Colorado Commission on Criminal and Juvenile Justice

Community Corrections Task Force MINUTES

November 7 / 10:30AM-12:00PM Virtual Meeting

ATTENDEES TASK FORCE MEMBERS

Tim Hand, Task Force Vice-Chair, Larimer County Community Corrections, Doug Carrigan, Advantage Treatment Centers John Draxler, Probation Services/ 13th Judicial District (JD) James Karbach, D.A. Office/ 20th JD Ken Kupfner, DA Office/ 20th JD Chris Meeks, Denver Community Corrections Board Katie Ruske, Office of Community Corrections/ Division of Criminal Justice Mark Wester, ComCor Inc.

ABSENT

Glenn Tapia, *Task Force Chair*, Division of Probation Services David Coleman, Second Chance Center Kristiana Huitron, Voces Unidas for Justice Todd Rowell, Sheriff's Office/ Mesa County

<u>STAFF</u>

Richard Stroker, CCJJ Consultant Laurence Lucero, CCJJ Staff, Division of Criminal Justice

Agenda	Discussion
Welcome	Tim Hand, Vice-Chair of the Task Force, welcomed and thanked everyone for
Introductions	participating in the Community Corrections Task Force (CCTF). Tim reviewed
Review of Agenda	the agenda of the meeting and solicited any additions or corrections to the
Glenn Tapia, Task Force Chair	August 22, September 12, or October 10 minutes. A motion was offered and
	seconded to approve each set of minutes. Task Force members unanimously
	approved the August, September, and October minutes.
Issue/Topic	Discussion
Presentation:	Gender/Race/Ethnicity on Probation
Disparity Issues in Probation	Dr. Erin Crites (Division of Probation Services) presented on disparities in
Erin Crites, Division of Probation	Gender, Race, & Ethnicity in Probation. The full presentation can be found on
Services	the Commission website on the CCTF page under the "Materials" tab at,
	ccjj.colorado.gov/ccjj-cctf2022.
	Highlights
	 Most people are on probation for a misdemeanor; about 2/3 of new
	probation cases and 3/4 of terminated probation cases are for
	misdemeanor offenses.
	- 30% of misdemeanants terminated from probation in FY20 were classified
	as high-risk or high-risk and high-need (high-risk only: N=465 individuals;
	high-risk/high-need: N=5497 individuals).
	- Nearly 87% (N=404) of those classified as high risk were males, and about
	67% (N= 3676) of those classified as high risk/high needs were males. About
	13% (N=61) of those classified as high risk were females, and about 33% (N=
	1820) of those classified as high risk/high need were females.
	- In FY22, about 76% of probationers were White, 11% were Hispanic, 9%
	were Black, and the remaining 4% were other races.
	- Approximately 3/4 are male (74% in FY22).
	- Data have some limitations: Race and ethnicity are combined in the court
	database system which results in a smaller percentage of Hispanic
	probationers than would be expected; gender is coded in a binary measure;
	Data are not typically self-reported but rely on officer perception.
	 Between 2008 and 2018, probation's new misdemeanant population grew by over 11,000 people. New felonies increased by about 2,300.
	- Offenses type distributions vary within races. Because of their large
	representation in the data, white probationers drive the averages.
	 Asian (45.9%), Hispanic (40.5%), and probationers of some other race
	(41.1%) have higher rates of DUI compared to the average (38.5%)
	 Black probationers (15.8%) have higher than average rates of drug offenses (12.6% is the average)
	 Native Americans (14.1%) have higher rates of other offenses compared to the average (10.3%)
	 Native Americans (25.8%) have higher rates of person crimes compared
	to the average (18.1%)

Issue/Topic Presentation:	 Black (13.8%) and Native American (13.1%) probationers have higher than average rates of property crime (9.8%)
Disparity Issues in Probation Erin Crites, Division of Probation Services	 Hispanic (14.2%) probationers have the highest rate of traffic offenses compared to the average (9.8%)
(continued)	<u>Key Takeaways</u>
(continued)	 Minorities are over-represented in the high-risk group and underrepresented in the high-need group
	 Men are over-represented in the high-risk group and underrepresented in the high-need group
	 Types of offenses vary by race and gender – White probationers drive the averages; Women are more likely to be on probation for drug offenses compared to men.
Presentation:	Community Corrections Services
Community Corrections Services Doug Carrigan, Advantage Treatment Centers Mark Wester, ComCor Inc.	Mark Wester and Doug Carrigan presented on Community Corrections Services. They shared an interactive map developed by the Office of Community Corrections at the Division of Criminal Justice, including the location of the Community Corrections programs. The listing of programs and map can be found at, dcj.colorado.gov/dcj-offices/community-corrections/find-community- corrections-programs.
	A quick reference guide for Specialized Treatment Programs in Community Corrections can be found below the map of Community Corrections facilities. These include Intensive Residential Treatment (IRT), substance abuse therapeutic community (TC), Sex Offender Supervision and Treatment in Community Corrections (SOSTCC), and Residential Dual Diagnosis Treatment (RDDT).
	Doug highlighted that Intensive Residential Treatment (IRT) programs are widely used in Colorado and that there is an array of specialized outpatient services offered in rural areas.
Presentation: Bed Capacity in Community Corrections <i>Katie Ruske, Office of Community</i> <i>Corrections, DCJ</i>	 <u>Bed Capacity in Community Corrections</u> Katie Ruske offered an update on bed capacity. She reminded the group that there are three ways to define capacity: Physical capacity: Number of beds in the facility Budget capacity: Number of beds funded. Staff capacity: Number of beds with adequate staffing capacity.
	Katie shared that 18 of the 26 surveyed programs responded with the following information about their capacity:
	 There are 3252 "physical" beds; 2534 "staffing" bed capacity; 2201 "funded" beds across all residential types.
	- Noticeable increase in daily population in the last 5 months.

Issue/Topic Presentation: Bed Capacity in Community Corrections Katie Ruske, Office of Community Corrections, DCJ (continued)	 As of recent weeks, a total of 570 individuals, approved by Community Corrections Boards, are on waitlists for a community corrections bed. The largest waitlist is in Denver and other counties in the Front Range. 5 programs currently offer work release programs; Bed availability and waitlists vary across the state and are caused by a combination of limited capacity, limited staffing, and funding. All 18 surveyed programs have waitlists. Waitlists range from 0 to 30 days. The average length of stay for residential programs is 322 days, and 342
	days for non-residential programs. Katie commented that currently, many programs do not have the capacity to accommodate a new population of misdemeanants without removing other populations from their programs.
Presentation: Community Corrections Pilot Program - Denver Greg Mauro, Denver Division of Community Corrections	Pilot Program in Denver Greg Mauro, from the Denver Division of Community Corrections, shared the Denver experience with a pilot program implemented in 2010. With the collaboration of the Division of Criminal Justice, Denver offered a stabilization 60-bed program within Community Corrections facilities (a total of 60 beds) for felony probationers who were at risk of revocation. The pilot program ran for 2 years and the criteria for placement included individuals with high-risk/high- need, active felony convictions, Denver residents, able to become employed, and at imminent risk of revocation. The program intended to provide a stabilization option for individuals on probation.
	Greg discussed some challenges of the pilot program. Individuals placed in this program as a condition of probation often thought the program was optional, and just addressed their housing needs. It was challenging for the facility to enforce rules and hold the individuals accountable (i.e. curfew violations, flights, etc.). Other issues related to transportation, case planning, earned time calculation, and return to custody were mentioned. Greg clarified that the pilot program offered another sentencing option, but failure could result in revocation and direct sentencing to community corrections or prison.
	Based on the Denver pilot experience, Greg offered his suggestions that the Community Corrections Task Force establish the profile of the population to serve and define what the program intends to do.

Issue/Topic Public Comment	Discussion
Public Comment	No public comment was offered.

Issue/Topic	Discussion
Next Steps & Adjourn	
Richard Stroker, CCJJ Consultant & Glenn Tapia	Richard Stroker recapped that during the past meetings of the Task Force, the group heard several presentations on background information and data. The specific mission of the Task Force is to determine whether services provided by community corrections programs might be beneficial to persons convicted of misdemeanors. Richard commented that, based on the Task Force conversations, the group agrees that there might be a population that could benefit from the CC services. He proposed that, at the following meetings, the group target discussions on the important issues to address related to the statutory tasks:
	 Type of population that might be served well by being placed in Community Corrections
	 Available to everybody?
	 Available to a population defined by risk?failing probation and facing revocation?
	 Available to a population defined by needs?Stability factors (housing, employment, and treatment)
	- Framework:
	 A pilot or a statewide initiative?
	 If pilot, what are the parameters? Location, length of stay, how long should the pilot run, etc.
	 Funding, cost, capacity, medical, and probation revocation for misdemeanors.
	Tim thanked the group for their participation and adjourned the meeting. With no further discussion, the meeting adjourned at noon.

Next Meeting Monday, December 5, 2022 / 10:30 am-12:00 pm

Meeting information will be emailed to members and posted at, colorado.gov/ccjj/ccjj-meetings