

Correctional Treatment Board



Board Co-Chairman

Marc Condojani, Director
Community Treatment & Recovery
Division of Behavioral Health
Department of Human Services

Board Co-Chairman

David Walcher, Undersheriff
Arapahoe County Sheriff's Office
County Sheriffs of Colorado

Board Members

Jim Bullock, District Attorney
16th Judicial District
Colorado District Attorney's Council

Brian Connors, Chief Deputy
State Public Defender's Office

Kelly Messamore, Assistant Director
Division of Adult Parole,
Community Corrections, YOS
Department of Corrections

Eric Philp, Director
Division of Probation Services
Colorado Judicial Branch

Jeanne Smith, Director
Division of Criminal Justice
Department of Public Safety

Board Staff

Tia Mills
Division of Probation Services
Colorado Judicial Branch

MINUTES

June 18, 2013

1:30 p.m. to 4:30 p.m.

Members In attendance: Jeanne Smith, Dave Walcher, Brian Connors and Eric Philp

Non-Members in attendance: Brenidy Rice - Judicial, Dr. Todd Helvig - DOC, Glenn Tapia – DCJ, Jagruti Shah – OBH, Rich Gebhardt – Signal, Terri Hurst – CBHC, Kim English – Public Safety

Approval of Prior Minutes

Jeanne moved to approve with a second from Brian. Minutes were approved.

Election of Co-Chair

Tia updated the Board that Jim Bullock could not be in attendance, but indicated that he wanted to nominate Undersheriff Dave Walcher as the co-chair for the board. Undersheriff Walcher indicated he would be willing to fulfill the role and his nomination for co-chair was approved.

Financial Discussions

The Board reviewed the FY2013 summary of allocation vs. spent and had a brief discussion about the cash fund balance. The fund is projected to have just over an 8% fund balance and the state recommended balance should be about 16.4% of prior year expenses. Jeanne indicated that given the changes from SB250, it is uncertain what the impacts of the bill will do to revenue, so there is no real desire to make significant policy changes to the fund balance. The Board decided to watch the fund for another year, see the impact of SB250 and also the impact of actual FY2013 spending and continue to discuss the fund balance and what is acceptable.

FY2013

Each agency reported on its FY2013 spending:

DCJ – There are three basic categories of spending: FTE, In-patient treatment and out-patient treatment. The money for FTE and in-patient treatment is all spent with no issues and the out-patient treatment (voucher) spending is again exceeding the allocated amount. Glenn allocates voucher money to 15 of 22 districts and had them restrict spending for FY2013. Even with these restrictions, the districts overspent their allocation by about \$500K. DCJ covered this with one-time general fund surplus. This budget is expected to continue to need more resources than currently allocated from the CTCF.

OBH – Jagruti Shah reported on FY2013 spending for the JBBS and STIRRT programs. SSC spending will be reported on in July. Due to under-spending in some JBBS programs, OBH expects to underspend its allocation by about \$100K. STIRRT spending is being fully utilized for FY2013. Tia will work with the DHS and Judicial budget offices to ensure the CTCF reflects the \$100K under-spending in JBBS. Jagruti indicated that as the JBBS program manager, she is monitoring annual program spending and looking for patterns in programs that don't utilize all its resources. Jeanne Smith asked what is in place to follow offenders once they are out of jail. Jagruti indicated that part of the JBBS RFP was to do tracking/follow-up on this issue. She will be looking at successful outcomes and will report on the program later this fall.

DOC – There was no call-in capability for Kelly Messamore, so she will provide FY2013 spending updates in July.

Probation – There is always more expense for drug testing, assessment and mental health than resources. However, probation also has the Offender Services cash fund that

helps cover these same expenses. For FY2013, probation decided to use some offender services to help offset expenses which has freed up about \$123,000 in CTCF money that will go back into the fund.

Tia indicated that one of her goals is for each agency to make connections within its budget where “other dimes” can be used for like purposes and then explore how those connections can benefit the efforts of the Board – either by offsetting expenses that help the cash fund balance grow, or by funding like services that the CTCF is authorized to pay for, but currently doesn’t.

FY2014

A brief discussion of FY2014 allocations was had. There are no concerns yet given that the fiscal year has not yet started. DCJ is expecting to have a greater need in its voucher funding than is available and OBH is well-positioned to track the increased JBBS funding. There is a minor difference between the JBBS contract amounts and what is available in spending authority and Tia will talk to the budget office to ensure this will be managed. Glenn wanted to ensure that Judicial is going to cover costs associated with validating the SOA-R and it was confirmed that in FY2014, Judicial would cover these costs.

Eric again reviewed the funding for problem-solving courts. Judicial is implementing a new coding structure related to its problem-solving court program in order to determine how much this program actually costs. Currently, problem-solving courts use a mix of Correctional Treatment Funding, SB318 money and offender services money. Starting in FY2014, a designated code is being established and districts will track their problem-solving court expenses separately. This will help Judicial determine what the need from the CTCF will be to fully support this program. There were various questions about the problem-solving court program from the Board – regarding outcome monitoring, how to measure success, what types of offenders are in problem-solving courts and more. Brenidy will report on the problem-solving court program later this fall.

FY2015

The appropriation for FY2015 was discussed. SB13-250 appropriates an additional \$3.5M in general fund pass-through to the Correctional Treatment Cash Fund. A discussion as had as to how to approach the allocation of this money. Executive Branch agencies are currently working on FY2015 decision items with OSPB which creates a timing conflict for this money. It might be possible to address the spending authority related to any increased from SB250 through figure-setting, but the Board needs to be mindful of the OSPB process.

SB250 doesn’t stipulate how the \$3.5M should be used – it leaves it up to the statutory language in HB12-1310, so the Board needs to determine how to allocate this increase for FY2015. Possible Needs/Uses:

- An Increase to DCJ for out-patient treatment vouchers
- Money to DCJ to fund “condition of probation IRT beds”
- Money to DCJ to help support statutory data collection efforts stipulated in SB250
- Judicial problem-solving courts
- Possibly more money to JBBS – but there is a hesitation to provide more funding until the evaluations from current programs is done
- JBBS transitional funding – CBHC supports this effort for offenders that transition from jail to community – not to parole/probation/comcor
- Diversion funding – there is funding in a separate diversion bill, but is it enough?
- Recovery Support services – how could this be promoted/used?
- Set-aside money for one-time evaluation/data collection/research projects?

Board members will come to the July meeting with quantified costs of possible needs for a discussion of where to put the money and how to proceed.

IRT Bed Discussion

SB250 allows IRT for probationers and the savings are related to less people going to DOC due to offenses being downgraded from felonies to misdemeanors. The likely impact from this bill will be seen in probation, comcor, and local jails. Eric talked about the possibility of having CCJJ discuss the utilization of IRT beds given the intent of SB250. Glenn indicated that comcor is under a lot of pressure to be the solution for all kinds of offenders, which goes beyond its original intended use. Glenn is interested in doing something to determine the community/criminal justice system need from comcor/IRT and see what impact all these expanded needs have on IRT funding. Jeanne agreed that this issue needs to be looked at because of the way the state budgets for IRT beds.

Eric is hopeful that other criminal justice agencies can lend their voice to this issue and the FY2015 funding report from the Correctional Treatment Board can also include some language about it.

Gap Analysis Review

The Gap analysis at the conference was not as productive as hoped as the focus groups got side-tracked with concerns about the quality/source of the data. A discussion about this data was had as well as a review of the gap report by district. The Board had questions about what data was pulled and the classification of “missing” vs. “non-assessed.” Some of the missing/non-assessed data could likely be from offenders getting “screened out.” A few years ago, about 50% of probation data was screened out and since then, statute has changed and the SOA-R is being done on everyone.

The Board also discussed the issue of the supply side of the gap equation. The analysis done compared individual offender need to the number of treatment providers available in the district. The number of providers doesn’t translate to the capacity of each provider, which is the next step toward a full gap analysis. Tia is going to research various ways to get to the capacity issue and report back in July/August.

Faye Taxman Update

A discussion was then had about the meeting with Faye Taxman after the conference. There is a general misunderstanding on what the RNR Tool can actually do for the Board. There are two major components to the tool: The Typology/Treatment Matching side and the Program Assessment side. Eric gave an overview of the concept of typology in that it gives a way to match treatment to the specific needs of an offender. You can also match a supervision style/approach to a certain type of offender. It isn’t really an assessment tool – but “types” offenders so you can match treatment. Faye’s tool has six different “types” of offenders and Glenn said he looked at the tool and isn’t fully clear on how Faye Taxman’s “types” fit with Colorado’s treatment levels. Probation is working on a preliminary typology project with Faye, so Glenn is going to follow up with Dana Wilks and Eileen Kinney on this effort and report back to the Board in July/August.

Dr. Helvig talked more about the program assessment side of the tool. This part of the RNR tool would require getting every program in the community/district/state to run through the RNR tool to see what type of offender it would best suit. Everyone agrees that it is going to be hard to classify what exactly a “program” is. Glenn looked at the tool with regard to the IRT programs and got some good information, but still isn’t sure how this tool could be put to use in Colorado. To help provide context to the board about the program assessment side of the tool, Glenn will run through his IRT programs at the July meeting so the Board can see some of the possibilities of the program assessment side of the tool.

The meeting was adjourned at 4:15.

Next Meeting: July 16th, 2013. 1:30-4:00, 710 Kipling Street

Preliminary Agenda Items:

- FY2013 spending update from DOC and OBH on SSC funds specifically. – Marc and Kelly
- FY2015 allocation of \$3.5M. Possible uses, estimated costs and discussion of how to proceed. - Board
- Review of RNR typology project – Glenn/Probation
- Demonstration of RNR program assessment tool for IRT programs – Glenn
- Local Treatment Board feedback/input into \$3.5M
- By-Laws