

Governor's Community Corrections Advisory Council
Meeting Minutes
Meeting Date: May 2, 2008

Present: Honorable John Kuenhold (Chair), Honorable Christopher Cross, Charles Garcia, Thomas Giacinti, Paul Isenstadt, Jeffrey Mannix, Ernest Marquez, Alex Marquez, Cecelia Mascarenas, Jeaneene Miller, Dr. Charlie Smith, Dianne Tramutola-Lawson, Peter Weir and Ari Zavaras

Absent and Excused: Larry Abrahamson, Frank Dubofsky, Dr. Harriet Hall, Dr. Kailash Jaitly, Honorable Ken Kester, Honorable Liane McFadyen, David Michaud and John Riley

DCJ Staff: Jeanne Smith, Carl Blesch, Christine Schmid, Glenn Tapia and Arlene Duran

Invited Guests: Gregg Kildow, Sharon Detter and Evan Crist

The Honorable John Kuenhold called the meeting to order at 3:05 p.m.

Judge Kuenhold asked the Council for any additions or changes to the minutes from the February 29, 2008 Council meeting. Cecilia Mascarenas moved to approve the minutes in their current form. Tom Giacinti seconded the motion. All members were in favor.

Executive Director Peter Weir updated the Council on the Governor's Criminal and Juvenile Justice Commission. The Commission consists of 26 members who possess a wide range of exposure to the criminal justice system. The Re-Entry task force was divided into 4 working groups to analyze statutes, policies, regulations and practices to ensure that barriers to successful offender reintegration into society are removed so that recidivism rates are reduced.

The four subcommittees are Probation, Incarceration, Transition (six months prior to and 6 months following prison incarceration, and Post-Incarceration (parolees and community corrections offenders). Recommendations will be forwarded to the Task Force by September.

Ari Zavares expressed concern that community corrections was not a stand-alone subcommittee as community corrections is central to successful offender reintegration.

OCC Manager Carl Blesch welcomed OCC's newest staff member, Arlene Duran. Arlene comes to DCJ with 18 years of experience working at Red Rocks Community College. She will transition into becoming the Council's board staff person.

Carl Blesch provided the Council with a brief overview of the current financial status of community corrections. Some boards are overspent and some are underspent; system-wide, we are underspent by .01%. Boards and programs were notified that DCJ could not reimburse any expenses beyond

what was allocated.

Glenn Tapia of the Office of Community Corrections provided the Council with an overview of the ratings of the current *Community Corrections Standards*. The *Standards*, Performance and Certification subcommittee met on March 11, 2008 with a 14 member panel of "subject matter experts" to rate each standard as to its impact on public safety, offender treatment and offender management. The results of this meeting were reported to boards and programs for comments. Glenn will provide an overview of this process at the next Council meeting the subcommittee for further consideration.

Mr. Blesch reminded the Council that the Colorado Community Corrections Coalition expressed some concerns regarding the current per diem rate during the last Council meeting. It was the hope of the Coalition that the Council would recommend an increase in the per diem rate, significantly above the .09% increase as recommended by the Office of State Planning and Budgeting (OSPB), as well as request additional allocations for beds in the new fiscal year.

With the consent of the OSPB and the JBC staff, DCJ/OCC was able to transfer some of the money earmarked for program performance incentives to increase the per diem by a total of 1.5% to \$37.74 per day for regular residential community corrections beds. Despite an additional increase of 460 beds requested from the boards, DCJ/OCC was allocated 222 new beds to distribute across judicial districts in need of additional beds.

The bed allocation process will be completed and reported to the boards in the near future. Most boards will receive between 60-70% of what they initially requested.

Mr. Blesch outlined the Request for Proposal (RFP) process for beds providing services for the seriously mentally ill population in community corrections. Most of the beds are dedicated to transition offenders. In FY 09, the allocated beds will increase from 65 to 105. It is hoped that in the future there will be opportunities to place mentally ill parolees who are often homeless into a special residential population.

Carl Blesch advised the Council that there were some significant changes in the ownership of three Colorado community corrections programs. Shortly after auditing the three Avalon programs - Phoenix Center and Loft House in Adams County and The Villa in Weld County - Avalon sold their Colorado programs to Community Education Center, Inc. CEC serves offenders in over 22 states, including several in Colorado. CEC will be in place temporarily for the remainder of the fiscal year until the Weld County Board completes its RFP process for a new program.\

Mr. Blesch updated the Council regarding the status of the contracts between local community corrections boards and the Division of Criminal Justice. The DCJ/OCC will send out proposed changes to the language in the *Standards* for the boards to review. This language will include provisions to sanction programs that fall within the high-risk category of the Risk Factor Analysis. Division Director Jeanne Smith added that programs would be afforded the opportunity to work with DJC/OCC and their local boards to improve their risk score during a reasonable time frame. Responses to the contracts are due back to DCJ/OCC in February 2008.

Larry Abrahamson requested an overview of the Risk Factor Analysis, specifically what it means for a program to fall within a "high-risk" score. The Risk Factor score is an annual multi-dimensional measure of program characteristics and performance against state standards, contract requirements and independent performance measures used in correctional programming. These

performance measures fall into four categories: outcome factors, program stability factors, performance factors and contract/statutory compliance factors. A program's total Risk Factor score is calculated by adding the individual scores from each performance measure. Programs are scored and subsequently placed into one of four risk factor categories.

The Coalition has expressed concern regarding the interpretation of "high-risk" from agencies such as insurance companies or their local boards. Glenn Tapia stated that several modifications to improve the Risk Factor Analysis are underway to include consideration for category labels. Interim sanctions such as a reduction in offender per diems, a peer review process and an *Exhibit A* budgetary audit were briefly brought up by the Council for consideration.

Carl Blesch invited the Council members to join the DCJ/OCC and other policy makers and subject matter experts to participate in a one day, facilitated Community Corrections Planning Conference in late June. Break-out groups will follow presentations by subject matter experts on the current state of community corrections in Colorado to establish a 1, 3 and 5-year plan for specific issues.

Mr. Blesch provided handouts to the Council to review potential topics for the planning conference. Any comments or additional suggestions on the topics should be forwarded to Mr. Blesch. Council members suggested including per diem discussions at the conference. Executive Director Peter Weir stated that he hoped the conference would be an excellent platform to discuss policy related decisions, with limited focus on budgetary issues. He added that part of the goal of the Council is to assist and support the DCJ/OCC in their long term planning

Judge Kuenhold reminded the Council that each year the Council recognizes the exceptional contributions of an individual in the field of community corrections. The Advisory Council presents this award at the annual meeting of the Colorado Association of Community Corrections Boards.

Council members were mailed a packet of those nominated for the annual Governor's Community Corrections award to review prior to the Council meeting. The nominees included:

- Tom Giacinti - Director of Justice Services in Jefferson County
- Dr. Harriet Hall – Director, Jefferson Center for Mental Health
- Paul Isenstadt – Director of Programs and Residential Services, ComCor, Inc.
- Dino Martinez - Program Director, Time to Change
- Mindy Miklos – Division of Criminal Justice/OCC staff

A vote was taken and Paul Isenstadt was chosen as the award recipient. He will be presented with the award on May 16th at the CACCB annual meeting.

Tom Giacinti discussed the ongoing examination of the community corrections DOC referral process.

Council members discussed taking a tour of a local community corrections program as a portion of the next Council meeting.

The Council meeting was adjourned at approximately 5:00 p.m. The next meeting will be **July 25, 2008**, at 12:00 p.m., at the Division of Criminal Justice.