

Oversight Subcommittee on Re-Entry

Date/Time: August 8, 2008, 2:30pm – 4:00pm

Attendees:

Re-Entry Oversight:

Regi Huerter, Exec. Dir. Crime Prevention & Control Commission (Chair: Re-Entry Oversight)

Peter Weir, Director Dept. of Public Safety (Chair: CCJJ Commission)

David Kaplan, Defense Attorney (Vice-Chair: CCJJ Commission, Chair: Post-Incarceration Supervision)

Tom Quinn, Dir. of Probation Services

Jeanne Smith, Dir. of Division of Criminal Justice

Paul Herman, Consultant

Mike Reide, Chief Probation Officer (ret.) (Task Force Leader: Probation Task Force)

Michelle Sykes, (Task Force Leader: Incarceration Task Force)

Regis Groff, State Senator (ret.) (Chair: Transition Task Force)

Louise Boris, V. P. of Programs, Colorado Coalition for the Homeless (Task Force Leader: Transition Task Force)

Christie Donner, Exec. Dir. CCJRC (Task Force Leader: Post-Incarceration Supervision Task Force)

Kim English, DCJ: Dir. of Office of Research and Statistics

Christine Adams, DCJ: ORS

Kevin Ford, DCJ: ORS

Germaine Miera, DCJ: ORS

Pam Clifton, CCJRC (Incarceration Task Force Member)

Carol Peeples, CCJRC (Transition Task Force Member)

Traci Lacock, CU Student

Absent:

Gil Martinez, District Judge (Chair: Probation Task Force)

Jeanne Miller, DOC Dir. of Parole, CC, & YOS (Member: Oversight Committee and Post-Incarceration Supervision Task Force)

Grayson Robinson, Arapahoe County Sheriff (Chair: Incarceration Task Force)

Issue/Topic:

Introduction/Agenda Overview

Issue/Topic:

Reports and Updates

Introduction/Agenda Overview – Regi Huerter

Due to the length of the Commission (CCJJ) meeting, the Oversight Committee meeting was shortened and focused on the logistics of the recommendation review process. The meeting began with an agenda overview and an introduction of the upcoming chronology and process of reviewing the recommendations from the Re-Entry Task Forces.

- Each of the Task Forces will forward a ranked or prioritized list of their recommendations for consideration to the Oversight Committee.
 - Recommendations were ranked or prioritized according to the following three criteria:
 1. The extent to which the recommendation may promote successful re-entry.
 2. The extent to which the recommendation may produce cost savings or allows funds to be reallocated.
 3. The extent to which the recommendation may reduce recidivism.
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- Crime Victim Focus Groups. Kim English reported on the effort by DCJ to run focus groups with victim representatives who will offer feedback and reactions to the recommendations by the Task Forces.
 - Working with Nancy Feldman (Director of DCJ Office of Victim’s Programs), individuals have been identified to participate in one of three focus groups held at sites across the state: Denver (Sept. 2), Glenwood Springs (Sept. 5), and Pueblo (Sept. 8).
 - An estimated twenty individuals will participate in each focus group where discussions will focus on the recommendations identified by the Office of Victim’s Programs with the most relevance to victims’ interests and concerns.
 - A summary report of the focus group findings will be included in the materials to be considered at the recommendations review meeting of the Commission.
 - Oversight Committee members were welcomed to observe (but not participate in) any of the focus group meetings. Logistic details will be provided to members via e-mail.
 - Parole. Tim Hand presented a report from the DOC including population, expenditure, and other information regarding paroled inmates in answer to questions asked at the previous Oversight meeting. Figures and facts reported by Tim are provided here with questions and answers during the presentation interleaved in the following bullet points. Reported data include [Disclaimer: Staff were unable to confirm these figures with Tim following the meeting to ensure their accuracy. Apologies for any inaccuracies]:
 - There are approximately 7,500 on parole and 1,500 on ISP.
 - Approx. \$565,000 is spent on mentally ill offenders and sex offenders.
 - Approx. \$485,000 is spent on alcohol dependent offenders
 - Approx. \$171,000 is spent on Psychotropic medications for the inmate population.
 - A large amount of funds is spent on re-entry “incidentals.” For example, through the John Inmann Center alone, approx. \$76,000 is spent on incidentals (e.g., clothes, bikes, etc.).

Issue/Topic:

**Reports and Updates
(cont'd)**

Tim Hand report (cont'd)

- Indigent funds are paid from the operating allocations in the long bill because there are no indigent funds specifically identified in the long bill. By statute, there is an obligation for Parole to support homeless offenders, although they are not provided for in the long bill.
- Approximately \$244,000 is spent to get homeless offenders feet on the ground at parole.
- The \$244,000, though the current figure, spent on re-entry support for those who are indigent can fluctuate due to the unpredictable needs of those on parole. Some who re-enter with available support lose it and some, assuming they have support, find that it is gone when they return to their lives.
- The average length of stay for indigent parolees is a period of 21 days, but it is possible to extend the stay by another period. Under dire circumstances there can be a third period granted.
- What is the maximum length of stay? Is there a maximum? Finding placements for sex offenders is the most difficult. Sometimes it is necessary to provide maintenance for as long as is necessary, providing up to 5 referrals. It is in everyone's best interest (offender and the community) to keep the person housed and supported. If offenders are not motivated and not responding to the services provided, every effort possible by Parole is expended to enhance the services provided or to stimulate the motivation of the offenders.
- Twenty percent of earnings go to restitution and, if there is child support, 10% goes to restitution while 10% is remitted to child support.
- The \$565,000 spent on the mentally ill and sex offenders supports four sessions of treatment after which offenders are encouraged to pay for as much of the costs as they can afford. The balance of treatment fees after these four sessions, whatever they may be, is covered in order to keep these offenders in treatment.
- Sex offenders are particularly expensive due to the extensive battery of assessment that are necessary as part of their monitoring and treatment.
- For parolees (Parole or ISP) there are 80 beds funded to the DCJ for parolees as a condition of parole when approved by local community corrections boards.
- The observation is made with concurrence by attendees that Parole is managing a huge number of issues and offenders, and is doing so with insufficient funds.
- Funds for psychotropic medications are only allocated to inmates in the youthful offender program and those continuing on inmate status in Community Corrections or ISP. No general funds to purchase psychotropic medications have been allocated to parolees not on inmate status.
- At release parolees are supplied most commonly with 30 days of meds (45 would be preferable, but liability-avoiding prescribers prefer 30) in hopes that they will find community mental health support before they deplete their supply. Typically though, community mental health centers have no funds to provide medications to parolees.

Issue/Topic:

Reports and Updates (cont'd)

Issue/Topic:

Oversight Protocol: Recommendation Review

Tim Hand report (cont'd)

- What is the financial need for mental health treatment and medication for those on parole?
It is difficult to generate a figure, but given that roughly one-third of offenders are assessed at P3 and above at intake, the need at the parole end would also be very high. This financial need is exacerbated by the exorbitant cost of some psychotropic medications. Even among those highly supported individuals placed in JERP or Independence House, for example, the loss of medications funding would be catastrophic to their ability to achieve a successful outcome.
- It is estimated there are approximately 10,000 parolees many of whom are in need of medical and psychotropic medications to reduce the likelihood of recidivism.
- Comment offered during Tim's presentation: There are no recommendations coming from the Task Forces to address the mental health treatment and medication needs in the justice system because they were asked to defer these issues to the Oversight Committee.
- The \$244,000 is only a drop in the bucket in the effort to provide the housing support needed for successful re-entry (with the goal of preventing recidivism). Housing is one of the most problematic of the re-entry concerns. There is a need to generate community support to create partnerships to establish responsible housing strategies to support the re-entry effort.
- Support for medical medications is limited to 10 days and, upon release, the failure to successfully navigate the medical system to get continued care and medications can be life-threatening.

The Oversight Committee plans to address the mental health issue.

Upon conclusion of the updates and reports the discussion shifted to the protocol the Oversight Committee will follow to review the recommendations from the Task Forces and how the Oversight report will advance to the Commission.

Oversight Protocol: Recommendation Review

- The recommendations falling under the topics labeled "over-arching issues" will be generated by the Oversight Committee.
- Questions asked:
 - Will the Oversight Committee generate the recommendations to address the over-arching issues or will a special group be seated?
 - When will the work on the over-arching issues be done?
 - Will the Oversight Committee limit its recommendation creation to the over-arching issues or will it also add to or modify recommendations generated by the Task Forces?
- The view was expressed that the Oversight Committee should not alter recommendations written by the Task Forces. Any alternately worded recommendations should be kept separate and identified as solely attributable to the Oversight Committee.

Issue/Topic:

**Oversight Protocol:
Recommendation Review
(cont'd)**

Oversight Protocol (cont'd)

- An opposing view is that the Oversight Committee should have the ability to combine or reconfigure recommendations in the process of “packaging” them for consideration by the Commission.
- In a rebuttal, it was noted that the Task Forces have spent extensive time discussing, creating and building consensus on the recommendations forwarded to the Oversight Committee. Changes to Task Force recommendations at the Oversight level will not give the Task Forces the opportunity to vet the modifications.
- There was some discussion on the issue of the Task Forces having been prevented from discussing over-arching issues or bringing specific recommendations forward that address over-arching issues.
- There was disagreement regarding the Oversight Committee “re-packaging” recommendations from the Task Forces. Some feel this should not happen based on the arguments already made, whereas others feel there are advantages.
 - There may be ways to combine recommendations with logical synergies. One recommendation that saves money could be coupled with another in need of a funding source.
 - Some recommendations could be pulled together from across the Task Forces that conform to a particular concept (e.g., those that could be addressed immediately).
 - It was conceded that there may not be enough time for the Oversight Committee to evaluate the recommendations with enough scrutiny and attention to produce these kinds of “recommendation packages.”
- It was acknowledged that, due to a lack of time, there are some important issues the Task Forces have not addressed or have addressed but have produced no recommendations. There is still quite a bit of problem identification possible.
- The Re-Entry Committee and its Task Forces are making a first pass at identifying problems and can't be expected to solve the entirety of the problem of re-entry.
- Oversight should not endanger disenfranchising the Task Forces. Oversight can point out issues it sees among the recommendations and focus attention to recommendations.
- There was a reiteration that the Commission was to identify some “easy legislative wins” to reduce recidivism.
- If the Commission doesn't like certain recommendations, that is its prerogative, but it was felt that the Oversight Committee shouldn't serve to censure ideas from the Task Forces.
- Given the large number of recommendations, it is unlikely the Oversight Committee will have time for extensive “packaging” of recommendations, but there should be time to ask Task Force representatives for clarification, explanation, and priority justifications.

Issue/Topic:

**Oversight Protocol:
Report to Commission
(cont'd)**

Issue/Topic:

**Oversight:
Over-Arching Issues**

Oversight Protocol: Report to Commission

- The Oversight Committee should focus on creating a clear presentation of the recommendations to the Commission. There was a free-ranging discussion of how this report to the Commission will be structured (e.g., recommendation groupings, priority tiers, simple ranking, etc.).
- It was suggested that even with Task Force rankings and Oversight rankings the Commission might be overwhelmed with the number of recommendations. It was felt that they should be able to handle it during the 1.5 days the Commission will meet. Oversight members expressed dismay that they'd have to limit Task Force recommendations to an arbitrary number just so the Commission is not overwhelmed.
- Is it possible that the Commission might use a consent calendar (consent agenda) approach to recommendation approval?
- How will the Oversight report to the Commission be disseminated? The report should go out via e-mail to Commission members by Sept. 5th. The Victim focus group feedback (collected Sept. 2, 5, & 8) will be compiled and disseminated at the Sept. 11/12 meeting.
- Will it be possible to separate the recommendations into groups of legislative items (with funding info) and policy items?
- Why there so much time between the Oversight meeting (Aug. 21st) and the Commission meetings (Sept. 11th /12th) was questioned. DCJ explained that the meeting schedule allows enough time for the staff to compile and construct the reports for two Commission meetings before the November deadline to report to the Governor's Office.
- There is concern that there is not enough representation of viewpoints like parole boards, prosecutors, and victims on the Commission.
- To encourage attendance at upcoming Oversight and Commission meetings, maybe additional letters or reminders should be sent.
- Offering a recap, Paul Herman suggests that the Oversight committee create some categorization of recommendations (on some basis to be decided at the Aug 21st Oversight meeting) for easier consumption by the Commission. The categorization might be based on the three primary priorities: allow for cost savings or reallocation, promote successful re-entry, and reduce recidivism.
- Pete Weir advocates an additional notation in some form indicating legislative expediency (e.g., immediate [policy-related], legislative, or requires more study).
- Regi Huerter assures Pete Weir and David Kaplan that they will be included in the discussion of the form and structure of recommendations to be presented to the Commission.

Oversight: Over-Arching Issues

- Regi Huerter and Kim English address how the discussion of Overarching issues may occur.