
Governor's Community Corrections Advisory Council

Meeting Minutes

Friday, April 27, 2018
12:00 PM to 4:30 PM
Division of Criminal Justice
710 Kipling Street
3rd Floor Conference Room, Suite 308
Denver, Co 80215

Welcome New Council Member and Introductions:

Council members in attendance today:

Kathy Delgado, Jon Draxler, Tim Hand, Greg Mauro, David Johnson (Director of Adult Parole, interim), Marti Kovener, Doug Erler, Jagruti Shah and Nikea Bland.

Guests and OCC staff in attendance today:

Brian Hulse, Angie Riffel, Jeaneene Miller, Charity Bellerdine, Rose Rodriguez, Glenn Tapia, Valarie Schamper, Chrystal Owin, Aaron Stewart, Tahnee Santambrogio, Shawna Nichols, Cynthia Lockwood, Kerry Krause and Wendy Bacchi.

Welcome to our newest council member Marti Kovener. She was appointed by the Governor's Office to fill the victim advocate seat.

Review and Approval of Minutes from February 2, 2018

There were no changes suggested to the minutes from February 2, 2018. A motion was made to accept them as written Tim Hand and she was seconded by Nikea Bland. The Council voted unanimously to accept the February 2, 2018 minutes as written.

Discuss State/Local Partnership Model for Performance Based Contracting (PBC)

Glenn gave brief overview of the proposed PBC model previously approved by the Council. He outlined the three pieces that define performance within the PBC model. They are:

- The PACE Score – done by the DCJ Office of Community Corrections (OCC)
- Compliance with the Core Security Audits – done by the boards with a state and local partnership model between the boards and the DCJ-OCC
- Risk-Informed Outcomes

Valarie spoke to the specifics of the state and local partnership and what the quality assurance/audit group has been working on in the form of the new audit tools that are being developed to be aligned with the new standards and easy for the boards to use. The goal is to have not only tools for data

collection but also data analysis and reporting. The new tools will be tested in the field to ascertain they work as envisioned and are user friendly for board staff. The new tools will provide more consistent data reporting and analyses across all boards around the state.

OCC staff is also developing board classroom trainings to help board staff familiarize themselves with the tools and audit processes. The plan moving forward after the trainings is for OCC staff to co-audit with boards on their first audit and to be available to the boards for coaching and technical assistance as needed or identified. She advised the council of the board training dates and explained that once the trainings are complete, the OCC will be looking for boards to volunteer to start the core security audits within their jurisdictions with OCC staff. In order to coincide with performance-based contracting, the goal for these core security audits is to have completed a co-audit with the boards in all 17 (soon to be 18) by the end of December 2019.

Glenn explained the ambitious timeline in more detail as it is mandated by the legislature to complete the PACE baseline for all programs by the end of calendar year 2019. To have a complete picture of how programs are doing, it is a sound idea to have all the programs audited by that time as well. Glenn asked for feedback from the council around any problems or concerns that may arise as we go through this process. He would also like to hear about any thoughts around the implementation of this process.

Greg asked if it was a requirement or opt-in process for smaller boards/type 1 boards. Glen advised that they board types will have to be re-defined during the next contract period. The idea behind this process is that all boards are using the tools and processes whether it is a type 3 board auditing their own programs or smaller boards co-auditing with DCJ. Tim Hand asked if there are board members who wanted to participate in the audit process at the county-run programs, would that be allowed since they have to be audited by the DCJ. Valarie replied that could possibly be accommodated as a co-audit situation.

Doug Eler expressed concerns around training on the audit process so early but the boards will not be able to put the training into action until contracts are re-negotiated. Glenn explained that auditing is already required by contract for type 2 and type 3 boards, however, the current procedure does not clearly define how these audits should be done. Greg explained that the standards audited by this process are more clear and this process will make for a better audit process around the state, resulting in more consistent auditing from county to county.

Doug then asked about funding, transferring the workload; there will be more workload put on board staff. Glenn explained that there may be an opportunity next year to introduce the argument that boards need more funding to perform these expanded functions.

Valarie explained that the tools being developed focus on the standards around core security. There are 15 standards that make up the core security section of the PBC model. Once the core security process is complete and implemented, the goal is to develop a quality assurance process around the standards that are not covered by the PACE or the core security processes.

Greg asked if a provider voice could provide some feedback to this since Shannon is not present at today's meeting. Angie Riffel (GeoGroup) said that this is a great collaboration between the boards and providers. She explained that the Coalition asked for a copy of the tools and the manual so they may know what the expectations of the providers will be. She likes the idea of these audits being fair and consistent across the state and believes it will benefit everyone in the long run. Brian Hulse (ICCS) voiced concerns around the timing. He appreciates the notion of having standardized audit tools so the audits are consistent everywhere. He is concerned about the timing of the 15 different standards being audited by the boards as part of core security. Do all 15 standards have to be audited within a certain time frame within the two-year cycle or can they be spread out? He also asked where the rest

of the audits would be in that two-year time frame (PACE). Valarie explained that the current cycle is a five-year cycle so the new two-year cycle will certainly be better for getting a good assessment of where the programs are. She explained that it is up to the board to decide how to audit the standards.

John Draxler spoke about his experiences with a tool and training the audit team had previously provided to him. He spreads out the standards and audits one or two at a time. He is able to go into programs more often and interact with all staff, not just case managers. He explained that this process has improved his relationship with security staff and the clients as well. Clients are happy that they can talk with him and can voice their opinion about what is going on in the facility. The visits and time with the clients has reduced the number of complaints he receives at his office.

John also explained that the change in the audit process where more focus is put on the things that are being done well than in the past and what can be done to improve areas that are struggling. Charity explained that they have had similar conversations with their new board member and invited him into the facility to do some work similar to what John is doing. Angie spoke also to the fact that their board staff member is frequent visitor to the facility and has become part of the team. It is a very positive change.

Valarie spoke to the philosophy discussions about what the tools and audits in support of the facilities and staff. Angie asked if providers might be able to attend these board trainings on the new tools. Valarie explained that training on this process and tools has been discussed for the providers as well. Greg asked if the providers might be able to attend the board trainings so everyone learns the same thing. Valarie explained that they can look into expanding the class size for the board trainings to accommodate the providers as well. John noted that board members who have not audited before will have a lengthier process for explaining the tools than staff members or someone who is familiar with the audit process. The providers really would like to be involved in the trainings for the boards so that everyone is given the same information and can start in the same place.

Glenn explained that providers are used to a 3-5-year audit cycle and this new cycle is only two years and he also explained the positives and negatives of the shortened cycle. Greg explained that with their strong infrastructure, Denver has the ability to audit a program several times within the two-year time frame but boards without that strong infrastructure would only be able to perform an audit once every two years. He wanted to know how that would affect the PB scoring and the programs ability to do well moving forward. Glenn explained that ideally, DCJ would use the most recent audit score (the most current version of performance) in the PBC model to make the determination. The other option is to use the initial score although he would advocate for using the most recent score.

Brian voiced concerns about boards auditing at the beginning of a cycle and then at the end of the cycle when the provider has fixed the issues from the early audit, the board does not have the resources to come back and re-audit the program to get a higher score. John proposed a re-audit process within the cycle for programs who struggled to give them a chance to better their score. Valarie noted that while developing this process, the team decided to let any re-auditing processes lie sole at the boards' discretion.

Greg asked if there was a dispute resolution process? Valarie replied the team hadn't thought about it that way but she will add it to the conversation. She advised that quality assurance checks have been discussed by the team to ascertain the boards are using the tools correctly.

Discuss Performance Based Contracting Funding Options

(Tapia)

The JBC was considering re-purposing facility payments to fund the PBC model but due to push-back from several sources, it was decided not to use those funds for this purpose. As of today, there will be no

repurposing of facility payments to fund PBC. Thinking towards the future, the Department will have to seek out some legislation, budgetary authority and money to fund PBC.

Glenn asked: Should funding be tied to the baseline?

Glenn explained the baseline is the neutral level to work from. It makes sense to not have money attached to the baseline numbers. Bad side of that there is no money tied to baseline for the programs that did well to start with. John asked if this is money for improvement or money for those above the baseline? Glenn stated it is a bit of both. John has concerns that at some point, a provider could be doing their best and then be maxed out as far as the funds go. It is a complex problem at that point because the incentive is gone. Marti asked why you need additional funding if you are already performing at a high level. John explained that the money is an incentive to keep performing at the highest level. Rose asked how program outcomes tie into this funding model. Glenn explained that it is 20% of the raw score and then provided some examples as to how this would work. Risk levels are part of this score and OCC staff are working on some statistical controls around the risk levels of clients within a facility.

Judge asked if this conversation should be tabled due to missing Council members. Glenn said that is fine, that there is some time however, at some point the Council will need to draft a concept sometime this year. Doug suggested that a concrete list of options be established so that ideas can be more clear around this topic.

Valarie clarified that there are two different questions on the table today.

Should we incentivize baseline?

How do we structure incentivizing beyond the baseline?

Glenn stated that how the baseline is defined will further the conversation from there. The models he showed last meeting were developed if there was baseline funding. The message needs to be consistent so this is an important decision. Glenn then discussed some radical funding ideas about a sliding fund from the legislature that increases over time to fund as the state as a whole does better. Marti asked about cost saving that would result as programs do better and if there were metrics to measure that. Glenn the life cycle of that process and that it is not yet measurable. Glenn asked that providers start this discussion at their level.

This is an important discussion that will have to be re-visited in the coming months. Glenn also asked the providers to discuss how much is enough.

Discuss JBC Goals for Community Corrections (Transition) Utilization

(Tapia)

A group was convened by the Governor's office to address budgetary strategies to help manage the state prison population. The outcome of this group has been some budgetary goals for DOC, the Parole Board and community corrections to help manage the prison population. One of the goals is to have eight percent of the prison population in community corrections which is higher than the current percentage of seven percent. For DOC, their goal is to have three percent of the prison population be on ISPI status. To this end, community corrections received 300 extra beds for the next fiscal year to support this increase of transition clients. The beds will be allocated around the state to the different facilities. Glenn asked for the Council have a standing agenda item for DCJ to report the current utilization numbers and be able to monitor and address issues and concerns as they arise around this process and goal.

Discuss Subsistence Support Funding Issues for FY2019

(Tapia)

A small amount of money was given to OCC to assist clients with paying some of their subsistence. The amount given translates to 10 days of subsistence to about 20% of the community corrections population. Glenn asked the council to prioritize these funds for some part of the population because the amount will not fund the entire population. Glenn gave an overview of the background of this request, how it surfaced in the conversations around HB-1251 and transition utilization. This idea has been done before and showed no increase in successful discharge rates. He suggested a couple different ways to spend the money. He then asked Council to provide some ideas as well.

Tim suggested identifying the mental health population. Judge Delgado added she would like there to be criteria around this money to help those that need it most. It seems like there is a lot of support to focus on this group. Rose really likes the across the board idea, she thinks it would be harder to implement with a targeted group. John spoke to treatment participation. Brian suggested maybe using it as a B-SMART incentive – this would help tracking as well. This decision needs to be made by the 1st quarter of the fiscal year so it can be put in place. DJ suggested targeting the female population. Greg asked if there might be a more strategic way to spend the money – instead of 10 days per client, could it be modified to provide more money for less clients. In answer to that question, Glenn said it will depend on how the footnote is written. Tim suggested on giving the money to the programs and let them decide how to award and track the funds. Whatever way the money is spent, it needs to be structured and reportable so we are able to track the data. Glenn asked that discussions happen at the board provider level and bring ideas back to the June meeting. He asked the Council to make a decision at the June meeting so DCJ can bring a policy to council for a vote in August.

Discuss Structured Decision Making plan for HB 18-1251

(Tapia)

Per HB-18-1251, all Boards need be using structure-based decision making in the next 2 years. DCJ will provide a couple of prototypes to the boards to get them started in developing their own individual tool. Boards will be provided a list of consultants to assist with the development of their specific tool and then request the funds from DCJ to pay the consultant fees.

The first question for today: Is the council okay with the funding method? Glenn said there are four or five consultants he can think of that would be on the consultant list.

Denver and Arapahoe already have prototypes. Arapahoe planners are willing to help other boards develop their tool.

Rose asked Greg about the benefits Denver has seen since using developing and using their tool. Greg replied with the following benefits:

- More consistency in Board decision making
- The analytics we derive from it to talk about decision-making
- The improvement Arapahoe made from Denver's tool when developing their own

John Draxler thinks a tool would be useful when addressing questions from attorneys as to why their client was not approved from community corrections. It will cut down on re-screenings. The decision-making tool would be more transparent and objective to clients about why they were denied placement. Marti asked if victim safety components are included in the prototypes. Greg explained that Denver's tool considers whether or not a victim's statement of opposition was present. In addition to that though, all boards allow for victim statements. Marti then asked if there was any risk assessment for future victimization. He admitted that there is not any type of assessment for that. Glenn advised that you never want the tool to be the entire decision. John advised that when there is victim resistance in a case, the offender is not usually accepted, especially when they appear.

Doug voiced a concern about the local procurement processes for these types of services and asked if some wording be added into the contract. John asked about this as well. Glenn advised that this could just be a line added to the allocation letter. Greg advised that these will get less expensive as other tools are developed.

Kuenhold Distinguished Service Award Vote

(Council)

For the benefit of new members, Glenn gave background on this award.

Votes were submitted in person and by email from Council members and Joe Ferrando was chosen as the recipient of the award this year.

Gratitude

(Delgado)

Judge Delgado and other Council members thanked Glenn for his years of service to the Council and Community Corrections as whole as he is moving on to a new job with the Judicial Branch.

Next Meeting – June 29, 2018

(Tapia)

Adjournment

DRAFT