



## Colorado Commission on Criminal and Juvenile Justice

### Minutes

August 12, 2016

480 South Allison Parkway  
Lakewood, CO 80226

#### Commission Member Attendance

Stan Hilkey, Chair	Evelyn Leslie	Scott Turner
Doug Wilson, Vice-Chair	Beth McCann	Dave Weaver - ABSENT
Jennifer Bradford	Joe Morales	Michael Vallejos- ABSENT
John Cooke	Norm Mueller - ABSENT	Peter Weir
Kelly Friesen - ABSENT	Joe Pelle	Robert Werthwein- ABSENT
Charles Garcia	Rick Raemisch - ABSENT	Meg Williams
Kate Horn-Murphy - ABSENT	Rose Rodriguez	Dave Young - ABSENT
Jessica Jones - ABSENT	Lang Sias - ABSENT	Mike Garcia
Bill Kilpatrick	Pat Steadman - ABSENT	Jeanne Smith, <i>Ex Officio</i>

**Substitutes:** Charles Parkins for Robert Werthwein

#### CALL TO ORDER AND OPENING REMARKS

##### Stan Hilkey, Chairman and Executive Director of the Department of Public Safety

Stan Hilkey, Chairman of the Commission and Executive Director of the Department of Public Safety, called the meeting to order and began by introducing two new Commissioners. He explained that Golden Police Chief Bill Kilpatrick has been reappointed as the representative of the Chiefs of Police and is replacing Lakewood Police Chief Kevin Paletta. Chief Kilpatrick was one of the original members of the Commission and was very active not only on the full Commission, but on the first Juvenile Justice Task Force as well. Mr. Hilkey added that Mike Garcia, the newly appointed Director of Probation Services, is replacing Eric Philp as one of the representatives from the Judicial Branch. Previously, Mr. Garcia worked as the Chief Probation Officer in the 17<sup>th</sup> Judicial District.

Mr. Hilkey reviewed the agenda and asked for any corrections, suggestions, additions or revisions to the June minutes (there were no July minutes as that meeting was canceled). Seeing none he called for a motion to approve the minutes. Following a motion and a second, the minutes were approved unanimously.

#### NATIONAL CRIMINAL JUSTICE REFORM PROJECT

##### Jeanne Smith, Division of Criminal Justice

Jeanne Smith reminded Commissioners that during the June meeting, they agreed to endorse Colorado's application to be one of 20 states to attend a National Criminal Justice Reform

Project (NCJRP) summit to be hosted by the National Governors Association (NGA) and the National Criminal Justice Association (NCJA) in October. The application was in the form of a “Request for Information” (RFI) that required a letter from the Governor’s Office. The response to the RFI was a letter stating that if Colorado is selected as one of the states to receive technical assistance, the work would target the areas of data sharing and mental health information sharing. Ms. Smith explained that the project is funded by the Arnold Foundation with grants to both the NGA and the NCJA. The goal of the initiative is to assist states with criminal justice reform and long term strategic planning.

The project will commence with a two-day forum scheduled to be held in Denver in October, during which Governor Hickenlooper will welcome attendees and deliver an address to the group. The Governor’s Office submitted a letter of interest to the NGA which highlighted the Commission’s commitment to participate as a team member in the project should Colorado be selected to participate in the summit.

Following the summit, five states will be selected for the actual project which will include targeted, intense technical assistance. Ms. Smith concluded by explaining that if Colorado is indeed selected to participate in the October summit, a team of four members will attend the forum including Commission Chair Stan Hilkey, Vice-Chair Doug Wilson, Adrienne Russman from the Governor’s Office and Ms. Smith.

Ms. Smith told Commissioners she will provide updates to them on the outcomes of the selection process for inclusion in both the October summit and the full initiative.

## **DATA SHARING TASK FORCE UPDATE**

### **Jeanne Smith, Division of Criminal Justice**

Ms. Smith went on to explain that, in part, the request for information (RFI, mentioned above) focused on efforts that have been made by the Data Sharing Task Force. One of the recommendations to the Commission from the Data Sharing Task Force called for the state to establish a central planning committee to focus its efforts on promoting criminal justice information sharing. Ms. Smith explained that the task force suggests this work begin by examining municipal court data. Part of the struggle to date has been identifying municipal court representation on the Task Force. However, task force members are working with the Colorado Municipal League to find local internet technology experts or court administrators who have some expertise and interest in creating a data system, to join the Task Force

Ms. Smith further explained that another challenge with data sharing lays in creating a governance structure that determines who gets access to what information. The technology piece of data sharing is actually the easier piece of the puzzle. The governance structure deals with privacy laws, access, and issues regarding how long the information is available, among a multitude of other concerns that sit apart from the actual technology. The long term goal is to be able to share municipal court information, through some kind of data portal, and to eventually springboard from there to other types of information sharing such as mental health and local jail information.

Ms. Smith extended an invitation to Commissioners to participate in the Task Force work if they have any interest and availability.

**JUSTICE INFORMATION SHARING / STRIDES IN LOCAL JURISDICTIONS**  
**Debbie Allen, Adam's County Criminal Justice Coordinating Council**

Ms. Smith introduced Debbie Allen from the Adams County Criminal Justice Coordinating Council and explained that Ms. Allen's expertise in data sharing has been integral to the discussion of the work of the Data Sharing Task Force. Ms. Allen has been the lead and the catalyst for the information sharing environment currently taking place in Adams County.

Ms. Allen explained that she directs the Adams County Criminal Justice Coordinating Council (CJCC) which represents both Adams and Broomfield Counties. Prior to her work in Adams County she worked for North Carolina's Crime Commission which is similar to the Colorado Commission on Criminal and Juvenile Justice. She noted that during that time, she worked with state agencies to build an information sharing environment within the state of North Carolina which gathered local, county and state information and made it available to end users.

Ms. Allen provided a PowerPoint presentation to Commissioners entitled Creating Information Sharing Environments (ISE) in Adams County, Colorado, which can be found on the Commission website at [www.colorado.gov/ccjj](http://www.colorado.gov/ccjj). Highlights of the presentation are outlined below.

*PRESENTATION HIGHLIGHTS*

During its inception, the Adams County CJCC created three strategic priorities:

1. Create an information sharing environment,
2. Examine the impact of behavioral health on the criminal justice system, and
3. Explore how to strengthen and expand alternative sentencing options.

With those priorities in mind, the CJCC focused on developing an information sharing platform to compile data in a consolidated manner. The goal was for end users (judges, probation officers, community corrections officials and so on) to have the ability to see a 'person-centered' view of an individual in the criminal justice system, which would result in better decision making in terms of programming and case management. Additionally, bringing together information through multiple of different data sets allows for analysis of aggregated data to identify trends and then to use that information in strategic planning.

The goal for Adams County in creating an information sharing environment was to:

*Create a 'system of insight' in order to be disciplined to pick programs that work, match offenders with appropriate programming and sentencing, support evidence-based decision making, and measure the true costs to the offender, agencies and the community.*

Ms. Allen stated that research indicates that it is common for 50% of a local jurisdiction's budget to be allocated to the administration of criminal justice. Last year alone 11.7 million individuals were admitted to county jails nationwide and 550,000 were admitted to prison, meaning the volume of justice is at the county and local level. Many city councils are wrestling with budgets and strategic planning in an effort toward maintaining public safety.

During the initial work in Adams County, members of the CJCC gathered critical information and discovered previously unknown facts including that there were numerous programs available post-sentencing, yet none were available pre-sentencing. They also discovered other critical information, including the fact that there were no homeless shelters in Adams County that would take a justice-involved individual. This initial work highlighted the need for more programs that fit within the counties strategic priorities.

Adams County addressed the data sharing issue by 1) creating a federated query system and, 2) creating a Justice to Health Exchange with analytics capabilities. Strategically, an agreement was made to use Open Source products and technology so that the work could be shared with other jurisdictions. Adams County is using National Criminal Justice Information Sharing standards to facilitate interoperability.

Ms. Allen described what is known as an Information Sharing Playbook, a national playbook produced by the IJIS Institute which lays out the path for creating an information sharing environment (ISE) both at a local and state level. The playbook includes critical elements for establishing an ISE including understanding what people need, asking the end users about their expectations, and the importance of finding an advocate and a visionary for a data sharing project. Much of the work is also centered on aligning funding.

Ms. Allen discussed the importance of 'Governance', which provides a mutually agreed upon framework that guides the design, development, implementation, management and sustainability for a sharing environment among participating agencies. As an example, Adams County has a 30 page governance agreement that outlines and describes who has authority, who has access, who has what responsibility and who is going to pay for what. It is also critical to communicate with partner agencies and build trust before initially discussing building these systems because what prevents people from sharing is the fear of losing control.

Ms. Allen described the data dashboard and walked Commissioners through the various elements. She explained that by the end of the calendar year, the data sharing dashboard should be operating and usable. The dashboard will be able to track information about individuals including where they are in the process, their charges and various risk/need assessment information, among other data. The dashboard will also allow for geographic mapping of certain information, and that can be provided to city council members and county commissioners to inform strategic planning. Currently the work in Adams County is focused on the adult justice population, but the plan will include juveniles in the case manager portal and also the data dashboard in the future.

Doug Wilson pointed out that the dashboard could list data about a person that might not be verifiable, for example, someone's gang affiliation. He asked who would be providing and

entering that kind of data. Ms. Allen replied that information would come from an agency that conducted an initial assessment, such as during the jail booking process. Mr. Wilson noted there are civil liberty concerns about some of the pieces of information, and there are also concerns about accuracy. Ms. Smith added that this type of data sharing system is not responsible for creating information; rather it is taking information that already exists and pulling it together. She added these struggles are not simple ones.

Jennifer Bradford asked if there is a way to go back and clean or fix data that may have been entered incorrectly on the front end. Ms. Allen replied that the governance agreement addresses data auditing issues.

Ms. Allen concluded by noting that permissions and standards are in place in the governance agreement regarding the sharing and access to sensitive data. The portal connects to an active directory which ensures that whoever is trying to access data is credentialed to access that data, and only that data. For example, a prosecutor will have different permissions than a law enforcement officer. The governance agreement also ensures financial sustainability by clarifying which agencies are responsible for paying what, including line items for future improvements of systems and training of personnel.

## **BUREAU OF JUSTICE ASSISTANCE / STATEWIDE RECIDIVISM REDUCTION GRANT UPDATE**

**Carrie Paycok, State Health IT Coordinator, Office of the Governor**

Mr. Hilkey introduced Carrie Paycok and explained that she would be providing information on the BJA Statewide Recidivism Reduction Planning Grant awarded to Colorado in October 2015. Ms. Paycok provided a PowerPoint presentation to Commissioners that can be found on the Commission website at [www.colorado.gov/ccjj](http://www.colorado.gov/ccjj). Highlights of the presentation are outlined below.

### *DISCUSSION POINTS*

Ms. Paycok reported that the BJA Recidivism Reduction Planning Grant has been ongoing for nearly one year and the intention of the grant is to develop a strategic plan for the development and implementation of a health-justice electronic information exchange to reduce recidivism for justice-involved individuals who have serious mental illness.

The grant allowed hiring IJIS Institute to provide technical assistance and assist in the development of the plan. The grant was spearheaded by the MICJS (the legislative oversight committee's Task Force on the Study of the Mentally Ill in the Criminal Justice System) and the Division of Criminal Justice. Work has involved convening stakeholders and surveying medical providers to produce goals, a vision, a mission and objectives. The grant will be concluding in October and we must submit an application to BJA to participate in the next phase, the implementation phase. If we are successful in this competitive process, Colorado might receive \$1M implementation grant for the coming year.

The project vision is focused on continuity of care. That means, for justice-involved individuals with serious mental illness, complete health - including behavioral health information - is available to clinicians working in the criminal justice system and clinicians working in the community, including treatment and medication needs. The goal is to develop an electronic information exchange infrastructure that will improve the mental health outcomes of those with serious mental illness, even expanding opportunities for diverting these individuals from the criminal justice system when appropriate.

Over the course of the last year grant planning team members convened numerous stakeholder groups and developed a series of goals for the project as follows:

- Goal 1--define the high risk target population of offenders with serious mental illness, the majority of which have co-occurring substance use disorders,
- Goal 2 --identify electronic information exchange needs and opportunities for the statewide grant planning process, and
- Goal 3--develop a statewide justice to health information exchange system plan to improve triage, assessment, treatment and continuity of care for individuals with mental illness or substance use disorders whether they are in the criminal justice system, newly established mental health crisis system or community reentry.

Five different functions to be considered during the planning process were identified as follows with each function needing to be designed in compliance with HIPAA and state law, and involving different levels of information access and permissions:

1. Criminal justice health provider and community health provider continuity of care information exchange,
2. Information for program evaluation/data collection, which includes looking at what interventions are effective and how to go about it,
3. Information for criminal justice supervision,
4. Criminal justice status information for health providers, which includes the ability for a clinician to know someone's criminogenic needs or past information, and
5. Information for law enforcement response to a crisis situation involving risk of imminent threat to the health or safety of a person or the public.

The group is also looking into *advanced site directives* which would enable someone to have the ability to share mental health information in advance so if something were to happen to them in or out of the criminal justice system, the information would be available.

The grant team selected the SAMHSA definition of 'Serious Mental Illness' to be used by all agencies that participate in the statewide information exchange system. They also defined recidivism as a return to a criminal justice facility for any reason. They also identified information sharing needs, gaps and benefits. The team arranged on-site interviews with 45 officials from 16 Colorado agencies to prepare technical recommendations for a statewide electronic justice and behavioral health information sharing system. Finally, the group coordinated activities with the Behavioral Health Transformation Council's Medication Consistency Workgroup.

Next steps include the preparation of a final report with detailed findings, technical recommendations and a roadmap for building out the information exchange. After getting consensus from participating agencies on the recommendations, a team of lawyers will review the procedures.

Ms. Paycok clarified that the platform on which this infrastructure would be build is still to be determined. Part of that decision will result from looking at the most effective way to share the data. She added that there is a consensus from the focus groups and the research showing there is a need for behavioral health information throughout the system, but which type of information, and shared with whom, still needs to be decided.

## **TASK FORCE UPDATES**

### **Richard Stroker, Commission Consultant**

Commission consultant Richard Stroker joined the Task Force Chairs in providing updates on the work underway in the individual Task Forces. That work is described for each group below. Mr. Stroker explained that he has been working with each of the Task Forces over the last month to help each group get clearly focused on the issues they are trying to develop a method to move work forward rapidly.

### **Juvenile Continuity of Care Task Force/ Chair Robert Werthwein**

Mr. Stroker provided the update for the Juvenile Continuity of Care Task Force in Robert Werthwein's absence. He explained that the Task Force wants to focus on *the effective use of information, resources and approaches among several agencies in order to better achieve desired outcomes for dual status youth*. The group defined dual status youth as both dually identified and dually involved, past or present, in both the child welfare and justice systems. Concerning work to date, the Task Force has been receiving educational presentations over the past three months.

As an overall goal, this group hopes to develop a 'systems approach' to dual status youth. There are approximately 23 different assessments performed by different organizations that may have contact with a youth at different intervention points. The question is: How do we share this information with others who are interacting with the youth so providers can be better informed when making decisions on treatment and supervision?

### **Mental Health and Jails Task Force/Chair Sheriff Joseph Pelle**

Mr. Stroker explained that this group is working to clarify its focus without being repetitive with other groups that are working on similar issues. Task Force members have recently determined that they want to concentrate work in the following three areas:

1. Diversion of appropriate individuals with behavioral health needs from the criminal justice system,
2. Providing necessary behavioral health services to individuals who are housed in a jail/detention facility, and

3. Ensuring appropriate continuity of care for individuals with behavioral health needs who leave the jail..

Task Force members hope to have work completed on the first item in the next four months. The group will then give itself approximately another four months to work on the second topic.

#### **Re-entry Task Force/Chair Stan Hilkey**

Mr. Stroker reported on the progress of this Task Force in place of Stan Hilkey who was unable to attend the task force meeting this month.

The Re-entry Task Force is focusing on two specific issues areas. First, the group is looking at the absence of available housing for people coming out of prison and people otherwise involved in the criminal justice system. The Task Force has determined it is primarily interested in expanding housing capacity for justice-involved individuals. Approximately 150 people are released from prison every month without appropriate housing and about 20% of the probation population also does not have appropriate housing. This is a significant problem and the importance of stable housing is critical to success. Multiple other groups around the state are also working on this issue and it will be essential to avoid any duplication of efforts.

The second focus for the Re-entry group is in looking at collateral consequences of conviction and the impact it has on successful reentry. Barriers include employment, public benefits, some aspects of housing and many other obstacles. Mark Evans from the Public Defender's office is heading up the Collateral Consequences Working Group in an effort to explore remedies and develop specific recommendations.

#### **Community Corrections Task Force/Chair Pete Weir**

The Community Corrections Task Force is largely focused on a specific population called the ISP-I population (Intensive Supervision Parole-Inmate Status). These are individuals who were not granted parole by the parole board but were released from prison to participate in a community corrections program, successfully completed the program, and remain on inmate status because the parole board does not grant them parole. They are placed on intensive supervision as mandated in statute. The ISP-I Working Group is looking at this dual system of re-entry (parole board release versus placement in a Community Corrections program) and how, for this particular population, it reveals some conflicts in the decision making process. The group is working on developing recommendations around determining how to better align decision making within the parole and community corrections system. They expect to have some recommendations by October or November.

Task Force Chair Pete Weir added that, regarding the recommendations, they will need additional input and vetting by both the defense and prosecution communities before they will be ready for presentation to the Commission.



**SEPTEMBER MEETING INFORMATION**

**Stan Hilkey, Chairman and Executive Director of the Department of Public Safety**

Mr. Hilkey directed Commissioners to review their agendas and highlighted that the next meeting is scheduled for Friday, September 9<sup>th</sup>, during which there will be a housing panel presentation to Commissioners.

**ADJOURN / NEXT STEPS**

**Stan Hilkey, Chairman and Executive Director of the Department of Public Safety**

Mr. Hilkey thanked Commissioners for their time and asked the group for any final comments. With no further business, Mr. Hilkey adjourned the meeting at 2:35 p.m.