



Task Force/Subcommittee Updates

- Age of Delinquency Task Force**
- Drug Offense Task Force**
 - **Diversion Working Group**
 - **Sealing Working Group**
- Opioid Investigations Subcommittee**

Presentation to the Colorado Commission on Criminal and Juvenile Justice

March 13, 2020



Age of Delinquency Task Force

MEMBERS

Joe Thome, Co-chair/[CCJJ](#)

Jessica Jones, Co-chair/[CCJJ](#)

Priscilla Gartner/[CCJJ](#)

Serena Gonzales-Gutierrez/[CCJJ](#)

Angie Paccione/[CCJJ](#)

Gretchen Russo/[CCJJ](#)

David Bergman

Jim Bullock

Maureen Cain

Shawn Cohn

Kelly Friesen

Bev Funaro

Arnold Hanuman

Anders Jacobson

Dan Makelky

Dafna Michaelson Jenet

Tariq Sheikh

Division of Criminal Justice

Defense Attorney

Juvenile Unit, State Public Defender's Office

State Representative, House District 4

Department of Higher Education

Department of Human Services

Youthful Offender System, CDCC

District Attorney's Office, 16th J.D.

Public Defender's Office

Juvenile Probation, Denver

Juvenile Justice Services, Grand County

Victim Representative

Colorado District Attorneys' Council

Division of Youth Services, CDHS

Dept. of Human Services, Douglas County

State Representative, House District 30

District Attorney's Office, 17th J.D.



Age of Delinquency Task Force

The Task Force was formed in February 2018 and is currently exploring options and approaches regarding the management of emerging adults (18 – 24 year olds) in the criminal justice system pursuant to mandates in House Bill 19-1149.

The Task Force established two *Working Groups...*



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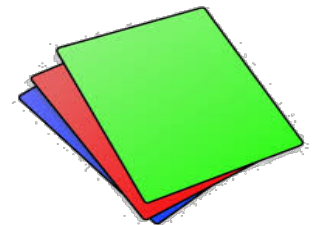
Age of Delinquency Task Force

YOS Working Group

1. The ***Youthful Offender System Working Group*** was tasked to study YOS eligibility, capacity and regulations.

Members:

Maureen Cain (Lead)	Office of Public Defender
David Bergman	Youthful Offender System
Jim Bullock	District Attorney's Office, 16 JD
Serena Gonzales-Gutierrez	Representative, House District 4





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Age of Delinquency Task Force

YOS Working Group

The ***YOS Working Group*** toured the Youthful Offender System in December 2019 and drew the following conclusions:

- The existing YOS program does not appear equipped to effectively accommodate an immediate expansion of eligibility (for those up to 24 year olds).
- New statutory criteria and policy changes will allow flexibility in programming choices for young adults.



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Age of Delinquency Task Force

YOS Working Group

(continued)

- Current criteria in statute defining the required time periods spent in YOS program phases may not effectively serve individual needs.
- The current YOS program was designed to adhere to statutory mandates, which are now dated and impede programmatic flexibility and the use of best practices.
- Statutory changes can create the necessary flexibility in the YOS program.



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Age of Delinquency Task Force

YOS Working Group

(continued)

- Need to improve and mandate information sharing between YOS and other agencies for more effective and efficient service provision.
- Expand the use of restorative justice.
- Initiate an independent evaluation to focus on the relevance of and gaps in existing YOS programs.
- Re-entry/program violations/revocation/re-sentencing procedures may require statutory modifications.



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Age of Delinquency Task Force

YOS Working Group

Recommendation: Modify YOS statutes and programs to:

- Increase flexibility in programming and program phases allowing a more individualized approach,
- Improve information sharing,
- Ensure greater consistency in the revocation process, and
- Clarify required training for staff.



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Age of Delinquency Task Force

YOS Working Group

Recommendation: Propose a study of YOS, including:

- YOS operations,
- Evidence-based and best practices to improve outcomes, including recidivism, and
- The expansion of YOS eligibility (based on age and/or crime types, etc.) and the impact on the delivery of services/programs.



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Age of Delinquency Task Force

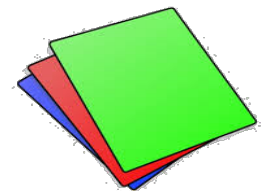
Community Supervision Working Group

2. The ***Community Supervision Working Group*** was tasked to identify opportunities for the 18-24 age group to expand diversion options, improve community supervision practices, and review specialty court and community corrections options.

Members:

Shawn Cohn (Lead)
Priscilla Gartner
Arnold Hanuman
Gretchen Russo

Denver Juvenile Probation
Office of Public Defender
Colorado District Attorney's Council
Department of Human Services





Colorado Commission on Criminal & Juvenile Justice
Age of Delinquency Task Force
Community Supervision Working Group

The ***Community Supervision Working Group*** canvassed and held several meetings with chief probation officers on policy standards regarding:

- Revising case planning and engagement strategies,
- Better preparation of those who work with this population through training on supervision methods and risk/needs assessment tools,
- Improving family member engagement, and
- Disseminating brain development research.



Colorado Commission on Criminal & Juvenile Justice
Age of Delinquency Task Force
Community Supervision Working Group

Recommendation: Propose a policy update to probation standards promulgated by the State Court Administrator's Office, Division of Probation Services to include a section on young adults.

- The new section will include supervision policy and standards, training for management of young adults, and identify and provide training on risk/needs assessment tool(s) for this population.



Drug Offense Task Force

MEMBERS

Tom Raynes, Co-chair/ CCJJ	Colorado District Attorneys' Council
Megan Ring, Co-chair/ CCJJ	Office of the Colorado State Public Defender
Janet Drake/ CCJJ	Attorney General's Office
Andrew Matson/ CCJJ	Colorado CURE
Joe Thome/ CCJJ	Division of Criminal Justice
Glenn Tapia/ CCJJ	Division of Probation Services
Abigail Tucker/ CCJJ	Community Reach Mental Health Center
Chris Andrist	Criminal Justice Information Systems, CBI
Maureen Cain	Office of the Colorado State Public Defender
Terri Hurst	Colorado Criminal Justice Reform Coalition
David Quirova	Office of the State Court Administrator
Jack Regenbogen	Colorado Center on Law & Policy
Audrey Weiss	District Attorney's Office, 1 st J.D.
Adam Zarrin	Governor's Office
TBD	Victim representative



Drug Offense Task Force

The Drug Offense Task Force was seated by the Commission in September 2019 to address *specific** mandates in Senate Bill 19-008 (*Concerning treatment of individuals with substance abuse disorders who come into contact with the criminal justice system*).

The Task Force established the *Diversion Working Group* and the *Sealing Working Group* to address these mandates.

** The remaining mandates in S.B.19-008 were assigned to the Opioid Investigations Subcommittee.*



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Drug Offense Task Force

Diversion Working Group

The ***Diversion Working Group*** was established to study and develop recommendations concerning alternatives to filing criminal charges against individuals with substance use disorders who have been arrested for drug-related offenses.



Colorado Commission on Criminal & Juvenile Justice

Drug Offense Task Force

Diversion Working Group

MEMBERS:

Joe Thome, Co-leader/CCJJ	Division of Criminal Justice
Adam Zarrin, Co-leader	Governor's Office
Andrew Matson/CCJJ	Colorado CURE
Megan Ring/CCJJ	Office of the State Public Defender
Glenn Tapia/CCJJ	Probation Services, Judicial Branch
Abigail Tucker/CCJJ	Community Reach Mental Health Center
Bob Booth	Attorney General's Office
Bruce Brown	District Attorney's Office, 5 th Judicial District
Mike Butler	Longmont Department of Public Safety
Terri Hurst	Colorado Criminal Justice Reform Coalition
Jamie Keairns	Public Defender's Office, Alamosa
Matt Karzen	District Attorney's Office, 14 th Judicial District
Benita Martin	District Attorney's Office, 2 nd Judicial District
Emily Richardson	Office of Behavioral Health, CDHS
Elaina Shively	District Attorney's Office, 20 th Judicial District



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Drug Offense Task Force

Diversion Working Group

The Working Group established three **Study Groups** on these diversion topics:

- **Eligibility Criteria** includes Elaina Shively, Megan Ring, Matt Karzen and Terri Hurst
- **Service Delivery and Screening Tools** includes Abigail Tucker, Benita Martin and Emily Richardson
- **Process & Referral Authority** includes Bruce Brown, Joe Thome, Emily Richardson and Bob Booth



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Drug Offense Task Force

Diversion Working Group

Recommendation: Create an adult pre-filing diversion pilot program at 4 sites.

- Serve adults with co-occurring substance abuse/mental health disorders who committed a drug-related offense.
- Programs designed to meet/address local community assets, resources and needs. Local jurisdictions define the type of drug charges eligible for diversion.
- Programs offer early, innovative diversion-to-treatment approach. Support new or expand existing innovative programs (not merely fund/supplant pre-existing programs).



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Drug Offense Task Force

Diversion Working Group

(continued)

- Pilot sites to be located in urban and rural jurisdictions.
- Programs will provide critical care and will coordinate case management.
- Preference for pre-charge diversion.
- Four years of funding based on research (see next slide).

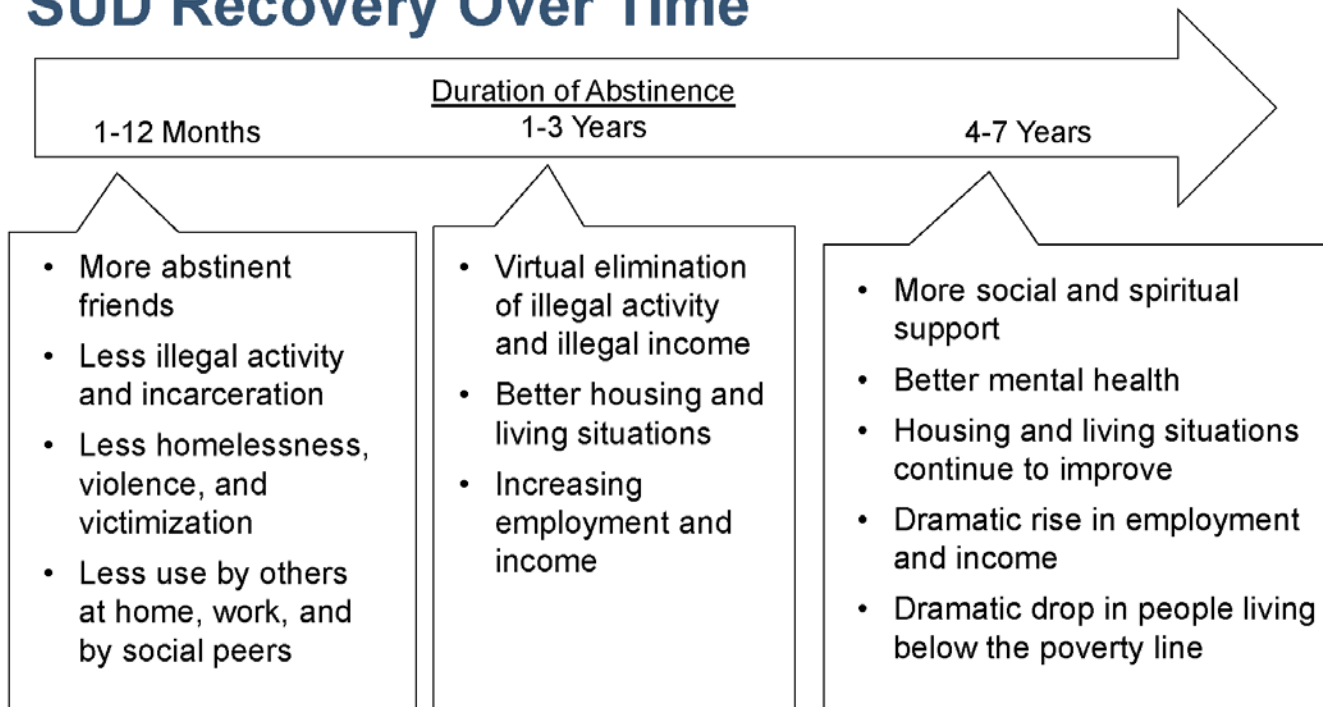


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Drug Offense Task Force

Diversion Working Group

SUD Recovery Over Time



Source: Dennis, Foos & Scott, 2007



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Drug Offense Task Force

Diversion Working Group

- Required aspects of pilot programs include:
 - ❖ A mechanism to respond to substance abuse relapse with intermediate intervention options prior to program termination.
 - ❖ An access point into the program prior to arrest or formal charging.
 - ❖ A mechanism for relevant stakeholder collaboration on standardized criteria for participation and program structure.



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Drug Offense Task Force

Diversion Working Group

- *Required aspects of pilot programs (continued)*
 - ❖ A mechanism for data tracking to measure efficacy of the program.
 - ❖ A structure amenable to serving a diversity of offender populations.



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Drug Offense Task Force

Diversion Working Group

- *Preferred aspects of pilot programs include:*
 - ❖ Aspects of a harm-reduction model addressing basic needs such as housing, employment and transportation; criminogenic risk factors; and substance abuse and mental health needs.
 - ❖ Incentivize serving high need and higher offense classifications, due to gaps in diversion programming for this population.
 - ❖ Focus on increasing offender access to effective treatment options and providers.



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Drug Offense Task Force

Sealing Working Group

MEMBERS:

Audrey Weiss, Leader

Janet Drake/CCJJ

Chris Andrist

Maureen Cain

Elaine Cissne

David Quirova

Jack Regenbogen

Ean Seeb

District Attorney's Office, 1st JD

Attorney General's Office

Colorado Bureau of Investigation

Office of State Public Defender

Colorado Bureau of Investigation

State Judicial Branch

Colorado Center on Law & Policy

Governor's Office



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Drug Offense Task Force

Sealing Working Group

The ***Sealing Working Group*** was established to study and develop recommendations concerning a process for automatically sealing criminal records for drug offense convictions.



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Drug Offense Task Force

Sealing Working Group

Recommendation: Provide policy guidance for the creation, implementation and funding of an electronic process to seal records.

Describes data (record) flow between and responsibilities of the following entities to evaluate records for sealing:

- Office of the State Court Administrator
- Colorado Bureau of Investigation
- District Attorneys Offices



Opioid Investigations Subcommittee

MEMBERS

Bill Kilpatrick, Co-chair/CCJJ	Police Department, Golden
Matt Lewis, Co-chair/CCJJ	Sheriff's Office, Mesa County
Maria Butler	CO Dept. of Public Health & Environment (CDPHE)
Jose Esquibel	CO Consortium for Prescription Drug Abuse Prevention
Todd Fahlsing	West Metro Drug Task Force
Tom Gorman	Rocky Mountain High Intensity Drug Trafficking Area
Peter McNeilly	U.S. Attorney's Office
Lindsey Myers	Violence and Injury Prevention, CDPHE
Ray Padilla	CO Drug Investigators Association
Lisa Raville	Harm Reduction Action Center
Cathy Traugott	CO Department of Health Care Policy and Financing
Dan Volz	Black Market Marijuana Interdiction, CBI
Scot Williams	Sheriff's Office, Boulder County



Opioid Investigations Subcommittee

The Opioid Investigations Subcommittee was seated by the Commission in September 2019 to address specific mandates in Senate Bill 19-008 (*Concerning treatment of individuals with substance abuse disorders who come into contact with the criminal justice system*).

The Subcommittee was charged to study and make recommendations concerning best practices to investigate unlawful opioid distribution in Colorado, including the potential creation of black market opioid investigatory entities at the state and local levels.

The Opioid Investigations Subcommittee proposes **three statutory recommendations...**



Opioid Investigations Subcommittee

Recommendation: Create a *Dangerous Drug Coordinating Council* within the Department of Public Safety to coordinate and facilitate data sharing and case intelligence information to proactively identify and respond to existing and emerging illicit drug problems.

- Includes representatives these CO entities: Information Analysis Center, District Attorneys' Council, Consortium for Prescription Drug Abuse Prevention, Department of Health Care Policy and Financing, Coroners Association, Department of Health and Environment, Department of Public Safety, Attorney General's Office, Chiefs and Sheriffs from urban and rural jurisdictions.
- Invite participation by Drug Enforcement Administration, U.S. Attorney's Office, U.S. Postal Service Office of Investigations, RMHIDTA, and U. S. Homeland Security.
- Cost for participant travel and staffing (1 position)



Opioid Investigations Subcommittee

Recommendation: Allocate additional investigative resources to regional/rural/frontier agencies in need.

- Statewide jurisdiction can supplement local efforts.
- The additional support provided by a 16-person CBI team modeled after the Black Market Marijuana Interdiction Team.
- Create two 8-member teams, one assigned to the western slope and one to the eastern slope, comprising 6 investigators, 1 tactical analyst and 1 administrative assistant.
- Survey responses from law enforcement agencies indicated that 95% need additional investigation resources.



Opioid Investigations Subcommittee

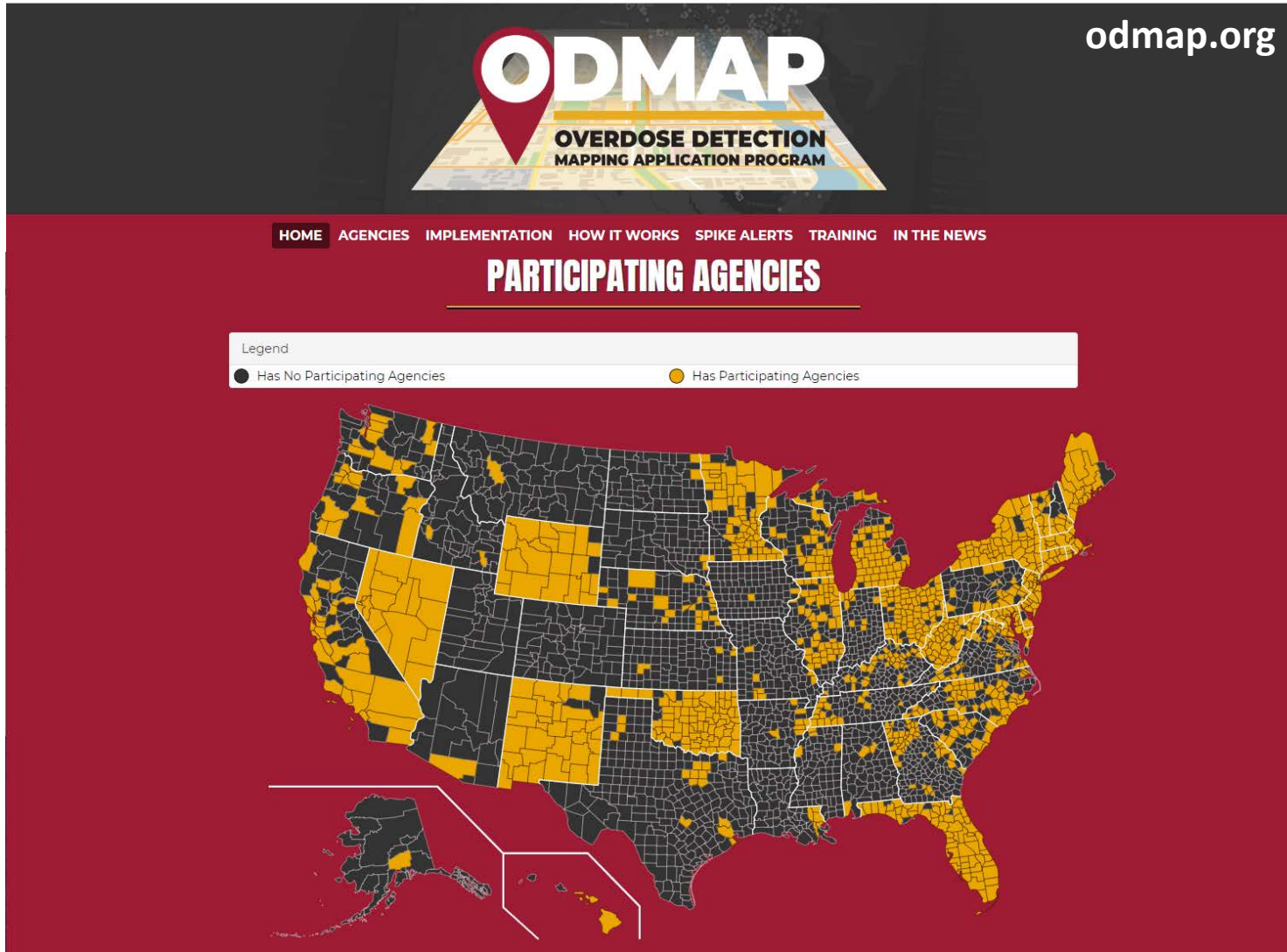
Recommendation: Mandate participation in a statewide emergency medical service tracking and reporting system ODMAP

- Overdose Detection Mapping Application Program (ODMAP) provides real time overdose surveillance data to support public safety and public health efforts to mobilize an immediate response.
- First responders, poison control, medical examiners, coroners, and hospital/ERs input data accessible by LE, behavioral health, public health and others. APIs exist for system interoperability.
- “Live” nationwide since April 2017, ODMAP is a free resource* used by more than 2,600 agencies across 48 states that is managed by HIDTA: D.C./Baltimore.

* Supported by the Office of National Drug Control Policy



Colorado Commission on Criminal & Juvenile Justice Opioid Investigations Subcommittee





QUESTIONS?