



Mental Health / Point of Contact Through Jail Release Task Force

Colorado Commission on Criminal and Juvenile Justice

September 14, 2018

Mental Health/Jails Task Force

MEMBERS

Joe Pelle, Chair /[CCJJ](#)
Chris Bachmeyer/[CCJJ](#)
John Cooke /[CCJJ](#)
Megan Ring/[CCJJ](#)
Abigail Tucker/[CCJJ](#)
Jamie Brown
Frank Cornelia
Patrick Costigan
Tina Gonzales
Cynthia Grant
Ben Harris
Joe Morales
Norm Mueller
Jagruiti Shah
Charles Smith
Services Administration

Boulder County Sheriff
1st Judicial District
State Senator, District 13
State Public Defender
Community Reach Centers
Colorado Jail Association
Colorado Behavioral Healthcare Council
17th JD District Attorney's Office
Colorado Health Partnerships
AllHealth Network
Healthcare Policy and Financing
Parole Board
Private Defense Attorney
Officer of Behavioral Health
Substance Abuse and Mental Health



Mental Health/Jails Task Force

TASK FORCE MISSION

The Task Force was seated by the Commission in June 2016.

Redirect certain individuals with mental and behavioral health problems out of the criminal justice system while recognizing that some individuals with acute mental/behavioral health problems will need to be incarcerated and so effective response options should be available.



Mental Health/Jails Task Force

Identified Areas of Focus

Completed:

Explore opportunities to divert individuals from the criminal justice system ✓

(Addressed by CCJJ Recommendations FY17-MH #01-04 and Senate Bill 17-207: Strengthen Colorado's Statewide Response to Behavioral Health Crises)

Completed:

Explore opportunities to divert individuals in the criminal justice system from jail ✓

(Addressed by CCJJ Recommendation FY18-MH#01)



Current focus:

**The provision of mental health services in Jail:
Alternative placement options for individuals in custody with severe mental illness**



Mental Health/Jails Task Force

Study Area #1:

Explore opportunities to divert individuals from the criminal justice system

The first study area resulted in four recommendations approved by the CCJJ in December 2016. These initiatives involved collaborative efforts with the Mental Health Hold Task Force which resulted in approved legislation.



Mental Health/Jails Task Force

Recommendation FY17 - MH #01: Strengthen a Community-Based Crisis Response

- Colorado Crisis Services System should provide comprehensive responses to behavioral health emergencies in ALL Colorado communities.
 - Provide an effective alternative to the utilization of correctional facilities.
 - Enhance and connect existing resources to ensure an appropriate health care response to behavioral health crises
- Consider amendments to SB13-266, C.R.S. 27-60-103 to clarify the intent of the crisis system in statute and formally introduce the responsibilities of being the first response to behavioral Health crises across the state, and engaging in relationships that facilitate that response.
- Crises System contracting and regulatory reform should specify the operational components necessary to achieve these responsibilities.
- The General Assembly should dedicate funds to incentivize the development and expansion of an adequate crisis services provider network



Mental Health/Jails Task Force

Recommendation FY17 - MH #02: Changes to Emergency Mental Health Commitment Statute

Amend Title 27 of Colorado Revised Statutes (C.R.S), section 65-105, to remove jails and correctional facilities as a placement option for individuals on an M1 (emergency mental health) hold. Introduce language that allows intervening professionals to transport individuals to an outpatient facility for immediate evaluation for treatment based on evidence of need.



Mental Health/Jails Task Force

Recommendation FY17 - MH #03: Include Mental Health First Aid® Curriculum for Peace Officer In-service Training through POST

- Officials from the Colorado Peace Officer Standards and Training (POST) will work with staff from the Colorado Behavioral Health Council (CBHC) to review and include Mental Health First Aid® training through POST.
- Train up to 200 officers per month on this topic.
- Training to begin in the spring of 2017.

Recommendation FY17 - MH #04: Include Mental Health First Aid® curriculum in the POST Basic Academy

Officials from the Colorado Peace Officer Standards and Training (POST) will work with staff from the Colorado Behavioral Health Council (CBHC) to review the Mental Health First Aid® curriculum, and modify when possible, for inclusion in the POST basic academy standard curriculum.

Mental Health/Jails Task Force

Senate Bill 17-207: Strengthen Colorado's Statewide Response to Behavioral Health Crises

Complementary efforts on this issue included meetings and discussions with the Mental Health Holds Task Force which resulted in the submission and approval of legislation.



Mental Health/Jails Task Force

Study Area #2:

Explore opportunities to divert individuals in the criminal justice system from jail

This study area resulted in **one recommendation** (FY18-MH #01) approved by CCJJ in January 2018. One bill was passed during the 2018 Legislative Session that was consistent with this CCJJ recommendation:

- **Senate Bill 18-249:** Establishing alternative programs to divert individuals with mental health condition to community treatment

Note: Other 2018 legislation was introduced that addressed related issues:

- **Senate Bill 18-250:** Provision of jail-based behavioral health services
- **Senate Bill 18-251:** Establishing Statewide Behavioral Health Court Liaison Program



Mental Health/Jails Task Force

Recommendation FY18 - MH #01: Develop Pre-File Mental Health Diversion Pilot Programs

- Develop post-arrest, pre-file diversion programs specifically for individuals experiencing mental health disorders and who meet specific criteria and are determined able to benefit from diversion to treatment rather than being processed through the criminal justice system.
- Promote the utilization of Adult Pretrial Diversion Programs as created by CRS: 18-1.3.101 for implementing and funding these programs.
- Pre-file mental health diversion programs should utilize a stakeholder created, reviewed, and approved model.
- The Task Force has agreed on a proposed model and will be identifying individual jurisdictions that have an interest in implementing this model.

Mental Health/Jails Task Force

Study Area #3:

**The provision of mental health services in Jail:
Alternative placement options for individuals in
custody with severe mental illness**



Mental Health/Jails Task Force

Study Area #3:

The goal: To reduce jail length stay for individuals struggling with significant behavioral health issues that exceed jail resources to safely manage and adversely impact individual's ability to rapidly access and process through the justice system.

Intended population: Individuals booked into Colorado jails on misdemeanor or felony charges, who are ineligible for diversion and who have behavioral health needs that exceed jail resources, and who require an appropriate setting for stabilization and treatment.

Mental Health/Jails Task Force

Option under consideration:

Develop a process where local jails and regional hospitals or acute care facilities enter into partnerships to provide necessary health services to jail detainees who have needs beyond the jails' ability to provide for them.



Mental Health/Jails Task Force

Questions?





Pretrial Release Task Force

Colorado Commission on Criminal and Juvenile Justice

September 14, 2018



Pretrial Release Task Force

MEMBERS

Stan Hilkey, Chair/[CCJJ](#)

Chris Bachmeyer/[CCJJ](#)

Jennifer Bradford/[CCJJ](#)

Shawn Day/[CCJJ](#)

Valarie Finks/[CCJJ](#)

Bill Kilpatrick/[CCJJ](#)

Cliff Riedel/[CCJJ](#)

Glenn Tapia/[CCJJ](#)

Maureen Cain

Steve Chin

Mindy Masias

Greg Mauro

Lucienne Ohanian

Monica Rotner

Kirk Taylor

Bo Zeerip

Department of Public Safety

1st Judicial District

Metro State University of Denver

Aurora Municipal Court

18th Judicial District

Golden Police Department

8th Judicial District

Judicial, Probation Services

Criminal Defense Attorney

Mesa County Pretrial Services

State Court Administrator's Office

Denver Community Corrections

Public Defender's Office

Boulder County Community Justice Services

Pueblo County Sheriff

21st Judicial District





Pretrial Release Task Force

TASK FORCE MISSION

The Task Force was seated by the Commission in June 2017.

To consider implementation efforts associated with 2013 legislation regarding bail reform, and to produce recommendations regarding potential improvement to bail practices and pretrial services in light of emerging best practices and national trends.



Pretrial Release Task Force

Review of data and information:

- The Task Force engaged in an extensive analysis of Colorado data and information concerning the use of personal recognizance bonds, the existence of pretrial services, and the use of the CPAT risk assessment tool.
- The Task Force also examined work taking place in other jurisdictions concerning bail/bond reform.



Pretrial Release Task Force

Conclusions:

- While many counties use a CPAT risk tool and have pretrial service agencies, many still do not (37 counties have no pretrial service or risk assessment).





Pretrial Release Task Force

Conclusions:

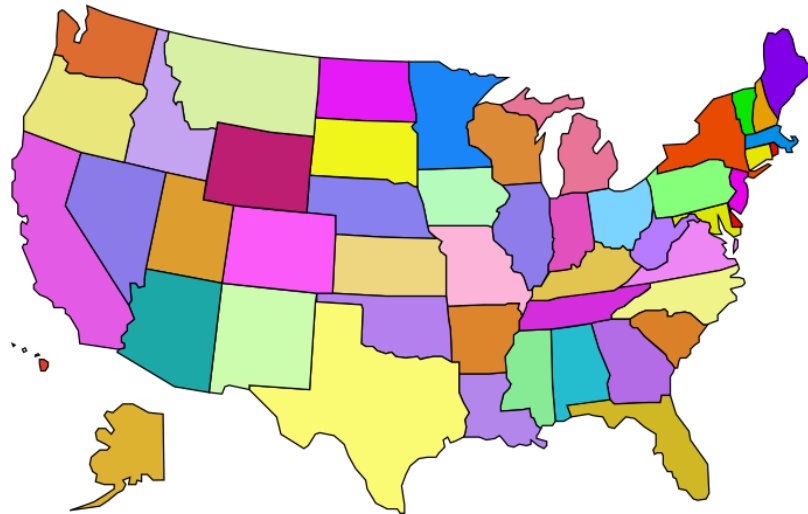
- After passage of the 2013 legislation, several counties expanded the use of personal recognizance bonds rather than requiring the posting of cash bonds or surety.
 - The use of PR bonds (as an alternative to cash/property/surety bonds) increased from 18% to 31% in District Court cases and from 26% to 46% in County Court cases, between 2013-2016.



Pretrial Release Task Force

Conclusions:

- Several jurisdictions (NM, NJ, DC, DE) were revising their approach to bail/bond decision making and reducing or eliminating cash bonds.





Pretrial Release Task Force

The Task Force identified three areas of focus:

- Developing recommendations regarding the use of pretrial services and risk assessment tools on a statewide basis
- Exploring the possible development of a pretrial detention approach which could reduce the reliance on cash bonds
- Examining opportunities to improve implementation of 2013 statutory changes



Pretrial Release Task Force

The Task Force has approved three recommendations regarding **pretrial services and risk assessment tools**:

1. Require the use of pretrial risk assessment tools in all Colorado Counties.
2. Implement training standards for the administration of pretrial risk assessment tools and create an inventory of approved pretrial assessments
3. Establish pretrial programs statewide and create a state administered grant program to support development efforts in jurisdictions without current pretrial programs



Pretrial Release Task Force

The Task Force is also examining **possible legislative and Constitutional modifications** that would:

1. Prohibit a defendant from being detained due to an inability to pay a financial condition of bond.
2. Promote the pretrial release of the majority of pretrial defendants without any monetary conditions of release.
3. Allow judicial officers to detain a limited number of defendants who are found, after a due process detention hearing, to be a substantial risk to public safety, or to flee prosecution, or to obstruct the criminal justice process.



Pretrial Release Task Force

The Task Force is also exploring opportunities to promote the **implementation of outcomes consistent with the 2013 pretrial release legislation.**

These include:

1. Considering expedited jail release opportunities.
2. Creating definitive timeframes and a priority docket for individuals in custody.
3. Developing or expanding training for personnel involved in pretrial release activities.



Pretrial Release Task Force

Questions?



Age of Delinquency Task Force

Colorado Commission on Criminal and Juvenile Justice

September 14, 2018



Age of Delinquency Task Force

MEMBERS

Joe Thome, Co-chair/CCJJ	Division of Criminal Justice
Jessica Jones, Co-chair/CCJJ	Defense Attorney
Tony Gherardini/CCJJ	Department of Human Services
Cynthia Kowert/CCJJ	Attorney General's Office
Molli Barker	18 th JD Juvenile Assessment Center
Jim Bullock	District Attorney's Office, 16 th JD
Shawn Cohn	Denver Juvenile Probation
Kelly Friesen	Grand County Juvenile Justice
Bev Funaro	Victims Representative
Melanie Gilbert	Juvenile Court Magistrate
Michaelson Jenet	Representative, House District 30
Dan Makelky	Douglas County Dept. of Human Services
Jessica Meza	Public Defender's Office
Gretchen Russo	Department of Human Services
Tariq Sheikh	District Attorney's Office, 17 th JD
Meg Williams	Division of Criminal Justice



Age of Delinquency Task Force

TASK FORCE MISSION

The Task Force was seated by the Commission in February 2018.

To consider the current age of delinquency (10-17 year olds) and explore research and emerging evidence concerning the appropriate systems, treatment and placement options for these youth in light of issues such as age, brain development, maturity and risk to the public.



Age of Delinquency Task Force

Gathering information and exploring areas of focus

- The group has received several presentations and has been presented pertinent data and information about juveniles and developmental considerations





Age of Delinquency Task Force

Areas of focus:

1. Examining intervention options, treatment services, and alternatives for 10-12 year olds, which currently includes placement in the juvenile justice system
2. Exploring options and approaches regarding the management of “transitional” populations (18 – 21 year olds)
3. Reviewing repercussions associated with “mingling” younger (10-12 year olds) and older juveniles.

The Task Force is reviewing information from Colorado and other states and considering information about effective responses to behaviors



Age of Delinquency Task Force

Study Area #1 /10-12 year olds

Current items being explored:

- Examine opportunities to expand the availability and use of Juvenile Assessment Centers.
- Encourage meaningful collaborative interactions amongst key system players.
- Promote Restorative Justice approaches in response to individual situations.
- Examine alternative responses to less serious offenses by this population.



Age of Delinquency Task Force

Recommendations

Currently, the Task Force is reviewing the four items within Study Area #1 and anticipates making recommendations in the near future.





Age of Delinquency Task Force

Questions?



Abuse of Youth in Custody Subcommittee

Colorado Commission on Criminal and Juvenile Justice

September 14, 2018



Abuse of Youth in Custody Subcommittee

MEMBERS

REPRESENTATIVE

Joe Thome, Chair (CCJJ)

Tony Gherardini (CCJJ)

TBD

TBD

TBD

Stephanie Villafuerte

TBD

TBD

AGENCY

Division of Criminal Justice

CDHS and CCJJ representative

District Attorney representative

Attorney General (CDHS) representative

Public Defender representative

Child Protection Ombudsman

CDHS, Division of Youth Services

CDHS, Office of Children, Youth and Families
(Institutional Abuse Review Team rep.)



Abuse of Youth in Custody Subcommittee

MANDATE

House Bill 18-1346

HB18-1346 directs the Colorado Commission on Criminal and Juvenile Justice to study the issue of institutional child abuse for children and youth in facilities operated by the Department of Human Services. On or before July 1, 2019 the Commission shall provide a report with its findings and recommendations to the General Assembly.



Abuse of Youth in Custody Subcommittee

MEETING SCHEDULE

- Meetings will be held between September 2018 and February 2019
- Meeting schedule and meeting location TBD
- The work shall be completed by February/March 2019 to allow for presentation to and input from the Commission before submitting the final report on July 1, 2019.

<u>Meeting dates</u>	<u>Time</u>	<u>Location</u>
September 27, 2018	1:30 – 4:30 pm	700 Kipling, 4 th floor, Training Room
October ?, 2018	TBD	TBD
November ?, 2018	TBD	TBD
December ?, 2018	TBD	TBD
January ?, 2019	TBD	TBD
February ?, 2018	TBD	TBD



Colorado Commission on Criminal & Juvenile Justice

Abuse of Youth in Custody Subcommittee

Questions?