

Re-entry Task Force
Colorado Commission on Criminal and Juvenile Justice
Minutes

February 10, 2016, 1:30PM-4:00PM
700 Kipling, 4th Floor Conference room

ATTENDEES:

CHAIR

Stan Hilkey, Dept. of Public Safety

TASK FORCE MEMBERS

Tom Giacinti, Representing Community Corrections

Jennifer Wagoner for Alfredo Pena, Parole Board

Rick Raemisch, Dept. of Corrections

Melissa Roberts, Division of Parole

Mark Evans, Public Defender's Office

Monica Chambers, Department of Corrections (phone)

Robert Werthwein (phone)

Evelyn Leslie, Colo. School for Family Therapy

Pat Steadman, State Senator (phone)

Joe Pelle, Boulder County Sheriff's Office

STAFF

Paul Herman/CCJJ consultant

Kim English/Division of Criminal Justice

Germaine Miera/Division of Criminal Justice

ABSENT

Beth McCann, State Representative

Dave Young, District Attorney 17th JD (phone)

Hassan Latif, Second Chance Center

Sherri Hufford, Division of Probation Services

Regi Huerter, Denver Crime Prevention and Control Commission

Christie Donner, Colo. Criminal Justice Reform Coalition

Kelly Friesen, Grand County Juvenile Justice Department / SB94

Jennifer Bradford, Metro State University of Denver

<p>Issue/Topic: Welcome and Introductions</p>	<p>Discussion: Stan Hilkey welcomed the task force members and reviewed the agenda.</p>
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<p>Issue/Topic: Report Outs Action:</p>	<p>Discussion: Stan noted that there were a handful of report outs as follows:</p> <p>Conditions Working Group <i>DISCUSSION</i></p> <ul style="list-style-type: none"> • Mark Evans provided a report out on the progress of the Conditions Working Group. • He noted that the group met last week and is continuing work on conditions of supervision for Probation, Parole and Community Corrections. • As far as Parole, the group has come to a tentative agreement on some statutory recommendations. All of the affected stakeholders have taken the proposal back to their constituents for review. • The final work product for the Conditions group will likely be a review of more standardized conditions, especially when it comes to technical violations in community corrections. • The group is wrapping up work on Parole conditions and starting the work on Probation conditions. • The conditions working group should be able to finish work in the next 4-5 months. <p>Ban the Box Bill <i>DISCUSSION</i></p> <ul style="list-style-type: none"> • Stan reported that Representative McCann is running this bill, but wasn't available to give an update. • He added that the bill title is actually 'Responsible Re-entry' and that it is still in the drafting phase. • Stan added that Representative McCann is also running the 'Purposes of Parole' bill that came out of the Mandatory Parole Subcommittee. She is hoping someone from CCJJ will testify in support of both bills. <p>Restitution Interest Bill <i>DISCUSSION</i></p> <ul style="list-style-type: none"> • Senator Steadman reported that he introduced this bill after discussions in both the Re-entry Task Force and at the full Commission. • Senator Steadman shared that the bill went through a committee hearing on Monday and ran into a buzz saw. • He noted that there was quite a bit of opposition and that he is going to have to rewrite it. • There was a caveat in the bill regarding tolling of restitution but nobody is in support of that bill element.
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- The bill calls for lowering the interest rate from 12% to 3%, but most of the feedback is that 3% is too low. Most stakeholders are saying they don't want to go lower than 8%.
- Senator Steadman added there is not much consensus with other issues.
- The Colorado Criminal Defense Bar has raised an issue about driver's licenses being revoked because people haven't paid restitution in full. Senator Steadman said he would like to get rid of this restriction for those convicted of MVT or theft from motor vehicle offenses. These categories of offenses were overlooked the last time CCJJ passed recommendations (2008) regarding NOT revoking people's licenses.
- There is also an issue about the Judicial Department vacating orders for the deceased and how to go about that.
- There is another issue about whether victims can ask for restitution orders to be modified.
- Senator Steadman wrapped up by saying he believes the bill will probably go through, but at 8% rather than the original proposed 3%.
- There are currently 32,000 people in the state on a restitution plan but many of them will never get caught up.
- Additionally, many people are paying more on restitution than on rent and are continuing to go backwards. They will likely never have an opportunity to get caught up.

Housing Working Group

DISCUSSION

- Paul reported that a handful of people participated in a call on January 28th to discuss the issues around housing. Group members included Melissa Roberts, Lisa Tibbetts, Sean Taylor for Hassan, Paul, Kim and Germaine.
- Paul reviewed a handout that summarized the call.
- The working group started out by discussing available data, or lack thereof.
- Next, Melissa brought up that any conversation about housing would need to also include issues with sex offender populations. Sex offenders are usually put to the side because they're too hard to deal with, but to exclude them would be inappropriate. They pose not only general but specific problems, and nobody out there is dealing with this issue.
- As far as data on the number of people struggling with housing, there's not much information available. Computer systems were never designed to track/flag this issue.
- Melissa reported that DOC's current data system doesn't have a field for this. Some individuals will enter information but it's not consistent. She noted that DOC is working with C-Wise about the issue.
- However, office managers at parole offices have started keeping pen and paper data to begin to get a general idea of the problem. There are some preliminary numbers on November, December and January data.
- Melissa added that there isn't information on whether the numbers reflect discretionary or mandatory releases, but that DOC wants to start tracking this info as well.
- Rick Raemisich reported that in January there was no office that did not

	<p>have people released homeless.</p> <ul style="list-style-type: none"> • Rick said that as far as January 2016 release numbers, 667 parolees released to the community, 150 were released homeless, which is 22%. • These numbers don't include people released directly from DOC or those who kill their numbers, but it is assumed those numbers are probably comparable. • Another data element to keep in mind is that it is unknown exactly who currently, on parole, is homeless. The numbers mentioned above previously capture those being released to parole, but not those who are on parole and homeless. • DOC will continue to refine these numbers as far as types of release. • As far as federal numbers, Lisa sent an email letting the group know that she contacted federal probation, and that they don't have official numbers on the homeless either. • Probation also doesn't have data on the number of homeless. • Paul noted that this group also talked about types of housing that people looked at in regard to re-entry. • He shared that most of the conversation focused on a 'big ticket' solution, possibly a building or a set of buildings with multiple units for offenders to rent. • One of the main focuses of this conversation was around needing some type of building or complex where a significant number of people could be housed. • Paul added that there are many states that use a 90-day period of halfway houses, but those are usually strictly about housing and not services. • Has Colorado's Community Corrections office ever discussed this? Or should DOC figure out how to run its own transitional housing? • Tom Giacinti added that the biggest problem is zoning. Pursuing something like this would likely need to take place on public land because of ongoing battles with communities and NIMBY issues. • Melissa shared that this could be more of a supportive housing model, not treatment based. • Joe Pelle shared that even if current facilities were used, there is not enough capacity for the number of people trying to re-enter. • Paul reported there are often beds that are underutilized in the state. • Melissa said people need supportive housing - a room or a place to live until we can get them where they need to go. • Melissa shared that there is a property off of Lehigh that could support approximately 25 beds in a combination of permanent and supportive housing and that something like this could offer an emergency housing situation. The building is three stories and could have a drop-in office for anyone attached to the 1355 grant. With this kind of scenario they wouldn't be holding groups there, but cognitive intervention could be available. • There are a lot of states that have piloted some good housing models, but taking this up to scale statewide is a huge undertaking. • Melissa noted that other states do scattered sites, two apartments here, two there.
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- Some other homeless initiatives look at partnerships with property managers who dedicate themselves to a percentage of spaces being dedicated.
- If those parolees and others who are homeless have a higher recidivism rate, then addressing the homeless issue helps address the recidivism rate.
- It's also pretty popular to have a direct partnership with landlords.
- Maybe partner with the Veterans Administration?
- Melissa shared that she's been talking with Jen Lopez who is the Governor's Homeless Initiatives Director. Another movement is around churches donating land to house people who are re-entering. This could be another possibility.
- Paul noted that the working group also discussed policy issues during their conference call.
- Some of the policy issues are as follows:
 - HUD rules
 - Local zoning
 - Local ordinances
 - Some jurisdictions straight out prohibit re-entry facilities
 - Conditions of supervision rule that they parolees can't associate, which negates supportive housing
- Paul wrapped up by saying that there needs to be further in-depth conversations with experts on this topic to better understand this issue.
- Conversations should take place with the following stakeholders:
 - Jen Lopez from the Governor's office
 - Katie Bonamasso from DOLA, DOLA pushed the partnership with Ft. Lyon
 - There's also a Boulder coalition working on this
 - Lots of faith-based initiatives are taking place
 - Places like Bridge House have lots of private money and grants
 - Colorado Coalition for the homeless, what about them? Louise?
- Paul suggested that next steps could include setting up meetings with these people to start talking through the issues. This will help to get a better environmental scan on all the Colorado efforts.
- He added that staff will compile names and put an invitation out to these folks.
- Paul said he can talk to folks and get a better environmental scan, and look at 'who' is doing 'what'.
- Sen. Steadman shared that there are a lot of "lessons learned" from Ft. Lyon that would be good to know. It would be important to talk to them.
- Ft. Lyon makes an interesting model because there are other state properties not being used right now. There are recommendations going being made in the legislature to close or sell these facilities. There are state facilities in Wheat Ridge, Pueblo and Grand Junction that are sitting empty. Campuses which aren't being used.
- The Grand Junction Regional Center could possibly be made into more of a Ft. Lyon type of facility.
- There will always be struggles with private providers, but doing this on state property by-passes these issues. People could be congregated on

	<p>these grounds.</p> <ul style="list-style-type: none"> • JBC staff is currently looking at a recommendation to close the Grand Junction location. It was originally created as a residence hall for people with disabilities. There would be start-up costs for converting these building, but maybe a lot of the residents could do a lot of the work. • Sen. Steadman said there is no timeframe on this recommendation right now. He noted that it is controversial and likely won't happen this year. • This is something important to keep on the radar screen.
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Issue/Topic:	Discussion:
<p>Upcoming CCJJ Retreat</p> <p>Action:</p>	<p>Paul informed the task force members that the CCJJ will be holding its annual retreat later in the week and that commissioners will likely be making some decisions about where to focus energies over the next two years. A discussion ensued.</p> <p><i>DISCUSSION</i></p> <ul style="list-style-type: none"> • This group needs to prepare something for the CCJJ to consider when making decisions about next steps and where the Commission should go from here. • Paul directed task force members to a legal sized sheet of paper in their packets that shows the progress of the Re-entry Task Force through 2015. • Re-entry was defined as a study area by the Commission in February 2015 and the task force began its work in April 2015. • Three main areas were identified as needing study including Technical Violations, Collateral Consequences and Access to Medical and Mental Healthcare. • The task force agreed to begin work in the area of technical violations and then move into the other areas. • During 2015 the Re-entry Task Force established 5 working groups as follows: <ul style="list-style-type: none"> -Conditions -Definitions -Assessments -Race/Ethnicity/Gender Bias -Housing • The Conditions Working Group is continuing its progress and will probably wrap-up work in the next three months. • The Definitions Working Group was unable to come up with a common definition of recidivism for DOC, Judicial and Community Corrections. • As for the Assessments Working Group, there was a lot of conversation about the LSI and assessments and issues in regard to gender, race and ethnicity bias issues. However the conclusion from this work was to stay the course with the assessment tool currently used in Colorado, which is

	<p>the LSI-R.</p> <ul style="list-style-type: none"> • Paul noted that just recently this task force has jumped into work around housing issues. • Paul clarified at the CCJJ meeting this coming Friday the Commission will be talking about what it wants to accomplish before June 2018, which is actually a tight timeline. • The Commission will be talking about the current work underway in the task forces along with the wishes of the Governor's Office about next steps for the Commission. • In preparation for the CCJJ meeting each task force is being asked about what the key things are they want to work on in the next two years. • Housing seems to be surfacing as a big deal for the Re-entry Task Force. • Joe Pelle said he agrees that there's energy around housing with DOC and other agencies and that it is indeed a hot button issue. • Paul shared that one of the priorities in the Governor's letter is for the CCJJ to address behavioral health issues. • Joe agreed that this is a huge problem for the jails. He said that for example, the state hospital won't take one of his inmates because he's too high of a risk. • Over 40% of inmates have an Axis 1 diagnosis. • He added that the Center for People with Disabilities has even filed a lawsuit against the state. • Joe also added that there's a problem when it comes to housing people with mental health issues because while jails can do evaluations, they can't force meds. • He went on to say that one of his inmates ate a mattress, ate a buckle off his straight jacket, and even disassembled the sink in his cell and eviscerated himself with the parts. • Access to medical and mental health care is a big problem. • Mental Health issues are a huge part of Re-entry. • What about the task force work around Collateral Consequences? Mark Evans shared that the Public Defender's Office has been working a lot on this, especially around record sealing. • Paul asked what the task force wants to try to accomplish in the next two years. • After a discussion by the group Paul summarized that it appears the task force wants to address housing, mental health issues in jails and finalize the work on conditions. He then asked if there was anything else. • Mark Evans shared that his main interest in working on this task force was to move some recommendations in regards to collateral consequences. He noted that there are some discrete statutory problems that are in the realm of CCJJ's ability to address. • Mark went on to describe that there is room to look at front end mitigation to pretrial diversion and that there are a lot of back end options as well. He added that there currently is no provision for a broader certificate of rehabilitation. • This group could also suggest enhanced protections for private employers who hire people. • As far as collateral consequences there's also an opportunity to make CBI
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	<p>records a lot more user friendly.</p> <ul style="list-style-type: none"> • Mark shared that there are many doable things that could be statutory fixes, but this group just hasn't been able to have the conversation yet. • Paul reminded task force members to focus on work that can actually be accomplished in two years. • Joe added that it's impossible to address housing without addressing mental illness, job issues, etc. Can't address one without touching many others. • Mark said that he would like the opportunity to present an initial pitch of proposed work on collateral consequences issues that could be achieved by November. • The task force agreed to wrap up work on Conditions and then establish a collateral consequences working group. • Task Force members said they would also like to continue work on Housing. • Access to medical and mental health should be moved out of this task force and into another arena/group. It's too big for this task force to address as a sub-component. •
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<p>Issue/Topic:</p> <p>Next Steps and Adjourn</p> <p>Action:</p>	<p>Discussion:</p> <ul style="list-style-type: none"> • Paul concluded by saying that he and staff will put together a proposal for the Commission for this Friday. • He also said that steps will be taken to gain more clarity around the Housing issues.
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Next Meeting

March 9th, 2016

1:30pm – 4:30pm

Ralph Carr Building