

# Incarceration Task Force

**Date: August 13, 2008 2:30 – 5:30 PM**

**Attendees:**

Grayson Robinson (Chair)  
Michelle Sykes (TFL)  
Christine Adams, DCJ/Staff  
Tony Carochi, Deputy Director of Prisons, DOC  
Pam Clifton, CCJRC  
Kim English, DCJ  
Kevin Ford, DCJ/Staff  
Gary Golder, Director of Prisons, DOC  
Shelby McKinzey, CU graduate student  
Norm Mueller, Defense Attorney  
Martin Stuart, CCDB  
Glenn Tapia, DCJ  
Debbie Zwirn, Logan County Commissioner

**Absent:**

Michael Biggio, FREE Coalition  
Rhonda Johnson, Victim advocate  
Bill Lovingier, Denver jail  
Yilan Shen, Colorado Counties Legislative Associate  
John Suthers, Attorney General

**Issue/Topic:**

## **Introduction**

### **Introduction:**

There was a brief introduction by Grayson Robinson and Christine Adams of the meeting agenda and recommendation process:

- Handouts of the tentative Incarceration recommendations were provided.
- An explanation of the goal of the meeting to involve word-smithing the tentative recommendations and the way recommendations might be prioritized was presented.
- The need and purpose of findings statements (or issues/problem statements) to accompany the recommendations was explained.
- It was reported that the Oversight Committee will not be altering or rewording the recommendations generated by the Task Forces.
- The final draft of recommendations will be forwarded to members on Friday, August 15 and members are requested to submit any feedback, especially on findings statements, by the end of business on Monday, August 18, 2008.

The task force worked through each of the recommendations on the handout with members reaching consensus on wording as Christine Adams typed the actual changes on a laptop (with the document projected on a screen for viewing).

**Issue/Topic:**

## **Bond: Summonses**

### **Bond: Summonses**

- Members generated findings statements. See the final findings/recommendation document for wording.
- There was an informational discussion regarding the chronology of the current summons process and the way in which summonses can be implemented more broadly.
- This recommendation, if followed, will reduce processing costs.
- How to convince enforcement organizations to make more use of summonses will be an issue for further discussion.
- There was a discussion of the recommendation to open the summons process by removing the requirement that DAs control the issuance of summonses.

**Issue/Topic:**

## **Bond: Schedule**

### **Bond: Schedules**

- Members generated findings statements. See the final findings/recommendation document for wording.
- There was a discussion of the issue of whether public safety should be explicitly mentioned or whether it can be pointed as an underlying assumption throughout all the recommendations.
- There was a discussion of whether and to what extent defendant characteristics affect the setting of bond.

**Issue/Topic:**

## **Bond: Commissioners**

### **Bond: Commissioners**

- Members generated findings statements. See the final findings/recommendation document for wording.
- There was a discussion that the recommendation should accommodate large and small jurisdictions.

**Issue/Topic:**

**Bond: Bond-to-Court  
(Percentage Bond)**

**Issue/Topic:**

**Ranking of Bond Issues**

**Issue/Topic:**

**Good Time**

**Discussion:**

**Bond: Bond-to-Court (Percentage Bond)**

- Members generated findings statements. See the final findings/ recommendation document for wording.
  - The way the recommendation is labeled was discussed. Because there are existing “bonds to the court” (e.g., personal recognizance, surety, property etc.), the term “percentage bond” should be inserted.
  - There was a discussion of the practices of bondspersons.
  - There was an additional recommendation appended to address the percentage of the bond that would be used to pay for fines, fees, costs, and restitution.
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**Ranking of Bond Issues**

The bond recommendations were ranked based on the three major re-entry criteria: recidivism reduction, cost savings or re-allocation, and successful re-entry. The order agreed upon by the task force is:

1. Summons
2. Percentage-Bond-to-the Court
3. Bond Commissioners
4. Bond Schedules

Members generated findings statements. See the final findings/ recommendation document for wording.

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**Good Time**

- Members generated findings statements. See the final findings/ recommendation document for wording.
- There was a discussion of the transferability of good time from jail to DOC. There are multiple issues both policy- and legislatively-based that make this issue complicated.
  - There is a limit to how much can be subtracted from a sentence.
  - For those in jail but eventually heading to DOC, there would be no incentive to earn jail good time if none of it would be applied to their sentence. Similarly, if good time was transferable from jail to DOC, prisoners would hit the good time cap and have no incentive to participate in activities to earn DOC incentives.
  - Could the cap on good time be raised in DOC?
  - Given that DOC sentences are already halved, it would be difficult to sell the proposition to change all the statutes required to increase the cap (to count jail good time).
- It was decided that the recommendation should only apply to those serving the entirety of their sentence in county jail.
- The larger transferability issue (and DOC) should be raised within the future Sentencing Task Force of the Commission.

Issue/Topic:

## Assessments

### Assessments

- Glenn Tapia provided the findings statements that were reviewed by the members. See the final findings/ recommendation document for wording.
  - It is acknowledged that requiring a PSIR for all felony convictions will produce a large workload and possibly slow down the case schedule unless the resources (i.e., assessment specialists) are made available to keep the cases moving.
  - There was a discussion of limited release of confidentiality and HIPAA issues.
  - There was a discussion of creating a process by which all assessment information would be electronically accessible. CICJIS was used as an example of a location that might be the clearinghouse, but as a model it was determined to be too accessible. Creating a secure automated system of access would require additional study.
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Issue/Topic:

## Case Plans

### Case Plans

- Glenn Tapia provided the findings statements that were reviewed by the members. See the final findings/ recommendation document for wording.
  - Beyond word-smithing, there was no detailed discussion.
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Issue/Topic:

## Programming

### Programming

- Glenn Tapia provided the findings statements that were reviewed by the members. See the final findings/ recommendation document for wording.
- Beyond word-smithing, there was no discussion.

NOTE: At some point, the Community Corrections practices should be reviewed to differentiate those that are evidence based from those that are not.

NOTE: At some point, the issue that some of the many community treatment programs and their availability are overly driven by the profit motive and not by the needs of offenders should be addressed.

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Issue/Topic:

## Vocational

### Vocational

- Members generated findings statements. See the final findings/ recommendation document for wording.
- It should be included in a footnote that employment is a major contributor to the reduction in recidivism.
- There was a discussion of expanding the partnerships between trade unions and jails/DOC.
- It should be included in a footnote that Correctional Industries must be “cash-fund exempt” in order to maintain its enterprise status. Gary Golder is looking into these details.

Issue/Topic:

**35B**

Issue/Topic:

**Family Bonding**

Issue/Topic:

**Prioritization of  
Recommendation  
Categories**

Issue/Topic:

**Meeting conclusion**

**35B**

- Norm Mueller provided the finding statement that is reviewed by the members. See the final findings/ recommendation document for wording.
  - Beyond word-smithing, there was no detailed discussion.
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**Family Bonding**

- Members generated findings statements. See the final findings/ recommendation document for wording.
  - This topic refers to socio-emotional bonding of family members and not jail bonding.
  - Beyond word-smithing, there was no discussion.
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**Prioritization**

- Using the Re-Entry criteria\* the members order the categories of recommendations from most to least impactful.  
\* Recidivism reduction, cost savings or re-allocation, and successful re-entry.
  - Following a discussion of a proposed ranking, members agree to rank the recommendation categories as follows:
    1. Bond
    2. Case management
    3. Vocational
    4. Good Time
    5. 35B
    6. Family Bonding
  - The ranking discussion focused on arguments attempting to identify those recommendation sets that are most related to the ranking criteria.
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**Meeting conclusion**

- Christine Adams presented the plan for members to review the final recommendation and return feedback by Monday, Aug. 18<sup>th</sup>.
- The recommendations will be forwarded to the Oversight Committee members on Tuesday for review prior to the all-day Oversight meeting on Aug. 21st. Task Force chairs, as members of the Oversight Committee, may be asked to address any questions regarding the recommendations at the Aug. 21 meeting.
- Oversight Committee will address over-arching issues at this meeting and any thoughts on over-arching issues will be forwarded to the Committee.
- Following the focus group meetings with victims (Sept. 2, 5, & 8), the Commission meeting on Sept. 11/12 will review victim reactions and all task force recommendations.
- The Commission will give final approval on Oct. 10 to the report forwarded to the Governor's Office on Nov. 3<sup>rd</sup>.
- Task Force will be kept informed when Phase 2 work begins on the recommendations.