

GOVERNOR'S COMMUNITY CORRECTIONS

ADVISORY COUNCIL

Meeting Minutes

Friday, April 26, 2019

Division of Criminal Justice

710 Kipling St. Suite 309

Lakewood, CO 80215

Welcome and Introductions

Judge Delgado was detained by a late hearing so today's meeting was chaired by Co-Chair, Shannon Carst. She welcomed all the new Council members, those attending by phone and asked all the attendees to introduce themselves.

Council Members in attendance:

Shannon Carst, Jim Bullock, Eileen Kinney, Peg Ritchie, Angela Cifor, DJ Johnson, Doug Eler, Hassan Latif, Greg Mauro, Tim Hand, John Draxler, Bill Cecil, Alex Walker, Jackie McCall, Alison George.

Other special guests included:

Katie Ruske, Rose Rodriguez, Hilary Johnson, Charity Bellerdine, Angela McBeain, Alexis Ongley, Jeff Jorden, Lydia Popovski, Scott Kirton, Liz Craig, Chrystal Owin, Carrie Barton, Aaron Stewart, Cynthia Lockwood, Cara Wagner.

Katie advised the Council of the two other new members who were unable to attend today; Jason Shankle and Chris Lobonov-Rostovsky.

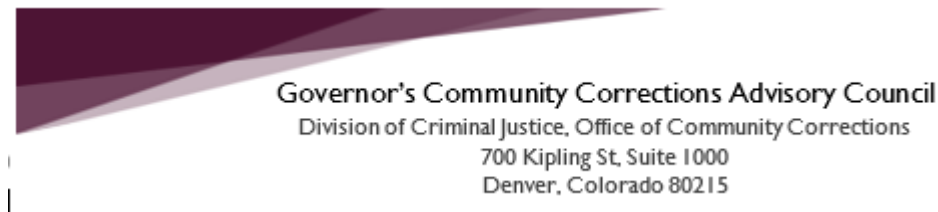
February Minutes

Because the minutes were late getting sent out, the Council requested time to review them and agreed to an online vote to accept them.

GAC letter to Governor Polis - Final approval

Katie reviewed the background of the letter to the Governor. She also advised the Council that other boards and commissions have their own letterhead. Wendy designed three different letterheads for the Council to pick from so the letter comes from the Council rather than the Office of Community Corrections (OCC). The Council asked that the populations numbers be updated to reflect the current levels. For the benefit of the new members, Greg explained the purpose of the letter is to advise Governor Polis and his staff about what the Council does, what they are currently working on and that community corrections is here to support the state in light of the prison populations issues currently effecting the Department of Corrections. Jim commented that the content of the letter was very good and moved that the letter be accepted with the updated population data. The motion was seconded by John Draxler and unanimously accepted by the remaining Council members.

The Council was given three different letterheads to review and the image below is the letterhead chosen by the Council.



June Meeting Conflict

The next Council meeting was originally scheduled for Friday, June 28; however due to a scheduling conflict with the CACCB Annual Meeting, we need to find a new date for the Council Meeting. After some discussion about possible dates, the Council decided that Friday, June 14 would be the best day to reschedule the June Meeting. Wendy advised that she would send out a new calendar invite for the rescheduled meeting.

New member Orientation - Planning

Historically, new members to the Council attended an orientation to provide background, current issues, and future goals of the community corrections system of Colorado. Katie asked for feedback from both new and veteran members about things they would like to see in this orientation, things that need to be included and things that are no longer relevant. Hassan commented that he is unsure what is needed as he is so new, while Jim noted that he has found the large binder from past orientations very useful even if some of the information in it was not covered at that time. Tim asked if there was a power point from the old presentation. Alison asked the following items be covered in the orientation: general facility data (location, how many, populations served, current population). Alex suggested having representatives from the other systems the work with community corrections present what they do and how all these different divisions work together. Peggy suggested the history be covered as well as legislative issues, strategic plans and the general goal of the Council.

Distinguished Service Award - Update

At the time of this meeting, there were only two nominations for the O. John Kuenhold Distinguished Service Award. After a conversation with Katie, the decision was made to extended the deadline for the award until April 30, 2019. Wendy said once the new deadline closes, she would put the nomination packets together and send the out to the Council for review. She would then set up an on-line vote so the Council could vote for the candidate of their choice.

OCC Positions – Update

Katie commented on how things have been changing in the OCC. Now that the OCC is nearly fully staffed, the office will be moving down to the second floor of the same building so OCC staff will be all together on one floor. She advised that the conference room will be moved to the second floor as well. She introduced the two newest staff to join the OCC team; Jeff Jordan and Scott Kirton. Jeff is the PREA Coordinator and Quality Assurance Specialist, taking over for Jim Pyle who retired at the end of 2018. Scott comes to the OCC from Probation as an Implementation and Training Specialist. There are two open PACE positions as Liz Craig took over the other Training Specialist position and Ty Crocker took a position with Probation Services. The application period has closed for the two positions and Katie hopes to have both positions filled by the next Council meeting in June.

Performance Based Contracting (PBC) – Update

Katie explained to the new members that Council in partnership with DCJ and the Governor's office have been moving towards PBC for providers in community corrections. The Joint Budget Committee (JBC) was ready to put legislation in to allow the OCC to engage in PBC but because the groundwork is not quite completed, they decided not to put the bill out. The goal is to have baseline measurement of both PACE and Core Security completed as part of the groundwork for PBC. The deadline for these baselines is June 2020. The money for a consultant to assist the Council with formulating the risk-based outcome measurement and exactly how the funding of PBC will be done was included in the long bill for 2020. There will \$75,000 dollars available to hire the consultant to help with this final piece of PBC. Shannon asked if there will be an RFP done to hire the consultant(s). The Council will need to have a discussion about what they will be looking for in a consultant(s) for PBC. Greg suggested that with the addition of the valuable new members, it will be beneficial to review the history of PBC and get everyone up to speed. For new members, you will receive the PBC plan drafted by the Council and more information about PBC in your orientation.

JBC/Legislative - Update

The long bill has been signed by the Governor and there was an amendment added to the long bill at the end of the session to use some of the bed money to fund a new community corrections information and billing system (CCIB 2.0). This is the system used by boards, providers and OCC to track billing, offender data and program staff backgrounds. It was originally implemented in 2008 and some limitations of the system have been recently identified as technology progresses. The funding will be available starting in July and an RFP will be developed to find the vendor for the new system. Some of the requirements of the new system will be as follows:

- The ability to run on any internet browser (not just Internet Explorer as is currently the case)
- The ability to communicate with the case management systems at the facilities so that staff only have to enter data one time.
- The ability to have dynamic reporting options to facilitate extensive data mining from the system.

The provider rate increase approved by the JBC was not part of this funding source for CCIB 2.0, instead it came from the caseload money for community corrections beds. Incidentally, even with using the bed money to fund CCIB 2.0, caseload funding is still higher for 2020 than it was for 2019; opening more beds in community corrections starting in July. OCC also will still have the ability to request funding mid-year (January) if the need is there. Additionally, the long bill funded thirty (30) more sex offender beds (differential) in 2020. Alison asked about how it works when 30 new beds are funded. She asked if the beds already exist or do we have to find them. Katie explained that there are more physical beds in community corrections than funded beds. Providers will hire additional staff to cover these beds if they do not already have staff on board. She then explained that for specialized beds, and in this case sex offender beds, there were 371 registered sex offenders in community corrections beds in FY 2018. Of those 371 registered sex offenders, only 178 were actually obtaining services in a specialized bed. The others used alternate funding sources to obtain their offense specific treatment. This increase in sex offender beds means that more of the registered sex offender population within community corrections will have access to the specialized sex offender treatment without relying on those other funding sources.

Alison asked how many physical beds are not currently funded. Katie explained that the only way to obtain this data is to survey our providers. OCC asked for that data in October and the number was approximately 400 beds, physical capacity versus funded capacity.

Greg asked what the current average daily population was in community corrections. Wendy asked the Council to continue the meeting and she would pull the current numbers since they were last pulled at the beginning of April.

Greg then asked, with respect to 1263 (the bill that will take class four drug felonies and make them misdemeanors), will the budgetary authority still exist to utilize the CTF cash funds for condition of probation placements in specialized beds (IRT, RDDT) for these misdemeanor convictions. Greg is concerned that as the system moves in this direction that a treatment resource will be cut-off for these offenders due to the residential capacity of community corrections. Katie believes that is not the intent but it is a conversation that is worth having with the Correctional Treatment Board. Tim commented that there may be an impact on the general population as well and asked if we had started to look at that data. Katie advised that Valarie has started to look at this data but a complete analysis has not yet been done.

DJ asked how many of the sex offenders are diversion clients and how many are transition clients. Katie commented that they are almost equally split between diversion and transition clients. DJ then asked if the additional sex offender beds will just go into the general population. Katie advised that allocations are no longer made by client type but rather a total allocation so the beds are more flexible. The additional sex offender beds were not earmarked for a specific population. For the benefit of the members, Katie gave a quick overview of the types of populations served in community corrections with a promise that we will provide more detailed information about these types of clients at the orientation. She also provided a very brief overview of how treatment is funded for different types of clients.

DJ expressed that he would like to re-visit the alternate funding conversation for the transition clients at a later date as his department has done some work on those figures about how and where those alternate funds are being spent.

Greg then explained that the diversion population in community corrections are offenders who are prison-bound if they do not go to community corrections or if they fail in community corrections. These offenders have been sentenced in court to serve this time. Tim asked about funding for residents on non-residential placement and Katie advised that there was also more money allocated for those non-residential placements in the long bill.

Wendy provided the current average population data for year-to-date (07/01/18-04/26/19). The average number of clients in community corrections since July 1, 2018 is 4,194.32. This figure includes non-residential numbers.

HB 18-1251 - Update and Discussion

Katie gave a quick overview of HB 1251 for the new members. She explained that it created a partnership with the community corrections boards, DOC and the OCC to improve the process from referral to placement by which transition clients get accepted into community corrections. She then introduced Chrystal Owin who is the 1251 Implementation Specialist and Transition Coordinator for the OCC. Chrystal reviewed her responsibilities for this position (training boards and DOC staff in referrals and data collection and reporting) and commented that there is a lot of work going on right now with respect to this bill. She advised that she is working with two trainers in DOC (Katherine Sanguinetti and Wesley Wilson) who train their staff in the Colorado Transitional Accountability Plan (CTAP), an assessment and case planning tool used by DOC staff to assess the needs of DOC inmates. The results of the CTAP help with the referral process to community corrections. Chrystal, Katherine and Wesley have trainings scheduled that will be open to anyone who would like to learn more about CTAP. The sessions will be 2 hours and there will be a morning session and an afternoon session to accommodate schedules. These trainings will be regional and more information will be sent out later.

They are also scheduling other regional trainings in the coming months for the DOC case managers who process community corrections referrals. This training will focus on writing the referral, documentation, what important information should be included in the referral, what things are being considered by the boards, client risk and need information, making recommendations with supporting narrative and a variety of other details around the referral process. Chrystal will be looking for volunteers from boards and programs to help administer these trainings.

Chrystal explained that the consultant funds have started to be used. Work has begun in the 10th, 8th on their structured decision making tools. The 20th and 4th are looking to partner up with a consultant to develop their tool. There are other counties that are still looking and deciding how they want to go through this process. Chrystal and Richard Stroker are partnering up to present a workshop in the next fiscal year that will

walk boards and providers through basic development of a structured decision making tool.

The other part of 1251 is the data collection. Chrystal explained that the majority of boards have been collecting the data required by HB125. She has been working with the boards who have not yet started collecting and hopes that by the end of June, she will have data from the first three quarters for most of the state and fourth quarter data for the entire state. This will facilitate the writing of the annual report required by HB1251. The data collection will be on-going and to start with, the boards are focusing on basic information as their tools are being developed (number of all referrals, number of denied by the provider and the number denied by the board). This data will assist in figuring out the acceptance rate in each judicial district. The future plan is to measure more data points but these basic numbers are a good start.

Chrystal and some board and provider staff have been going on tours of a few correctional facilities around the state. Chrystal commented that she is enjoying these tours as the discussions generated are very informative and helpful to those in attendance. Tour attendees are also getting to speak with inmates at the facilities and are able to answer their questions about community corrections. This collaboration has resulted in requests by DOC case managers to attend community corrections board meetings and tours of community corrections facilities as well. These interactions are leading to more information sharing and a better understanding about both sides, DOC and community corrections.

DJ volunteered to give an overview SB 19-143 (bill summary here: <https://leg.colorado.gov/bills/sb19-143>). He explained that it is made up of three basic parts –

- Measures that help control prison populations,
- Adjustments in the revocation periods for parolees,
- Provides and intensive treatment option for parolees struggling with sobriety and needing stabilization.

Alex added that this bill expands on the changes made by HB 18-1410 last year. Shannon expressed concern with the continued increase in the community corrections population will make it so there would be no condition of parole beds available. DJ noted that there are also other options like the WAGEES program that offer assistance to those parolees who are struggling but do not necessarily need a bed. Hassan offered that there are now 18 WAGEES organizations in the state, including a female specific program at the Denver Women's Correctional Facility. Shannon asked Hassan to give an overview of the WAGEES program. Hassan explained that the WAGEES program (Work and Gang Education and Employment Skills) came out of HB 14-1355. It allocated funding to four community-based organizations to provide support in the form of employment assistance and training, housing assistance and other forms of assistance for criminal justice involved

individuals. The program came up for sunset review last session and as a result of the that successful audit, the funding for the program was tripled for five additional years. This made funding available to more organizations around the state including some very rural areas very much in need of this type of program.

The expansion of the WAGEES programs provided support to community corrections clients as well as DOC inmates. DJ noted that this program is doing good things for criminal justice involved individuals.

With respect to SB 19-143 and the low vacancy numbers in community corrections, Tim asked where the placement priority should be focused; transition clients or condition of parole clients? DJ replied that while the question is a good one, the answer may need to come at a future date, after the bill is passed.

UA Standard - Update

Katie explained that one purpose of the Council is to advise the OCC on the Community Corrections Standards that govern facilities around the state. The standards were revised in 2017 to include many more evidence-based practices. The administration of urinalysis (UA) testing that was initially developed from drug court models for the new 2017 standards, while evidence-based according to risk level, was not feasible for the providers to implement at this time. The providers sent a formal letter to our office asking that this standard be waived or changed. So the providers did not have to wait for an answer, OCC met and put together an interim, modified UA standard until such time that stakeholders can come back to the table to revisit and re-write the standard. Katie showed screen shots of the standard before and after the interim revision was made.

Katie stated the reason this interim standard revision was brought before the council today, is that it is part of the Council's role to advise on the standards and also to ask how the Council would like to have the standard re-written. The OCC goal for this standard is to have a new one written by July 1, 2020 to coincide with the completion of the baseline. This standard has been removed from the baseline PACE scoring since it is being changed prior to the completion of baseline assessments for each program. There were several comments regarding the conversations that were had during the original development of this standard and then Greg asked how the Coalition members felt about the interim changes to the standard. Shannon remarked that the Coalition is very pleased with the interim changes. There was discussion around the randomization of the UA testing. Peggy asked if there were non-invasive options for alcohol and drug testing that can be utilized for probable cause that might be more cost effective and then a UA completed if a client fails those tests. Katie commented that there is a different standard for alcohol only. Tim replied that if probable cause exists, the standard is not referenced and the UA is taken regardless. There was more discussion around the drug and alcohol testing technology.

Katie asked if anyone on the Council wanted to be part of the work group that re-writes the standard. Shannon volunteered herself or a substitute as did Tim Hand and John Draxler. Rose advised she would send someone from Independence House. Katie asked for any other suggestions about stakeholders who might want to be involved in this endeavor and she also noted that we have some time (June 2020) to thoughtfully think through this. Greg suggested including other standards that providers are struggling with in these conversations. Katie said the field could submit individual standards that they are finding issues with and those could be part of the conversation with the sub-committee. Katie noted that the group is missing a substance abuse subject matter expert and that she would reach out to make sure there was one on the committee.

Shannon asked that we all be mindful that there are some stakeholders who are pushing for these changes to be made right away (some legislators) rather than taking the time to implement these practices to fidelity. She suggested that maybe there be a way to remind folks that these changes will take time to be done correctly. Katie suggested that the Council could put something together to remind stakeholders about this.

Governor's Advisory Council Structure & Bylaws – Discussion--Next Steps

Katie noted that at the last meeting, the Council wanted to wait for new members and to see if the executive order remained in effect. The Executive Order for the Council did not change at all for 2019 and the new members were added under that order. The Governor's office has stated that the previous executive order only mentioned the number of members allowed to be on the Council, not specific outlines about who should be on the Council. They also said, however, that they are willing to listen to what you, as a group, have to say about the make-up of Council membership. It was proposed to let the new members have a bit of time to review the by-laws and then form a sub-committee to review the by-laws at the next meeting.

Data Definitions Discussion-Next Steps

It was agreed at the last meeting that the evolution of this topic would naturally come from the formulation of the PBC model; hopefully with the assistance of a consultant. Katie advised that the annual report will be published soon and that the Council mentioned they would like to discuss the dashboard that the DCJ Office of Research and Statistics (ORS) publishes to the website. Katie advised that the OCC would try to get ORS staff to come to the next meeting to review that data on the website and also review any questions about the annual report anyone might have.

Adjournment

Katie asked if there were any other questions and Hassan asked if this appointment comes with a certificate and veteran members of the Council stated that, yes, you will receive a certificate from the Governor's office.

John commented that he recently met with about 120 inmates from the Sterling Correctional facility to update them as to what community corrections is. He has also met with the case managers from that facility over the last 30 months giving them the updates about community corrections. He received a lot of good feedback from the inmates about community corrections and a good number of them thought it should be a mandatory placement; this was not the case five years ago. He also noted that there was also a lot of confusion about community corrections and what it does from both case managers and inmates.

Shannon noted that CoreCivic also continues to reach out to inmates and staff at institutions and inform them about community corrections and be available to answer their questions.

Tim Hand added that all Larimer staff also visited institutions in 2018. DJ suggested that maybe there could be an orientation program implemented at DRDC so that all offender coming know about community corrections and what is has to offer once they make their transition from DOC to community corrections.

OCC staff are also working to make sure the information available to the public and other stakeholders about community corrections is as good as it can be.

Doug suggested that the in-reach that is happening with transition offenders should also be happening with diversion offenders.

The next meeting is Friday, June 14, 2019. The meeting will be held here at 710 Kipling but we will be in our new space on the second floor in suite 200.