) Have had several failures but look like they will do well under structure. We want to make sure we have a mechanism to supervise these individuals.
- Mr. Weir asked if this calls into question when community corrections is being used in the first place. Are they being sent too early?
- Mr. Tapia stated that community corrections referrals are totally time driven (rather than risk) which is currently statutorily based. There is a tabled CCJJ recommendation that would address this but it has not yet been voted on.

The ISPI working group will include:

- Gregg Kildow (chair)
- Melissa Roberts
- Greg Mauro
- Alex Walker
- Glenn Tapia
- Dennis Berry
- Kathy Otten
- On 4/19/16 the following people were added by the chair → Charity Dorsch, Brian Hulse, and Angie Riffel.

Christine Adams, from the Division of Criminal Justice and staff to the Commission will work with the group to attend and help organize meetings.

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Issue/Topic:	Discussion:
Final Meeting	This task force will not be disbanded until the work group produces a recommendation. But we will be on hiatus until that time.
Next Step:	Although there are other issues this group listed that are important there are other community corrections groups that meet regularly including the Governor’s Advisory Council so issues will still being addressed.

Adjourned at 2:43 pm

Next meeting: TBD

DRAFT