



Colorado Commission on Criminal and Juvenile Justice

Minutes

February 10, 2017 – Commission Retreat

14600 West 32nd Avenue
Golden, CO 80401

Commission Member Attendance

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

Substitutes: Melissa Roberts for Rick Raemisch

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 at 9:44 am. Mr. Hilkey reviewed the agenda and asked for any corrections, suggestions or additions to the January minutes. Seeing none he called for a motion to approve the minutes, following a motion and a second the minutes were approved unanimously.

COMMISSION – WHAT WE HAVE DONE

Richard Stroker, Commission consultant

Commission consultant Richard Stroker began the meeting by reviewing Commission accomplishments and outcomes over the past year. He noted that, since the 2016 retreat, lots of good work has been accomplished, a significant array of topics have been addressed, and the Task Forces have been engaged in their work. He added that a significant amount of time and effort has gone into the work of each Task Force and Committee.

Mr. Stroker highlighted a handful of activities and outcomes from the last twelve months and noted that the 2016 work plan created by Commissioners a year ago did indeed come to fruition. Those outcomes are as follows:

- During the February 2016 retreat Commissioners directed the Community Corrections Task Force to develop recommendations regarding policies related to Intensive

Supervision Parole – Inmate Status (ISP-I). The Task Force developed three recommendations that were approved by the Commission in December 2016.

- In February 2016 Commissioners asked the Re-entry Task Force to continue its work with a focus on conditions of supervision, collateral consequences, and housing. The Task Force has been working diligently in all three areas and produced two recommendations regarding Conditions of Supervision that were approved by the Commission in June 2016. Recommendation development is also currently underway concerning collateral consequences and an estimated six to 8 recommendations are expected by summer 2017.

Regarding housing, Task Force members undertook a vigorous study of local, state and national housing issues in 2016 and also coordinated an in-depth panel presentation for Commissioners regarding the complexity of the housing landscape. Mr. Stroker explained that many groups and stakeholders are also working on housing issues and that the Task Force is exploring the possibility of collaborating with other stakeholder efforts already underway. Additionally, Melissa Roberts from the Division of Parole and Joe Morales from the Parole Board have been working together to address some internal obstacles surrounding inmates releasing homeless from the Department of Corrections. Ms. Roberts and Mr. Morales are working to improve coordination while identifying opportunities to reduce the number of people releasing from prison homeless.

- The Data Sharing Task Force has been focused on identifying ways to share information across jurisdictional lines. As with Re-entry, the Data Sharing Task Force helped coordinate a panel presentation for Commissioners in 2016 regarding Justice Information Sharing Systems with a focus on the work in Adams County. The Task Force continues to focus on ways to understand not only what types of automation currently exist, but how information could be gathered and shared in the future.
- The Mental Health/Jails Task Force has held nine meetings to date and has identified many significant issues along with producing four behavioral health recommendations regarding M1 Holds and the Crisis Response System. Those recommendations were approved by the Commission in January 2017 and corresponding legislation is currently making its way through the General Assembly. This Task Force also helped coordinate an in-depth presentation to Commissioners outlining the myriad of mental and behavioral health issues under consideration by the Task Force. Future work by this group includes diversion for people in the criminal justice system along with a focus on the delivery of behavioral health services in jails. A number of additional recommendations should be forthcoming from this Task Force over the next several months.
- The focus of the Juvenile Continuity of Care Task Force has been developing a model approach to the management of cross-over youth (youth who are under the care of both the juvenile justice system and child welfare.) The Task Force is making progress identifying the ideal elements of a model. This group is a few months away from producing recommendations for consideration by the Commission.

- During the February 2016 retreat Commissioners requested that the Minority Over-representation Subcommittee be placed on hiatus while other work commenced. Mr. Stroker reported that the issue of Minority Over-representation would be addressed later in the meeting and would also be a main topic of conversation during the March Commission meeting.

Mr. Stroker summarized that the Commission as a whole and the individual Task Forces have been extremely busy since the last retreat and that requests made by Commissioners at that time have been addressed. The Task Forces have been working on a variety of important issues and are making progress. Additionally, recommendations have been coming forward and will continue to do so over the next several months.

DISCUSSION

Mr. Hilkey noted that Commission leadership and staff often hear questions about the viability of the Commission and whether or not significant work is being accomplished. He added that, from the outside looking in, people may not understand the depth and breadth of the work. Mr. Hilkey explained that this information about accomplishments should be shared with colleagues, stakeholders and legislators, and he asked Commissioners to not hesitate becoming an ambassador for the work that they are doing.

Mr. Stroker added that he works on criminal justice reform in many states and that he is continually impressed with the quality of the work and outputs by the Commission.

Mr. Wilson explained that he believes the issue is more about the perception of product than the amount of product. Legislators can at times confuse the number of recommendations produced in a year with productivity, not realizing that it can often take years to wade through the issues to produce one solid recommendation. Mr. Wilson suggested that, as in past years, it may be wise for Commission leadership to present an educational piece to the General Assembly. He added that this is also a two-way street because there are a handful of recommendations produced over the last few years that are waiting for legislative sponsorship.

Mr. Stroker summarized that in terms of volume there may be one recommendation one year, yet dozens of recommendations the following year, simply due to work flow. The work done by the Commission is complicated and meaningful recommendations take time and careful consideration.

Jeanne Smith shared that she believes meeting with legislative leadership should be an annual occurrence. She added that face-to-face marketing about Commission accomplishments and endeavors is the best way to convey the true work of the Commission. Mr. Wilson added that people who do not actually participate on Task Forces or carry a heavy load of the work are often quick to criticize.

Joe Morales added that oftentimes people who criticize the work of the Commission do not realize that all Commissioners are also professionals and tend to have time-consuming and demanding full-time jobs *outside* of the Commission.

BACKGROUND – A FEW TRENDS AND C.L.E.A.R. ACT BRIEFING**Kim English, Division of Criminal Justice****A Few Trends**

Kim English, Research Director for the Office of Research and Statistics in the Division of Criminal Justice, addressed Commissioners and explained that she would provide a general overview of current, basic, criminal justice statistics and trends for informational purposes. She added that all of the information provided came from the Research Unit's website and that the full presentation can be found on the Commission website at colorado.gov/ccjj.

C.L.E.A.R. Act Briefing

Ms. English also explained that Commissioners have been provided with the Executive Summary of a report published in December 2016 by the Office of Research and Statistics, which was in response to a mandate in Senate Bill 2015-185. The sponsor of the bill, Senator Rhonda Fields, is a former Commissioner, and she inquired about its findings when the Commission's chair and vice-chair presented to the joint judiciary committees per the SMART Act reporting requirements. The report includes an analysis of decisions made at multiple points in the justice system process by race/ethnicity and gender. Ms. English explained that the Executive Summary contains a brief synopsis of the findings and that a more complete presentation will be provided to Commissioners during the March meeting. The full report can be accessed here: <http://cdpsdocs.state.co.us/ors/docs/reports/2016-SB15-185-Rpt.pdf>

COMMISSION – WHERE WE ARE NOW**Richard Stroker, Commission consultant**

Mr. Hilkey explained that the next section of the agenda would include reports from each of the chairs of the four current Task Forces and that Mr. Stroker would assist with the updates.

MENTAL HEALTH/JAILS TASK FORCE**Sheriff Joe Pelle, Task Force Chair**

Sheriff Pelle began by stating that the Task Force members are smart and dedicated and have been very productive. The first focus area for the Task Force was diversion at the front end of the system including expanding law enforcement training in mental health issues, strengthening the Crisis Response System and eliminating the use of jails for M1 (emergency mental health holds) cases. He noted the initial round of work resulted in four major recommendations that were approved by the Commission in January. With that work completed the Task Force is turning its attention to creating a diversion program or procedure for people who are already in the system, to get out of the system and into appropriate treatment. After that work is completed, the Task Force will then focus on the provision of mental health services to individuals who are in jails including the availability of evaluation and treatment for those who are acutely mentally ill.

Mr. Hilkey explained that in preparation for last year's 2015 retreat, the Governor wrote a letter to the Commission calling for a focus on behavioral health issues. He noted that the Governor remains focused on this topic, and this year's State of the State speech also highlighted this issue.

Dave Young noted that Adams County Criminal Justice Coordinating Council just received funding from the MacArthur Foundation to start a pilot program in which mental health counselors and workers will start to ride along with officers from the Thornton Police Department to assist in police contact with people who may be suffering from a mental health crisis.

Mr. Stroker added that representatives from both the Governor's Office and the Equitas Foundation have been attending the meetings of the Mental Health/Jails Task Force to ensure alignment of efforts between organizations and agencies.

Melissa Roberts shared that the Department of Corrections has been training its community parole officers on Mental Health First Aid for years, and that two in-house trainers are available to assist with trainings at the Peace Officer Standards and Training Academy, should the need arise. Sheriff Pelle added that a train-the-trainer session was held recently in Northern Colorado and dozens of people signed up to participate.

JUVENILE CONTINUITY OF CARE TASK FORCE

Richard Stroker for Robert Werthwein, Task Force Chair

Mr. Stroker explained that this Task Force is focused on dual status youth and identifying ways to create a single case plan and treatment plan for individuals that may be involved with child welfare, Probation and/or the Division of Youth Corrections systems. The Task Force is looking at existing models that encourage collaboration in the management of juveniles. The emphasis will be on creating authority within each judicial district to take responsibility for developing plans for coordination. The Task Force is working on a model system and has already outlined basic components for how a single case plan might work. Recommendations are expected for Commission consideration in the next couple of months.

DATA SHARING TASK FORCE

Jeanne Smith, Task Force Chair

Jeanne Smith reported that the Data Sharing Task Force has made positive strides and yet has also faced some challenges that may prompt the Commission to consider going in a different direction. The membership of the group may not consist of the people in the field who actually have expertise in data sharing with the ability to produce results. The focus of the work to date has been to determine how feasible it is to share municipal court data; however it proved to be more complicated than expected to get municipal court officials interested in a state-wide effort. While there were many hurdles the group was successful at keeping the conversation going about the intersection of data sharing and the treatment of the mentally ill in the criminal justice system. The work was also tied with a planning grant that the Division of Criminal Justice won a year ago which was focused linking people in jails with mental health challenges with community mental health resources.

Ms. Smith noted that those conversations have been important and will still lead to positive outcomes. The work also received the attention of the Governor's Criminal Justice Policy Advisor who attended several of the Task Force meetings. Ms. Smith shared that while the Task Force has been successful in keeping the issues alive in a number of different venues, she suspects the Commission might be better served by keeping tabs on the efforts of other entities working to improve data sharing. Commission staff could be responsible for tracking the efforts being made by other stakeholder agencies and providing updates and information to Commissioners as progress is made. She noted that she is not sure what else the membership of the small group may be able to accomplish going forward.

Ms. Smith added that the group disseminated a survey to municipal courts and that those responses are just now being collected. Task Force members hope to identify some municipal authorities through the survey who are possibly interested in a larger effort. She also explained that the current Data Sharing Task Force represents the second time the Commission convened a small group in the hopes of addressing data sharing issues, and that the first group (convened four years ago) also struggled with the work.

RE-ENTRY TASK FORCE

Richard Stroker and Stan Hilkey, Task Force Chair

Mr. Stroker explained that this Task Force has been working on two different areas at the same time. The first focus area is on collateral consequences and how to create more opportunities for collateral relief under existing Colorado law. The Collateral Consequences Working Group of the Task Force is making good progress and will have recommendations developed in the next couple of months for consideration by the Task Force and then the Commission. The group is working to ensure the proposals and suggestions would receive broad support from a variety of stakeholder groups and agencies. The Working Group is expected to produce a number of recommendations and complete its work in late summer or early fall.

The Re-entry Task Force has also been active in looking at opportunities to improve housing options, in particular for those releasing from prison homeless. Mr. Stroker shared that he believes the Task Force has largely accomplished as much as possible when it comes to looking at processes and practices. Beyond the work of the Re-entry Task Force there are many other agencies and stakeholder groups also involved in housing initiatives including the Department of Local Affairs (DOLA), the Governor's Office, the Equitas Foundation, and the Mentally Ill in the Criminal Justice Task Force (MICJS). Mr. Stroker added that the Task Force has found this to be a fairly crowded field and is trying to determine what its role should be in order to not duplicate the work of other stakeholders. The Task Force is also reluctant to invest too much time on an issue or initiative if other groups and stakeholders have already addressed the same topic.

Mr. Stroker explained that one of the other stakeholder groups, the MICJS Task Force, has created draft legislation focused on people coming out of prison, jail or community corrections that have significant mental illness and are homeless. He shared that this very well may have been the kind of initiative that the Re-entry Task Force would have proposed, had it had the

chance to put a couple more years into the work. The MICJS has invited the Re-entry Task Force to discuss their efforts and explore the possibility of collaboration with the Task Force. In turn, the Task Force has asked for some guidance from the Commission regarding next steps. If it is determined that the MICJS bill is similar to something the Re-entry Task Force would have ultimately produced as well, it may make sense for the Commission to shift its resources away from housing and toward another topic area.

Mr. Hilkey replied that housing is a difficult and layered issue, and the struggles affect not only justice involved individuals but many other populations as well. He noted that the Commission may indeed achieve better outcomes by collaborating on this topic. DOLA is pursuing \$16M in cash funds to assist with homeless initiatives.

Mr. Stroker summarized that the Commission, and more specifically the Re-entry Task Force, has put a lot of time and effort into this issue, but that there are also many other entities working in this area that are further along in the process. Mr. Hilkey asked if any Commissioners were opposed to leaving the housing work to other agencies. Seeing no opposition it was determined that the Re-entry Task Force not continue with efforts in this particular topic area.

COMMISSION – WHERE WE GO FROM HERE

Richard Stroker, Commission consultant

Mr. Stroker summarized that both the Juvenile Continuity of Care Task Force and the Mental Health/Jails Task Force will continue to meet through the end of the year and possibly into 2018. He explained that the goal for this next part of the meeting is to identify additional issues Commissioners believe should be explored going forward. He explained that this will be accomplished with Commissioners working in small groups to identify critical issues they believe should be addressed in the future. Additionally, he asked Commissioners to consider whether any newly identified work would best be approached through the creation of a new Task Force or Subcommittee, or in some other fashion. Mr. Stroker asked that each small group come up with five issues, topics or concerns they feel are most important to report out to the full group.

Four small groups convened and worked on the exercise. After the exercise lunch was served to Commissioners.

--Lunch--

TABLE REPORT OUTS

Richard Stroker, Commission consultant

Following the table discussions and lunch, Mr. Stroker asked each small group to report out on their top five interest/issue areas. The interest areas are summarized below.

Table 1

- **Treatment capacity**
 - Lack of capacity and unknown quality
 - Are there new models that should be explored

- Issues with wait lists for community corrections residents and parolees
- **Pretrial**
 - Consistency of practice across the state regarding pretrial supervision conditions and who receives what, including levels of dosage
 - Judges using more PR bonds, but often without the guidance of using risk assessment tools
- **Parole board hearings**
 - Managing the expectations of victims at parole board hearings who are often uninformed or about the parole board process and things like the Parole Eligibility Date
- **Secondary trauma of criminal justice system professionals**
 - Probation officers, DA's, law enforcement officers, etc.
- **Deeper 'dive' of the CLEAR Act by Judicial District**
 - Difficult to 'own' this problem when it is reported out as statewide data
(After some discussion it was determined that this issue will be addressed in more detail at the March CCJJ meeting)

Table 2

- **Sharing mental health data with first responders**
 - In an effort to better prepare responders for interactions/incidents
 - This work could possibly be assigned to the MH/Jails Task Force
- **CCJJ recommendations that have stalled**
 - How best to keep Commission recommendations on the front burner
 - There should be a push for late bill status to get all outstanding recommendations addressed this session
 - This could possibly be assigned to the CCJJ Legislative Committee
- **Appropriate age for delinquency**
 - Is there an evidence-based recommendation for the age of delinquency
 - What is the appropriate age for delinquency proceedings
 - This could possibly be assigned to the Juvenile Continuity of Care Task Force
- **Evidence-based sentencing clarification**
 - An in-depth look at types of sentences and how much prison/jail time is associated with that sentence
 - What happens with earned time, fees and fines
 - Simplification of sentencing in Colorado
 - This work would require a new Task Force
- **Bond/pretrial release issues**
 - Issues with the May 2013 enactment of the Commission's bail/bond reform bill and non-compliance by judges
 - This is similar to the issues raised by Table 1

Table 3

- **Lack of Intensive Residential Treatment beds**
 - Those that exist are operated by community corrections and are subject to rejection/acceptance by the local program
 - This could be assigned to the Re-entry Task Force
- **Impact of 2013 Commission drug law reform**
 - Is there any available analysis of the impact of these changes
(After some discussion it was determined that this issue will be addressed in more detail at the May CCJJ meeting)
- **Substance abuse by youth**
 - Filings are down but increasingly more serious
 - Prevention and intervention strategies
- **Bail reform and pretrial supervision**
 - Evaluation status of pretrial supervision statewide and how best to promote bail reform
 - Similar to issues raised by Table 1 and Table 2
- **Housing**
 - Continue to support ongoing housing efforts by other stakeholders

Table 4

- **Community/Police relations**
 - What data should be available to public before reaching conclusions (data mapping)
 - Training efforts and responses
 - Should there be an avenue for someone with a juvenile offense but no record since then, to be able to become a police officers (many of these people are from the minority community)
- **Access to data**
 - What is already collected by different state agencies
 - Create data mapping and determine which agencies have what data
- **18-25 year olds**
 - Alternatives available to this group
 - Should they be treated and supervised differently due to developmental issues
- **Mandatory Parole Task Force**
 - Possibility of revising this group to revisit previous issues that did not pass out of the Task Force
- **Review CCJJ recommendations**
 - Should the Commission consider reviewing not just Commission produced recommendations but other criminal justice related bill proposals

DISCUSSION

Mr. Stroker explained that Commissioners would participate in a dot voting exercise to narrow and prioritize the 20 items brought forward from the small groups. He added that there are a few issue areas that surfaced from the four groups that could either be combined or that are duplicative in nature. He also observed that the following three issues will be dealt with as follows:

1. Deeper ‘dive’ of the CLEAR Act by Judicial District
This issue will be addressed in more detail at the March CCJJ meeting)
2. Impact of 2013 drug laws/sentencing
This issue will be addressed in more detail at the May CCJJ meeting)
3. CCJJ recommendations that have stalled
The Commission’s Legislative Committee will monitor and assist in pushing these recommendations through the legislative process.

Commissioners agreed that the remaining 17 areas could be synthesized into 12 broader topic areas. At this point in the meeting Mr. Stroker explained that Commissioners had been provided with three dots each and he asked that each Commissioner review the 12 areas and place their dots on three distinct issue areas that they would most like to see pursued. Commissioners participated in the dot voting exercise and the results of the voting on these 12 areas were as follows:

Future work areas for CCJJ / Topics and vote totals

Topic	Vote total
Pretrial/bond	10
Sentencing clarification	8
Age of delinquency: onset and 18-25 year olds	7
Treatment: Lack of IRT beds, treatment capacity, waiting lists for ComCor	5
Prevention/Intervention: Youth substance abuse	1
Support ongoing housing efforts	0
Community-police relations	4
Access to data: what is already collected	0
Mandatory Parole TF – revisit	4
CCJJ to serve as resource to General Assembly	1
Sharing MH data with first responders	0
Secondary trauma/wellness of CJS professionals	8

PRIORITIZATION AND 2017/2018 WORK OUTLINE**Richard Stroker, Commission consultant**

Mr. Stroker explained that five issues surfaced as priority areas for Commissioners. He added that the Commission is currently scheduled to terminate in 2018 and that programs are given the following year to complete any work that is underway. He pointed out that this gives the Commission at least a two-year window to complete any work that may commence in the coming year.

Mr. Stroker noted that the topic that received the most votes was that of Pretrial Release and Bond. He added that this work would be significant and would not likely be absorbed into any of the current Task Forces and therefore the creation of a new Task Force would be necessary to approach the work. Mr. Stroker asked Commissioners to provide more detail on each of the top five areas and Commissioners provided feedback as follows:

Pretrial Release (a new Task Force would need to be created)

- There is a lack of **compliance with the current statute** and this varies across judicial districts. Barriers to implementation include: cost, resources, cost of pretrial supervision. Mr. Hilkey noted that it is important to understand that when it comes to pretrial release, reforms are less about cost savings and more about cost avoidance, evidence-based practice, and the fundamental fairness of ensuring low risk people are being released from jail while high-risk people are kept in. Pretrial programs can actually cost money, but they are the right thing to do.
- **Communication** between pre-trial services, courts, defense attorneys and prosecutors.
- **Training** and general awareness of risk tools. There are questions by law enforcement officers about why judges are not using the bond schedule, plus issues of **inconsistency** across judges.
- **Validity** and review of Colorado Pretrial Assessment Tool (CPAT).
- **Environmental scan** of pretrial use in Colorado and around the country.

Mr. Stroker summarized that since this topic received the majority of votes as the most pressing issue, the Commission would revisit this in March to discuss the structure of a new Task Force, membership, expectations and timeframes.

Sentencing Clarification (a new Task Force would need to be created)

- Focus on **felony sentences** and those sentences eligible for Department of Corrections.
- **Truth in sentencing** and simplification for victims and defendants. Multiple statutes affecting good time computations.
- Understanding and mapping of **current sentencing structure**.
- **Community corrections eligibility date**.
- **Continuity of victim awareness**, victim notification and communication around the Parole Eligibility Date.
- Explore creation of **three sentencing schemes/grids**: drugs, person crimes and property crimes.
- Be mindful of **simplification** versus clarification.

Secondary Trauma/Wellness of criminal justice (a new Task Force would need to be created)

- This would pertain to people like trial jurors, first responders, criminal justice professional and court personnel who suffer **significant trauma and stress** during high-profile and violent cases.
- There is not much **long term follow-up** on victim services.

- A Task Force would need to **identify the population(s)** of people to focus on.
- **What would be provided**, when, and how can secondary trauma be identified.

Age of delinquency (this could possibly fold into the work of the current Juvenile Continuity of Care Task Force)

- Examine **brain development research** to prevent further traumatizing of youth.
- Need to ensure **appropriate, validated assessment tools**.
- There is a need to rely on research to determine if juveniles are being placed in the **appropriate system** for their age, brain development and maturity.
- Things to be considered when working with youth are the **nature of the crime, impact on victims, legitimacy of data and research**.
- Is there any available data on outcomes for the **Youthful Offender System**, particularly in regards to statutory changes for the eligibility of 18-25 year olds?

Treatment

- There is a **lack of available Intensive Residential Treatment (IRT) beds** for both the community corrections and parole populations.
- Need to **examine outcomes** of current situation and optimal models.
- This applies to the **juvenile justice population** as well.

DISCUSSION

Mr. Stroker summarized that the first three issues (pretrial, sentencing clarification and secondary trauma) along with the issue of treatment would all require the creation of a new task force while the work around age of delinquency could possibly be addressed by the Juvenile Continuity of Care Task Force. He asked Commissioners to think about resources and capacity before determining next steps and added that there is likely only capacity to add one new Task Force now and possibly one at the end of the summer. With that said, the Commission will need to determine which two issue areas to focus on.

Mr. Weir pointed out that the determination of which issue areas to focus on should be examined through the filter of the Commission's Mission Statement. Mr. Stroker recounted that the issue of Pretrial received the most votes and is consistent with the mission of the Commission. He asked Commissioners if it is the will of the group to address this issue first and create a new Pretrial Release Task Force. Commissioners held a straw vote and agreed to move forward with this work.

Mr. Young said he is interested in looking at how pretrial supervision is currently operating and whether people are being released on a personal recognizance bond that should not have been released. He said alternatively people may have been kept in jail when they should have been released. He said he does not want this Task Force to turn into a group that explores how to get more people let out on bond. Mr. Stroker said that the Task Force would be focused on the application of rules, consistency, good decision making and appropriate services for the appropriate population. Mr. Hilkey added that release decisions should be informed by risk and fidelity to a risk assessment tool.

Mr. Stroker reminded Commissioners that capacity is limited to the creation of only two additional Task Forces this year so the next step is to look at the two topics that tied for second place (sentencing clarification and secondary trauma) and determine how best to break that tie. Mr. Hilkey observed that while secondary trauma is a critical issue, it may not necessarily be a topic that fits well with the mission of the Commission. Rose Rodriguez asked Commissioners not to lose sight of the fact that both mental health first aid and trauma-informed care are areas receiving a lot of attention these days. Sheriff Pelle replied that even though he agrees, he believes the responsibility for addressing those two issues should fall to agency heads rather than the Commission.

Mr. Wilson said he believes the Commission should also consider the topic of the age of delinquency which he noted also received a good number of votes. He believes the Commission has not done enough work when it comes to juvenile issues. Kelly Friesen agreed with Mr. Wilson and said that she has attended many Commission retreats and that there was only one time that the group agreed to tackle juvenile issues, and that was last year. Mr. Morales added that it does make more sense to focus on juveniles with a goal of preventing penetration into the criminal justice system from the front end. Chief Kilpatrick said that he agrees that juvenile issues have failed to gain traction with the Commission; however he added that he cannot envision prosecutors and defense attorneys in this state coming to any sort of agreement on issues around the age of delinquency. He believes this would be an overwhelming task for the Commission. Mr. Weir replied that he does not believe the involvement of a child in the juvenile justice system is necessarily a bad thing since that is where a juvenile is provided with resources and services. Ms. Friesen replied that she believes it is inappropriate to refer to a 4th grade child as a juvenile and that there are no assessment tools even validated on that population. She added that children should not be subjected to the justice system in order to receive services. Chief Kilpatrick agreed with Ms. Friesen on the importance of the issue, however he noted that he is not sure the Commission could adequately address this issue given a two-year timeframe for the work.

Mr. Stroker summarized that the Commission has agreed to address pretrial release but that there is disagreement about the second focus area. He noted that one option would be to simply stop at Pretrial Release and not add a second area of work, or alternatively the Commission would need to pick between one of the three other topics under discussion either through voting or further discussion. Mr. Mueller pointed out that given the discussion and given the number of absentees, it might be worthwhile to continue the discussion and make a decision at a later date. Mr. Hilkey agreed that it makes sense to move forward with the pretrial release and revisit the second area of focus when more members can be part of the discussion.

Mr. Stroker also pointed out that resources will not be available for the creation of a second Task Force until the Re-entry Task Force concludes its work, which should happen later in the summer. He asked Commissioners if they agree with a plan to revisit this issue at a future Commission meeting and members agreed. Mr. Stroker summarized that the creation of the Pretrial Release Task Force will be revisited in detail at the March Commission meeting. The issue of the second area of focus will be taken up at the May or June Commission meeting.

HOUSE KEEPING ISSUES**Doug Wilson, Vice-Chairman**

Mr. Wilson explained that during the 2016 retreat a new policy was established requiring Commissioners to sign a Conflict of Interest statement on an annual basis and that this practice has been scheduled to take place every year during the retreat. He directed Commissioners to a blank Conflict of Interest form in their packets and asked that they sign the form and provide it to staff at the end of the meeting.

Mr. Wilson then directed Commissioners to their packets and explained that there are two documents related to Task Force membership and attendance. The first document shows which Commissioners sit on which Task Force. Since the Data Sharing Task Force is coming to an end, Commissioners who sit on that group were asked to think about an alternative Task Force that they would be interested in serving on. The second document is personalized for each Commissioner and provides a synopsis of each individual's attendance at both Commission and Task Force meetings in 2016. Mr. Wilson took this opportunity to remind Commissioners that the by-laws allow for three absences per Commissioner, per year.

Mr. Wilson went on to explain that in the past, the chairs of each Task Force met approximately twice per year to discuss the progress, issues and obstacles they were facing in their individual groups. He noted that it is the desire of Commission leadership to resume the practice of biannual Task Force Chair meetings in 2017.

Ms. Smith provided a legislative update and directed Commissioners to their packets with a handout listing the Commission bills and potential bills that were discussed during the January meeting (the handout can be found on the Commission website at colorado.gov/ccjj). She summarized that the Purpose of Community Corrections bill (House Bill 17-1147) is expected to progress smoothly through the legislature. She added that all four legislators serving on the Commission are co-sponsors for the bill recommendations that came out of the Mental Health/Jails Task Force regarding *strengthening a community-based crisis response and changes to the emergency mental health commitment statute*. She added that the remaining pieces of legislation listed on the handout are still in need of a sponsor, or have not yet been introduced.

Ms. Smith reported that the Colorado Department of Public Safety's legislative liaison, Gabby Reed, cannot act as the Commission's legislative liaison without the Governor's approval and therefore it would be helpful for other stakeholder agencies to assist with shepherding some of the Commission-generated legislation. Mr. Wilson added that he believes the Legislative Committee should make a plan to address legislators and educate them about the work of the Commission. Ms. Smith said she agreed and offered to send out a Doodle Poll to members of the Legislative Committee to arrange a meeting.

NEXT STEPS AND ADJOURNMENT**Stan Hilkey, Chairman and Executive Director of the Department of Public Safety**

Mr. Hilkey thanked Commissioners for their time and participation during the retreat asked the group for any final comments. Seeing none and with no further business, he adjourned the meeting at 3:57 p.m.