

Transition Task Force

Date: June 25, 2008, 3:00 – 6:00pm

Attendees:

Regis Groff, Chair
Louise Boris, TFL
Germaine Miera , Facilitator/DCJ
Christine Adams, Facilitator/DCJ
Dean Conder, Juvenile Parole Board
Greg Mauro, Community Corrections
Lou Archuleta, DOC
Brian Gomez, DOC
Mike Biggio, The Free Coalition
Bridget Klauber, Defense Attorney
Gregg Kildow, Community Corrections
Sean McDermott, Defense Attorney
Reo Leslie, Mental Health Treatment Provider
Shelby McKinzey, CU student
Paul Herman, Consultant

Absent:

Don Quick, District Attorney
Keith Penry, Douglas County Sheriff
Jeanne Smith, DCJ
Charlie Smith, Division of Mental Health
Kim English, DCJ/Research
Carol Peeples, Colorado Criminal Justice Reform Coalition
Regi Huerter, Manager of Denver Public Safety

Issue/Topic:

Updates/Assignments from last meeting:

Mittimus Backlog/SSN Commitments (Lou Aruchuleta)

Overview of HUD data from previous meeting.

Actions:

Discussion:

- The \$100 gate money was started prior to 1987 (a more specific date was not found).
 - Account for inflation since then offenders should receive approximately \$1100.
- The backlog for processing mittimus' is huge.
 - Approximately 3000 cases per processor.
 - Shouldn't affect the inmate though as cases that show changes are bumped up in priority they will be released when they are supposed to.
- One issue with SSNs is AKAs – DOC must use the name the inmate gives (the name they are sentenced on).
 - Should look into whether or not an individual's name could be changed if their real name is known.
 - Could possibly add a step in the process to figure out who the offender really is.
 - It was stated that this would in turn help the individual with their needed paper work later.
 - It was suggested this step be added to the PSIR – but not everyone receives a PSIR.
 - People from the Inman Center drive around to the booking centers to collect IDs and deliver them to DOC case managers.

Christine Adams gave an overview of the Fact Sheet made from the data presented by Charlie Smith at the previous meeting (see next page).

Summary of the Aggregate Results Colorado Housing Authority Survey

On Offender Eligibility for HUD Housing Programs

As originally presented by Charlie Smith

- 70 surveys were distributed to various housing agencies, 42 responses were received.
 - All percentages are of those that answered that specific question.
 - Information about specific housing agencies is not provided.
- Many agencies responded that their policies were not more restrictive than the HUD regulation (57%). However, based on responses to more specific questions, existing policies were often times found to be more restrictive.
 - 43% of agencies did not serve adult offenders.
 - 11 of the 24 agencies who said their policies are not more restrictive also reported that they do not serve former offenders.
 - However, various categories of offenders may be served if a specific amount of time has passed without incidence.
 - 75% would deny service to those convicted of a felony.
 - 50% would refuse service for a misdemeanor conviction.
 - 14% indicated that they would deny service to a non-violent offender.
 - 60% stated that they would deny service to a violent offender.
 - 55% would deny drug offenders.
 - 56% would deny offenders found NGRI.
- 95% have written policies regarding prospective tenants with criminal records.
 - 73% will deny for arson.
 - 75% will deny for domestic violence.
 - 85% will deny for homicide.
 - 88% will deny for sex assault.
 - 87% will deny for felony drug conviction.
 - 67% will deny for misdemeanor drug conviction.
 - 55% will deny for alcohol abuse.
- However, 69% said that they do sometimes make exceptions to these policies.
 - 29% will may exceptions if in drug rehabilitation program.
 - 16% will make exception for anger management courses.
 - 12% will make exception if in a domestic violence course.
 - 8% will make exception if the crime was the result of a disability.
 - 9% will make exception if the individual has a disability.
 - 20% will make exception if participating in treatment/services.
 - 97% said treatment and length of treatment will be taken into consideration.
 - 2% will make exception if on parole.
 - 4% will make exception if on probation.

Issue/Topic:

Task Force Update

Actions:

Discussion:

Germaine Miera summarized the Oversight Committee meeting, including the topics and issues being covered by each task force (see below) .

Germaine Miera went over summer benchmarks for the remainder of Phase 1 (see below).

Task Force Issues

Probation

- Driver's License retention
- Employment
- Money Collection
- Job Training
- Treatment
- Length of sentence
- Probation rules (72 base rules)
- Technical Violations

Incarceration

- Bond Issues
- Assessment and Reassessment
- Programming/Service Delivery
- Good time and earned time
- Release planning
- Education
- Mental Health

Transition

Survival needs vs. Support needs

Survival-

- Transportation
- ID's
- Housing
- Clothing
- Release money
- Medication
- Employment
- Fees

Post Incarceration Supervision

Parole Structure vs. Case Management

Structure-

- Parole eligibility
- Length of parole
- Community corrections boards

Case Management

- Conditions of supervision
- Use of incentives
- Technical violations

CCJJ Re-Entry Task Force Summer Benchmarks

The overall summer timeline goals

- Assess the issues
- How are we doing things today
- What are the changes we have to make

2nd set of meetings (weeks of May 26th & June 2nd)

Identify Gaps

3rd set of meetings (weeks of June 9th & 16th)

Prioritize issues to address

4th set of meetings (weeks of June 23rd & 30th)

SWOT Analysis

- Immediate
- Short term
- Long term

5th set of meetings (weeks of July 7th & 14th)

SWOT Analysis

- Immediate
- Short term
- Long term

6th set of meetings (weeks of July 21st & 28th)

Set Priorities

- Be very clear so someone NOT at the table can understand the issue

7th set of meetings (weeks of August 4th & 11th)

Draft and finalize recommendations (Lots of emails between meetings 6 and 7)

- | | |
|------------|---|
| 8/21/08 | Re-Entry committee review and approval of Task Force findings |
| 9/11,12/08 | Commission review of Re-Entry committee recommendations |
| 10/10/08 | Commission approval of Re-Entry committee recommendations |
| 11/1/08 | Recommendations to Governor |

Issue/Topic:

Overview of S.W.O.T.
(strengths, weaknesses,
opportunities, threats)

Actions:**Discussion:**

Need to discuss/decide the strengths, weaknesses, opportunities, and threats for each topic.

- o Also need to decide the Impact and Time Line for each topic:
 - o Impact: High, Medium, Low
 - o Time Line: Immediate, Short Term, Long Term, Stop (move no further with this issue)

There was some concern regarding the SWOT topics excluded from the Survival Needs list to be SWOTed first.

- o The Social Concerns and Employment issues will be dealt with at a later time. Some feel these areas also have an impact on survival, but will defer them for now.

See below for specific SWOT topics and issues discussed.

- o A few questions expressed during the SWOT, these and other "side note" issues are listed beneath each individual SWOT.

Issue: Housing		
	Strengths	Weaknesses
Internal	<ul style="list-style-type: none"> ○ Expertise in housing development (Colorado Coalition for the Homeless) ○ Reentry specialists (DOC) ○ Community Corrections Knowledge ○ Should have access to needed data ○ Task Force recommendations 	<ul style="list-style-type: none"> ○ Limited dollars to invest ○ Multiple entities have previously attempted to solve this problem independently ○ Communication (or lack-there-of)
	Opportunities	Threats
External	<ul style="list-style-type: none"> ○ Housing stock is high ○ The current economy/market conditions may be a good thing ○ Community corrections' beds are available ○ Private & Faith based housing opportunities ○ Public education ○ Tax incentives/credits for landlords. Possible startup funding ○ Make this a part of one's parole plan. 	<ul style="list-style-type: none"> ○ Association/Community ○ Lack of willingness to make housing available: private owners. ○ Cost of housing is high ○ Bad credit or no credit ○ Lack of employment/income ○ The stigma of being an offender (NIMBY effect) ○ Political actions ○ Zoning issues – government resistance ○ Geographic restrictions

Impact	Time Line			
	Immediate	Short Term	Long Term	Stop
High			X	
Medium				

Low				
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Side notes: Other agencies (e.g., DSS) are not accepting of certain groups (e.g., sex offenders) which increases limitations.

Prison work-release programs could address employment and housing in one step.

Issue: IDs		
	Strengths	Weaknesses
Internal	<ul style="list-style-type: none"> ○ Already in process (DOC is working with DOR) ○ Paramount concern ○ All in agreement of need ○ Paul Herman's knowledge 	<ul style="list-style-type: none"> ○ Cost ○ Communication (or lack-there-of)
	Opportunities	Threats
External	<ul style="list-style-type: none"> ○ Not prosecuted under alias ○ Working with intake facilities to forward ID ○ DOR ○ We are the government (therefore, we should be able to do this) ○ Look at other states' Best Practices ○ Small community opposition ○ Will increase employment 	<ul style="list-style-type: none"> ○ Many different entities can lose the original ID ○ Use of alias' ○ Homeland security ○ Distinction between ID car and actual identity ○ Sometimes impossible ○ Fiscal issues

Impact	Time Line			
	Immediate	Short Term	Long Term	Stop
High		X		
Medium				
Low				

Side notes: An inmate's DOC ID should be more valid outside of prison.

Why does DMV policy drive the policy on acceptable IDs?

Issue: Restitution, Fees, and Costs → item on hold, need statutory info before impact can be decided.

		Strengths		Weaknesses	
Internal		<ul style="list-style-type: none"> ○ Shared belief that change is needed ○ We know what we don't need 		<ul style="list-style-type: none"> ○ Need more clarity ○ Competing interests (victims) ○ Funding programs 	
		External		Opportunities	
		<ul style="list-style-type: none"> ○ Cost/benefit of necessity vs. set for failure ○ May make restitution payment more likely. ○ Restorative Justice model 		<ul style="list-style-type: none"> ○ Accounting practices at DOC and Judicial ○ Many agencies are involved ○ Snowball effect ○ Has emotion tied to it ○ Arbitrary amounts (% to be paid) ○ Competing interests (victims) ○ Requires statutory change ○ Competing court orders 	
Impact	Time Line				
	Immediate	Short Term	Long Term	Stop	
High			X		
Medium					
Low					

Side notes: Need to make a distinction between restitution and other costs/fees/fines/surcharges.

- No one wants to waive or minimize restitution.

A cost benefits analysis would likely show it would cost less to waive fees than to revoke someone back to prison.

A co-defendant's failure to pay can hurt one's credit.

Maybe create a way to stagger costs and/or delay payment.

*Need someone from judicial on this task force (County Judge Armonas has expressed interest).

Issue: Release Money		
	Strengths	Weaknesses
Internal	<ul style="list-style-type: none"> ○ All agree that the concept of gate money is obsolete ○ \$100 is too little for today 	<ul style="list-style-type: none"> ○
	Opportunities	Threats
External	<ul style="list-style-type: none"> ○ Create release model as part of parole plan ○ Create release package ○ Marketing strategy ○ First 48 hours are critical for public safety ○ Other programs can assist: tap other resources, find Best Practices 	<ul style="list-style-type: none"> ○ Cost to implement new idea ○ Requires statute change ○ Possible JBC opposition ○ Not a priority outside of this room (excluding the Governor's recidivism package).

Impact	Time Line			
	Immediate	Short Term	Long Term	Stop
High			X	
Medium				
Low				

Side Notes: Why not create a voucher system as part of a release plan (to replace the outdated \$100)?

Gate money doesn't do what it is meant to do (goes to fees/costs before they can use it for food/shelter)→ maybe the amount could vary by case? Maybe give to case manager to distribute? What percentage of inmates are getting this money in the first place (according to DOC, approx. 50% - only those that are being released for the first time on the current case).

Issue: Clothing		
	Strengths	Weaknesses
Internal		
External	Opportunities	Threats
	<ul style="list-style-type: none"> ○ Link to other organizations ○ Many places have clothing available (not really an issue). 	

Impact	Time Line			
	Immediate	Short Term	Long Term	Stop
High				
Medium				
Low				X

Issue: Transportation				
	Strengths		Weaknesses	
Internal	<ul style="list-style-type: none"> ○ All agree that we need to look at the process 		<ul style="list-style-type: none"> ○ Conflict of opinion on who should or shouldn't be allowed to drive. 	
	Opportunities		Threats	
External	<ul style="list-style-type: none"> ○ Not necessarily statutory change ○ Possible partnerships ○ Mobile parole officers 		<ul style="list-style-type: none"> ○ Rural vs. urban issues ○ Diverse career requirements 	
Impact	Time Line			
	Immediate	Short Term	Long Term	Stop
High				
Medium				
Low			X	

Side Notes: Unintended consequences of linking licenses to non-driving crimes:

One must leave a tenuously held job for hours to travel to the far flung locations for parole officer meetings, UAs, etc. (even more difficult situation for those that must use public transportation).

- Why do parolees/offenders lose driver's license for offenses that have nothing to do with driving?
- Why is driver's license revocation used as a default or general punitive consequence when this can certainly enhance the likelihood of parole failure?

No community corrections client is allowed to drive – liability issue

Issue/Topic (cont.):

Next Meeting

Actions (cont.):

Assignments

Discussion (cont.):

- Update on information collected relevant to assignments listed below.
- Will S.W.O.T. remaining survival issues:
 - Access to benefits
 - Employment
 - Health Care

Will then move on to support issues.

- Bridget Klauber:
 - o Will bring a list of all offenses linked to Driver's License removal.
 - o Will bring a form that lists the variety of fees that are possible.
- Sean McDermott:
 - o Will find out in what order fines/fees are paid (who has access to the money first).
 - o Will find out and present the statute that states that interest can be added to the amount owed by an offender.
- Gregg Kildow:
 - o Will bring an outline of the collections process from Probation.
- Brian Gomez:
 - o Will bring information on program allocation for gate money.
 - o Will try to find data on the number of people released with gate money.
- Carol Peeples:
 - o Will look up what other states have done regarding ID issues.
 - o Will research what other states do regarding release money.