

Incarceration Task Force

Date/Time: January 14, 2009, 2:00-4:00pm

Attendees:

Grayson Robinson (Chair)
Michelle Sykes (TFL)
Christine Adams, Facilitator
Inta Morris, Dept. of Education
Debbie Zwirn, Logan County Commissioner
Martin Stuart, CCDB
Bill Lovingier, Denver jail
Tony Carochi, Deputy Director of Prisons
Germaine Miera, staff
Shelby McKinzey, CU graduate student

Absent:

Pam Clifton, CCJRC
Glenn Tapia, DCJ
Gary Golder, DOC
Kevin Ford, staff
Regi Huerter, Re-Entry Committee Chair
Rhonda Johnson, Victim advocate
Kim English, DCJ
John Suthers, Attorney General
Norm Mueller, Defense Attorney

Issue/Topic:

Welcome

Task Force Timeline & Updates

Action:**Discussion:**

Christine welcomes group for Grayson Robinson.

The Task Forces are on a tight timeline the next 6 months. The CCJJ wants their annual report to coincide with the OSPB's report and coincide with their budgetary requests.

Today we will be discussing recommendations sent back to Task Forces to clarify the issues and delve further into the details.

The purpose of this phase is to work on the recommendations that have been sent back and get them into further detail.

Timeline

- Recommendations due from task forces to Oversight by end of April.
- 2-day meeting for Commission members in May to go over the final recommendations/reports

Binders given to group with info regarding issues related to DOC programming.

Germaine spoke to group about keeping in mind the issues of Minority Over-representation, Data Sharing, and Gender. We will be discussing these issues in further detail at our February Task Force meeting.

Issue/Topic:

GP-17 Transferability of program and treatment participation

Action:

Martin will look for statutory language regarding DV regs. This may not be statutory.

Christine to bring an expert from the Sex Offender and Domestic Violence boards to the next meeting.

Discussion:

The issue is that accumulated participation hours don't often transfer to another facility and also don't transfer into the community.

One issue is that if an offender is sitting in jail awaiting trial an attorney will often advise clients not to take classes because it's the same as admitting guilt.

Another issue is that oftentimes classes have to be community based. But if an offender is in DOC for ten years they can't take DV class while in DOC.

There are also problems with vendors.

When a judge orders DV there is a curriculum provided by the state for domestic violence (mandatory 36 weeks), drug & alcohol, sex offenders. A lot of treatment "inside" cannot be certified because offenders have to be 'In' the community to have the credits count.

If you have 12 weeks of DV while you're in jail, that 12 weeks won't often count once you get outside and you have to start over again.

Current rule is that you can't certify in jail. We need to change this to a provision to allow for certification in jail. This is a full employment initiative for the private sector. Treatment providers only make their money on the outside.

There is also a net-widening piece. Judges may sentence to a longer time period to make sure the inmate takes the class. This happens currently with sex offenders.

Issue/Topic:

L-2, L-3, L-4

Action:

Legislative committee is working on these issues, wording, etc. Grayson will report back in February.

Discussion:

Legislative committee is looking at several issues.

The legislative sub-committee is working on wording around good time credits and earned time credits.

Wording change from 'calendar month' to a '30 day period' when it comes to 10-day earned time credits. Inmate must be on 'trustee status' however. LOS in county jail could be reduced 8-10% on most inmates. This means savings in bed space and dollars. Ann Terry believes she has a sponsor for this.

On 'earned time' and trustee time, issues around county jails are different than those for DOC. For county jail earned time is discretionary and gives discretion to the Sheriff.

Good time is on hold at the moment. Jails want to be in-line with DOC, more research needs to be done. There is some robust push-back in the legislature and we don't want to give an easy target on good time. Sheriffs, Chiefs and DA's council are in our corner if we stay away from good time. Let's move earned time and trustee time down the pipeline and hold off on good time.

Statutory good time is 2-days per month that you can calculate up front. You can lose good time at DOC but not jails. Trustee good time allows up to 10 days in any calendar month. You can't take Trustee time up front, you give it in a calendar month when they're in jail.

There is an error in the CCJJ report regarding language around L3 (per Grayson). In theory an inmate who has trustee status and gets all possible earned time/good time could pick up 15 days reduction per month (which is consistent with 50% reduction at DOC). Too much confusion around good time/earned time. In DOC you can get 25% of your sentence reduced regarding earned time.

State statute covers county jail and a separate statute DOC.

Most Sheriff's in large jails give inmates good time/trustee time automatically. Not as much in medium and smaller jails.

Legislative committee meets tomorrow, January 15th. The sheriff will report back to us.

Issue/Topic:

L-5

Action:

Germaine will email the old and new language of this recommendation.

Christine will inquire Ann Terry on whether or not this item has been picked up by any legislator.

Discussion:

The language from this Task Force is about the College Opportunity Fund. The issue is financial aid (state, federal, private). The problem with requiring state aid for inmates is that there isn't enough for non-offending populations.

New language would say that inmates are not 'prohibited' from getting outside private funding. The current statute disallows offenders from getting outside funding.

17-32-105, change language so private money is available to offenders. Current wording uses 'academic' language and we want to be able to use 'vocational wording'.

Issue/Topic:

GP-24 Educational opportunities for offenders and staff

Action:**Issue/Topic:**

BP-39

Action:

Grayson will run this past judicial to see if it would even be feasible. He will see if there's even a door open for some group for us to get into to talk to. Grayson will report back in February.

Issue/Topic:

BP-40

Action:

Grayson will find someone from Larimer County to present on the program during the February meeting.

Discussion:

DOC now has a signed MOU for 7 credits for non-uniformed staff and 9 credits for uniformed staff for college credits. DOC pays 50% of staff tuition costs for an undergraduate degree and 40% toward a master's degree.

DOC and Dept. of Education working on a common-code numbering system so 'Welding 101' in DOC correlates to 'Welding 101' in community colleges.

This group is supportive of legislative committee moving the ball forward on verbiage for GP-L5.

GP24 is on the back burner until we see what happens with L5.

Discussion:

The Governor's office wants to put L7 off to next session (which ties into the rest of the bond issues, including BP-39). This issue would be facing a big fight with the legislature.

Many chief judges want to keep bond decisions 'local' rather than 'statewide'. But shouldn't there be some uniformity around the state? Disparities are based on issues relevant to the community.

How about an option of an **advisory** bond schedule that counties could or could not use? Courts, DA's, Public Defenders would all have to be involved in crafting an advisory bond schedule

Discussion:

A research project or findings from Larimer County would be great regarding the Larimer system. Everything about the Larimer project seems positive.

Issue/Topic:

BP-54

Action:

Inta will get with Tony Romero and possibly Michelle to talk about the pilot and progress being made in this area. This will be discussed in March meeting.

Issue/Topic:

Prioritize recommendations

Action:**Issue/Topic:**

Preview next meeting

Action:**Discussion:**

This regards DOC exploring technological advancements regarding long distance learning opportunities.

Currently most instruction is done with in-institutional teachers.

Tony Romero says there's a pilot program, and DOC is testing it to see how and if this works.

Discussion:

Grayson says everything is important and we support all our recommendations still equally.

Discussion:

In February we will regroup regarding

- GP-17
- L2, L3 & L4
- BP-39
- BP-40