

Governor's Community Corrections Advisory Council Minutes

Friday, February 1, 2019
710 Kipling Street, Suite 308
Lakewood, Co

Welcome and Introductions

Judge Delgado called the meeting to order and the following Council members and special guests were in attendance:

Council Members: Kathy Delgado, Shannon Carst, Doug Erler, Marti Kovener, Alex Walker, David Johnson, Greg Mauro, Jagruti Shah, Tim Hand, John Draxler, Bill Cecil,

Guests and Staff: Katie Ruske, Valarie Schamper, Shawna Nichols, Cynthia Lockwood, Tahnee Santambrogio, Lydia Popovski, Aaron Stewart, Carrie Barton, Cara Wagner, Ty Crocker, Chrystal Owin, Liz Craig, Angela McBeain, Angie Riffel, Jeaneanne Miller, Debbie Oldenettel, Joe Thome,

Minutes from October meeting

The minutes from the October meeting were unanimously approved as written on a motion from Bill Cecil and a second from Alex Walker.

Subsistence Support Funding for FY2019 - Update

The funds for this subsistence support were released November 1. There is \$275,000.00 available for programs to use for transition clients coming into their programs for ten days of subsistence support. Please keep using these funds so that the full amount can be utilized before the end of the fiscal year. Alex asked exactly how the funds were being used. Per the intent of the footnote, the funds are being used for 10 days of subsistence support for transition clients in a regular residential beds. There is enough money available to pay the first ten days of subsistence for approximately 1,600 transition clients.

New OCC Positions – Update

Katie explained that four positions were awarded to the OCC last year by the legislature to help complete the baseline PACE evaluations. HB 18-1251 also provided one new position to facilitate the training and structured base decision making processes for boards and providers and DOC. The OCC leadership team has been working diligently to get these positions filled as well as positions vacated by promotions form within our office. She also advised that the OCC will be moving down to the second floor sometime in the near future. There will be more space to accommodate our growing unit and the office will all be together in the same space.

JBC/Legislative Update

Katie explained to the council about the RFI we are required to submit to the legislature about the current caseload in community corrections as compared to the caseload from the beginning of the fiscal year as well as the anticipated caseload for the coming fiscal year. The DCJ JBC analyst took the information from the RFI and requested additional funds (\$1.25 million) for community corrections in the form of a staff initiated supplemental. That supplemental request was approved in January. The average daily population trends in community corrections do show that those funds will be utilized through the end of the fiscal year due to increasing diversion and transition populations.

In addition to the request from the analyst, the OCC asked for more allocated beds and more specialized sex offender beds for next year. Figure setting will determine if our requests were approved. Two news bills related to community corrections are being sponsored by the JBC. The first sets the stage for legislation round performance based contracting. The second bill changes the current RFI process to a requirement that DCJ does a supplemental request every year to account increasing population numbers.

The proposal for CCIB 2.0 was presented to the joint technology committee with great results and it will hopefully be approved by the JBC as well.

HB 18-1251 - Update and Discussion

Katie introduced Chrystal to the Council as the HB18-1251 coordinator. Chrystal reported that after she started this position on November 13, she sent out a board survey to find out about current processes as the board level, anticipation of spending consultant money (part of the structure-based decision making tool), current waitlists for placement, different screening processes, prescribed changes by the bill to board structure, and training needs for boards. The response was incredibly helpful and she was able to get some good information to move forward with.

Chrystal explained that she has received two letters of intent for use of the consultant funds to develop a structure-based decision making tool. There are also a couple of boards working to request the consultant funds for this purpose. The OCC will also be hiring a consultant in-house to help us train smaller boards around developing a tool for them to use. There are already three boards using a structure-based decision making tool (Arapahoe, Denver, & Mesa).

Cognoscenti group has started the referral and acceptance data collection prescribed by the HB 18-1251 going back to July and they will start distributing that collection tool out to all boards and providers soon.

There is an implementation team for HB 18-1251 that meets monthly. Most members are part of the original working group (DOC, Parole Board, providers, and DCJ). This is a collaborative approach to make sure this bill is successfully implemented.

Chrystal has also been out in the field meeting with boards and DOC staff to introduce herself and to begin preparing for trainings with staff.

Data Definitions Discussion

Shannon asked for this agenda item as she is hoping that the Council can come up with a way to look at statistics and stats the same way at all levels. ORS, OCC, boards, and providers are all looking at this data in a slightly different way and the numbers do not match. Ideally definitions of common data details in community corrections that all levels agree to use.

Greg explained that this ask centers around short-term outcome definitions. Shannon asked how ORS reports this data on the dashboard and is it different than how OCC does it. Katie did not have an answer for that question. Valarie explained that the data ORS reports is a data dump directly from CCIB but once the data is pulled, it is how it is handled by the different entities looking at it.

It was stressed that these details will need to be addressed prior to PBC. Judge suggested a that maybe a sub-committee needs to be convened? Joe advised this will most likely become a sub text as part of the evolution of PBC as this is worked through with stakeholders. Shannon advised to make it part of the PBC sub-committee development conversation.

Board Contract Renewals – Discussion

Katie gave an overview of the state contracts revisions and advised that some of the members of the council were on the working group for those revisions. DCJ had to train the new comptroller about how community corrections works in the contracting space. Doug asked when the contract would be sent out to the boards for review. Katie advised that they would sent out soon.

Performance Based Contracting (PBC) – Update

Katie relayed that some of the PBC discussion had begun at the last meeting. Since the last meeting, there have been many discussions about what the plan is moving forward. The JBC is ready to sponsor a bill around legislation for PBC. She advised that the OCC took a realistic look at everything going on in our office and decided that we needed to clarify what baseline means to us and what baseline means to the JBC. In reviewing all of the information, the OCC determined that it will take until June 2020 to complete baseline for all the areas defined in the PBC plan for all programs in the state (rather than the originally set deadline of December 2019). We will need to figure out how to measure the risk-informed outcomes and what that looks like also by June 2020.

Shannon asked if the plan was to start PBC July of 2020 or 2021? Katie replied that some of that is dependent on the legislation and how they decide to move forward. Katie has heard that the recommendation in the analysts' proposal does not start funding PBC for at least a couple of years (2021). Valarie explained that baseline will not be funded as it is a starting point from improvement moving forward.

Doug asked if the contracts would need to be re-done and Katie confirmed that regardless of what is noted in the current contract, they will all have to be re-done to include PBC.

Katie asked if the council was still interested in reviewing and updating the original plan? There are no details around the risk-informed outcomes piece and this will need to be defined

moving forward. Greg asked if the definitions of the risk-informed outcomes were going to be facilitated by the consultant.

Alex expressed concerns about documenting risk-informed escape rates. She says it creates barriers for folks that really need the services offered by community corrections as programs may not be as willing to take back an escaped client. Alex proposed measuring treatment matching outcomes or time to get into treatment outside of substance abuse treatment. Valarie commented that these measures are part of the details measured by the PACE. Valarie suggested that we should probably look deeper into the data to see if escape is tied to risk.

Greg says there may be value in coming together and start brain storming these ideas around what this measurement might look prior to meeting with the consultant. Katie said this could also be tied to the discussion around the definitions of success and recidivism.

Judge commented that there should be some more training for judges and district attorneys as there are a lot of new judges. She believes these newer staff may be less reluctant to use or recommend community corrections as a sentencing option because they are not familiar with how it works and what services it provides. It would be very beneficial to see if this training could be offered.

Bill Cecil asked the group about how much weight the LSI assessment number addresses the true risk level of a client coming into community corrections. Shannon advised that the assessments are a piece of the overall risk determination of a client. Judge advised that she has never made a decision to send to DOC or community corrections based on the LSI score.

Greg commented that focus should really be on transition placements rather than diversion placements right now. Greg explained that the board structure-based decision making tools will help pull the focus away from only the original crime when making the decision to accept into community corrections. The tool will allow consideration of all the information regarding the client and ideally result in better acceptance and placement decisions. He also commented that structure-based decision tools will help with the conversation defining readiness, re-entry and release of clients back into the community.

Marti commented that victim advocates should also be included in the training mentioned by Judge Delgado. There has been some rhetoric lately at the national level about being tough on crime but that the knowledge provided in the training space may help even out the understanding around community corrections and how it can provide the necessary services to clients while reducing crime.

Greg asked for a better explanation of the supplemental and why it is needed. Katie explained that there has been a marked increase in the number of diversion clients. This is good, as it potentially keeps these clients out of DOC. Based on the originally allocated budget, the average daily population in community corrections show that the system is slightly above the targeted spending at this point in the fiscal year. The footnote in the long bill contains a table that separates out all the different types of community corrections beds only for the purposes of projecting the funds needed for the year. The OCC is not tied to these numbers for each type of bed and the money is allowed to spent where it is needed. As of right now spending on diversion beds is higher than the allocated funds and the target for the

transition beds has not yet been met. The spending for the over-utilization and underutilization of each type of bed evens out in the funding.

Greg commented that the utilization target for transition is somewhat unfair as it does not take into account the increased diversion placements who could have been DOC placements instead. Katie explained that this information has been provided to the legislature but it will probably not result in changing the definitions or targets around utilization. Doug asked if the increase in diversion clients could be due to the increased population in Colorado. Katie replied that we do not have a way to measure that statistic but that is probably a combination of these details.

Jagruti advised there are new efforts coming on-line for mental health transition programs. As these programs are coming on-line what effect that is going to have on the diversion referrals.

Tim Hand spoke to the struggles in Larimer as their diversion population is incredibly high and while they are sentencing offenders to DOC, they are sentencing far more to diversion instead. He has wait lists for both diversion and transition in Larimer County.

Greg asked if the Council might be able to put some information together for the Governor's Office describing the different populations in community corrections and how they are tied together and how the field is working together to help relieve the overcrowding issue at DOC.

Tim pointed out a secondary problem stemming from this utilization conversation around the non-residential population and their supervision. He advised that Larimer's community supervision population has increased dramatically. He asked what the recommended caseload is for community supervision (non-residential) so they make sure they are appropriately supervising those clients. There was discussion around what the appropriate caseload would be for community supervision clients. Katie offered to do some research around the best practices non-residential caseloads. Jeanenne also suggested that the Coalition research this as well and find out what is currently happening in community corrections.

Jeanenne suggested the council give support to the OCC around the weekly bed vacancy numbers. It needs to be explained that the reported beds are for the entire population, not just transition. A letter of support to the governor's office was proposed by council members. The letter would be drafted and signed by the Council. Greg suggested that the letter include how community corrections is helping with the utilization issue and that it is absolutely part of the solution but not the whole solution. Judge Delgado suggested that the letter also introduce the council and their function and purpose in community corrections. In the next couple of weeks Shannon will draft a letter. Wendy will receive the completed letter and forward it out to the council. Judge motioned to approve drafting the letter and Greg seconded the motion.

Katie advised she will convene a new working group to brainstorm the ideas for the risk-informed outcomes.

Governor's Advisory Council Structure & Bylaws - Discussion

Katie gave an overview of what she is looking for in this conversation. There is a new statute that may provide good guidelines for the Council to follow for best practices. Alex suggested to meet with the commission and boards staffer, Kate, prior to delving into these revisions.

Shannon and Judge Delgado will set up a meeting with Kate to discuss these changes and to invite her to the next meeting. Jagruti suggested adding a substance abuse partner to the Council make-up.

Adjournment

The next meeting will be held on April 26, 2019

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