

DRUG POLICY TASK FORCE

Recommendations presented to the
Colorado Commission on Criminal and Juvenile Justice
November 18, 2011

FY12-D1. Legislative Proposal for Treatment Funding Consolidation and Reporting

Recommendation Synopsis: Consolidation of the Drug Offender Surcharge Cash Fund (to include the HB-1352 GF appropriation) and the Drug Treatment Fund (created in SB03-318) into a single fund (Correctional Treatment Cash Fund) . In addition, consolidation of the three oversight bodies into a single decision making body.

DISCUSSION

The purpose of the recommendation is to increase efficiency and foster cross-agency collaboration in the delivery of treatment to people under supervision of the criminal justice system and enhance reporting requirements on specific treatment outcomes and programs. Currently, there are three major funding sources for substance abuse treatment for people in the criminal justice system including, Drug Offender Surcharge revenues, funding per HB10-1352, and funding per SB03-318. Each of these three funding sources has its own fund in state statute, has a separate oversight and/or decision-making body (with different membership), and different permissible uses of the funds and reporting requirements.

Recommendation Details - Proposed Solutions:

Suggestions were offered to the Drug Policy Task Force within the Colorado Criminal and Juvenile Justice Commission (CCJJ) by the Interagency Advisory Committee on Adult and Juvenile Correctional Treatment (IACAJCT), Interagency Task Force on Treatment (ITFT), HB-1352 Advisory and the CCJJ Structure Work Group. The Task Force forwarded the recommendation to the Commission which approved the following recommendation elements:

- a) The fund would retain interest earned and at year end all unexpended monies would remain in the fund as re-appropriated funds.
- b) Consolidation of the three oversight bodies into a single decision making body would include one voting representative from each statutorily named department, division, office or professional association; Department of Corrections, Judicial Department (Division of Probation Services), Department of Public Safety, Department of Human Services, Office of the State Public Defender, Colorado District Attorneys Council, Colorado Sheriff's Association and Colorado Counties Association. The new body will have 8 voting members.
- c) The statutorily identified purposes for the funds will be consolidated and expanded to include data collection, analysis and administrative support. The following would be approved purposes:
 1. Screening
 2. Testing
 3. Assessment/Evaluation
 4. Education
 5. Statewide conference
 6. Treatment- assessed substance use and co-occurring disorders
 7. Recovery support services- to be defined by oversight body
 8. Data collection, data analysis, and administrative support

[ERRATA: corrections below]

d) The populations to be served with funds shall be:

1. Diversion: adult and juvenile
2. Probation: adult and juvenile
3. Parole: adult and juvenile
4. Community corrections
5. Jail

e) Enhance the data collection and reporting on treatment outcomes for people in the criminal justice system. Although treatment-related detail is already collected by treatment providers through the DACOD system maintained by Division of Behavioral Health there has not been a history of reporting this information to criminal justice system stakeholders. DBH would be required to report the following details by treatment program (organized by Judicial District):

1. Referring criminal justice agency
2. Treatment program name and location (county and judicial district)
3. Client name and demographic information including gender and ethnicity
4. Level of treatment delivered
5. Actual length of time in treatment
6. Discharge status (with reasons for negative discharge)
7. Special licenses held by the treatment program (offender, youth, gender specific, bi-lingual, etc.)

[NOTE: Section f) was eliminated by the Task Force and, thus, was not considered by the Commission.]

~~f) It is not currently possible to include either a client's assessed treatment need level or a risk/need assessment score. DACODS does not have a field for either of those variables. DBH has been working on an electronic dashboard report on each treatment program that receives funding. The dashboard would include performance indicators like: length of stay in treatment, any reduction of drug use during course of treatment, any change in employment status, any change in housing, and any change in criminal involvement. A prototype of the dashboard will be in the field by the end of the year. DBH is also in the process of developing its Offender Management System (OMS) which would ultimately envision linking databases with probation, parole and drug courts to collect and report progress information on all offender clients receiving treatment services. The concept is similar to the DRS (DUI/DWAI Reporting System) which shares information that has been implemented with DUI clients in treatment who are also under criminal justice supervision.~~

- f) Local 318 boards will be re-constituted to ~~include~~ **ALLOW FOR THE INCLUSION OF ADDITIONAL MEMBERS**, one from community corrections boards, one local parole representative (sheriff of designee) and one representative from local government to representative to represent county jails. **BOTH JUVENILE AND ADULT SUBSTANCE ABUSE AND CO-OCCURRING TREATMENT NEEDS WILL BE CONSIDERED.**
- g) The role of the local 318 boards will be expanded to allow local 318 boards to coordinate with the single decision making body regarding the allocation of treatment dollars from all funding sources in order to meet the local treatment needs.
- h) The single decision making body shall prepare an annual treatment funding plan ~~pursuant to a formula~~ that will ~~allow for~~ **CONSIDER** a fair and reasonable allocation of resources throughout all regions of the state. The single decision making body shall develop this plan based on the available data and in consultation with the local 318 boards. The re-constituted SB 318 boards should tender recommendations to the single decision making body based on Assessed local needs and the information available to the re-constituted boards as to what the most effective treatment programs would be to meet those needs.
- i) Additional stakeholders may be invited to participate in meetings but would not be a voting member. The oversight body would be responsible for developing the funding **ALLOCATION FORMULA plan** between agencies, how to gather input on local needs, the annual conference budget and a mechanism to retain drug courts as a high priority, a plan for data collection and analysis, and any written guidelines or policies governing the operations of the oversight body.