

Colorado Commission on Criminal and Juvenile Justice

Drug Offense Task Force

**Diversion Working Group
Minutes**

November 7, 2019 / 12:30PM-3:00PM
4th floor Training Room, 700 Kipling, Lakewood, CO

ATTENDEES:

WORKING GROUP MEMBERS:

Joe Thome, Co-leader, Division of Criminal Justice
Bob Booth, Attorney General's Office
Bruce Brown, District Attorney's Office, 5th Judicial District
Mike Butler, Longmont Department of Public Safety
Terri Hurst, Colorado Criminal Justice Reform Coalition
Jamie Keairns, Public Defender's Office, Alamosa
Matt Karzen, District Attorney's Office, 14th Judicial District
Benita Martin, District Attorney's Office, 2nd Judicial District
Andrew Matson, Colorado CURE
Emily Richardson, Office of Behavioral Health
Megan Ring, State Public Defender
Elaina Shively, District Attorney's Office, 20th Judicial District
Glenn Tapia, Director of Probation Services, Judicial
Abigail Tucker, Community Reach Mental Health Center

STAFF

Richard Stroker, CCJJ Consultant
Kim English, Division of Criminal Justice
Stephané Waisanen, Division of Criminal Justice
Damien Angel, Division of Criminal Justice

ABSENT

Adam Zarrin, Governor's Office, Co-leader

GUESTS

Dan Eamon, Assistant Public Safety Chief, Longmont DPS
Michelle Webb, Community Health Program Manager, Longmont DPS

| Issue/Topic | Discussion |
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| <p>Welcome and Introductions</p> <p>Approval of Minutes</p> <p>Agenda Overview</p> <p>Joe Thome</p> | <p>Joe Thome welcomed everyone and initiated group member introductions.</p> <p>Joe solicited corrections to and approval of the previous meeting minutes. Bruce Brown moved approval and Abigail Tucker seconded the motion. With no objections, the minutes were unanimously approved.</p> <p>Joe briefly explained the agenda for the meeting and how the Diversion Working Group would report to the Drug Offense Task Force later that day.</p> |

| Issue/Topic | Discussion |
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| <p>Informational Presentations</p> <p>Overview of PTACC</p> <p>Emily Richardson</p> <p>Probation Case Management Typologies</p> <p>Glenn Tapia</p> | <p>Emily Richardson provided materials for distribution to the group prior to the meeting. She took a moment to briefly explain the material from the Police, Treatment and Community Collaborative (PTACC), an initiative established in 2017 that promotes best practices for pre-arrest diversion and deflection. Emily offered to contact Mr. Jac Charlier, one of PTACC's founders, regarding any assistance or information that the group would be interested in, including models for diversion legislation.</p> <p>It was proposed that Jac be asked to attend (either remotely or physically) the Diversion Working Group meeting as well as the CCJJ, and speak to the state of national efforts in the field of diversion.</p> <p>Glenn Tapia presented on proposed probation case management typologies that would be an alternative to those currently being used in the probation system. These new typologies would utilize risk and needs information to assign appropriate treatment and interventions, rather than depending on the crime type alone to make those decisions. For example, one should not assume that all those convicted of a drug offense should be assigned to substance abuse treatment. Based on existing assessment information, an important finding from a probation analysis was that one-third of individuals on probation for a drug offense had a substance abuse problem while two-thirds of individuals did not. The full presentation can be found under "Materials" at, colorado.gov/ccjj/ccjj-cDOTF.</p> <p>Members of the group thanked Glenn for his presentation. Glenn and the other group members discussed how implementation of these alternative typologies would require long-term culture change in the criminal justice system.</p> |

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| <p>Study Group Updates</p> <p>Services Study Group</p> <p>Abigail Tucker, Lead</p> | <p>The Services Study Group provided an update on their work, presenting the following ideas, points of concern, and topics:</p> <ul style="list-style-type: none"> - They are focusing on identifying frequently untapped behavioral health services in the state, as well as identifying services and concepts that are working particularly well in communities across Colorado. |

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| <p>Issue/Topic Study Group Updates</p> <p>Services Study Group Abigail Tucker, Lead (continued)</p> | <ul style="list-style-type: none"> - The primary objectives of their work is to: <ol style="list-style-type: none"> 1) Identify and clarify current substance use service networks statewide, including less traditional treatment options such as harm reduction; 2) Identify current resources to address social determinants of health that often present barriers to recovery; 3) Make best practice recommendations regarding resources and services. - The Services Study Group consolidated their findings in these areas and forwarded them to the Diversion Working Group members prior to the meeting. - The group stated that they are ready to move forward based on how the day's meeting went. |
| <p>Criteria Study Group Elaina Shively, Lead</p> | <p>The handouts and information shared by the Services Study Group can be found under "Materials" at, colorado.gov/ccjj/ccjj-cDOTF.</p> <p>The Criteria Study Group provided the following update:</p> <ul style="list-style-type: none"> - They believe their work to be in alignment with the information presented by the Services Study Group, and that this was an encouraging sign. - A primary concern of the group is to insure that control of diversion programming was maintained at the local level. - Mental health services should be bolstered outside the criminal justice system, rather than increasing the role that the criminal justice system plays in the provision of these services. - Although the diversion programming under discussion may be focused on drug-related crime, it is highly likely that many individuals will be dealing with co-occurring disorders. - Diversion services should focus on the most important needs of the individual at the time of their criminal justice involvement. An individual's most severe need may be housing, and the need for sobriety could be subordinate to housing needs in a critical moment. - They recommended launching pilot sites in judicial districts for diversion programs. - An incentive structure to promote the positive outcomes would be critical to success. <p>The Diversion Working Group members discussed the level and formality of supervision for individuals who enter diversion programming. It was generally agreed upon that some sort of wellness plan – if monitoring were not to be utilized - would be necessary for individuals to demonstrate accountability and experience success.</p> |

| Issue/Topic | Discussion |
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| Informational Presentation Longmont Diversion Model Mike Butler, Dan Eamon, & Michelle Webb | Mike Butler provided a brief overview of the history behind Longmont's transition to their current model of diversion. Mike stated the following during his presentation: <ul style="list-style-type: none"> - The three goals of Longmont's Department of Public Safety are, community safety, minimizing recidivism, and helping to heal victims. <ul style="list-style-type: none"> o It is crucial to redefine justice as a community in order for programs to achieve these goals. o Their Restorative Justice process is a crucial part of redefining justice in Longmont. - A culture shift within the various systems of criminal justice is necessary for the success of their programming. <ul style="list-style-type: none"> o The ideas within Glenn Tapia's presentation (above) and the conversations that followed are in line with this culture change, i.e., that the current crime charge may not reflect the needs of the individual. - Healthy and supportive relationships are essential to healing Individuals who are struggling with homelessness, mental health issues, or substance abuse disorders. - Neuroscience should be used to inform policy. - Social capital combined with accountability and support have the potential for meeting the resource needs of an effective system of public safety. - The focus of the police force should be community integration rather than criminal justice system integration. |
| Issue/Topic Informational Presentation Longmont Diversion Model Mike Butler, Dan Eamon, & Michelle Webb (continued) | Mike Butler introduced Dan Eamon and Michelle Webb who provided additional details on diversion programming in Longmont: <ul style="list-style-type: none"> - LEAD programming in Longmont gives police officers the discretion to divert individuals. - LEAD diversion is open to any individual whose crime is related to addiction, including shoplifting, public disturbance, and drug possession. - Referrals can be made when need is demonstrated. - Co-responder units consist of an officer, clinician, and paramedic. <ul style="list-style-type: none"> o These units monitor police dispatch lines and engage as necessary. o Co-responder units provide follow ups to contacts with individuals. - 4 Pillars that guide programming: <ul style="list-style-type: none"> o Officer discretion. o Harm reduction. o Intensive community outreach. o Building relationships. - Monthly meetings with LEAD partner agencies discuss referrals and cases. |

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| <p>Issue/Topic Informational Presentation</p> <p>Longmont Diversion Model Mike Butler, Dan Eamon, & Michelle Webb (continued)</p> | <p>Bruce Brown asked Mike if he believed the work that has been accomplished in Longmont would be replicable elsewhere, or if he believed Longmont's community to be uniquely receptive to the programming being discussed. Both Mike and Joe Thome spoke to their beliefs that Longmont's community was not uniquely qualified for this type of diversion programming, and that it can be replicated, in some form, elsewhere.</p> <p>The group inquired about the challenges of creating culture change and creating buy-in from partner agencies, including both those who are concerned about community safety and those with concerns about officer discretion. Dan stated that they experienced only small amounts of resistance and that the law enforcement community in Longmont was committed to the program because they built the referral process.</p> |
| <p>Issue/Topic Adjournment</p> | <p>Discussion</p> <p>Joe echoed the excitement and inspiration expressed by Working Group members and concluded the meeting by thanking Mike, Dan, and Michelle for their time and information.</p> <p>The meeting was adjourned.</p> |

Next Meeting

Thursday, December 12, 2019

Diversion Working Group

12:30 pm – 3:00 pm

2nd Floor Meeting Room

710 Kipling St., Lakewood, CO 80215

Drug Offense Task Force

3:00 pm - 4:00 pm

(same location as above)