
Meeting Minutes - September 24, 2021

Council Member Attendance

<i>Katherine Delgado</i>	<i>Peggy Ritchie</i>	<i>Glenn Tapia</i>
<i>Chad Dilworth</i>	<i>Alison George</i>	<i>DJ Johnson</i>
<i>Jennifer Wood</i>	<i>Nikea Bland</i>	<i>Tim Hand</i>
<i>Bill Cecil</i>	<i>Jason Talley</i>	

Meeting Began: 12:06 pm

This meeting was held virtually and recorded.

❖ **Welcome & Introductions (Council)**

- Wendy Bacchi (OCC Staff) introduced the Council Members in attendance.
- Judge Katherine Delgado (GAC Chair) introduced herself, and noted that this meeting will continue virtually for a while longer.
- Wendy Bacchi (OCC Staff) gave a quick overview of the WebEx platform and the meeting process.

❖ **Approval of the Minutes (Council)**

Glenn Tapia made a motion to approve the 3/26/21 and 5/28/21 meeting minutes.

Tim Hand 2nd the motion.

- March 26, 2021 minutes: Approved by consensus
- May 28, 2021 minutes: Approved by consensus
- July 23, 2021 minutes: Wendy Bacchi (OCC Staff) will send the July 23, 2021 minutes to the Council Members for review and approval via a poll.

❖ **Enhancing Motivation by Achieving Reshaped Cognitions (EMBARC) Cognitive Behavioral Therapeutic (CBT) Pilot Program**

- Presentation provided by (Greg Mauro, Mike Asher)
 - Some of the highlights of this presentation are as follows:
 - Why there is a need for a CBT program
 - History and Recommendation FY15-CC#5
 - Snapshot of Denver - as of June 2016
 - EMBARC History
 - Who is an EMBARC Client
 - Why this program is different
 - Structured Schedule
 - Transition/After Care
 - EMBARC Staff

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- EMBARC Outcomes
- Pros and Cons Between Tooley Hall and COJL Campus

➤ Q&A

- Chad Dilworth (Council Member) asked if the CBI curriculum is from the University of Cincinnati, and if so, if it has been used since the beginning. Mike Asher and Greg Mauro responded yes, and noted they have contracted with the University of Cincinnati to use this curriculum since the beginning.
- Chad Dilworth (Council Member) also asked if the CBISA (substance abuse component) is also being used, and asked if they are tracking recidivism outcomes. Mike Asher responded they are not using that component. Mr. Dilworth then asked if they were tracking recidivism outcomes at this point. Mike indicated that they have begun to collect data for program completion at EMBARC along with program completion at the next facility. He noted that high-risk clients in EMBARC are succeeding at an average rate comparable with some lower risk clients in regular community corrections, and mentioned that the Program has not been run long enough to see long-term recidivism outcomes. Greg Mauro indicated that the current data has been given to Katie Ruske (OCC Program Manager). He noted that the data given to Katie is from when Denver started running the Program, with about 75 clients completing the Program. Greg Mauro noted that there were 400 clients who completed the Program when GEO was operating it.
- Peggy Ritchie (Council Member) asked why there are no sex offenders included in this program. Greg Mauro responded that they focused on individuals who met the top four criminogenic needs, and that those with significant mental health issues or substance abuse issues were not considered for the program. He mentioned that these clients along with sex offenders go to programs that target their specific needs.
- Chad Dilworth (Council Member) asked what the fidelity checks from the University of Cincinnati look like. Mike Asher responded that the University of Cincinnati had supplied technical assistance through the end of June 2021, along with coaching and booster training for EMBARC staff as needed. He noted that the University of Cincinnati personnel were impressed with the training that the EMBARC staff have received to date from the Program. Mr. Dilworth also asked if the EMBARC program has their own trainers and coaches who continue to offer specialized training for staff. Mike Asher and Greg Mauro responded yes, and indicated that staff has on average one to three coaching and/or training opportunities per month through the Program.
- Greg Mauro (Presenter) indicated that in the future, parolees in need, may also have the ability to participate in the EMBARC program for 90-120 days.

❖ Summary of Community Law Enforcement Action Reporting Act (CLEAR) Report (Jack Reed)

- Jack Reed (DCJ Office of Research and Statistics) introduced himself and gave a presentation of the Clear Act. He indicated that this report can be found at: <https://org.colorado.gov/ors-sb185>. Some of the highlights of this presentation are as follows:
 - Legislative Requirements
 - Criminal Justice Decision Points
 - Methodology
 - Reporting Methods - Report
 - Reporting Methods - Dashboard

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- Arrests Dashboard
- Adult Arrest Rates & Disparity, 2019 (by Judicial Districts)
 - Male Adult by arrest rate by race/ethnicity
 - Male Adult by arrest rate by crime type and Race (violent, property, drug, DUI)
 - Male Adult Black Arrest Disparity
 - Male Adult Hispanic Arrest Disparity
- Juvenile Arrest Rates & Disparity, 2019 (by Judicial Districts)
 - Juvenile Arrest rates by crime type and race
 - Juvenile Black Arrest Disparity
 - Juvenile Hispanic Arrest Disparity
- Peggy Ritchie (Council Member) asked if all of the charts are available on the website. Jack Reed responded that they are not presented in the same way on the Office of Research & Statistics (ORS) website. Peggy Ritchie asked Wendy Bacchi to email Jack Reed's presentation to the council members.
- Peggy Ritchie (Council Member) asked the following questions:
 - What is the causality of the disparity?
 - Are the crimes black-on-black crimes or Latino-on-Latino crimes?
 - Is this true in Colorado?
 - Are these due to institutionalized racism?
 - Who gets clear knowledge of these findings?
- Jack Reed (Presenter) responded that the causality is very difficult data to analyze as some of the ethnicity data has been historically underreported. He noted that there is a lot of data missing for intra-racial and inter-racial crimes.
 - **Court Filings & Sentences - Dashboard**
 - Cases filed by Race and Ethnicity (by Judicial District)
 - County Court Sentence type rate, by race
 - District Court Sentence type rate, by race
 - Juvenile Sentencing type rate, by race
- Katie Ruske (OCC Program Manager) indicated that in the dashboard, you can select a specific Judicial District to see the data for that district. Jack Reed also noted that you can "hover" over other Judicial Districts to see the disparity by race. (<https://ors.colorado.gov/ors-sb185>)
 - **Probation Revocations**
 - Revocations by rate - there is not much disparity between county, district, and juvenile revocations
 - **DOC Population & Parole discretionary release (not on the website)**
 - DOC population & Discretionary Parole
 - Discretionary Release for those who go before the Parole Board
 - **Possible Solutions to correct the disparity**
 - Focus on low level offenses
 - Focus on unnecessary use of pretrial detention
 - Consider the aggressive collection of criminal justice debt (assess an individual's ability to pay)

- Undergo training to identify and confront implicit racial/ethnic bias for everyone who exercises discretion
- **Law Enforcement Agencies should...**
 - Embrace a guardian mindset, promoting the dignity of all individuals and protect everyone's Constitutional rights
 - Consider the collateral damage of any given safety strategy on public trust
 - Strive to create a diverse workforce
 - Infuse community policing and problem-solving principles throughout the organizational structure
 - Work with schools to develop alternatives to suspension/expulsion
 - Ensure training occurs throughout an officer's career with procedural justice at the center/lessons to improve social interactions/lessons on addiction/ lessons on recognizing and confronting implicit bias
- Bill Cecil (Council Member) asked about initial charges and court filings in that the charges can be increased by police, and that the District Attorney can also add additional charges to get a conviction. He asked what determines on what charges are filed and if any analysis has been done for these circumstances. Jack Reed (Presenter) responded that due to complicated data points, that this has not been done yet. Bill Cecil noted that the initial charges and filings can be very different from the actual conviction. Jack Reed responded that 35% - 45% of cases in the data snap shot from judicial have not reached disposition yet, and expressed caution in presenting this due to the various unknowns. He noted that there is a small data snapshot of some of these cases on the website.
- ❖ **Spotlight on Community Corrections across Colorado (Tim Hand)**
 - Tim Hand (Council Member) noted the need to refresh the Council and for new members about Community Corrections and the various programs across Colorado. He suggested bringing the various programs to Council meetings to present during 2022 so members better understand these programs. Tim Hand noted he would be willing to help design this.
 - Judge Delgado (Council Chair) commented that this will be valuable for the Council to have the opportunity to learn more about the Programs.
 - ***Bill Cecil (Council Member) made a motion to have the various Community Corrections Programs come and present to the Council in 2022. Peggy Ritchie 2nd the motion.***
 - The motion was approved by Consensus
 - Wendy Bacchi (Council Staff) and Katherine Delgado (Council Chair) agreed to help work on this project with Bill Cecil and Tim Hand.
- ❖ **Action Items - (Council)**
 - Judges Information Sheet (Katie Ruske/Nikea Bland)
 - Will speak with Judges regarding training opportunities
 - Glenn Tapia and Greg Mauro's presentation will be updated
 - Training will offer CLE's for judges
 - By-laws (Katie Ruske/Wendy Bacchi)

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- Wendy Bacchi noted the By-laws Committee has reviewed and updated the By-laws as requested. Wendy Bacchi will send these to the Council in advance of the next meeting for review.
- Misdemeanants in Community Corrections (Tim Hand)
 - Wendy Bacchi (Community Correction Staff) noted that this sub-committee met, and indicated that she will send out the minutes from the last meeting.
 - Tim Hand (Council Member) mentioned this was a good meeting, and noted the next meeting is scheduled for 10/8/21. He indicated that the Committee will continue to discuss misdemeanants in Community Corrections.
 - ◆ Judge Delgado (Council Chair) asked what misdemeanants might be included in this effort?
 - ◆ Tim Hand (Council Member) noted that there are some very high-risk misdemeanants who are being revoked, and asked how to help this population.
 - ◆ Glenn Tapia (Council Member) reviewed that Probation has some new data regarding revocations which includes misdemeanants (2/3 of the revocations), and noted that there will be continued discussion within Probation regarding revocations for this population. Glenn indicated that continued revocations/regrants do not change the outcomes for misdemeanants, and mentioned the need to find ways to help this population. He noted that these conversations are still in the conceptual/exploratory stage.
 - ◆ Alison George (Council Member) asked to reach out to the Behavioral Task Force regarding this population and the discussion that is currently happening. Glenn Tapia indicated a meeting with the Behavioral Health Administration that is scheduled for 9/28 at 9:30 am for Criminal Justice audiences which might be a good forum to give feedback. Glenn Tapia noted he will share this meeting information with Wendy Bacchi who will send it out to the Council members.

Standing Items:

- ❖ Updates (Katie Ruske, Wendy Bacchi)
 - Performance Based Contracting (PBC)
 - Katie Ruske (Community Corrections Program Manager) indicated that three stakeholder workshops have been completed, which covered the first three defined areas of the PBC plan (core security functions, PACE-program fidelity, and risk-informed outcomes). She noted that the next workshops will address how the performance fits to include metrics, payment models, and timelines for metrics/measures of the model. Katie Ruske indicated that all videos of the workshops are posted to the DCJ website for anyone to access.
 - Wendy Bacchi (Community Corrections Staff) will put the website link in the chat box for all to access. (<https://dcj.colorado.gov/performance-based-contracting>)
 - CCIB 2.0
 - Wendy Bacchi (Community Corrections Staff) indicated that CCIB 2.0 is on track to be up and running with user testing by January 2022. She mentioned there will be meetings to introduce the new system, which should be coming in October. Wendy Bacchi noted to watch for further information regarding this. Glenn Tapia (Council Member) asked if CCIB 2.0 will be used as a user



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acceptance referral platform between the Department of Corrections (DOC) and Judicial. Wendy Bacchi responded that that part of CCIB 2.0 has been tabled for now due to data sharing issues, and indicated that this will be a future enhancement. Katie Ruske (Community Corrections Program Manager) noted that the DOC is continuing to have discussions regarding this referral functionality. Glenn Tapia asked for the Judicial Department's voice/collaboration in this referral module to ensure that all IT complexities are considered. Katie Ruske responded that Judicial will be included when that module is being defined, and that the focus has been on the minimally viable product.

❖ **Announcements (Council)**

- Glenn Tapia (Council Member) announced the Criminal Justice Workgroup and sub-committees, which are working on recommendations for sentencing/behavioral health reform which may directly impact Community Corrections with the use of collaboration and modernizing sentencing.
- Glenn Tapia (Council Member) also indicated another task force that is recommending the regulatory agencies to modernize their State Standards to permanently include tele-mental health for justice-involved populations.

❖ **Action Items:**

- Wendy Bacchi (Community Corrections Staff):
 - Will send the poll for approval of the July minutes (sent 9/24/21).
 - Will send the EMBARC presentation to the Council (sent 9/24/21).
 - Will send the Clear Act presentation to the Council (sent 9/24/21).
 - Will send the Misdemeanant Sub-committee minutes to the Council (sent 9/24/21).
 - Will send out the OBH information from Glenn Tapia to the Council (sent 9/24/21).
 - Will set up a meeting with Judge Katherine Delgado and Bill Cecil to create the schedule of Community Corrections program presentations for 2022.

❖ **Adjournment (Chair/Co-Chair)**

- Adjourned at 2:10 pm
- Next Meeting-Friday, December 3, 2021