
[Meeting Minutes - January 29, 2021](#)

Council Member Attendance

<i>Allison George</i>	<i>Glenn Tapia</i>
<i>Judge Delgado</i>	<i>Tim Hand</i>
<i>Jason Talley</i>	<i>DJ Johnson</i>
<i>Angela Cifor</i>	<i>Chad Dilworth</i>
<i>Peggy Ritchie</i>	<i>Hassan Latif</i>
<i>Chris Lobanov-Rostovsky</i>	<i>Nikea Bland</i>
<i>John Draxler</i>	<i>Bill Cecil</i>
<i>Joe Thome</i>	

[Welcome and Introductions](#)

[Approval of the Minutes from the March 27, August 7 and October 2, 2020 Meetings :](#)

There was a motion and second from council members to approve the March 27, 2020 emergency meeting minutes as written. The council voted unanimously to approve the March minutes.


There was a motion and second from council members to approve the August 7, 2020 meeting minutes as written. The council voted unanimously to approve the August minutes.

There was a motion and second from council members to approve the October 2, 2020 meeting minutes as written. The council voted unanimously to approve the October minutes.

[Governor's Proposed Budget \(presentation file attached\):](#)

Ms. Ruske introduced Joe Thome, the Director of the Division of Criminal Justice (DCJ), and explained he would be assisting in this conversation today. She then proceeded to give the Council a snap shot of the budget for CDPS and for the OCC. The entire budget for the CDPS from all funding sources is \$515.2 million of which \$112.3 million of the budget goes the DCJ. She presented information also showing General funds for all of CDPS (\$147.7 million) of which \$63.8 million is DCJ's budget. The majority of that \$63.8 million is for community corrections. This is a significantly higher proportion of general fund dollars that are for DCJ expenditure than for the rest of CDPS.

Ms. Ruske then reviewed the proposed Community Corrections Funding Model that targets a \$22 million reduction in general funds for FY21-22. The largest single line item in the in the CDPS general fund is community corrections. The proposal includes converting to a new grant funding process to replace the current model, in which funding is awarded to local units of government based on caseload, length of stay, and the proposed local level plan. Under the new system, local governments would submit grant applications with detailed plans for using the funds in their communities. While this grant model does not produce the identified savings, it aims to meet the requirements for a reduced budget while maintaining a focus on outcomes in the absence of revenues needed to fund performance-based contracting.



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Ms. Ruske then gave an overview of the new model including how it compares to the current model. She then described listening sessions that were provided to stake holders to discuss these proposed changes. The themes gathered at these listening sessions were combined into a document and given to all stakeholders. She explained that the intent of this proposed plan was to engage stakeholders in the development if it was approved by the legislature in an effort to comply with the budget reductions requested.

There was discussion among the Council members around the logistics, feasibility and timeline for implementation of this proposed change funding and how services are provided to community corrections client. Concerns were expressed around the lack of stakeholder involvement in the development of this proposed model and the magnitude of change to the community corrections system.

Mr. Thome explained to the Council that the development of this proposal was to find the compromise as our system works towards better outcomes while still providing the flexibility that programs have been asking for.

Mr. Dilworth stressed that there is a model of fidelity going on in community corrections and this proposed change would take away from the good work that is currently happening.

When asked about next steps, Ms. Ruske advised that the decision lies with the legislators at figure setting in February. Once they make a decision, we will then start to develop what the path forward looks like. Mr. Lobanov-Rostovsky supported Mr. Thome's idea of bringing in stakeholders in to start the planning process prior to figure setting.

[Equality, Diversity and Inclusivity in Community Corrections:](#)

Part 1 - EDI and the Colorado Criminal Justice System


Mr. Aaron Stewart presented data with regards to race, ethnicity and diversity in the Colorado criminal justice system (presentation attached). As he presented the data, he noted that there were several data points that had statistically significant differences when compared by race/ethnicity but there is not a way to pinpoint the causes behind the rate differences.

Mr. Draxler commented that this was great work and it is something they are doing in probation as well. Mr. Tapia asked of we had started to analyze why the numbers are the way they are, to which Mr. Stewart replied that we had not. Mr. Tapia explained that probation is taking a look at the assessments to try to identify what disparities may exist within that step in the criminal justice process. He suggested that assessments might also be a good place for the OCC to start to figure out the whys of the data.

Ms. Ritchie thanked Mr. Stewart for the wonderful presentation and asked if providers might be able to use this data to start internal discussions around equity, diversity and inclusion at the program level. Mr. Stewart posed the question to the provider/program attendees but there was no response.

Mr. Draxler asked if race is self-reported and Ms. Bacchi replied that it can come from the PSI, the ADS (for DOC clients) or it is self-reported and that can differ from program to program. Mr. Lobanov-Rostovsky cautioned putting the data out to the field without context, explanation or clear direction about what to do with it. There are many variables in addition to race that could be influencing what this data looks like. There was agreement from others on the council with that comment.

Mr. Dilworth commented that the OAJJA unit in DCJ has some great processes around how to start the work to identify what is driving the data.



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Ms. Ruske thanked Ms. Ritchie for bringing this important topic to the Council and stressed that the OCC would love to work with the Council to analyze and develop processes to give to stakeholders the tools they need to address the EDI concerns within their part of system.

Part 2 - DOC & Community Corrections Referral Decisions

After presenting at the last Council meeting, Ms. Chrystal Owin was asked to provide some additional data around EDI and the referrals to community corrections from DOC. She also included some updated FY20 data in today's presentation (presentation attached). The additional data she provided was whether or not the acceptance rate differences based on gender, ethnicity and age were statically significant. She presented the there was a statically significant difference with regard to gender and also with age. Mr. Draxler asked if, in the age category, there could be a comparison with clients who had community corrections failures versus clients had had not been in community corrections and how many total felony convictions. Ms. Owin advised that she would try to get this information and bring it back to the council.

She then provided updated FY20 counts for unique individuals referred to community corrections from DOC and also how many referral decisions were completed and the breakdown between acceptations and denials.

Ms. Owin then summarized additional details regarding the referral rates of United states citizens and non-citizens as requested by the Council at the January meeting. She noted that those DOC inmates who have immigration holds are not eligible to be referred to community corrections. There was discussion by Council members about the number of referrals historically as compared to now. Ms. Owin explained that referral data is now being collected because of the passage of HB 18-1251 and is readily available if the Council would like to review it.

Ms. Owin then reviewed the denial reasons for referrals to community corrections. She explained the limitations in the data and then presented an infographic to better describe the reasons for referral denials to community corrections. She also presented information around denials reasons within a client's control and outside a client's control.


Ms. Owin the spoke to the updated FY20 data with regard to ethnicity and was able to generally summarize the reasons for referral denials to community corrections. Mr. Tapia cautioned that there are many different variables that can influence these denials and to be mindful of this as the data is reviewed.

Ms. George asked what can be done moving forward. Ms. Owin described the structure-based decision-making tools being used by boards as well as implicit bias training that will be offered to the boards in the coming months.

Updates:

Covid-19

Ms. Ruske gave updates regarding the community corrections programs and the Covid pandemic. She updated the Council about the average daily population since the pandemic started. She advised the OCC has been working with CDPHE regularly to work on vaccination plans for staff and clients. She recognized Ms. Owin for her facilitating with CDPHE to accomplish these tasks. Ms. Ruske advised the Council that the OCC reviewed emergency plans for all of the programs and provided technical assistance where needed or requested.



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Ms. Ruske then summarized the budget changes and advised that with the budget savings, the OCC is able to cover subsistence for clients who are quarantined or isolated due to Covid-19 and any additional population increases that may happen through the remainder of the fiscal year.

Action Items:

Ms. Bacchi reviewed the status of the Action items with the Council (attached).

- Revised UA Standard is on hold until the standards subcommittee completes its review around the spirit and intent around that standard.
- Judge Bland and Ms. Ruske are continuing to work on the information sheet for judges. Judge Bland is researching to see if judges can earn continuing education credits by participating in on-line training around this topic.
- The by-laws have not yet been reviewed by the committee as they have been scheduling conflicts between the council members who have volunteered to work on this. There will be a meeting held before the next Council meeting and an update about this process will be provided.
- Standards review committee - there have only been two volunteers to work on this project so another call-out for volunteers was going to be made.
- CLEAR ACT Report - A presentation regarding this report from the Office of Research and Statistics for the Council will be scheduled at a later date.
- EDI Subcommittee - With the additional data presented today by Ms. Owin and Mr. Stewart, the next steps will need to be discussed by the committee
- Larimer Progression Matrix Review - Mr. Hand asked to put this on hold for right now.

Announcements:

Ms. Ritchie thanks to OCC staff for their work today.

Ms. Wood asked if the Council might want to see a presentation regarding what is involved with the DUI services and STIRRT program and how we might be collaborative with regard to these programs. Mr. Tapia asked if the statutorily mandated assessments for clients and the assessments required by Medicare might be addressed as this has the potential to cause issues in probation and in community corrections. Ms. Wood agreed that would be an incredibly useful topic and discussion (new action item).

Chad Dilworth got a request from the parole board that they need better information about how a client has done while in a community corrections facility to help with their decision-making process. He described that there seems to be a disconnect and the parole board does not always have good information. He asked if a subcommittee could be assembled to come up with a solution to this problem. There was agreement and volunteers from the council to work on this item (new action item).

Adjournment:

The next meeting will be held on Friday, March 26, 2021.