

Colorado Commission on Criminal and Juvenile Justice
Sentencing Reform Task Force

Sentence Progression Working Group
Minutes

February 16, 2021 / 3:00PM-4:00PM
VIRTUAL MEETING

ATTENDEES

WORKING GROUP MEMBERS

Dean Williams, *WG Leader*, Colorado Department of Corrections (CDOC)
Valarie Finks, Crime Victim Compensation, 1st JD DA's Office
Rick Kornfeld, Defense Attorney
Andrew Matson, Colorado CURE
Greg Mauro, Denver Division of Community Corrections
Steve O'Doriso, Adams County Commissioner
Amber Pedersen, CDOC
Michael Rourke, District Attorney, 19th JD
Catrina Weigel, District Attorney's Office, 20th JD

STAFF

Kim English, Division of Criminal Justice
Laurence Lucero, Division of Criminal Justice
Richard Stroker, CCJJ Consultant

ABSENT

Joseph Archambault, Office of the State Public Defender
Bob Gardner, State Senate

GUESTS

Merideth McGrath, DOC
Adam Zarrin, Governor's Office

Issue/Topic	Discussion
<p>Welcome & Introductions <i>Dean Williams, WG Leader</i></p>	<p>Working Group Leader Dean Williams thanked members for participating in the meeting.</p>

Issue/Topic	Discussion
<p>Status update on the Progression recommendation <i>Dean Williams, WG Leader</i></p>	<p>Dean described his updates on the Progression recommendation to the Feb. 10 meeting of the Sentencing Reform Task Force and the Feb 12 meeting of the CCJJ.</p> <p>In summarizing his comments to the Sentencing Reform Task Force, he explained that, while there was consensus about the problem, the Working Group has engaged in lengthy and robust discussions about whether more work was warranted to identify current gaps in reentry programming in the community by undertaking a more comprehensive study of the existing release options. Therefore, the recommendation was not presented at the Sentencing Reform Task Force meeting. The Task Force feedback concluded with a determination that the Task Force concurs that the Progression Working Group should continue its work regarding prison-to-community transition options and the related transition systems. This status update was also provided to the Commission members on Feb. 12.</p> <p>Dean informed members that he asked Task Force Co-chairs to select a new Working Group Leader who might be able to dedicate more time to these ongoing efforts.</p> <p>Dean asked Richard Stroker, CCJJ Consultant, to help guide the remainder of the meeting to discuss the next steps of the Working Group.</p>

Issue/Topic	Discussion
<p>Review of Recommendation concepts & Next Steps <i>Dean Williams, Richard Stroker, & Members</i></p>	<p>Richard reminded the group of the general areas of agreement and proposed to revisit the areas of focus/goals as follow:</p> <p>Areas of agreement</p> <ul style="list-style-type: none"> -The number of individuals returning to prison after release is unacceptably high; -The last year of a person’s period of incarceration should be different than their first year of incarceration. <p>Areas of focus/goals:</p> <ul style="list-style-type: none"> - Examine the use of options and incentives to promote positive progress after incarceration - Prepare individuals throughout incarceration for release and re-entry - Review opportunities to expand alternatives

<p style="text-align: center;">Issue/Topic</p> <p style="text-align: center;">Review of Recommendation concepts & Next Steps <i>Dean Williams, Richard Stroker, & Members</i> (continued)</p>	<p>DISCUSSION</p> <ul style="list-style-type: none"> • Steve reminded the group of the previous discussion to undertake a comprehensive study that could identify existing reentry programming gaps. He mentioned House Bill 20-1019, <i>Prison Population Reduction and Management</i>, which appropriated funds for a study as an example the group could build on (https://leg.colorado.gov/bills/hb20-1019). The completed study can be found at https://cdola.colorado.gov/prison-study. • Several members agreed about the necessity to first identify the gaps in Community Corrections (Comcor), ISP-I, and parole and address those gaps. <p>The following questions were asked:</p> <ul style="list-style-type: none"> - <i>Why are so many of those individuals so close to their MRD?</i> - <i>Have they applied to Comcor or ISP-I and have they been rejected?</i> - <i>Why were they denied?</i> - <i>What are the barriers?</i> <ul style="list-style-type: none"> • This study would be an opportunity to look at ways to improve these existing systems, and to understand how one relates to the other. <p><i>How to better prepare people in each system?</i></p> <ul style="list-style-type: none"> • There was a concern that a legislative mandated study would delay the solution. There is a sense of urgency to find a solution considering the high number of incarcerated individuals who are approaching their MRD. • The lack of communication between systems was mentioned. There are cases of individuals who are deferred from parole and shortly after referred to Comcor. It is important to better understand who is the most appropriate for each system based on his/her needs and ensure a more robust communication between systems. • One of the issues with these systems (Comcor, ISP-I or Parole) is that they still consider the crime committed as one of the criteria to accept or deny. A broader systematic change is needed. Many incarcerated individuals get discouraged when they are denied and will not re-apply or apply to any of those options. • Some members mentioned how confusing the transfer/referral to these systems is for the victims. Victims receive multiple notifications regarding release information, transfer to community corrections and parole hearings and many do not understand the difference between those systems. • It was suggested to work on better defining the populations most appropriate for Comcor, ISP-I and parole. The systems seem to be competing for the same client. • What is the information presented by DOC case managers about these systems? What is the extend of the DOC role to refer someone to one system or another?
--	--

<p>Issue/Topic Review of Recommendation concepts & Next Steps <i>Dean Williams, Richard Stroker, & Members</i> (continued)</p>	<p>Richard summarized the day’s discussion and general areas of study:</p> <ol style="list-style-type: none"> 1. Gather more information about those individuals who are approaching their MRD. Have they applied to Comcor or ISP-I and rejected? If so, for what reasons? Is this a problem of system capacity or with the acceptance criteria? 2. What is the relationship between these systems and how do they work? How to improve the coordination and information sharing between systems? 3. What is the timing of eligibility in each system, criteria for eligibility and criteria for acceptance? Let’s gather more information to determine who is appropriate for each system and what criteria to use? 4. Identify what is missing: What are the gaps? 5. How can we help these individuals to be more successful as they move within the systems? 6. What is the information presented by case managers to incarcerated people about these systems? <p>Kim and Amber will create a table for a comparison of reentry programs including eligibility referral criteria, timeline, supervision, acceptance criteria, service provided, and outcome.</p> <p>Greg will provide a brief presentation on Community Corrections programs and Meredith on ISP-I.</p>
--	--

<p>Issue/Topic Public Comment</p>	<p>Public Comment No public comment was offered.</p>
<p>Issue/Topic Next Steps & Adjourn <i>Dean Williams, WG Leader</i></p>	<p>Discussion</p> <p>The Working group will meet on a monthly basis during “Commission week” and will be extended 30 minutes to end at 4:30pm.</p> <p>The agenda for the next meeting:</p> <ul style="list-style-type: none"> • Presentations on Community Corrections, ISP-I and Parole • Review Re-entry Table from Amber and Kim • Clarify next steps (Richard facilitate) <p>The meeting adjourned at 4:00 pm.</p> <p>The next Sentence Progression Working Group meeting is Tuesday, March 9, 2021 at 3pm-4:30pm.</p>