

# **Post-Incarceration Supervision Task Force**

**Date: August 7, 2008, 2:30 - 5:30 PM**

## **Attendees:**

David Kaplan, Chair  
Christie Donner, Task Force Leader  
Paul Herman, Consultant  
Germaine Miera, DCJ/Researcher/Facilitator

Mike Biggio, The FREE Coalition  
Geneva Biggio, The FREE Coalition  
Lacey Berumen, Executive Director, National Alliance for the Mentally Ill (NAMI)  
Kim English, DCJ/Researcher  
Kevin Ford, DCJ/Researcher/Staff  
Tim Hand, Deputy Director of Regional Operations (Parole)  
Regina Huerter, Manager of Denver Public Safety  
Greg Mauro, Community Corrections  
Doug Wilson, State Public Defender

## **Absent:**

Carl Blesch, DCJ/Community Corrections  
Jeaneene Miller, Director of Parole  
Pete Hautzinger, District Attorney  
Mike Maddox, The Free Coalition  
Shelby McKinzey, CU Boulder  
David Michaud, Parole Board Representative  
Dianne Tramutola-Lawson, CURE  
Carolyn Turner, CURE

**Issue/Topic:**

## **Introduction**

### **Discussion: Meeting Introduction (David Kaplan)**

- The goal of the meeting was to review the wording of the 15 tentative recommendations and make modifications, where necessary, to reflect the discussions of the task force.
  - Another goal was to distribute the available meeting time across the 15 recommendations, giving members time to consider each sufficiently.
  - A last goal is to prioritize the recommendations, given the large number of recommendations being forwarded by the task forces to the Oversight Committee.
  - Paul Herman offered that the recommendations appear in form similar to the other task forces and that the prioritization should attempt to simplify the presentation of the recommendations. He offered alternate ways of topically organizing the recommendations.
  - Paul offered a set of criteria to consider when prioritizing the recommendations:
    1. Does the rec. promote successful re-entry?
    2. Does the rec. produce cost savings or allow a re-allocation of funds?
    3. Does the rec. result in recidivism reduction?
  - The 15 recommendations on the “Handout” were in no particular order. Please see the handout (see handout at end of minutes) for the complete wording of the tentative recommendations.
  - There was a brief discussion whether the word-smithing or the prioritization of the tentative recommendations should be done first. The initial focus will be on word-smithing.
  - The task force discussed the 15 recommendations in approximately sequential order, occasionally skipping items when salient members were temporarily away from the meeting table. However, the minutes of the discussions are presented sequentially for ease of perusal.
  - The final recommendations were constructed by Germaine Miera during the meeting on a laptop and are not provided in the body of these minutes, but may be found in an addendum at the end of the minutes.
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### **Discussion: Recommendation #1 (Clarify jail time credit in statute)**

- Christie Donner addresses the clarity issue in the statute addressing credit for time spent in jail pending a parole revocation.
- The wording of the exact statute and the exact change to wording should be included in either the recommendation itself or in the supporting materials for the recommendation.

**Issue/Topic:**

## **Recommendation Review: #1**

Issue/Topic:

**Recommendation  
Review: #2**

**Discussion: Recommendation #2 (Parole boards and parole dates)**

- The details of the time periods and deadlines related to parole dates in the recommendation were discussed at length.
  - Also discussed were the alternate pathways of parole and whether the recommendation effectively addresses the variations in parole paths.
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Issue/Topic:

**Recommendation  
Review: #3**

**Discussion: Recommendation #3 (Parole board policy and procedure review)**

- There was a brief discussion of the possible funding, technical assistance and training resources to support the elements of the recommendation: The Center for Effective Public Policy ([cepp.com](http://cepp.com)), The JHET Foundation ([jehtfoundation.org](http://jehtfoundation.org)), and, possibly, The National Institute of Corrections ([nicic.org](http://nicic.org)).
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Issue/Topic:

**Recommendation  
Review: #4**

**Discussion: Recommendation #4 (Parole board technology support)**

- No discussion
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Issue/Topic:

**Recommendation  
Review: #5**

**Discussion: Recommendation #5 (DOC parole revocation hearing units)**

- In addition to a discussion of wording details, there was a debate regarding the value of statements of support.
- Tim Hand indicates that a statement of support for a pilot project would be of value, given the difficulty in implementing such entities.
- There was a discussion that reflected conflicting views of the philosophy and mission of a revocation hearing unit. The units may be of value for their ability to review decisions that overturn revocation requests, but they may also serve to reject revocation complaints keeping parolees on parole and out of prison.
- Regardless of the conflicting perspective regarding the value of such units, they are perceived by both viewpoints to be a valuable asset to the parole system.
- The value of these hearing units will be reflected in a predicted reduction in the filing of technical violations, reduction in revocation to prison, and improvement in the effective handling of technical violations.

Issue/Topic:

**Recommendation  
Review: #6**

**Discussion: Recommendation #6 (Enhance parole officer fieldwork)**

- There was a long discussion of the practicality and safety of the 80/20 model of parole work (80% time in the field and 20% time in the office).
  - Increasing field visits by parole officers may result in an increase in parole officers discovering reasons for revocation.
  - Due to the risk to parole officers, field work is done in pairs, reducing the efficiency of parole work in time, expense and labor.
  - Parole officers may be concerned that they will have greater difficulty meeting parolee contact standards (given the reduced efficiency of traveling in the field relative to sitting in their offices and having parolees come to them).
    - There was a discussion of the source for the contact standards and whether those can be altered. ANSWER: These standards are set by accrediting bodies. This results in something of a catch-22 for DOC.
  - Regarding office contact, parole appointments should not be set such that parolees wait in lines for hours to meet with officers.
  - It is felt the recommendation should specifically address both the appointment flexibility and the field work issues. There are very large administrative hurdles to overcome to enhance these aspects of the parole system (i.e., labor, expense, safety, etc.).
  - It is difficult to set an absolute expectations for parole practice that still allow reasonable and safe working conditions for parole officers who have individual styles and strategies for working with parolees.
  - DOC is very committed to improving the parole system, but needs the resources to implement the improvements.
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Issue/Topic:

**Recommendation  
Review: #7**

**Discussion: Recommendation #7 (DOC service expectations for vendors)**

- No discussion.
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Issue/Topic:

**Recommendation  
Review: #8**

**Discussion: Recommendation #8 (DOC early termination parole policy)**

- There was a discussion of the chronology, logic, and challenges of the early termination policy considering felony class, time-served benchmarks, and victim's reactions.
- It is felt that early parole termination should trigger victim notification and that the recommendation should include a VRA statement, given the impact of the policy on victims.
- Christie Donner and Tim Hand will hammer out the details of this recommendation to cover the points mentioned (felony class, explicit mention of 25032 ( 2.50.32 or 250.32?), a "critical decision" triggering VRA, and parole officer discretion).

Issue/Topic:

**Recommendation  
Review: #9**

Issue/Topic:

**Recommendation  
Review: #10**

Issue/Topic:

**Recommendation  
Review: #11**

Issue/Topic:

**Recommendation  
Review: #12, 13, & 14**

**Discussion: Recommendation #9 (Criminal justice practitioner training)**

- Minimal discussion, given that this falls into the category of over-arching issues for the Oversight Committee.
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**Discussion: Recommendation #10 (Increased funding for mental health and substance abuse)**

- Whether this is an “inside” or an “outside” (prison) recommendation was discussed along with whether it applies to community corrections.
  - This recommendation is also seen as falling into the over-arching issue category.
  - It is decided to leave the recommendation as is with no qualification or modification.
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**Discussion: Recommendation #11 (Enhance/promote single-assignment relationships between parole officers and parolees)**

- This recommendation was discussed to attempt to adjust the wording to accommodate the “flow” of parolees through different aspects of the system (e.g., transitions from “standard” parole to ISP).
  - The main focus is on the continuity of the parole relationship.
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NOTE: Recommendations 12 – 14 were written by Carl Blesch for the task force as support statements for initiatives by the Community Corrections Advisory Council to address issues within Community Corrections. Carl was unable to attend, but with Greg Mauro’s assistance members discussed some of these recommendations at length. However, without Carl, there was hesitancy to make major changes to their wording.

**Discussion: Recommendation #12 (Five initiatives by the Community corrections Advisory Council)**

- Discussions focused on the word choice in the statements leading to discussions of how to make more specific terms like, “broadly understood,” and “quality.”

**Discussion: Recommendation #13 (Pilot study about employment search)**

- The discussion addressed an issue regarding subsistence fees.

**Discussion: Recommendation #14 (Pilot study about length of stay and early release to a non-residential Community Corrections placement)**

- No discussion.

Issue/Topic:

**Recommendation  
Review: #15**

Issue/Topic:

**Extra Recommendations**

Issue/Topic:

**Escape**

Issue/Topic:

**Conclusion**

**Discussion: Recommendation #15 (Cost-benefit analyses of state-local partnerships for multi-use offender service facilities)**

- The discussion lead to the conclusion that the original idea of the facility housing only community corrections programming could be expanded to offer a broader array of services to a wider population of clients.

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**Discussion: Extra Recommendations**

Christie Donner had returned to the minutes of previous task force meetings to determine if there were potential topics that had been “lost” to determine whether additional recommendations might address these “lost,” but important topics. Christie identified four topics that had garnered significant attention over the weeks of meetings, but that were not represented among the 15 current recommendations:

**1. Recommend that DCJ develop a screening tool for offenders moving to Community Corrections.**

- Discussion: Work is ongoing on the Colorado Actuarial Risk Assessment Scale (CARAS) for use with those moving to community corrections and parole.

**2. Recommend that policy/statute be modified/added to provide indigent offenders on parole with psychotropic medications.**

- Discussion: The issues surrounding federal law limitations, State statute, DOC practices and the current problems were discussed. The 30-day supply of medication is not enough but medical professionals are reluctant to prescribe larger supplies due to liability and issues of follow-up care.

**3. Recommend that at least one full-time psychological professional be placed in each of the four parole regions to serve as a resource person for parole officers.**

- Discussion: Although probably insufficient, this recommendation offers a starting point to provide parole officers support with the large numbers of parolees with mental health issues.

**4. Recommend an improved system of coordination of assessment materials with individuals as they move through the justice system.**

- Discussion: This issue is being addressed by the Incarceration Task Force.

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**Discussion: Escape**

The topic of escape is mentioned as another issue that was pushed to the back-burner.

- Reference is made to judicial practices increasing the punishment for escape although evidence does not support that this practice reduces recidivism.
- DCJ is addressing the issue by compiling a white paper that will be ready in time to share with the Oversight Committee at the meeting to discuss all the recommendations.

The task force would like a copy of the white paper and the opportunity to discuss the findings. The report will be e-mailed to members with the intent to schedule a face-to-face meeting some time before November.

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**The meeting concludes with a brief mention of the upcoming meeting schedule: Oversight on August 21<sup>st</sup>, Commission on September 11<sup>th</sup> & 12<sup>th</sup> and on October 10<sup>th</sup>, and Final Report submitted November 3<sup>rd</sup>.**

## HANDOUT Post-Incarceration Task Force

### Recommendations

August 7, 2008

RECOMMENDATION 1: Clarify state law to require that parolees be given credit against their sentence for the time spent in jail pending a parole revocation.

RECOMMENDATION 2: Once an inmate is accepted in community corrections as a transition client, the parole board will set a parole date no later than 12 months from the date of placement in residential community corrections. Once an inmate has been placed on intensive supervision program-inmate (ISP-I), the parole board will set a date for parole at 180 days from the placement on ISP-I. The parole board still retains the ability to conduct a rescission hearing at any time and can extend and/or vacate the parole date in the event of noncompliance.

RECOMMENDATION 3: The Task Force recommends that the Colorado Criminal and Juvenile Justice Commission request assistance from an outside agency (e.g. The Center for Effective Public Policy) to provide technical assistance to the parole board to:

- (1) review guidelines, policies, procedures, sanction grids and training standards
- (2) review the use of assessments, the decision making process, and how decisions are communicated to interested parties
- (3) review internal capacity for data collection and reporting
- (4) review forms used by the parole board
- (5) conduct a work-load survey to identify inefficiencies and possible remedies
- (6) review the opportunities for inmate supporters to participate in the parole hearing

That Task Force further recommends that the Department of Public Safety, on behalf of the Colorado Criminal and Juvenile Justice Commission apply for funding from the JEHT Foundation to provide the aforementioned assistance.

RECOMMENDATION 4: Provide funding to enhance the technology available to the parole board, release hearing officers, and administrative hearing officers to obtain items such as computers, other hardware, software, and video conferencing to improve the efficiency and effectiveness of parole board hearings and operations. Allow electronic requests for modifications of conditions of parole.

RECOMMENDATION 5: That the CCJJ supports the Department of Corrections' effort to establish a technical violations unit with the goal of reducing parole revocations for technical violations.

RECOMMENDATION 6: That the CCJJ support the Department of Corrections' effort to develop more flexibility in reporting options.

RECOMMENDATION 7: As part of the contract award process, the Department of Corrections would require private vendors that provide treatment, classes or alcohol/drug screens to parolees to have extended hours of operation during the week and/or weekend hours. To allow the Department of Corrections to waive this requirement for vendors in under-served areas or for those whom this requirement would prevent them from being able to provide services.

RECOMMENDATION 8: Request that the Department of Corrections change the policy on early termination to require parole officers to submit such requests to the parole board when a parolee meets the criteria for early termination of parole. The parole board retains the authority to..

RECOMMENDATION 9: Enhance training for criminal justice practitioners (including judges, prosecutors, defense counsel, probation officers, parole officers, and community corrections boards/staff) around:

- Evidence Based Practice
- motivational interviewing
- use of assessments, how to score, how to use score, and why it's important
- working with families, victims and community groups
- cultural competency
- mental illness, treatment, and signs of decompensation
- alcohol addiction, relapse prevention, relapse intervention, and various treatment modalities

That Task Force further recommends that the Department of Public Safety apply for funding from the JEHT Foundation to provide the aforementioned assistance.

RECOMMENDATION 10: Substantially increase state funding for substance abuse and mental health treatment.

RECOMMENDATION 11: Recommend that the Department of Corrections promote continuity of supervision by assigning one parole officer to one offender in any non-residential program or while on parole, to the greatest extent possible or appropriate.

RECOMMENDATION 12: The Task Force recommends that the Colorado Criminal and Juvenile Justice Commission support the work of the Governor's Community Corrections Advisory Council in the following initiatives:

- The assessment techniques intended to establish the treatment needs of community corrections offenders should be evidence-based and implemented, with training provided to community corrections staff personnel, as required. The accuracy and completeness of individual offender assessments should be a part of the community corrections performance auditing process.
- The development of individualized treatment plans should directly reflect the identified criminogenic needs of individual offenders. The individualized treatment plans should address criminogenic need and should be assessed as part of the community corrections performance auditing process.
- The treatment provided to each community corrections offender should show fidelity to the individualized treatment plan developed for that offender. The quality of such treatment and its fidelity to the treatment plan should be a part of the community corrections performance auditing process.
- Because criminogenic needs can change during the course of treatment, reassessment of community corrections offenders should be performed in a standardized fashion and at appropriate intervals. Such information should be used to adjust the treatment plans of community corrections offenders, as required. The quality of such reassessments and plan adjustments should be a part of the community corrections performance auditing process.
- The efficacy of community corrections treatment plans in the prevention of recidivism should undergo formal evaluation by the Office of Research and Statistics of the Division of Criminal Justice.

RECOMMENDATION 13: The Colorado Commission on Criminal and Juvenile Justice should support an initiative by the Governor's Community Corrections Advisory Council to pilot a study in which offenders would receive a two to four week period of stabilization prior to paying facility subsistence.

After appropriate data is collected, the Advisory Council should determine whether further recommendations to the executive and legislative branches are appropriate.



RECOMMENDATION 14: The Colorado Commission on Criminal and Juvenile Justice support the initiative of the Governor's Community Corrections Advisory Council to pilot a study in which Diversion offenders would be randomized into one group experiencing a standard length of stay in residential community corrections and one group experiencing an early release to nonresidential status with enhanced nonresidential services.

After appropriate data is collected, the Advisory Council should determine whether further recommendations to the executive and legislative branches are appropriate.

RECOMMENDATION 15: The Colorado Commission on Criminal and Juvenile Justice recommends state-supported funding to encourage partnerships between local and state entities for the construction of multi-purpose facilities on publicly-owned lands for purposes of community supervision and re-entry.

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|-------------|--|
| Christie #1 | Recommend that DCJ develop a screening tool for offenders moving to Community Corrections.   |
| Christie #2 | Recommend that policy/statute be modified/added to provide indigent offenders on parole with psychotropic medications.   |
| Christie #3 | Recommend that at least one full-time psychological professional be placed in each of the four parole regions to serve as a resource person for parole officers. |
| Christie #4 | Recommend an improved system of coordination of assessment materials with individuals as they move through the justice system.                                   |

ADDENDUM Post-Incarceration Task Force  
Final wording on Recommendations  
August 7, 2008

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RECOMMENDATION 8: Request that the Department of Corrections change the policy on early termination to require parole officers to submit such requests to the parole board when a parolee has served at least half of the parole period and has met other risk reduction benchmarks. The Task Force further recommends that such request comply with the Victim's Rights Act. The parole board would retain the authority to either grant or deny the request for early termination of parole.

RECOMMENDATION 9: Enhance training for criminal justice practitioners (including judges, prosecutors, defense counsel, probation officers, parole officers, and community corrections boards/staff) around:

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**Issue/Topic:**

**Action:**

**Discussion:**

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**Discussion:.**