

Drug Policy Task Force

Date: March 9, 2011 Time: 1:00 – 4:00

Attendees:

Members

Bill Kilpatrick / Golden Police Chief / CCJJ Member
Don Quick / District Attorney, 17th Judicial District / CCJJ Member
Carmelita Muniz / Colorado Association of Alcohol and Drug Service Providers
Brian Connors / State Public Defender's Office
Kathleen McGuire / Douglas County Office of the Public Defender
Nancy Feldman / Office for Victims Programs, Division of Criminal Justice
George DelGrosso / Colorado Behavioral Healthcare Council
Mark Hurlbert / District Attorney, 5th Judicial District
Sean McAllister / Private Defense Attorney
Shane Bahr / Problem Solving Courts, Judicial Department
Christine Flavia / Division of Behavioral Health
John O'Dell / Parole Board
Rod Walker / Colorado Springs Police Department

Absent:

Grayson Robinson/Arapahoe County Sheriff, CCJJ Member / Chair
Reo Leslie / Colorado School for Family Therapy / CCJJ Member
Regina Huerter / Denver Crime Prevention and Control Commission/ CCJJ Member
Greg Long / District Attorney's Office, 2nd Judicial District
Maureen Cain / Colorado Criminal Defense Bar
Evie Hudak / Colorado State Senator, Senate District 19
Christie Donner / Colorado Criminal Justice Reform Coalition
Pat Steadman / Colorado State Senator, Senate District 31
Paul Thompson / Peer 1 Therapeutic Community
Dan Rubinstein / District Attorney's Office, 21st Judicial District
Tim Hand / Department of Corrections
Mark Waller / State Representative, House District 15
Dolores Poeppel / Victims Assistance Unit, Colorado State Patrol

Issue/Topic:	Discussion:
Welcome and Review of Agenda	Bill Kilpatrick called the meeting to order and reviewed the day's agenda.

Issue/Topic:	Discussion:
Update on Current Legislation Action	<p>Jana Locke presented an update on current legislation:</p> <ul style="list-style-type: none"> • HB11-1268 (the DUI clean-up bill) addresses and fixes the unintended consequences created by HB10-1347 for first-time DUI violations. The bill has been introduced and assigned to House Judiciary. • HB11-1261 (the DUI Per-Se bill) contains most of the administrative sanction portions of the Commission's recommendations. Rep. Waller will attempt to add the omissions but that will increase the fiscal impact. The sanction that is not included is the 9-month license suspension. The CCJJ recommendation was that the DUID statute should mirror the DUI statute. As written, the DUID bill no longer mirrors the penalties found for DUI convictions. <ul style="list-style-type: none"> ○ FOLLOW-UP: On Friday, March 11 the CCJJ voted to not support the bill as written. However, if this sanction is put back into the bill it can again be called a CCJJ bill. • HB11-1064 creates a parole pilot program to facilitate parole approval and services for inmates currently incarcerated with a controlling sentence for drug possession. This bill is awaiting a second reading in the House. • SB11-096 removes simple possession as a qualifying offense for the filing of habitual criminal charges. This passed the Senate and was heard and passed by House Judiciary yesterday. • HB11-1167 concerns the time periods and criteria for sealing conviction records for various drug offenses. This bill has passed through the House, but has not yet been scheduled in the Senate (assigned to Senate Judiciary). • A bill to create a standardized mental illness screening instrument is on hold. It has no sponsors at this time and the Governor's Office is cautious about introducing bills that will have a fiscal impact.

Issue/Topic:	Discussion:
Update on Items Planned for Next Six Months Action	<p>Don Quick spoke about developing independent funding streams to support effective drug and alcohol treatment. Should we become a non-profit? Mr. Quick is proposing to have a small committee formed to look at this issue.</p> <ul style="list-style-type: none"> • Carmelita Muniz outlined the problems the state is currently facing in distributing treatment dollars resulting from 1352, 318 and IAC. There is a bottleneck that needs to be worked through. • Will other entities feel that a new 501(c)(3) is a threat? <ul style="list-style-type: none"> ○ Aren't most of the treatment centers 501(c)(3)s? Yes. ○ Can we encourage donations to these centers? ○ Can we find a non-profit that is using best practices that can act as a conduit for private foundation dollars? ○ Mr. Quick will bring back a discussion paper with his ideas. • George DelGrosso anticipates that there will be money out there for mental health and substance abuse treatment through the new

Medicare program called Adults without Dependent Children. Parolees will be a large segment of individuals that will benefit from this new program. The mental health benefit may be brought on-line before the substance abuse portion. The cost will drive how much is brought on board at a time.

- John O'Dell pointed out the importance of providing treatment to individuals who have been revoked from Parole and returned to prison for 18 months. There are not enough treatment dollars in DOC.

Christine Adams presented an update on communications sent to the JBC concerning the removal of \$1 million HB10-1352 dollars from Judicial's budget. HB10-1352 earmarked any savings from its enactment to go toward substance abuse treatment. JBC was going to put the money toward the budget deficit. Because of the letters sent by the State Chiefs Association, the State Sheriffs Association and the Commission, most of the \$1 million was restored in Judicial's budget.

- Judicial is the only entity that has spending authority for this money and has a methodology to spend 1352 treatment dollars by June 30, 2011.
 - For now the 318 boards will be used to distribute the money across the state. But this method is temporary.
- Judicial's JBC analyst estimates that \$6 million will be saved next year as a result of HB10-1352. A plan needs to be developed on how those funds will be distributed.
- One recommendation from the Treatment Funding Group is to combine the funding sources (IAC, 1352 and 318). Jeanne Smith is the Chair of the IAC which is discussing this issue.
 - Because the three groups are made up of many of the same people they meet concurrently.
- Community Corrections has information on their needs for treatment providers.

The Structure Group will draft a sentencing grid by the end of the summer. This grid will then be brought back to the Drug Task Force for review.

Ms. Muniz brought a copy of SB-153 which codifies the Behavioral Health Transformation Council.

- Should the Behavioral Health Council be the group that discusses the connection between mental health treatment and needs in the criminal justice system or should the work should here with the Treatment Funding Working Group with a report back to the Council?
 - The Transformation Council is more focused on health care.
 - Mr. DelGrosso and Ms. Muniz will meet with Reggie Huerter and Jeanne Smith to discuss this idea.

Sherri Hufford presented Probation's plan for a quality treatment project. The plan began with discussions by the Probation Advisory Committee. To have quality treatment, you need to have a good foundation. Part of that is good communication - What are the expectations? What does quality treatment mean? Probation must match the client to the appropriate treatment provider. The plan also envisions the development of an assessment tool in collaboration with other stakeholders. Finally they want to develop model contracts for probation departments to use.

1. How are they identifying treatment providers and what are their

requirements? Probation uses approved providers, but they don't have a clearing house or a preferred provider list. There may be a few local Probation offices that may have a list, but it is not a state-wide practice.

2. Do you track outcome measures? Recidivism rates are tracked. However, Probation does not track by specific treatment provider, such as drug-treatment. Mr. Quick stated district attorneys would like to help Probation track the specific providers so they will know who to recommend on new cases. This tracking could be incorporated in the assessment tool.
3. Is this plan for adults only? It can be used for both adult and juvenile. The basic foundation piece is the success rates on reducing recidivism. Probation would like to include both adult and juveniles.
4. Is there a concrete step that can be taken? Mr. DelGrosso said there is research being done and they can share it with DCJ to see if there are common themes. DCJ recommends putting together a list outlining successful treatment providers. The Drug Task Force should then hear from these providers. Ms. Muniz is trying to build a provider database for all programs. She currently has the prevention programs and is working on adding treatment providers including mental health providers. A neutral person should evaluate the programs.

Issue/Topic:	Discussion:
<p>Next Steps/ April meeting Action</p>	<p>Paul Herman reminded the Drug Task Force that they once talked about the need for early education and prevention. Does the Drug Task Force want to work on this now? If so, what would the charge be for that group?</p> <ul style="list-style-type: none"> • What other groups are working on Prevention? The Prevention Leadership Council is comprised of all the departments that fund prevention efforts. They developed the State Plan on Prevention. Colorado Prevention Network is a regional prevention service that is available to support community efforts. The members are funded through the Division of Behavioral Health Prevention Programs. The Behavioral Health Council has a Prevention sub-committee. The Methamphetamine Task Force has a Prevention group. Local communities also have prevention groups. MADD just launched a prevention component to educate parents about underage drinking. • We should check in with these groups and see if there are any gaps that need to be addressed. Are there any areas that we can focus on without duplicating efforts? • The best time for taking education and prevention programs to juveniles would be during after-school care. Parks and Recreation districts are acting as after-school care providers. Can we identify the gaps between when a juvenile enters the justice system and the time they become an adult? <ul style="list-style-type: none"> ○ This issue was going to be discussed by the Juvenile Task Force. • Is there one place that anyone can go to get a list of all the prevention dollars? Yes. BRADE is the location for juvenile prevention dollars. • The SBIRT website is www.improvinghealthcolorado.org. • What places can we reach adults for prevention? The early points of where they enter the system. This is where we should focus our efforts. There physician can also be instrumental in interceding. • Can we address adult prevention and intervention? • What is the appropriate role for this group to address this issue?

Meeting adjourned at 4:00.

Next Month

- Don Quick will present a paper on the advantages/disadvantages of creating a 501(c)(3).
- Carmelita Muniz and George DelGrosso will have a discussion with Jeanne Smith and Regi Huerter about the role of the Behavioral Health Cabinet in discussing mental health issues in the criminal justice system.
- Kim English will present information on the impact of drug and alcohol abuse on other crimes (originally planned for March).
- Follow-up on funding plans from IAC.
- Legislative update
 - Monitor DUID per se bill → what does it look like now?

In May: Carmelita Muniz and George DelGrosso will present on the Adults with Dependent Children effort.