

Arapahoe County Justice Coordinating Committee Meeting  
 Friday, July 1<sup>st</sup>, 2016  
 11:30 a.m. to 1:00 p.m.

| <b>Committee Members and Visitors Present:</b> |   |
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| George Brauchler                               | District Attorney, 18 <sup>th</sup> Judicial District |
| Kally Enright                                  | Criminal Justice Planning Coordinator                 |
| Doug Gray                                      | Chief Probation Officer                               |
| Bill Holen                                     | Commissioner, Arapahoe County                         |
| Nancy Jackson                                  | Commissioner, Arapahoe County                         |
| Don Klemme                                     | Director, Community Resources                         |
| Louie Perea                                    | Undersheriff, Arapahoe County Sheriff's Office        |
| Amanda Petermann                               | Sr. Admin Assist., Arapahoe County Sheriff's Office   |
| Ron Rakowsky                                   | Mayor, Greenwood Village                              |
| Jared Rowilson                                 | Captain, Arapahoe County Sheriff's Office             |
| Carlos Samour, Jr.                             | Chief Judge, 18 <sup>th</sup> Judicial District       |
| Todd Spanier                                   | Criminal Justice Planning Coordinator                 |
| Cheryl Ternes                                  | Director, Arapahoe County Human Services              |
| Kim Verdoorn                                   | Pre-Trial Services Supervisor, Judicial Services      |
| Craig Wagner                                   | Arapahoe County Bar Association                       |
| Caitlin Wilson                                 | County Communication Services                         |

There was no meeting in June due to a large amount of schedule conflicts.

No public comment.

BH subcommittee, Commissioner Jackson-

- Peter Pike, director of the Colorado Disability Benefits work program came and talked to us about how their program helps people get onto disability. Shortens wait time and percentage of people who become eligible because they have help to fill out all the complex forms. He is currently working with Human Services with a grant, which has ended, but we are pursuing other options. Very good and informative meeting.
- Todd, Cpt George, and Commissioner Jackson went to the White House conference on Data-Driven Justice. Todd will explain that shortly.
- Because of our work doing at NACO, Commissioner Jackson was invited to do presentation at the NAMI conference next week on NACO's Stepping Up Initiative; some of you remember signing a letter regarding the support of the Stepping Up Initiative.
- Lots going on. Housing subcommittee and continuity subcommittee are very active and working on funding issues. Next meeting is 09/02 (likely). New membership accepted at any and all times.

Crime Prevention- Undersheriff Perea nothing to pass on from Sheriff.

Efficiency of the Justice System, Don Klemme-

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- Grant with ACSO and AD Works to apply for US Department of Labor funding for a greater presence in the workforce center in the jail. Learned this week that the grant was not awarded to us; however, we will be looking at options to provide higher level of service for workforce specialists in the jail. In new legislation that came out a year ago, people who have criminal backgrounds are included in a category of having barriers to employment. We are charged with providing services and we will look at allocating funding to try to establish greater presence.
- Month ago or so, we approached the county commissioners about expanding staffing level for pretrial supervision; awarded an additional FTE. No new-hire yet, after holiday will start interviews, someone to come on sometime in August.
- Courts are actively using the pretrial supervision program. A lot of activity going on for us.

Courts, Chief Judge Samour-

- End of fiscal year and we are into a new year. Lots of movement with new judges. Will have had 6 swearing in's in a total of 3 weeks. Some new judicial officers. Probation is scheduled to move in August. Dealing with issue in terms of security and where those funds are. Working with Sheriff and what's going on with the two FTE's that were designated in budget so the move can take place.

Sheriff's Office, Undersheriff Perea-

- August 2<sup>nd</sup> at 6 pm, National Night Out: Clarkson Park, City Park in Centennial, Walnut Hills Elementary, Western Park (22685 E. Chenango Ave), and Willow Trace (4487 S. Ireland Lane). This is a community building campaign between the police and community partnerships.
- Crime Prevention Deputies are available for assessments should you need to have a security analysis (Brian McKnight, Scott Sickafoose, Jason Presley).

Detention Facility, Captain Rowlison-

- Great numbers moving in and out. Graduated 9 new Non-certified Deputies from academy and will be working on their own in 10 to 12 weeks. Next academy starting in August.
- Construction of the new dayroom for RISE program began 3 weeks ago for modifications. Going from 22 beds to 52 beds. Nearly halfway through. Finished by the end of July. Hope is that we will be able to start accepting new people in the program in August. Mayor Rakowsky comments on the ACDF jail population and how it's been down under 1,000 for the first time in a long time.

Criminal Justice Planning Coordinators, Todd & Kally-

- Data request by Tri-County Health, asked for essentially every drug charge in 18<sup>th</sup> Judicial in the last few years. Will be geo-coding and putting into map. They will use it to inform their programs, placement of needle exchanges, etc. About a week ago, Chief Judge organized meeting with State Court Administrators Office and their data analysts to work with that office to increase our own capability of acquiring data and using it for our programs. Brad Kamby had

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asked us to look at the Community Corrections processes, similar to pretrial services, in looking at their business processes, referral processes, internal procedures, etc.

- Todd- update on Data-Drive Justice conference- In January, part of President Obama's Crime Reform initiatives, through NACO the White House invited local jurisdictions across the country to take part in a series of discussions around topics at the heart of our Behavioral Health subcommittee: To reduce the instances of people with behavioral health disorders ending up by default in county jails and that being the service provider of last resort. Arapahoe County and BOCC agreed to join the initiative. Meeting also included technologists from various start-up, non-profit, and other groups. The idea is to increase capacity of local jurisdictions to collect and analyze data; particularly around populations with mental health disorders. Productive in the sense that it's interesting to see where we are compared to other jurisdictions. It's nice to learn from other places. Nobody had a model, "What do we have, where do we put it", etc. Kally & Todd drafted a paper (attached). The idea was to present something brief and coherent about where we think local jurisdictions around the country need to go.
- In terms of data... struggle to get reliable data and no way to integrate data when we obtain it from other agencies. What we recommended is beefing up with NCIC to say it needs to have risk assessments, court appearance data. Ideally, we want a comprehensive set of individualized data through the federal government so that the info tracks, we can see risk assessments that might have been done and any sort of law enforcement personnel can make use of the data. The idea is to break the cycle of repeat offenders. Local jurisdictions should identify who needs help and get it to them before they get arrested, i.e. Navigator program. Wrap around services and make sure they never come back.
- An idea discussed as a result of the paper is a connection between pretrial and probation. That is to say to use time spent in pretrial supervision generally as a kind of credit you might get toward a sentence in probation. If you spent 6 months in pretrial and you've complied, if you were going to get sentenced to a year probation, maybe they can take that time into consideration and reduce the burden on probation, etc.
- We've also recommended they change the Medicaid eligibility rules to include people that are incarcerated because of all the medical costs forced on local jurisdictions when these people should be on the program except for the fact they are in custody. This is what we've written, just in case anyone ever becomes aware of it down the line.

Cheryl Ternes comments in the Human Services system, in particular the child protection area, we are beginning to look at data analytics as well. Nationwide, there is an effort to do that. Within Arapahoe County, already in Human Services, thankfully because of the work with IT, have developed a system called HS Connect, which is actually bringing data in from multiple state systems. The state systems do not talk to one another and share data. We've been able to do that with IT and we're going to be expanding that outside of Human Services over time. There is a county in Pennsylvania that is currently using data from multiple systems to include justice systems, law enforcement systems, mental health

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systems, human services systems, in order to do this predictive analytics. Cheryl is interested in keeping an eye on this and what Todd and Kally are doing. Call on IT, who are looking to expand HS Connect, and that is the vision.

Commissioner Jackson asks that we take the time to read this paper because there was a lot of hard work and thought put into it. Commissioner Jackson adds that it is interesting that some places can do this. When we talk about HIPAA rules, they say, you know what, HIPAA doesn't really say that. Apparently there are some varying definitions across the country. It is a concern with places other than here at Arapahoe County, but there are successful models. In addition, you may be aware that the hospitals have been looking at this kind of process for quite a while in terms of reducing the number of people that are "frequent fliers" in the ER. They are reaching out to mental health systems and others to provide wrap around services. There are systems in place that are doing this kind of thing and we are hopeful that this will help reinforce the folks in Washington that this is really important information that would help us all. Commissioner Jackson applauds Kally and Todd for their work on this.

Commissioner Holen adds that in addition, he would like to commend Todd and Kally for their assistance with Tri-County Health. This is a big deal. This all plays into the effort of the prescription drug abuse program. This is going to be a tool used in that process. We've been working on this for 5 years and we've gotten the momentum with the national interest in this issue. Commissioner Holen states he is looking forward to seeing the results of this effort and it will be a helpful tool for us.

Don Klemme asks how far along they want to take this before the current administration leaves. Todd states isn't sure what the goal is, which is one of the reasons why we did this. They rolled this out yesterday (06/30) and included some data collected from jurisdictions like ours. They are working on getting clarification to HIPAA; specifically for law enforcement and corrections to understand rights and responsibilities through HIPAA. There's a group called Code for America has agreed to be a forum for local jurisdictions to continue talking about these issues when the Obama administration is finished. That's about as far as it has gotten.

DA Brauchler asks if this is going to take place strictly at the federal level in terms of legislative changes or is this taking local legislative changes to some degree. Todd is not sure if there is an effort to do any legislative changes at the federal level. DA Brauchler asks if all this can be done without any changes in the law. Todd states with the exception of some HIPAA things, he is unsure, but yes. DA Brauchler adds that it's right to have a section on here about perceived pushback. One of the biggest hurdles will be the perception of "Big Brother" coming in and getting access to all this information and the idea of making it available to street cops is going to freak them out big time. There is going to have to be an education campaign and you're going to have to get into well beyond whether this makes sense or not. It's a big deal.

Mayor Rakowsky-

- Mayor wants to address a number that isn't a good number. Over the years, due to traffic engineering, safety engineering in cars, we have seen this last year a decrease in traffic fatalities. It's going the other way. As of Monday, in Arapahoe County, we went up to 13 fatalities directly involved with traffic accidents. There is an approach we probably need to look at. Especially at this time of year we have cyclists, and a number of cyclists often think that traffic laws don't

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apply to them when in reality the laws of physics apply to them more than anyone else. Any ideas or does anyone think it is worth us taking a look at this. This is something that is perhaps more likely to affect us because it is so random. Crime can be more centered geographically.

- DA Brauchler adds that oftentimes with vehicular homicide, the driver is dead so the DA doesn't see them. There is a sense that there is more stuff going on out on the road. Unsure if it's tied to marijuana or just the season. We still remain the number one jurisdiction in the state for DUI. Probably a function of population and how spread out we are. We look at that all the time.
- Caitlin Wilson with County Communications comments that the county is diving into a bike/pedestrian master planning process. A lot of that will involve public comment, surveys, and involvement from many to get this planning process. The safety concern is significant. This will take time but Public Works and Open Space are endeavoring into it. If you want to get involved, please let Caitlin know.

District Attorney's Office, DA George Brauchler-

- We have three things that are converging on us all at once: e-citation, e-discovery, e-file all coming online. The stuff we're doing is supposed to make it more efficient and will make us leaders in the country for this. Save some trees. Hiccups will come. The other thing we are feeling as we move to this is the body cameras. If it's captured we have to give it to the defense. Logistical problems- a crush of data; process and catalogue. Light at the end of the tunnel is we will be the tip of the spear for technology in criminal justice at the court and police level. All good progress but we will have bumps.
- DA is moving forward with exploring a prefile adult diversion type of program. We have sent people out, Kelly LaFave who is now Judge LaFave, to JeffCo, Adams and Denver to try to assess what type of model is best for us to try to roll this out. Making progress and we are still taking input on that. Commission Jackson asks for clarification on the difference between pretrial and adult diversion. DA Brauchler explains that we are trying to figure out a way for people, once they get brought into the system, that we catch them at the front edge of the courtroom and keep them from going any farther. If they successfully complete that program, we don't put the rest of it into the system (i.e. plea, trial, etc.). There is no concept for this yet as far as what cases it would apply to. There is no sense yet of how many extra resources it would take for us and the role, if any, probation will play. Should be target a certain age range (18 to 25?) or a certain kind of charge? DA Brauchler explains that this is pre-plea which will hopefully keep people from entering into the system altogether. As a result, the case would be dismissed or not filed at all if the diversion is complete successfully. Chief Judge Samour adds that this is a process used with juveniles frequently. Mayor Rakowsky adds that an additional age group to consider is the elderly, who go down the road of dementia and Alzheimer's. We are seeing the abuse of the elderly by non-elderly and an increase in abuse of the elderly by the elderly.

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- Lots of turnover right now, losing great people to other divisions and agencies, but it's all going well.

Probation, Doug Gray-

- Physical move of the office and the move to e-file same weekend

Colorado Bar Association, Craig Wagner-

- Bar association meeting was a week ago. Laptops from lawyers program, presented 8 at the meeting.
- Craig is chairing the CO Bar Judicial liaison section. At the last meeting the topic came up and we have formed an exploratory committee to look at constitutional provision regarding judicial retirement at age 72. We lose really good people by the mandatory retirement provision. Personal sense is there should be a presumptive age, maybe that should still be 72, but there should be some procedure where they could continue on.

Don Klemme asks about the new law that took effect for municipalities where they are no longer allowed to put someone in jail for failure to pay fines; burden on our system with different types of charges filed? Or the opposite, people coming out of jail that are there now? Captain Rowilson advises that there aren't many municipalities that jail people regarding failure to pay fines.

Commissioner Holen- adds that fentanyl deaths are on the rise and that is something to keep an eye on

Commissioner Jackson- County fair starts July 28<sup>th</sup>, Boots not Suits dinner is the 28<sup>th</sup>, Craft brew festival is the 29<sup>th</sup> with 20 local brewers

**NEXT MEETING SEPTEMBER 2<sup>ND</sup>**