

Governor's Community Corrections
Advisory Council Minutes
Friday, June 29, 2018
Division of Criminal Justice
710 Kipling Street
3rd Floor Conference Room, Suite 308
Denver, Co 80215

Welcome and Introductions

Judge Delgado, Shannon Carst, Bill Cecil, Eileen Kinney, Greg Mauro, Joan DiMaria, Tim Hand, Valarie Schamper, Joe Morales
Kerry Krause, Chrystal Owin, Aaron Stewart, Cara Wagner, Shawna Nichols, Tahnee Santambrogio, Cynthia Lockwood, Matt Sullivan, Charity Bellerdine, Frances Falk, Jeanenne Miller.

Minutes

There were no minutes to review for today's meeting. The April minutes will be reviewed at the august meeting.

Discuss Status of new Positions in the OCC

Valarie reminded the Council that during the last legislative session, the OCC was given five new positions to fill. With the departure of Glenn, the task has been given for this office to hire six new people in the coming months. We are working on setting up the second round of panel interviews for the OCC manager position. There is not an exact timeline but the process is moving forward. The other five positions have not been posted at this this time as the goal is to fill the manager position so the candidates who apply for those positions will know who they would be working for. Ideally we would like all the positions filled as soon as possible due to the aggressive timeline for getting all the program baselines completed for the PACE.

Discuss 2017 Standards Cost Survey

Glenn sent out a letter last year regarding a request for information (RFI) from the Joint Budget Committee (JBC). A copy of the letter is in your packet today. The RFI is asking programs and boards to identify the costs associated with implementing the 2017 Revised Community Corrections Standards. The letter included all of the categories of costs that the RFI will be collecting and advised programs to begin collecting the information now so that when you receive the survey in July 2018, you will have the data that is being asked for by the JBC.

The survey is completed and the questions are very similar to what was in the original letter. It is currently in the proofreading stage by OCC staff. It is our intent to send out the survey on Monday, July 2. Programs and boards will have two months to respond

to the survey (due August 31, 2018). Valarie reminded the Council that the data points in the survey and RFI were driven by recommendations from this Council. Valarie stressed to the Council that if a program or boards fails to respond to the survey, it will count as zero (\$0.00) spent; they will not be eliminated from the survey, their costs will be listed as zero dollars. We have no way to identify costs spent by the boards and providers to make these required changes, so it is important for all boards and providers to reply. Shannon advised that this topic is a standing agenda item at the coalition.

Discuss Structured Decision Making plan for HB 18-1251

Valarie reminded Council that there has been discussion on this topic before. Per HB 18-1251, a requirement was established that all local community corrections boards build structured decision making tools for their screening processes. There was a small amount of money included with the bill to help support the development of those tools for the boards. What has been decided to do is to reach out to the boards and ask for letters of intent from boards who would like to start developing their tool. All boards have two years to develop their tool pursuant to the bill.

The OCC will create a list of approved consultants and will be dividing up the money based on letters of intent. The idea is that boards that participate in the process later will not need as much funding to develop their tool as there will be several models already designed to work from. The 1251 position should also be filled by then and can lend support to the process.

As discussed previously, there are three boards that have tools developed or in development. Greg asked what happens if not enough boards submit letters of intent. Valarie advised that we would work with the boards to provide support for this process.

Update State/Local Partnership Model for Performance Based Contracting

Valarie explained the new Core Security Audit process is progressing. She brought up a graphic showing the PBC model and talked about the piece that covers the core security within the facilities as part of the overall score in the model. Our staff are working to bring boards up to speed with the audit process so eventually they can perform these core security audits themselves with support from the OCC. This one of the areas where the local boards will have a real direct impact on PBC. Trainings are ready to be launched and the will include both boards and providers. At the last meeting, there was a request to include program staff in this training so they would be aware of the boards would be reviewing as part of the core security audit. Contract auditors hired by the local boards to do their audits are also invited to this training. The QA/Audit team was able to restructure the curriculum to include that collaborative conversation between boards and providers as part of the training. OCC staff will perform the first audit as a co-audit with the boards around the state.

Greg asked what would happen with counties without the infrastructure to support the audit process. Valarie explained that OCC is aware of those boards and will work with

the jurisdiction to facilitate the audits with the team. OCC will still be responsible for performing the audits on county program and the programs who do not have the resources to perform these audits. She reminded the Council that stakeholders and board members are always invited to audits and that practice will continue. It is nearly time to renew the contracts with the boards and the Council may be asked to provide feedback as the board typologies to include this new process and better define what the different types of boards should be doing according to their type classification.

Discuss Subsistence Support Funding Issues for FY2019

This topic was discussed briefly at the last meeting but no decisions were made at that time. At this time, it looks like there is some discretion on how these funds can be spent. The conversation for today is how to implement this and spend the money responsibly. It is not very much money so the Coalition proposed to give it intakes with medium or high employment readiness needs. The idea was to target clients who really need some help with their subsistence payments. Joan asked if this proposal included folks with some mental health issues as they would need some time to be stabilized. Tim asked about if it was for transition folks. The long bill does not tie the money only to transition clients. Valarie reminded the Council that there was a subsistence forgiveness experiment a couple of years ago that did not yield positive results for clients.

Greg noted that possibly the idea of subsistence been outgrown by the system. Due to the number of higher need, higher risk clients being served by the system, the idea of subsistence may need to be re-evaluated.

The council discussed several ideas as to how to spend this money strategically. Greg suggested that the Council come to an informal agreement today. Valarie concurred with this and advised that the OCC would draft a policy around what the Council agrees upon today. The money will need to start being spent no later than January and there will be some board education in the interim to explain the funds and what they are going to be used for.

After much discussion, the Council agreed upon the following terms to be put into policy for the subsistence funding.

- * Clients need to progress to Level 4 of the Progression Matrix.
- * The money goes to the client, either to their savings account to directly to them.
- * The funds will not be applied to clients in specialized programs – regular residential (diversion and transition) only.
- * The funds will be put into CCIB so they are trackable.

Greg suggested sending an email to the boards advising that while this is not final, here is the direction we are going with this subsistence money. Valarie agreed that this is a good idea.

Discuss Performance Based Contracting Funding Options

Valarie gave a quick overview about where we are at with PBC. She advised that there is a deadline to have all the program PACE baselines complete by the end of December 2019.

There are two questions for the Council today around the funding for PBC.

1. Do we incentivize baseline (year 1)?
2. Pros and cons around funding at baseline and what does it look like?

Shannon says no funding at baseline. There is no time for the folks who go first to learn and improve. Shannon does not think we are there as a state to fund at the baseline. Greg agrees as it is unfair to those who stepped up in the beginning. Joan also agreed that baseline should not be incentivized. The general consensus from the Council is not to incentivize the baseline. She then reviewed all the pieces that make up the PBC.

Tim suggested bringing in a consultant to help guide this topic. Eileen is afraid we are not seeing the full impact of what this might do to the community corrections system and having an outside person come look at what we are doing would be very beneficial.

Valarie then brought up the subject of out-funding once the baselines are complete. The current model suggests a fixed amount of money. This idea works okay in the first year; however, it is subject to the law of diminishing returns and as time progresses and more programs do better, there is less money to pay out. There are many questions around how this might work and how to address the idea of PBC if the legislature decides to address it this year – which is a possibility.

The council consensus around PBC funding is to convene a subcommittee that will work with a consultant to develop a strategic plan to implement and fund PBC after program baselines are complete. Volunteers for the subcommittee were Shannon, Tim, Greg, and Joan. The OCC will need figure out how to pay for a consultant to assist with this. Valarie will start asking questions on how to facilitate this.

O. John Kuenhold Distinguished Service Award

The Distinguished Service Award will be awarded to Joe Ferrando (most likely in absentia) at the October meeting of the CACCB. Greg will ask Laurie to add it to the agenda. The meeting will be held somewhere in Denver and details will be sent out once we have them.

Additional HB 1251 Comments

As part of The reasons for denial to community corrections will need to be documented. A comprehensive list as to why an offender might be denied either by the board or the program will need to be developed. Tim suggested using the reasons for denial that the Parole Board uses and edit it to serve the needs of community corrections. The list will need to follow the law, especially concerning the length of time served. The list length will need to be limited to 7-10 denial reasons at the most. Boards will also need to define the new timeline for re-referral when they deny a client. Judge would like to be part of the committee that works on these denial reasons. The Council continued to discuss different ideas about the details around denials, the data associated with them and the bias that can impact these types of decisions. Greg suggested that there is training that might be presented to the boards and new board members around implicit bias.

Judge asked that this is a full Council decision and there are quite a few members missing today. Valarie suggested that members of the 1251 working group present today, can take this topic back for discussion.

Next Meeting – August 17, 2018

Adjournment

Judge Delgado adjourned the meeting and thanked everyone.