

Drug Policy Task Force

Date: April 6, 2011 Time: 1:30 – 4:30

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
Dan Rubinstein / District Attorney's Office, 21st Judicial District (by phone)
Mark Hurlbert / District Attorney, 5th Judicial District (by phone)
Tom Raynes / Colorado District Attorney's Council
Tim Hand / Department of Corrections
Jeri Shepherd on behalf of Sean McAllister / Private Defense Attorney
Shane Bahr / Problem Solving Courts, Judicial Department
Rod Walker / Colorado Springs Police Department
Christine Flavia / Division of Behavioral Health
John O'Dell / Parole Board
Matthew Durkin / District Attorney's Office, 1st Judicial District

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
Kathleen McGuire / Douglas County Office of the Public Defender
George DelGrosso / Colorado Behavioral Healthcare Council
Christie Donner / Colorado Criminal Justice Reform Coalition
Pat Steadman / Colorado State Senator, Senate District 31
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 served as the chair in light of Grayson Robinson's absence. He called the meeting to order at 1:34 and reviewed the day's agenda.

Issue/Topic:	Discussion:
<p>Update on Current Legislation Action</p>	<p>Christine Adams (Division of Criminal Justice) gave a status report on legislative bills that resulted from work done by the Task Force.</p> <p>HB 1268 – <u>DUI Penalties Revisions</u>, sponsored by Claire Levy. The bill passed the House on March 24th and is awaiting Second Reading in the Senate.</p> <p>HB 1261 – <u>DUI-D Per Se for Excess THC in Blood</u>, sponsored by Rep. Mark Waller and Rep. Claire Levy. The bill passed the House on March 23rd and is scheduled to be heard by the Senate Judiciary committee on April 11. Chief Kilpatrick discussed the history the bill.</p> <ul style="list-style-type: none"> • Rep. Levy introduced the bill without some of the administrative sanctions approved by the Commission. When drafting the bill, Rep. Levy was concerned these sanctions would result in a fiscal note which was likely to kill the bill. • There was also a suggestion to increasing level of THC from 5 to 8 nanograms. This change was not made. • After a lengthy discussion during the last Commission meeting, the CCJJ voted to withdraw their support of the bill because it no longer represented the recommendation of the Commission. However, if the administrative sanctions were added back into the bill the Commission would again support the bill. <p>HB 1064 – <u>Creation of a Parole Presumption Pilot Program for Certain Drug Offenses</u>, sponsored by Rep. Waller and Sen. Steadman. The bill passed House Judiciary and is scheduled in House Appropriations on April 8th.</p> <p><u>Creating a Standardized Mental Illness Screening Instrument</u> has not been incorporated into any 2011 legislation. Finding a sponsor has been difficult. There is also a concern that the recommendation will carry a fiscal note.</p> <p>SB 096 – <u>Excluding Class 6 Felony Drug Possession Convictions as a Qualifying Offense for the Habitual Criminal Statute</u> was signed by the Governor on March 25.</p> <p>HB 1167 – <u>Sealing Drug Conviction Records</u> was signed by the Governor on March 29th.</p> <p>HB 1189 – <u>Bail Bond Conditions for Third DUI</u>, sponsored by Rep. Fields and Senator King. The bill was sent to the Governor on March 30.</p> <ul style="list-style-type: none"> • This is another bill that was changed during the legislative process and a few CCJJ members ended up testifying against it. • Originally, the Commission agreed that once a recommendation was approved and forwarded on to the Governor or legislature, members would not testify against the bill. • This agreement is not being followed and should be discussed at the next Commission meeting.

Issue/Topic:	Discussion:
<p data-bbox="115 205 516 233">Fact Sheet on Previous Questions</p> <p data-bbox="272 243 358 270">Action</p> <p data-bbox="94 350 537 520">Upon its completion, a final draft of the “Fact Sheet” will be presented to the task force and posted on the CCJJ Drug Policy Task Force webpage.</p>	<p data-bbox="560 205 1479 273">Kim English (Division of Criminal Justice) presented a draft of the “Fact Sheet” previously requested by the Drug Policy Task Force.</p> <p data-bbox="560 312 690 340">Questions:</p> <ol data-bbox="609 348 1528 1333" style="list-style-type: none"> <li data-bbox="609 348 1528 449">1. What is the incidence of drug/substance abuse in individuals who are not in the criminal justice system? About 3.8%. The incidence of drug/substance abuse in DOC inmates is 80%. <li data-bbox="609 457 1528 590">2. John O’Dell spoke about another study involving offenders that were already involved in criminal activities before the drug/substance abuse. The study stated even if an offender started out as a criminal and later became addicted, he/she would still benefit from treatment. <li data-bbox="609 598 1528 835">3. The Drug Task Force has been working under the assumption there is a segment of offenders who commit crimes because they have criminal tendencies. Further, there is another segment of offenders who have a substance abuse problem and commit crimes to fund their habit. It is the second group the Drug Task Force has tried to address in its recommendations for alcohol and substance abuse treatment programs. The aforementioned study contradicts the assumption of the Task Force. <li data-bbox="609 844 1528 1081">4. Columbia University has conducted studies that show if juveniles are kept from drinking and doing drugs before they reach legal age, then their likelihood of becoming an addict is greatly reduced. Prescription drugs are the leading drugs of use in adolescents. Colorado is last in funding on treatment and prevention. We need to focus on the prevention effort. Carmileta Muniz will provide a copy of the Columbia study. <li data-bbox="609 1089 1528 1264">5. What are the other adverse outcomes related to substance abuse? Minor children of inmates are at a higher risk of criminal behavior and substance abuse. When we look at factors surrounding the sentencing of an individual, maybe we should expand our view to include the impact on their family. <li data-bbox="609 1272 1528 1333">6. Don Quick asked Ms. English to include studies on individuals being booked into jails that test positive for marijuana or alcohol.

Issue/Topic:	Discussion:
<p data-bbox="115 1451 516 1478">Treatment-related Funding Issues</p> <p data-bbox="272 1488 358 1516">Action</p> <p data-bbox="94 1596 496 1732">The slides from this presentation were passed to the task force and will be posted online with the minutes from this meeting.</p>	<p data-bbox="560 1451 1495 1551">Glenn Tapia (Dep. Of Criminal Justice, Office of Community Corrections) presented information on treatment and related funding issues in Community-Based corrections.</p> <ul data-bbox="657 1560 1520 1961" style="list-style-type: none"> <li data-bbox="657 1560 1419 1587">• During his presentation the following topics were discussed: <ul data-bbox="706 1596 1520 1961" style="list-style-type: none"> <li data-bbox="706 1596 1520 1663">• Data on the treatment needs for Community Corrections clients: (The following data comes from FY10). <li data-bbox="706 1671 1344 1698">• Limitations to obtaining data on treatment needs. <li data-bbox="706 1707 1091 1734">• Interagency funding streams <ul data-bbox="755 1743 906 1848" style="list-style-type: none"> <li data-bbox="755 1743 906 1770">• IACAJCT <li data-bbox="755 1778 862 1806">• ITFT <li data-bbox="755 1814 870 1841">• 1352 <li data-bbox="706 1856 1146 1883">• Treatment Funding Expectations: <li data-bbox="706 1892 1005 1919">• Structural Issues, and <li data-bbox="706 1927 1284 1955">• Policy Considerations for Treatment Funding.

Glenn was asked to make his presentation to treatment providers and for their input on some of the issues raised. Since Carmelita Muniz sits on the three treatment funding boards, she will report back to the Task Force on Glenn's presentation and resulting comments.

Issue/Topic:	Discussion:
<p>Advantages/Disadvantages of Creating a 501(c)(3)</p> <p>Action</p>	<p>At the last Drug Task Force meeting, Don Quick suggested creating a statewide non-profit entity to gather substance abuse treatment dollars. He was asked to research this concept further and report back to the Task Force. Don stated that it appears that the three funding streams are looking at coordinating their efforts and it would not be a good time to introduce another entity into the equation.</p> <p>Don asked if it would be possible to put together a statewide non-profit entity focused on substance abuse prevention? The Prevention Council is made up of governmental entities but does not include community partners such as faith based groups, schools and local businesses.</p> <p>The government could provide information on community demographics and act as a resource of prevention programs. The local communities would be allowed to focus the funds on prevention programs needed in their areas. The needs and population in Grand Junction is different from the needs and population in Denver.</p> <p>Is there already a statewide non-profit that deals with prevention? Yes.</p> <ul style="list-style-type: none"> • The Division of Behavioral Health (DBH) has 65 contracts in the community. • Prevention needs to be certified.

Issue/Topic:	Discussion:
<p>May Meeting: Purpose and Items to Discuss</p> <p>Action</p>	<p>Paul Herman outlined future agenda items for the Task Force:</p> <ol style="list-style-type: none"> 1. Carmelita Muniz will report to the Task Force on the suggestions / recommendations of the treatment funding groups after Glenn Tapia's presentation. 2. Do we want a presentation on the prevention efforts of the Behavioral Health Care Council? Behavioral Health is having a retreat on April 14th. George DelGrosso and Joselyn Gay can possibly make a presentation on the outcome of the retreat.

Meeting adjourned at 3:53.