

**Governor's Community Corrections Advisory Council**  
 Division of Criminal Justice, Office of Community Corrections  
 700 Kipling St, Suite 1000  
 Denver, Colorado 80215

Council Member Attendance

<i>Judge Kathy Delgado, Chair – Absent</i>	<i>Doug Erler</i>	<i>Greg Mauro</i>
<i>Shannon Carst, Co-Chair</i>	<i>Alison George</i>	<i>Jackie McCall – Absent</i>
<i>Nikea Bland – Absent</i>	<i>Tim Hand</i>	<i>Peggy Ritchie</i>
<i>Jim Bullock– Absent</i>	<i>David Johnson</i>	<i>Jagruti Shah – Absent</i>
<i>Bill Cecil</i>	<i>Eileen Kinney</i>	<i>Jason Shankle – Absent</i>
<i>Angela Cifor– Absent</i>	<i>Marti Kovener– Absent</i>	<i>Beale Tejada – Absent</i>
<i>Joyce Downing – Absent</i>	<i>Hassan Latif</i>	<i>Alex Walker</i>
<i>John Draxler</i>	<i>Chris Lobanov-Rostovsky– Absent</i>	

Welcome and Introductions

The above council members were joined by the following guests:

ORS: Kim English, Peg Flick, Linda Harrison and Laurence Lucero

Brian Hulse, Angie Riffel, Angela McBeain, Daniele Wolffe, Irene Arguelles, Ken Gaipa, Cara Wagner, Nichole Banks, Rose Rodriguez, Senator Robert Rodriguez, Aaron Stewart, Lydia Popovski, Carrie Barton, Chrystal Owin, Shane Fowler, Scott Kirton, Valarie Schamper, Doug Carrigan, Mark Wester, Wendy Bacchi

Minutes from the June meeting

Ms. Bacchi asked if there were any additions or corrections to the minutes from the meeting held on June 14<sup>th</sup>. A motion was made and seconded to the minutes; the motion was unanimously accepted by the Council members.

Call for Additional Agenda Items from Members

Ms. Ruske explained that since we did not send out the agenda ahead of time, she wanted to take the opportunity to have an open forum for Council members to present topics for discussion during this segment of the meeting or add them for discussion later in the agenda. The suggested additions were as follows:

- Ms. Ritchie asked that a standing item for announcements be added at the end of the agenda for every meeting.
  - Ms. Bacchi advised that, she will add this item to the agendas moving forward.
- Mr. Latif asked for discussion about the situation unfolding in Denver around community corrections and their contracts with the city.
  - The Council agreed that this matter merited discussion by the Council.

Mr. Mauro gave a brief background of the situation, stating that on Monday, August 5, 2019, the Denver City Council voted to withdraw \$10 million in contracts from two companies (GEO Group and CoreCivic) that are the primary providers of community corrections services in Denver. In the long-term, this decision could affect the Colorado prison population, involving up to 500 individuals who could be returned to prison, if comparable alternative community placements cannot not be found. Mr. Mauro shared that there are continuing conversations happening to address this issue in Denver. Both GEO Group and CoreCivic continue to provide

*community corrections operations in Denver while these conversations are happening, and there is no immediate plan to return people into custody settings. This issue affects six facilities between the two providers. Greg also reviewed some of the challenges facing Denver and the community corrections facilities due to zoning and lack of development space.*

*Discussion continued about this issue, addressing some of the options available, what some of the outcomes might be, and how this impacts the entire community corrections system and the Department of Corrections around the state.*

*Shannon assured the Council that they have worked to make the clients and staff at CoreCivic feel comfortable despite the current situation. She advised that they are running "business as usual."*

*The Council then engaged in discussion around the following topics with regard to this situation:*


- *Private vs. Public run facilities*
- *Non-profit vs. for profit facilities*
- *What should be done differently to work towards a solution to this?*
  - *Identify characteristics of successful programs*
  - *No one should be satisfied with the success rate in community corrections over the last 30 years.*
  - *How do we educate local leaders so they may make informed decisions?*
- *Who should be in community corrections?*
  - *Sentence offenders to the places where they will be most likely to succeed from the beginning (based on an assessment prior to sentencing).*
- *The Community Corrections Standards need to be reviewed now that they have been in place for a couple of years.*
  - *Because there was a delayed implementation of some of the standards, there are some that have not even been in place for a year.*
- *The most important thing is to make sure our clients are getting the treatment and services to help them be successful.*

*Outcome measurements since the most recent changes have not yet been measured and there is some very good work being done out there. The PACE and Core Security audits are measuring how well programs are implementing the standards in preparation for performance-based contracting.*

#### *Performance Based Contracting – Update*

*Mr. Thome advised that Governor Polis has a very active agenda for his time in office and has vigorously been working on the four bold priorities he identified during his campaign (tax reform/economic development, energy and renewables, cost of healthcare, full-day kindergarten). In addition to these four initiatives, the Governor has also created two new sub-cabinets; one focusing on criminal justice and one focusing on cannabis. The Criminal Justice Sub-Cabinet includes the following members:*

- The Executive Director of the Department of Public Safety (Stan Hilkey),*
- The Executive Director of the Department of Corrections (Dean Williams),*
- The Executive Director of the Department of Human Services (Michelle Barnes).*



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*There are also other partners involved that will help to inform cabinet members (head of the Parole Board, etc.). This sub-cabinet has already established “wildly important priorities,” for the criminal justice community at large. Governor Polis would like the system to be held accountable for the work we say we can do.*

*Mr. Thome then reviewed the Wildly Important Goals (WIG’s) assigned to the Department by the Governor’s Office and the also dashboard to track their progress (see attached presentation). These WIG’s for the department will help further the identified priorities from the Criminal Justice Cabinet and the focus of the Governor’s Office.*



Colorado’s Criminal  
Justice Priorities v2.p

*Ms. Ruske then gave a brief overview/background of the performance-based contracting (PBC) WIG and a status report about where the OCC is at in this process; including research to find a consultant to assist with the development of the PBC plan and establishing baselines for all the programs in the PACE and Core Security pieces of performance-based contracting (see attached presentation).*



WIG for All  
Staff\_004.pptx

*The goal is to have the baseline measurements complete by June 30, 2020. A dashboard has also been created to track the progress of the Pace and Core Security teams as they work toward completion of the baselines (<https://sites.google.com/state.co.us/occ-pbc-wig/home>). At this time, there are 21 PACE evaluations complete, 4 are in progress, and 10 remaining to be completed. There are 5 Core Security audits complete, 5 are in progress and 23 are reaming to be completed. Ms. Ruske reminded the Council that baselines are truly that, baselines. There was no expectation going into this project of perfect scores from the baseline measurements for either the PACE or the Core Security audits. She also reminded the Council, that the baselines will not be incentivized and the structure of how and when incentives will be awarded is still being determined.*

*The consultant search has been started and Mr. Mauro and Ms. Carst are engaged to assist in the process of writing the scope of work. There has been \$75,000.00 set aside to pay for the consultant to assist with mapping out the third piece of the PBC model, the risk-informed outcomes, as well as the process by which incentives will be awarded and how much will be awarded. Ms. Ruske explained that feedback from the Council during this process would be welcome to make sure the PBC process works as the Council envisions it working. She asked that the Council members review the original PBC plan, developed in 2016, and make sure it still aligns with the direction and culture the Council would like to see community corrections move towards.*

#### DCJ – ORS Report on Recidivism and Website Dashboard

*Ms. Ruske explained that it was the request of the Council to have the DCJ Office of Research and Statistics attend a meeting to discuss the Community Corrections dashboard available on the DCJ website, as well as the recidivism report that also resides on the DCJ website. Ms. English introduced herself and her team and advised that they were happy to answer any questions the Council might have regarding the dashboard, the recidivism report or anything else research-related.*

Questions from the Council were as follows:

- Ms. Carst asked if there was a way that when conversations are happening in the field about statistics regarding community corrections, if there was a way that the terms used could all mean the same thing.
  - Ms. English explained that, while she cannot speak to data from other stakeholders within the criminal justice system, the data ORS uses is from the CCIB system. CCIB contains client, treatment and billing data entered directly by programs and providers around the state and is accessed by the boards and DCJ staff. ORS pulls the data from CCIB and uses it to populate the dashboard and fulfill other data projects and requests.
  - She also explained that ORS does the majority of their reports on the calendar year rather than the fiscal year. Because of this, they are using a different group of people/data set than those who pull the data from the fiscal year.
- Mr. Johnson asked about the different recidivism definitions and how ORS decided to use the definition they are currently using.
  - Ms. English provided background to the Council about the different definitions of recidivism. She explained that ORS uses court filing to determine recidivism, while DOC uses the national definition of new arrest. She also advised the council that they are frequently underestimating recidivism as the Denver County Court does not participate in the state-wide county/district court database.
- The Council was curious about how far back the all the data goes.
  - The data on the dashboard starts in 2009 and is available for every year since then.
  - Mr. Mauro commented that the risks/needs of the criminal-justice involved population, specifically community corrections, has been consistently increasing over the years. Because of this, it can be very hard to compare the data across years and populations, as the success rates and recidivism rates may be lower today even though the practices for working with this population may be better.
- Ms. English then demonstrated the ORS Community Corrections dashboard with the Council.
  - She reviewed the information about the LSI risk scores. She also spoke of the fact that higher risk clients may have a lower success rate.
  - Ms. Ruske explained that there is a table in the OCC annual report that shows the very high risk population increasing but also the low risk population increasing in community corrections. Because of these factors, there has not been a spike or a sharp decline in success rates over the past few years as the two ends tend to balance out the overall rate of successful completion.
- Mr. Johnson asked Ms. English to review the recidivism data again around transition clients
  - Through the dashboard, completion rates are available for all the clients at the time of their discharge from the programs.
  - The recidivism report on the DCJ website shows, of those clients who successfully completed community corrections, how many had a new case filed in the court (county or district, except for Denver County) within 2 years and then 3 years.
  - Mr. Cecil expressed concern with only using filing data instead of conviction data to define recidivism. Ms. English explained that waiting for conviction takes much longer and any error that might be seen with the current process would be consistent as ORS has used the same definition for more than 20 years.
- Mr. Hulse described some differences between the male and female populations with regard to recidivism.

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- *Ms. English advised that ORS could explore adding gender to the recidivism report.*
- *Mr. Latif asked if there were gender options in CCIB for folks who identify as transgender? Ms. Bacchi commented that at this time there was not, but that would be addressed in CCIB 2.0 which is in the preliminary stages.*
- *Ms. George commented that there seems to be a lot of data available to help with PBC. She asked where PBC might fit with all this data.*
  - *Ms. Ruske replied that while there is a good amount of data in the current CCIB system, it does not cover all the pieces of the PBC plan, especially the risk-informed outcomes piece. The risk-informed outcomes piece has not yet been developed but there is a request out to find a consultant to assist with development of that piece as well as the PBC process as a whole (how much to fund, when, etc.).*
- *Ms. English asked if there was anything else the Council might want to see with regard to the dashboard and the recidivism report in addition to the gender.*
  - *Mr. Mauro asked if the dashboard might be able to be organized by Judicial District.*
  - *Mr. Erler asked if they double-count clients when they move back and forth between residential and non-residential stays. In the dashboard and the recidivism report, ORS is counting successful completions from community corrections. The dashboard only includes regular residential and TC successful completions, while the recidivism report includes the specialized treatment programs as well as the regular and TC successful completions.*
- *In conclusion, it was noted that it is very hard to compare community corrections to other justice-involved populations. The other departments do release their own recidivism reports (probation, parole, etc.). Ms. English advised that the DCJ/ORS website does contain the recidivism rates for the other populations but you must read the footnotes. She asked that if anyone has any questions or needs anything else to please reach out and contact the ORS office.*

#### Update on FY19 Budget Close

*Ms. Ruske gave a brief overview on the status of the FY19 budget year closing. All year, the OCC has been try to increase utilization of community corrections beds by working with providers and other stakeholders in response to House Bill 1251 and 1410. OCC and the CDPS asked providers to fill their beds and the final numbers reflect that is exactly what happened. OCC received a supplemental for \$1.25 million dollars in January based on the projections for the rest of the fiscal year. Ms. Ruske was thrilled to report that community corrections spent the entire supplemental and was actually overspent by \$200,718.46. Using the authority to move money around, there were enough savings in several areas to fund the over-spent dollars so that every provider was paid. She thanked everyone for putting their trust and faith in the OCC and the state to make sure that if they filled beds in their facilities, they would be paid. She assured the Council that the OCC would be monitoring the population numbers as we begin this new fiscal year and be ready to request the supplemental once again if needed.*

#### Intensive Supervision Program for Inmates (ISP-I) and the Progression Matrix

*Ms. Ruske explained that she and Mr. Johnson, from the Office of Adult Parole, wanted to make sure the Council was aware of some changes being proposed around ISP-I and the Progression Matrix. Mr. Johnson gave a brief overview about ISP-I and the utilization conversation around DOC inmates. A target was set to have three percent (3%) of the DOC jurisdictional population be ISP-I clients. Mr. Johnson conceded that three percent is a very large number and the ISP-I population will never be make that goal but there is work towards it*



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nevertheless. After productive discussions with stakeholders, it was proposed to allow ISP inmates who were eligible and stable, to complete Level 4 of the Progression Matrix in the community rather than in a community corrections facility. Mr. Johnson advised that the updated policy is written but has not yet been signed. Ms. Ruske thanked Mr. Johnson for supporting the stakeholder meeting and added that a policy change may not be necessary if the process prescribed in the current policy is streamlined and starts referring ISP-I clients when they complete Level 3 of the Progression Matrix.

Mr. Johnson asked the question of the group, and especially those who use the Progression Matrix, if activities that are included in Level 4 are appropriate to be done in the community rather than in a facility. Mr. Mauro asked if there would be more services available to ISP-I clients for their treatment and stabilization needs. Mr. Johnson advised that there would absolutely resources out in the community for these clients as well as avenues for them to continue their treatment needs.

Ms. George asked what intensive supervision looked like. Mr. Johnson replied that it is a statute driven program administered by DOC. These clients are not on parole; they are inmates out in the community. They live at home, have family support, they can work, they attend treatment and are very stable.

The big question is will the efficacy and fidelity of the Progression Matrix be compromised if Level 4 is not completed in the community corrections facility. Ms. Ruske advised that she would continue to talk with providers to make sure the referrals are happening at the end of Level 3 until a final decision has been rendered about this issue.


HB 18-1251 - Update and Discussion

Ms. Owin reported that money for boards to hire a consultant to assist them with their structure-based decision making tool has been spent and Boards are now working to get those tools developed. She announced that there will be a statewide educational conference being held in February for the field and the planning committee is actively looking for presenters to participate at the conference. Ms. Ruske added that Ms. Ritchie volunteered to help with the conference planning as the Council representative and the planning committee is incredibly thankful for her expertise and assistance with this endeavor.

Review of the Action Items - Status

Ms. Ruske advised that in addition to the announcements segment requested by Ms. Ritchie, there will also be a segment for Action Items. Ms. Bacchi went back through this year's meetings and made a list of action items/tasks that are being addressed by the Council. This segment will be on the agenda at every meeting so there is a way to keep track of what the Council is actively working on.

Action Item	Assigned To	Timeline Goal	Status	Volunteers from Council
Letter to be sent to the Governor from the Council. Get signatures on the approved letter and then send through	Wendy, Shannon, Judge Delgado	8/3/19	All of the needed signatures were unable to be collected at the last meeting. Does the Council still want to send this with updated information?	




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the proper channels to the Governor's office				
Update and Revise UA Standard with stakeholder participation.	Office of Community Corrections Core Security Group	6/30/2020	Volunteer names from the council have been given to the audit team and they have begun to collect the names of other stakeholders for involvement. Gathering data and information. Meeting to be set for March 2020 – IN PROGRESS	Shannon, Tim, John, Rose volunteered someone from IH
Create an information sheet for judges.	Katie, Nikea	2/30/20	Email to be sent soon to find a time to start creating. PBC is current priority. Request for more volunteers as Eileen has retired. – IN PROGRESS	
Create scope of work and engage in contract with consultant for PBC. Top Priority	Office of Community Corrections, Greg, Shannon	11/30/19	OCC has reached out to consulting agencies and starting drafting a list of potential deliverables for the scope of work. Email sent to Greg and Shannon to schedule meeting. – IN PROGRESS	
Council Chairs meet with Katie to discuss updating the Council by-laws	Judge Delgado and Shannon	TBD	Currently working to find a time that works for everyone's schedule.	
Review and update bylaws as needed.	Council	TBD	Establish a working group of volunteers.	

**Announcements**

*Ms. Ritchie emailed information to Ms. Bacchi about re-entry programs/grants for offenders as requested at the last meeting. She also sent the PREA informational sheet that is sent monthly contained some opportunities to apply for grant money to implement PREA standards. Ms. Bacchi will forward out these emails. She encouraged programs and providers to apply for these resources as there is quite a bit of money out there for these things and they are important.*



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*Mr. Johnson advised that there are a lot of opportunities currently for the Council to work on the issues effecting community corrections. He encouraged the Council to identify some of these issues and begin working to help the field. Mr. Erler stressed that the Council could work together to tackle these issues despite the differences in the field around the state. Ms. Ruske reminded the Council that this is their meeting and they can set the agenda as they would like. She also offered to facilitate a strategic planning-like activity to identify the issues the Council would like to tackle.*

Adjournment

Next Meeting – Friday, October 25, 2019