

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
FY 2019-20 JOINT BUDGET COMMITTEE HEARING AGENDA

Monday, January 7, 2019

11:00 AM – 12:00 PM

11:00-11:10 INTRODUCTIONS AND OPENING COMMENTS

Presenter: Jana Locke, Acting Deputy Executive Director

11:10-12:00 DIVISION OF CRIMINAL JUSTICE

Main Presenters:

- Jana Locke, Acting Deputy Executive Director
- Joe Thome, Director of the Division of Criminal Justice

Topics:

- Community Corrections: Pages 2-13, Questions 1-4 in the packet
- EPIC: Page 13, Question 5 in the packet

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COMMUNITY CORRECTIONS

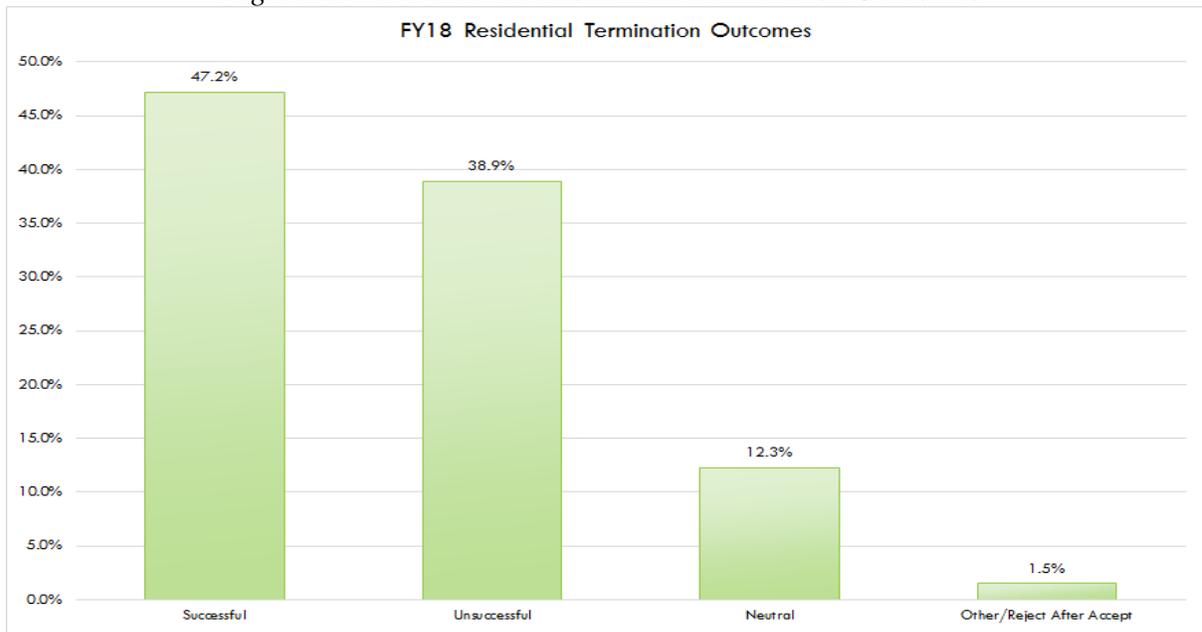
1. Please provide outcome data on successes rates for clients that transition out of Community Corrections? Please include information on employment, housing, educational/training course taken or completed.

Response: *The Division of Criminal Justice (DCJ) analyzed FY 2017-18 data to compile the response. It should be noted that the FY 2017-18 Annual Report has not yet been published and therefore the data should be considered preliminary.*

Success Rates

Outcome data for success rates have trended slightly upward for the last three fiscal years. Figure 1A reports the preliminary data on residential termination outcomes for FY 2017-18 and highlights a success rate of 47.2%. Neutral terminations represent in-program status changes and/or transfers from one program to another. Other termination represents unforeseen and rare reasons of termination to include death, while Reject After Accept are reasons originally unknown to the provider and out of the control of the client.

Figure 1A - FY 2017-18 Residential Termination Outcomes



Employment

The DCJ analyzed data related to employment in two different ways. Figure 1B reports employment rates at entry versus employment rates at termination. In FY 2017-18, 80.7% of clients entered community corrections unemployed, while at termination only 29% of clients were unemployed.

Figure 2A - FY 2017-18 Residential Employment Rates at Entry and Termination

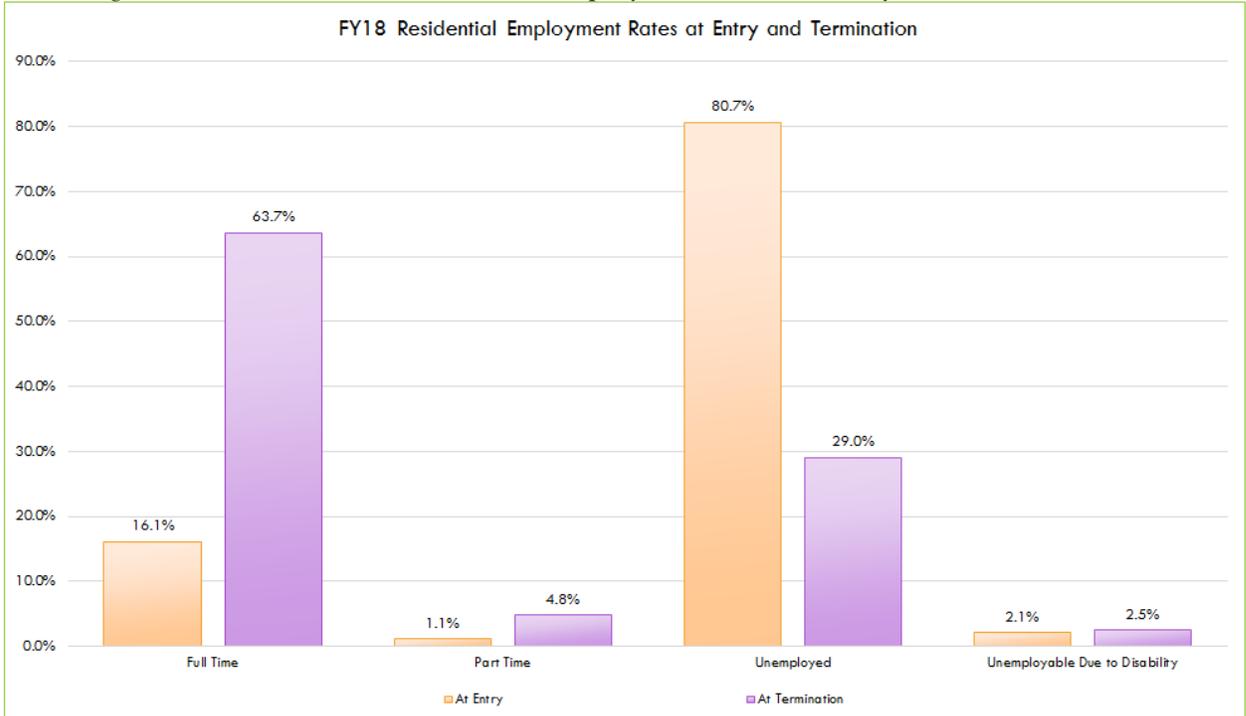
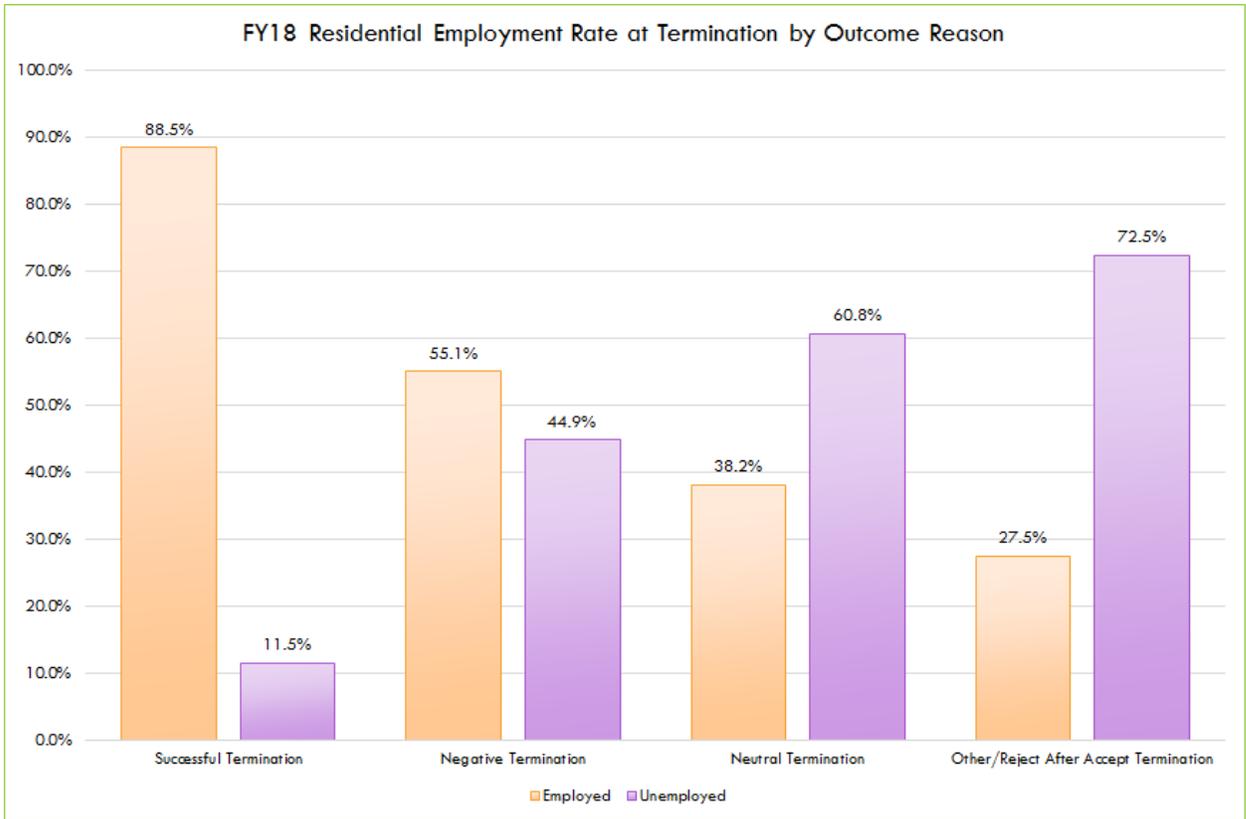


Figure 2B reports employment status at termination in relation to termination reason. The data demonstrates a relationship between successful termination and employment as expected due to the established expectations for client progression. Community corrections programs across the State are utilizing the Community Corrections Progression Matrix (CCPM), which standardizes certain fundamental expectations for client progression through the four levels of a community corrections program.

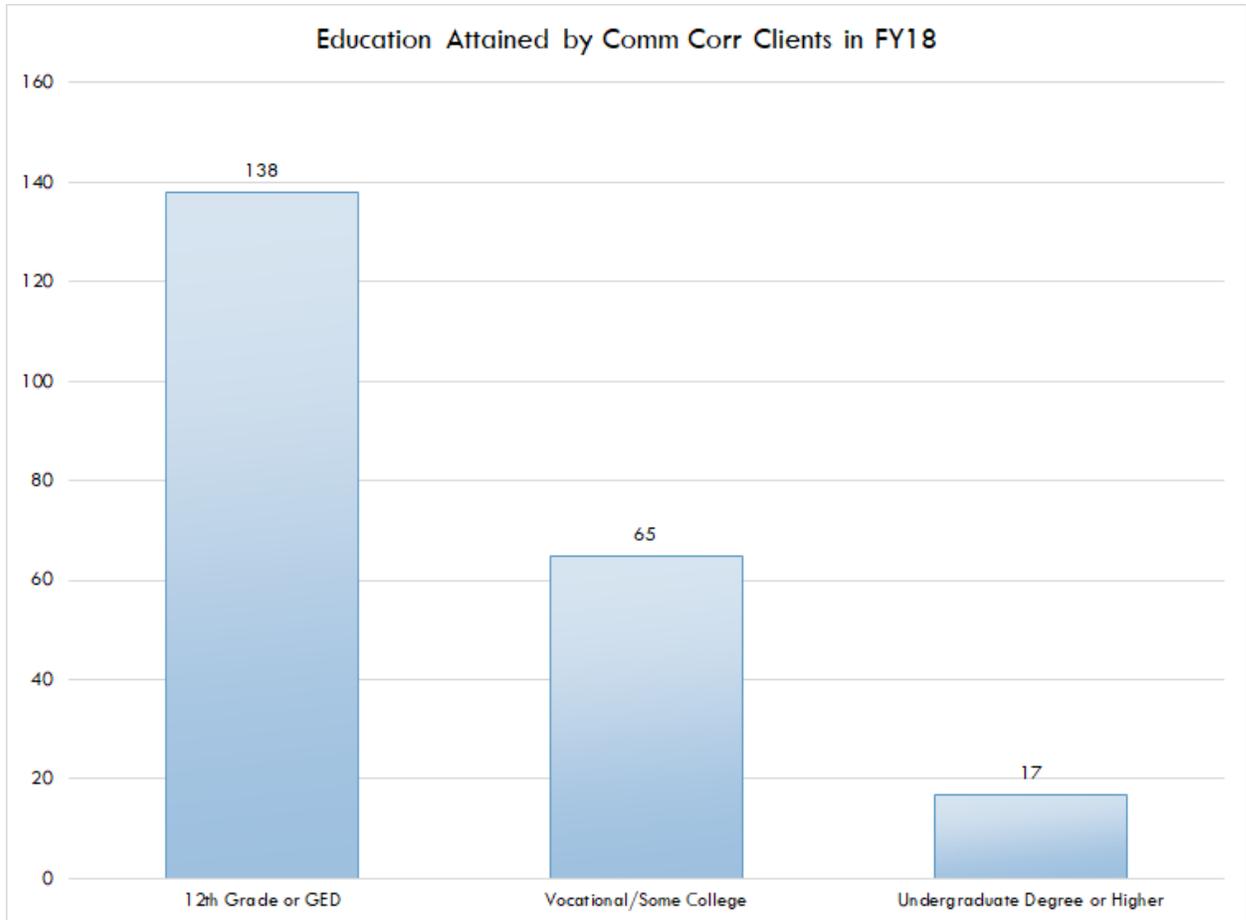
Figure 2B - FY 2017-18 Residential Employment Rate at Termination by Outcome Reason



Education/Vocation

Figure 3A reports education obtained by clients during FY 2017-18 in community corrections. Vocational/Some College represents those clients that attended a vocational school or some college classes.

Figure 3A - FY 2017-18 Education Attained by Community Corrections Clients



Housing

The DCJ does not have data specific to housing outcomes for community corrections clients. However, this topic can be informed through an understanding of the structure of community corrections with regard to housing. As mentioned above, the CCPM standardizes certain fundamental expectations for client progression through the four levels of a community corrections program. One of these expectations is housing and a housing plan. Clients begin to develop a housing plan on level 2. On level 3, the housing plan should be solidified so that on level 4 the housing plan can be submitted for approval by the agency supervising the client when they leave the residential facility (i.e. community corrections for Diversion, Parole for Transition). Because of this structure, successful completion of residential community corrections generally requires that the client have stable housing prior to release. An additional benefit of community corrections programming is the ability to bring non-residential clients back into residential status to restabilize should they lose housing at any point during supervision.

2. Please discuss how providers utilized the differential rates for specialized programs?

Response: *In FY 2018-19, five different differential rates are identified for community corrections in Colorado. The purpose of the differential rates is to cover the additional services*

to be provided in specialized programs. The Department has established standards and regulations for specialized programs, and utilizes the procurement process to identify providers and award contracts. This is the process for each of the specialized programs, except therapeutic communities (TC). Therapeutic communities are defined by the Office of Behavioral Health and contract directly with the local board. Generally, differential funds must be used to support the provision of services as outlined in each scope of work. However, the way in which these differential funds are used to cover program costs likely differ from program to program. The Department does monitor and audit each program to ensure services are provided per the Colorado Community Corrections Standards and the current statement of work for specialized programming. A description of each type of specialized program follows:

Intensive Residential Treatment (IRT)

- *Differential: \$43.11*
- *Population Served: High risk and high needs individuals presenting with serious substance abuse problems and a history of felony criminal conduct.*
- *Duration of Placement: 90-day residential placement*
- *Treatment Services Provided:*
 - o *20 Hours per week of direct therapeutic*
 - o *20 Hours per week of psycho-educational treatment support*
 - o *Treatment provided at least 6 days per week*

Residential Dual Diagnosis Treatment (RDDT)

- *Differential: \$36.14*
- *Population Served: Individuals presenting with serious co-occurring disorders of substance abuse and severe and persistent mental illness.*
- *Duration of Placement: Variable*
- *Treatment Services Provided:*
 - o *5 Hours per week of Direct Therapeutic Contact at minimum*
 - o *3 Hours per week of psycho-educational treatment support*
 - o *Treatment provided at least 5 days per week*
- *Service Note: Delayed, sliding scale or reduced subsistence fees should be considered for the duration of the clients RDDT program placement at the discretion of the program provider.*

Sex Offender Supervision & Treatment in Community Corrections (SOSTCC)

- *Differential: \$36.14*
- *Population Served: Felony Sex Offenders placed in Community Corrections*
- *Duration of Placement: Variable*
- *Services Provided: Community supervision and treatment in accordance with current SOMB Standards and Guidelines to include offense specific treatment and monitoring*

Cognitive Behavioral Treatment (CBT) - PILOT PROGRAM

- *Differential: \$53.17*
- *Pilot Duration: 5-year pilot program*

- *Population Served: High risk high need adult male clients with histories of significant criminal conduct, antisocial cognitions and/or personality patterns.*
- *Duration of Placement: 90-day residential placement*
- *Treatment Services Provided:*
 - *300 total treatment dosage hours*
 - *40% of total treatment dosage must be direct therapeutic contact*
 - *Individual risk reduction and therapeutic meetings*
 - *50% of client time must be structured therapeutic or skill building activities*
 - *Treatment provided 5-6 days per week depending on program phase*

Therapeutic Community (TC)

- *Differential: \$28.40 (Residential) \$22.53 (Outpatient)*
- *Population Served: High risk and high need individuals presenting with severe substance dependence and a history of felony criminal conduct.*
- *Duration of Placement: Variable*
- *Treatment Provided:*
 - *5 hours per week of therapeutic intervention*

3. Please discuss how the funding for subsistence payments provided in the Long Bill were distributed.

Response: *Subsistence payments were allocated to Judicial Districts (JD) which house one or more community corrections facility. The \$275,000 were allocated to JDs based on their percentage of the total base bed allocation for the year. For example, Denver represents 21.3 percent of the base bed allocation statewide, therefore they were allocated 21.3 percent of the \$275,000, or \$58,701. Subsistence support funds are distributed to JDs through the standard quarterly payments process used by the Office of Community Corrections.*

In determining how best to utilize the subsistence support funds, the DCJ worked with the General Assembly to clearly establish the legislative intent of the funds prior to distribution. In these discussions, the General Assembly clarified that the intent of the funds was to support clients transitioning from the Department of Corrections (DOC) institutions by covering their first 10 days of subsistence payments. As such, the DCJ established a procedure allowing providers to grant subsistence support funds to all transition clients as of November 1, 2018. Through the Community Corrections Information and Billing (CCIB) system, the DCJ is able to track which community corrections clients are slated to receive these funds and provide guidance to Boards and providers to ensure the funds are expended within the fiscal year. It should be noted that the initial allocation plan described above took into account the total bed allocation and not just the allocation for transition clients. In order to ensure funds are expended in accordance with legislative intent, the DCJ will be re-allocating funds mid-year based on jurisdictional utilization of transition beds only.

4. Please provide an update on the PACE progress to include:
 - Have the additional FTE provided in the previous fiscal year been helpful?
 - When will results from the PACE tool be available?

- Please provide a description of the measures that are included in the PACE tool?

Response: *To provide an accurate and complete update on the progress of the Program Assessment for Correction Excellence (PACE), the Department needs to address the performance based contracting plan in its entirety. The PACE evaluation is one component of the performance based contracting (PBC) plan that was developed and presented by the Governor’s Community Corrections Advisory Council (GAC) to the Governor’s Office in February of 2015. Performance should consist of more than one single performance factor and include metrics both in the direct and indirect control of a provider. A provider only has so much control over the escape/walk away rate or the recidivism rate but does have direct control over the implementation of specific practices that are designed to increase success rates and reduce recidivism. The PBC model includes three general performance measurement areas that, when combined, comprise the overall construct of provider performance.*

AREA 1: Adherence to Principles of Effective Intervention and Other Research – Driven Approaches

The Principles of Effective Intervention are those that are most likely to impact community corrections outcomes including risk reduction, program success, and post-release recidivism. The Department developed the PACE tool to evaluate adherence to evidence-based principles and practices and compliance with the Colorado Community Corrections Standards (Standards).

AREA 2: Core Security Measures

The Core Security Measures are those Standards that are the most likely to result in base practices that indicate safe and secure supervision and control of community corrections offenders. Upon completion of the revisions of the Standards in 2017, a Core Security Audit tool and manual was created and presented to boards across Colorado along with associated training. These core security measures will be evaluated by local community corrections board staff and the Department audit team.

AREA 3: Risk-Informed Outcomes

Risk-Informed Outcome Measures are those that consider offender outcomes such as success rates, program failure rates, and recidivism rates; yet those that also take into consideration the risk level of the offenders being supervised in a community corrections facility.

General Definition of Overall Performance



Additional FTE

In FY 2018-19, to adequately prepare and successfully accomplish the objectives for completing the baseline of the PACE evaluations by December 31, 2019, the Department, with the support of the JBC, added an additional 4.0 FTE. It was assessed by the Department at that time that the PACE evaluations with the additional resources, could be completed by the proposed timeline; however, unknown and unforeseen factors arose. Those factors include:

- *FTE from other job classifications were re-assigned duties to aid in the completion of PACE baselines. This drain of resources slowed the completion of the Core Security audit tools and audits. Additionally, the resource needs to train and adequately prepare boards to complete the audits were underestimated.*
- *There was turnover in the manager position, delaying hiring and on-boarding of the 4.0 additional FTE. Additional turnover in the office created by promotional opportunities led to further delays.*
- *Initial timeline determinations did not include the additional need to complete baseline measurement for Core Security audits and the development and baseline measurement of risk informed outcomes.*

Of the three areas referenced above that will be used to assess performance, the new FTE will expedite the ability to establish the baselines only for Area 1: Adherence to Principles of Effective Intervention and Other Research – Driven Approaches. Should the Department dedicate all staff in the Office of Community Corrections to completion of PACE evaluations, the December 31, 2019, timeline could still be achieved for that area only. Establishing baselines for the remaining areas - Core Security Measures and Risk Informed Outcomes - also needs to be completed before

the Department can engage in PBC. The department is evaluating its resource needs to accomplish these tasks.

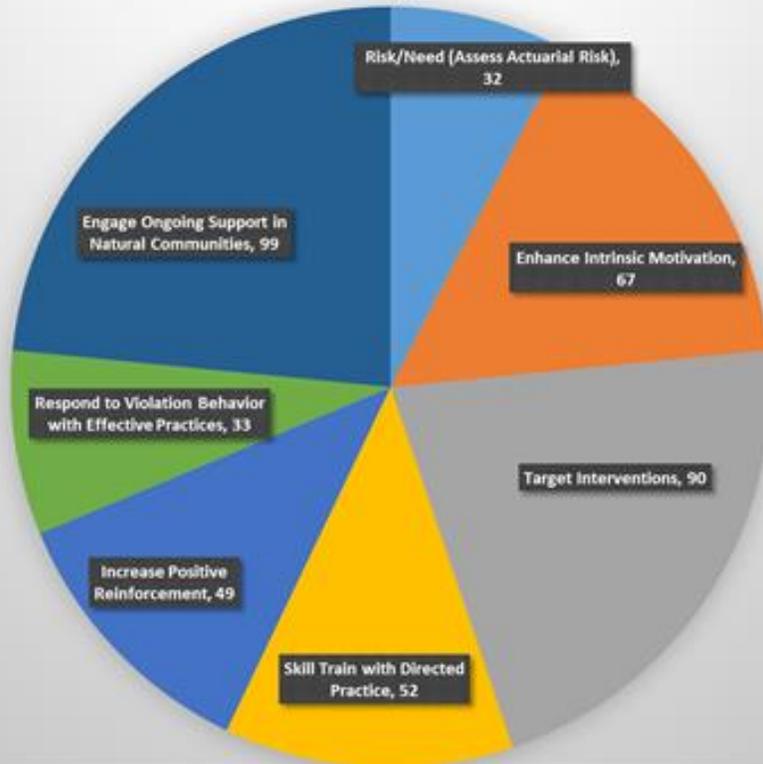
Timeline

A consideration of the vacancies and hiring processes, current resources, and additional statutory obligations of the Office of Community Corrections were utilized to create a master calendar of PACE evaluations, Core Security audits, and specialized programs statement of work audits. The master calendar represents an aggressive but attainable schedule for getting a baseline measurement for all three areas of performance indicated in the PBC plan; thus, baseline measurement can be completed by June 30, 2020. Previously discussed timelines for achieving baseline measurements accounted only for the PACE Evaluation. When adding the additional baseline measurements needed, as well as the need for completion of specialized programs statement of work audits, the previously discussed December 2019 timeline proved unrealistic with respect to staff resources as well as fidelity and quality of the measurement tools. June 30, 2020, is when results from the PACE evaluations will be available, as well as the baseline measurements for Core Security audits, and risk-informed outcomes. At that time the Department will utilize the baseline measurements to determine performance tiers for PBC and validate the measurement tools. It is important to note baseline measurements will not give a funding amount, but rather inform the benchmarks for performance to obtain higher levels of funding. This timeline for performance measurement baselines aligns with the staff recommended timeline for legislation in the upcoming session and hiring of a performance based contracting expert by December 2019.

Description of PACE Measures

Each item within the PACE was carefully selected after an extensive review of the research. Only those practices which demonstrate the effective implementation of proven evidence-based principles were included in the final PACE. These practices are those which, if implemented fully and effectively by programs, can and will reduce recidivism among clients. The PACE was also designed not only as a mechanism for program measurement, but as a tool which can help programs to improve practices over time.

PACE Bibliography
(Number of Published Studies Behind Each PACE Factor/Scale)
422 Total Studies in Support of PACE Items



The seven areas that are assessed during a PACE evaluation are Risk/Need Assessment, Enhance Intrinsic Motivation, Target Intervention, Skill Train with Directed Practice, Increase Positive Reinforcement, Response to Violation Behavior with Effective Practices, Engage Ongoing Support in Natural Communities. These seven areas are consistent with the Eight Guiding Principles for Risk/Recidivism Reduction as depicted in the graphic below.

EIGHT GUIDING PRINCIPLES FOR RISK/ RECIDIVISM REDUCTION



Bogue, B. M., et al. (2004). *Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention*. Washington, DC: National Institute of Corrections.

To ensure a comprehensive review of program practices in the identified areas, the PACE incorporates a mixed method approach to evaluation. Methods utilized in the evaluation include: coded tapings of staff/client interactions, on-site observations of staff/client interactions, case file and documentation reviews, staff surveys and client surveys.

EPIC

5. Please discuss how EPIC and Results First interact. Would there be any benefit or downside if the two entities were consolidated? Should EPIC remain in DCJ or is there another section of the executive branch that EPIC should be placed?

Response: Colorado Results First¹, which is now the Research and Evidence-based Policy (REP) team in the Governor's Office, and EPIC both serve to advance components of evidence-based policymaking. In Colorado, evidence-based policymaking is comprised of five strategies:

¹ In 2014 Colorado partnered with the Results First Initiative—an initiative of the Pew Charitable Trusts. Results First is a benefit-cost model/tool. Utilizing the Results First model, Colorado has released reports in several major policy area and looked at the return on investment for specific evidence-based programs. In 2016, based on work completed through Results First process and with the Results First model, OSPB recognized more could be done to advance the use of evidence-based programming and evidence-based policy making, including bolstering resources for implementation and evaluation and "Colorado Results First" changed their name to the "Research and Evidence-based Policy (REP)" team to reflect the broader focus.

- *Program assessment. Systematically reviewing available evidence on the effectiveness of public programs.*
- *Budget development. Incorporating evidence of program effectiveness into budget and policy decisions.*
- *Implementation oversight. Ensuring that programs are effectively delivered and are faithful to their intended design.*
- *Outcome monitoring. Routinely measuring and reporting outcome data to determine whether interventions are achieving desired results.*
- *Targeted evaluation. Conducting rigorous evaluations of new and untested programs to ensure that they warrant continued funding.*

REP has filled the role of program assessment through the Results First process and continues this function through the OSPB budget process and on a request basis from state Departments. Once a project is ready to launch, EPIC can provide implementation support, assisting with design, program fidelity, staff competencies and other principles documented in research as necessary elements to initiate and sustain a project.

There are other partners that fill other roles within this larger implementation strategy including the Colorado Evaluation and Action Lab, foundations and other research partners.

Because there are many other Evidence-Based Practice partners including the Colorado Evaluation and Action Lab and other research partners, it is not apparent what the benefit or downside of would be to merge EPIC and REP. Each partners' function is different and suited to the agency in which they are housed.

If legislation is passed to expand the scope of the EPIC program beyond the criminal justice, corrections, and public safety, the Department in coordination with necessary stake holders will need to re-evaluate whether CDPS is the appropriate place for the EPIC program.