

Post-Incarceration Supervision Task Force
Colorado Commission on Criminal and Juvenile Justice
Date: February 17, 2010, 9:00AM - 12:00PM

Attendees:

David Kaplan, Chair
Christie Donner, Task Force Leader
Tamara Brady, Colorado State Public Defender's Office
Lacey Berumen, Executive Director, Colorado National Alliance for the Mentally Ill (NAMI)
Carl Blesch, DCJ/Community Corrections
Tim Hand, Deputy Director of Regional Operations (Parole)
Greg Mauro, Community Corrections
Michael Anderson, Parole Board Representative (for David Michaud, Parole Board Chair)
Maureen O'Keefe, Department of Corrections
Colleen Hackett, CU-Boulder
Kevin Ford, DCJ Staff

Absent:

Joe Cannata, Voices of Victims
Pete Hautzinger, District Attorney
Paul Herman, CCJJ Consultant, Center for Effective Public Policy
Regina Huerter, Manager of Denver Public Safety
Jeaneene Miller, Division Director (Parole)
Dianne Tramutola-Lawson, CURE
Carolyn Turner, Advocates for Change

Issue/Topic:	Discussion:
<p data-bbox="235 172 393 237">Welcome David Kaplan</p> <p data-bbox="131 275 496 386">CCJJ Update on PIS Recommendations David Kaplan / Christie Donner</p>	<p data-bbox="561 172 1520 308">David Kaplan opened the meeting with a recap of the two previous meetings of the Colorado Commission on Criminal and Juvenile Justice. Due to the re-scheduling of the February CCJJ meeting to Friday, Feb. 5th, the Commission had met twice since the last PIS meeting on January 6, 2010.</p> <ul data-bbox="597 317 1528 884" style="list-style-type: none"> • At the January 2010 CCJJ meeting, the first PIS recommendation (PIS09-#1) to revise CRS 17-2-207(3) to eliminate outdated mandatory arrest provisions of individuals on parole was approved by the Commission. • At the same meeting, the second recommendation (PIS09-#2) to revise CRS 17-22.5-405 (AKA, HB 09-1351) to clarify eligibility exclusions, program compliance, and criminal history disqualifications regarding earned time and earned release time was approved by the Commission. • The Commission approved the first part of the third recommendation (PIS09-#3), the structured release guideline. The review and discussion of the second part of this recommendation, the proposed revisions to the parole guidelines statute (CRS 17-22.5-404), was delayed until the February 5th CCJJ meeting. • At the February CCJJ meeting there was extensive discussion of the second part of the third PIS recommendation, the parole guidelines statute (CRS 17-22.5-404). However, this discussion resulted in only a few wording changes to the proposed statute. <p data-bbox="561 926 1520 989">Christie Donner reported there was unanimous or large majority support by CCJJ members of each of the recommendations:</p> <ul data-bbox="618 997 1333 1136" style="list-style-type: none"> • PIS09-#1 - 100% in support • PIS09-#2 - 95% in support • PIS09-#3: Structured Release Guidelines - 88% in support • PIS09-#3: Statute revision - 100% in support <p data-bbox="573 1178 1520 1346">David Kaplan noted that the support of Ari Zavaras (Department of Corrections) and David Michaud (State Board of Parole) was pivotal in the approval by the Commission. David reported that, although Mr. Zavaras indicated there would be a fiscal note attached to the recommendations, Mr. Zavaras was very much in support of the recommendations.</p>

Issue/Topic:	Discussion:
<p data-bbox="180 1537 449 1602">Sponsorship of PIS Bill Christie Donner</p>	<p data-bbox="561 1537 1284 1568">Christie Donner described her efforts to locate a bill sponsor.</p> <ul data-bbox="597 1577 1520 1860" style="list-style-type: none"> • She mentioned being thankful for the assistance of Maureen Cain (a private defense attorney who has participated as a member of other task forces of the Commission). • Christie reported that the three PIS recommendations will be folded into a single bill. There may be some cost savings realized from PIS09-#2 that will soften the impact of the fiscal note that will be attached to PIS09-#3. • She reported that Rep. Mark Ferrandino has agreed to sponsor the bill and that “late status” has been granted to the bill by Speaker Terrance Carroll.

<p>Sponsorship of PIS Bill (cont'd) Christie Donner</p>	<p>David Kaplan described the process by which the Commission monitors the progress of bills through the legislature. The Legislative Subcommittee of CCJJ is responsible for monitoring the language of CCJJ-derived bills to determine whether the intent of CCJJ is still present in the bill. He feels the substance and intent of the PIS recommendations are unlikely to change, given their close correspondence to current statute. There is always the possibility for bills to be altered by the political process as bills move through legislative committees.</p> <p>Christie Donner will be following the bill and its language from the drafting phase through the legislative process.</p> <p>As mentioned previously, the fiscal note attached to the bill will come from the Department of Corrections. The costs are hypothesized to derive primarily from the programming required to translate the structured decision guideline to online delivery through the Parole Board Application Hearing Portal.</p> <p>Christie Donner described that one of the concerns in the Commission discussion of the proposed revision to the parole guidelines statute was sensitivity to victim concerns. The Commission discussion echoed the concerns also expressed by the task force as it discussed the statute revisions. Specifically, the last section of the statute concerns the study of parole decisions (resulting from SB09-135) requiring a report each November of the rationale for parole board decisions. Given that victim input may play a role in parole board decision rationales, some modifications may occur at the drafting phase to provide victim protections. The right balance must be struck between data gathering regarding decisions and the protections of victims.</p> <p>David Kaplan excused himself from the meeting to attend a court hearing, turning over the chair duties for the remainder of the meeting to Christie Donner</p>
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Issue/Topic:	Discussion:
<p>Parole Division Updates: Parole Violations Reform Efforts Tim Hand</p>	<p>Tim Hand reported on the previously held “PVDMI (Parole Violation Decision-Making Instrument) Summit” on January 20th and 21st.</p> <ul style="list-style-type: none"> • The PVDMI concept is based the model created in California (See <i>Parole Violations and Revocations in California</i> (2008) at http://www.ncjrs.gov/pdffiles1/nij/grants/224521.pdf and the CDCR webpage at http://www.cdcr.ca.gov/PVDMI/index.html). • Madeline (Mimi) Carter of the Center for Effective Public Policy (CEPP; http://www.cepp.com/) visited parole operations on January 20th and joined by Tom Hoffman (former Director of the California Division of Adult Parole Operations at the California Department of Corrections and Rehabilitation) they met with Parole Division senior management on January 21st. • Tim reported that senior management was initially skeptical of the reform effort, but by the conclusion of the presentation were “fired up” by the prospects. • A tentative implementation plan was developed at this initial meeting and the new approach to deal with parole violations was titled the Colorado Violations Decision-Making Process (CVDMP).

<p>Parole Division Updates: DOC: Administrative Regulation - Offender Driving Privileges Tim Hand (CCJJ Recommendation BP-51: Standardize Driver's License Restrictions in Parole)</p>	<ul style="list-style-type: none"> • A two-day follow-up meeting was to have occurred last week, but the recent bad weather on the east coast prevented Ms. Carter's travel and the meeting was re-scheduled for early March. • The two-day follow-up meeting will broaden the audience for the plan for the CVDMP to include parole officers, supervisors, team leaders, and parole board members. Eileen Kinney (from Evaluation Unit of the Division of Probation at the Judicial Branch) will be invited to the meeting to share information on the reforms underway at Probation. • The implementation plan is tentatively scheduled to require a 9-month period of piloting testing and introduction. The pilot process will be employed by roughly one-third of the parole staff. In smaller offices, one officer will pilot the system and in larger offices, up to six officers will be included in the pilot. • The CVDMP title emphasizes the concept of a "process" for dealing with violations. Staff will learn about graduated sanctions, reinforcement of good behavior, motivational interviewing, actuarial risk assessment, and other evidence-based practices to better handle and reduce parole violations. <p>Tim Hand updated the task force on the developments regarding the Administrative Regulation (AR) on Offender Driving Privileges.</p> <ul style="list-style-type: none"> • The policy has completed the 30-day review and should receive final approval very shortly. Tim is uncertain of the number assigned to the policy, AR-0250-??. • Parole officers are still in a period of adjustment to the new policy and supervisors are studying the policy implications. • Offenders are pleased with the new policy.
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<p>Other Updates: Kevin Ford, ORS, Division of Criminal Justice</p> <p>Other Updates: Greg Mauro, Community Corrections</p>	<p>Kevin Ford announced that the staff of the Office of Research and Statistics at the Division of Criminal Justice will soon contact agencies and departments for status updates on all of the recommendations approved by CCJJ since the December 2008 Annual Report. The last recommendation status report was released in July 2009. The official request for updates will be sent by Germaine Miera on March 1, 2010 with a request for response by April 16. The updates on the 66 2008 re-entry recommendations and the 40-45 sentencing and post incarceration recommendations will be included in the CCJJ Annual Report to be released in July 2010.</p> <p>Greg Mauro offered his thanks to individuals who presented at the February 5th Colorado Association of Community Corrections Boards (www.coaccb.org):</p> <ul style="list-style-type: none"> • Paul Herman and Christie Donner for their report on structured parole decision making guidelines, and • Kim English for a presentation on the Colorado Actuarial Risk Assessment Scale.

Issue/Topic:	Discussion:
<p>PIS Future and Next Steps Christie Donner</p>	<p>Having completed another intensive phase of work, the task force members discussed the immediate and long-range plans for the task force.</p> <ul style="list-style-type: none"> • Immediate. Task force members would like to take a break for the remainder of the 2010 legislative session which will extend through May 2010. They propose to return on June 9, 2010 to discuss the future of the task force. • Long-term. The members would like to receive feedback and direction from the Commission regarding expectations for the task force. Does the Commission have additional directives for the task force? In the period before June 9th, task force members will explore possible areas of work for the group. With feedback from the Commission and input from members the task force will discuss whether there is sufficient cause for the task force to continue. Each of the other three Re-entry Task forces has concluded their work. The Commission has seated two new task forces and several working groups dealing with sentencing reform. • If the task force will continue, a review of the composition of the task force would be advantageous. Attendance at meetings has diminished to a small core of individuals who may no longer represent as broad a set of perspectives as was the case when the Post Incarceration Supervision Task Force was originally seated. <p>Unless there is opposition from the CCJJ members or leadership, the next three PIS meetings will be canceled (March 10, April 7, and May 12). The next PIS task force meeting is tentatively scheduled at the regular date and time on June 9, 2010.</p> <p>Meeting adjourned at 10:10am</p>

Next meeting:
Wednesday, June 9th, 2010
9AM-12PM
150 East 10th Avenue