

**Community Corrections Task Force
MINUTES**

January 9, 2023 / 10:30AM-12:00PM
Virtual Meeting

ATTENDEES

TASK FORCE MEMBERS

Glenn Tapia, *Task Force Chair*, Division of Probation Services
Tim Hand, *Task Force Vice-Chair*, Larimer County Community Corrections
Doug Carrigan, Advantage Treatment Centers
James Karbach, DA. 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

David Coleman, Second Chance Center
John Draxler, Probation Services/ 13th Judicial District (JD)
Kristiana Huitron, Voces Unidas for Justice
Todd Rowell, Sheriff's Office/ Mesa County

STAFF

Richard Stroker, CCJJ Consultant
Laurence Lucero, CCJJ Staff, Division of Criminal Justice
Jack Reed, Research Director, Division of Criminal Justice
Courtney Leaply, CCJJ Staff, Division of Criminal Justice

GUEST

Dianne Tramutola-Lawson, Colorado CURE

Issue/Topic	Discussion
<p>Welcome & Approval of Minutes <i>Glenn Tapia, Task Force Chair</i></p>	<p>Glenn Tapia, Task Force Chair, welcomed members and guests to the Community Corrections Task Force (CCTF) meeting. Glenn reviewed the agenda and solicited members for any additions or corrections to the December 5 minutes. A motion was offered and seconded to approve the minutes. Task Force members unanimously approved the December 5 minutes.</p>

Issue/Topic	Discussion
<p>Summary: Previous Discussion of Characteristics of a Proposed Pilot <i>Glenn Tapia, Task Force Chair</i></p>	<p>Glenn summarized the discussion points from the December 5 meeting.</p> <p>Mandate: Are there persons that might benefit from placement in community corrections? If so, for whom specifically?</p> <ul style="list-style-type: none"> • Yes, misdemeanants may benefit from placement in community corrections programs. • Pilot. The Task Force agreed to recommend a pilot project (not a statewide/broad initiative). • Pilot Population <ul style="list-style-type: none"> ○ For High Risk and High Need offenders, as defined by state probation risk/need assessments. ○ For those at risk of revocation on probation. ○ For individuals as a Condition of Probation (CoPR) but (See next bullet: Opt-in). • Opt-in. It might help for clients to “opt-in” to Community Corrections as a Condition of Probation to gauge client desire/choice, in lieu of revocation. • Regular or Specialized Beds. Regular beds are preferred in order to better scale up the option after the pilot because there are already IRT placements, but would exclude Therapeutic Community [TC], Sex Offender [SXO], and Residential Dual Diagnosis Treatment [RDDT] beds. • Treatment Duration. Unlimited in time (no finite number of days) but funding should be limited by DCJ contracts to not overspend state funds. • Population Priority. Should misdemeanants be prioritized over felony placements? CCJJ proposal should let that be determined locally by board/program discretion, transportation issues, jail backlog, and waitlist issues in the pilot project. This should be answered in the pilot study as an implementation issue. • Funding. General Assembly should appropriate new dedicated funds for the pilot, including evaluation and implementation support funding for DCJ or an external research entity. Could be achieved as a new line in DCJ budget (i.e., include a budget line for pilot placements as a footnote) with legislative intent established in a Long Bill footnote. • Scale of Pilot. Two to three sites to include urban and rural sites or maybe limited to a number of beds or Average Daily Population (ADP) for the sake of funding limits. The scale should be large enough to generalize to a larger population. A pilot should also include county-run facilities in addition to for-profit/non-profit facilities.

<p>Issue/Topic Summary: Previous Discussion of Characteristics of a Proposed Pilot <i>Glenn Tapia, Task Force Chair</i> (continued)</p>	<ul style="list-style-type: none"> • Implementation <ul style="list-style-type: none"> ○ DCJ to issue Request for Proposal/Competitive procurement process to interested boards and providers. ○ The initiative should contain specific budgetary/legislative intent to fund rural initiatives to study those unique issues. • Pilot Duration. A pilot should last long enough to give people time at risk in the community after termination to track recidivism outcomes and also to get a large enough sample to generalize to a larger population. • Board Discretion. Local board and program screening/discretion should be preserved for this pilot.
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<p>Issue/Topic Pilot Program: Additional Points regarding Program Framework & Statutory Issues <i>All</i></p> <p>ACTION ITEM James will study legal and statutory issues regarding placement in available community corrections programs</p>	<p style="text-align: center;">Discussion</p> <p>The goal of today’s meeting is to discuss the following:</p> <ul style="list-style-type: none"> • Pilot Design. Review finer points on the scale and duration of the pilot. • Program Type/Standards. Should the current programming be used or should there be specialized programming for this population? • Funding. Define finer points on additional funding versus existing funding for programming and research/evaluation. Funding for specialized programmatic requirements? Implementation support? • Research Questions. What questions should be answered and what data should be collected as part of the pilot? <p>James Karbach expressed concern that several Colorado statutes would require amendments to allow probationers who committed misdemeanor offenses into community corrections as a condition of probation. James clarified that, at the sentencing hearing, the court determines where an individual will be placed. His concern relates to legal issues raised regarding the authority of the court to place a misdemeanant into community corrections when the individual has already served part of the sentence.</p> <p>Katie reminded the group that Colorado statutes currently allow probationers who committed a felony offense to be placed into community programs.</p> <p>Ken Kupfner asked whether placement in community corrections as work release clients would alleviate some legal issues. James was uncertain and proposed to examine statutes §18-1.3-202(1)(a) and §18-1.3-301.</p> <ul style="list-style-type: none"> • §18-1.3-301(1)(b) – Authority to Place Offenders into Community Corrections Program. Making a direct sentence to a community corrections program, the sentencing court may impose a sentence to community corrections which includes terms, lengths, and conditions pursuant to section §18-1.3-401. The sentencing court may also refer any offender to a community corrections program as a condition of probation pursuant to section 18-1.3-202. Any placement of offenders referred to as a direct sentence or as a condition of probation shall be subject to approval pursuant to section 17-27-103 (5), C.R.S., and section 17-27-104 (3), C.R.S
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<p>Issue/Topic Pilot Program: Additional Points regarding Program Framework & Statutory Issues <i>All</i> (continued)</p> <p>ACTION ITEM Katie will provide a list of districts offering work-release programs</p> <p>ACTION ITEM Katie will provide data on community corrections as a condition of probation.</p> <p>ACTION ITEM Report Outs from Legal & Program Study Groups</p>	<ul style="list-style-type: none"> • §18-1.3-202(1)(a) – Probationary Power of the Court. When it appears to the satisfaction of the court that the ends of justice and the best interest of the public, as well as the defendant, will be served thereby, the court may grant the defendant probation for such period and upon such terms and conditions as it deems best. The length of probation shall be subject to the discretion of the court and may exceed the maximum period of incarceration authorized for the classification of the offense of which the defendant is convicted but shall not exceed five years for any misdemeanor or petty offense. <p>Ken asked Katie if she was aware of community corrections facilities around the state that would be interested in a pilot offering work release to misdemeanants. Katie responded that community corrections facilities independently contract with local sheriffs’ offices to offer work release programs but that her office is unaware of the level of interest in serving misdemeanants. Katie will provide a list of the districts that offer work-release programs.</p> <p>Mark asked about the type of services offered in community corrections for high-risk/high-need clients compared to probation. Glenn indicated that research suggests those offenders would be better served in community corrections, given the smaller caseloads, the adequate level of supervision, and housing opportunities.</p> <p>Katie Ruske discussed that approximately 2.3% of individuals currently serve in community corrections as a condition of probation and that a large percentage of this population is in the Sex Offender Intensive Supervision Program (SOISP). She will gather data on this population broken down by districts and offenses.</p> <p>Richard suggested forming two Study Groups - one to work on statutory issues and one on programmatic issues. These groups will address the following topics:</p> <ul style="list-style-type: none"> • A Legal Issues Study Group - James Karbach and Ken Kupfner <ul style="list-style-type: none"> ○ Are the legal issues unsurmountable? ○ Identify statutes and language that might require amendments. • A Program Study Group - Katie Ruske, Mark Wester, Tim Hand, and Chris Meeks <ul style="list-style-type: none"> ○ Review community correction services. ○ Type of services for misdemeanants in community corrections.
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<p>Issue/Topic Public Comment</p>	<p>Discussion Dianne Tramutola-Lawson with Colorado CURE thanked members of the Task Force for these significant efforts.</p>
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Issue/Topic	Discussion
<p>Next Steps & Adjourn <i>Glenn Tapia, Task Force Chair</i> <i>Richard Stroker, CCJJ</i> <i>Consultant</i></p>	<p>Glenn summarized the following points to discuss at the next meeting in February:</p> <ul style="list-style-type: none"> • Report from study groups: <ul style="list-style-type: none"> ○ Legal Issues Study Group ○ Program Study Group • Group Discussion of Findings <p>Glenn asked if there were additional questions, and with none, thanked participants and guests and adjourned the meeting.</p>

Next Meeting

Monday, February 6, 2023 / 10:30 am-12:00 pm

Details of the next meeting will be forwarded to the group and posted on the CCJJ web and calendar (ccjj.colorado.gov/ccjj-meetings & ccjj.colorado.gov/ccjj-calendar).