

Final
STAFF SUMMARY OF MEETING

TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE CRIMINAL JUSTICE
SYSTEM

Date: 03/22/2013

ATTENDANCE

Time: **01:03 PM to 02:29 PM**

| | |
|-----------|---|
| King | E |
| Rosenthal | X |
| Tochtrop | X |
| Wright | X |
| Labuda | X |
| Newell | X |

Place: HCR 0112

This Meeting was called to order by
Senator Newell

This Report was prepared by
Jessika Shipley

X = Present, E = Excused, A = Absent, * = Present after roll call

| Bills Addressed: | Action Taken: |
|--|--|
| Introductions and Welcome | Witness Testimony and/or Committee Discussion Only |
| Discussion of Advisory Task Force Activities | Witness Testimony and/or Committee Discussion Only |
| Discussion of Upcoming Projects and Initiatives Impacting People with Mental Illness who are Involved in the Criminal Justice System | Witness Testimony and/or Committee Discussion Only |
| Bills of Interest to the Advisory Task Force | Witness Testimony and/or Committee Discussion Only |
| Update on Mental Health Courts | Witness Testimony and/or Committee Discussion Only |

01:03 PM -- Introductions and Welcome

Senator Newell, chair, welcomed the committee and the presenters from the Task Force for the Continuing Study of the Treatment of Persons with Mental Illness who are Involved in the Justice System.

01:04 PM -- Discussion of Advisory Task Force Activities

Kathleen McGuire, chair of the task force, introduced herself to the committee and commented about the 2012 activities of the task force. She provided an outline of these activities (Attachment A). She spoke about the task force's study of the not guilty by reason of insanity (NGRI) plea and about her efforts to fill the open positions on the task force. She provided a list of task force members (Attachment B) and a pamphlet that provides more information about each task force member (Attachment C). Ms. McGuire discussed the task force's November 29, 2012 meeting, which was an all-day strategic planning meeting. She talked about the legislative luncheon the task force hosted on February 4, 2013. She responded to questions from the committee about the task force's strategic plan and about her efforts to fill open task force positions.

01:13 PM

Representative Labuda asked for a presentation about mental health treatment for women in the Department of Corrections.

01:14 PM -- Discussion of Upcoming Projects and Initiatives Impacting People with Mental Illness who are Involved in the Criminal Justice System

Marc Condojani, representing the Office of Behavioral Health in the Department of Human Services, came to the table to discuss jail-based mental health services. He provided a handout regarding the Office of Behavioral Health budget request (Attachment D). He responded to questions from the committee about increased funding for jail-based behavioral health services and their funding by the Correctional Treatment Fund. The committee discussed the integration of community-wide crisis response systems. Mr. Condojani commented about the capacity at the state's two mental health institutes. He discussed the improvement of community capacity to deliver a continuum of community-based treatment services most appropriate to the needs of the consumer.

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01:24 PM

Senator Tochtrop asked questions about federal regulations that affect federal funding to the states for community-based mental health treatment services. Mr. Condojani discussed the existing programs for jail-based behavioral health services in ten Colorado counties and the expansion of those programs. He indicated that he is expecting a \$1.2 million increase in state funding for the programs in FY 2013-14. He responded to questions from Representative Labuda about coverage of services across county jails and about the outcomes of the various programs. Senator Newell asked how the oversight committee might be able to assist in overcoming barriers to the most effective provision of services.

01:35 PM

Representative Labuda asked about the percentage of mentally ill offenders who also have a substance abuse problem. Mr. Condojani commented about co-occurring disorders in the criminal justice system.

01:37 PM

Ken Cole, representing the Office of Behavioral Health, joined the committee to discuss the expansion of inpatient psychiatric hospital capacity. He provided a written overview of the the 20-bed Jail-based Restoration Program (Attachment E). He spoke about capacity issues at the state's two mental health institutes; the demand for forensic services at the Colorado Mental Health Institute at Pueblo; the expansion of capacity with a 20-bed jail-based restoration unit in the Denver Metropolitan Area; and other jail-based restoration program components. He discussed the request-for-proposals process for selecting a vendor to provide services at the unit, which will be based at the Arapahoe County Jail. Mr. Cole spoke about a similar program in San Bernardino, California, on which the Colorado program is based. He stressed that the program is designed to help restore inmates to competency so they can proceed at trial.

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01:48 PM

Senator Tochtrop asked for more information about the California program. Senator Newell asked how the oversight committee might assist with any obstacles. Mr. Cole commented that the members should provide feedback through the state departments.

01:54 PM -- Bills of Interest to the Advisory Task Force

Terri Hurst, representing the Colorado Behavioral Healthcare Council, provided a table showing the status of bills of interest to the oversight committee and the task force (Attachment F). She discussed the bills in some detail and responded to questions from the committee. The committee discussed access to mental health services in rural areas and Senate Bills 13-116 and 13-177.

02:04 PM -- Update on Mental Health Courts

Brenidy Rice, representing the Colorado Judicial Branch, came to the table to discuss Colorado problem-solving courts. She provided a handout about the courts (Attachment G). There are 73 operational problem-solving courts in Colorado, with another eight in planning. The courts currently serve 3,000 individuals. Ms. Rice defined a mental health court as a program based in a courtroom and led by a judge that brings together members of the criminal justice system and the behavioral health system, among others, to work with individuals with mental illnesses who face criminal charges. She spoke about recidivism reduction through effectively treating mental illness. She discussed the essential elements of an effective problem-solving court. These include:

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- planning and administration;
- target population;
- timely participant identification and linkage to services;
- terms of participation;
- informed choice;
- treatment supports and services;
- confidentiality;
- court team;
- monitoring adherence to court requirements; and
- sustainability.

02:12 PM

Ms. Rice responded to questions from Representative Rosenthal about the primary drugs of choice among the clients of problem-solving courts. The committee discussed the self-medication of individuals with mental illness. Representative Rosenthal asked for additional data about youthful offenders. Representative Labuda asked for additional information about women with mental illness in the correctional system. The committee discussed crisis intervention training for law enforcement officers. The task force was directed to follow up on the issue. The committee discussed innovative efforts in the 21st Judicial District to address offenders with mental illness.

02:23 PM

Senator Newell asked for information about outcomes from problem-solving courts. Discussion ensued about the availability of good outcome data and the confidentiality of information related to problem-solving courts.

02:28 PM

Ms. McGuire agreed to provide all of the requested information to the oversight committee.

02:29 PM

The committee adjourned.

**UPDATE TO LEGISLATIVE OVERSIGHT COMMITTEE
MARCH 22, 2013**

AREAS OF STUDY 2012

1. 2/12-9/12 Task Force studied exclusively NGRI in Colorado. A steering committee within the Task Force developed a curriculum which included the following topic areas:
 - i. The Legal and Constitutional Implications of NGRI in Colorado (presentation by two Public Defenders)
 - ii. What Happens Procedurally and Clinically When a Plea of NGRI is Entered (Presentation by two psychiatrists with CMHIP)
 - iii. Legal and Procedural Issues When CMHIP Finds a Person NGRI (presentation by two district attorneys)
 - iv. Treatment of NGRI at CMHIP (presentation by several CMHIP clinicians)
 - v. A Look at NGRI Adjudication/Treatment From a Patient's Perspective (presentation by four CMHIP patients)
 - vi. Conditional Release and Oversight by Community mental Health Centers (presentation by Community Mental Health Centers Employees)
 - vii. Treatment Issues Related to Persons with Mental Illness who are Incarcerated in DOC (presentation by DOC staff)

2. 11/29/12 Task Force participated in full day strategic planning session in order to develop goals and strategies for accomplishing goals. Developed 3 areas of priority as identified in the statute:
 - i. Study issues related to MICJS
 - Develop needs assessment, distribute throughout system and prioritize areas of study
 - ii. Collaborate with other task forces/committees/etc. with similar interests
 - Develop increased networking with other groups,
 - iii. Active networking with LOC and Legislature on ongoing basis
 - Legislative Luncheon

MEMBERS OF MI/CJ TASK FORCE

Department of Human Services (5)

- Marc Condojani, Division of Behavioral Health
- Caren Leaf, Division of Youth Corrections
- Melinda Cox, Division of Child Welfare
- Michele Manchester, Colorado Mental Health Institute at Pueblo
- Libby Stoddard, Mental Health Planning and Advisory Council/Mental Health America of Colorado

Practicing Mental Health Professionals (2)

- Terry Hurst, CBHC
- Fernando Martinez, San Luis Valley Mental Health Center

Community Mental Health Centers (1)

- Harriet Hall, Jefferson Center for Mental Health

Person with knowledge of public benefits and housing in the state (1)

- Pat Coyle, Colorado State Division of Housing

Department of Education (1)

- Michael Ramirez

Department of Law (1)

- Janet Drake, Attorney General's Office

Judicial Department (4)

- Vacant, need probation representative
- Susan Colling, Juvenile Programs Coordinator Probation Services
- Judge KJ Moore, 1st Judicial District
- Brenidy Rice, Division of Planning and Analysis

Department of Labor (1)

- Patrick Teegarden, Director of Policy and Legislation

Local Department of Social Services (1)

- Susie Walton, Jefferson County Department of Social Services

Local Law Enforcement (2)

- Rebecca Spiesse, Undersheriff, Mesa County Sheriff's Office
- Clif Northam, Commander, El Paso County Sheriff's Office

Colorado District Attorney's Council (1)

- Bruce Langer, Boulder County District Attorney's Office

Colorado Criminal Defense Bar (2)

- Gina Shimeall, Private Defense Attny
- Kathleen McGuire, Public Defender's Office

Person who is a practicing forensic professional in the state (1)

- Gregory Kellermeyer, M.D., Denver Health Medical Center

Members of the Public (3)

- David Mosher
- Deirdre Parker
- Barbara Stephenson

Department of Public Safety (1)

- Jeanne Smith, Director, Division of Criminal Justice

Department of Corrections (2)

- Tim Hand, Division of Parole
- Joan Shoemaker, Director Clinical Services

Department of Health Care Policy and Financing (1)

- Camille Harding, Clinical Services Office

*Continuing Examination of the Treatment of Persons with
Mental Illness who are Involved in the Criminal and
Juvenile Justice Systems*

Task Force Membership

January 2013

Kathleen McGuire, MSW, J.D.**Chair, Task Force**

Colorado Office of the Public Defender
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Kathleen McGuire received her *Juris Doctor* from the University of Denver School of Law in 1994 and a Master of Social Work degree from the University of Wisconsin in 1985. Ms. McGuire is a Deputy State Public Defender and the Office Head of the Castle Rock Office of the Public Defender and represents indigent juveniles and adults charged with criminal offenses. She has handled innumerable cases in which the person accused was diagnosed with a mental health disorder. She is a member of the Drug Policy Task Force and has held the position of Chair of the Advisory Task Force for Persons with Mental Illness Involved in the Criminal Justice System since January, 2013.

Michele Manchester, MA**Vice Chair, Task Force**

Colorado Mental Health Institute - Pueblo
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Michele Manchester began her career in 1975 working in the field of Mental Health and Substance Abuse after graduating with her Masters degree from Adams State College. She began her employment with the Colorado Mental Health Institute in 1995 as the Clinical Team Leader for Circle and the Psychiatric Rehabilitation Unit. She is currently Director of Clinical Departments for the Colorado Mental Health Institute – Pueblo. Michele is a member of the National Association for State Mental Health Program Directors.

Susan M. Colling, MPA

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CO State Court Administrator's Office
CO Division of Probation Services
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Susan Colling received her Master's degree in Public Administration/ Criminal Justice from the University of Colorado in 1996. Ms. Colling is the juvenile probation specialist for the CO Division of Probation Service where she provides technical assistance, evaluation and analytical services and training. She is the current vice chair of the Governor's appointed Juvenile Justice and Delinquency Prevention Council and a member of the Statewide Senate Bill 94 Advisory Board and on the Juvenile Justice Task Force of the CO Commission on Criminal and Juvenile Justice.

Marc S. Condojani, LCSW, CAC III

Department of Human Services
Division of Behavioral Health
3824 West Princeton Circle, Denver, Colorado 80236
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Marc Condojani is a licensed clinical social worker and a certified addictions counselor. Currently, Mr. Condojani is the Director of Community Treatment and Recovery Programs for the Division of Behavioral Health. His team contracts for behavioral health services in Colorado. He serves as a Vice Chair for treatment of the State Methamphetamine Task Force, Co-Chair of the Correctional Treatment Fund Board, and member of the Governor's Community Corrections Advisory Council and the Drug Policy Task Force.

Melinda Cox

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Melinda Cox serves as an Administrator for the Core Services Program and Family Stabilization Services in the Division of Child Welfare with the Colorado Department of Human Services. She is the liaison between the Division of Child Welfare the Colorado Works Program (TANF). She serves on the Behavioral Health Planning and Advisory Council, the Division of Youth Corrections Senate Bill 94 Advisory Board, and the Economic Security Policy Advisory Council.

Pat Coyle

Colorado State Division of Housing
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Pat Coyle has over thirty years experience in business development and affordable housing finance. He has worked at all three levels of government and is currently the Director of the Colorado Division of Housing. Prior to his current position, Pat worked for the U.S. Department of Housing and Urban Development, was director of the Colorado Small Business Office for Governor Romer, and, most recently directed the housing programs for Denver's Road Home, Denver's Ten Year Plan to End Homelessness. He is a founding board member of Housing Colorado, Inc. the trade association for affordable housing in Colorado.

Janet Stansberry Drake

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Janet Stansberry Drake received her *Juris Doctor* from the University of Colorado School of Law in 1996. Ms. Drake is currently a Senior Assistant Attorney General in the Special Prosecutions Unit at the Colorado Attorney General's office. As an attorney in the Special Prosecutions Unit, Ms. Drake investigates and prosecutes organized and complex, multi-jurisdictional crimes. She is also a member of the Rocky Mountain Innocence Lost Task Force, a multi-agency collaborative committed to investigating and prosecuting human trafficking.

Harriet L. Hall, Ph.D.

President & CEO, Jefferson Center for Mental Health
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Harriet L. Hall has served as President and CEO of the Jefferson Center since 1984. She is currently the President-elect of the Colorado Behavioral Healthcare Council and has served numerous mental health agencies in both clinical and administrative positions. She has served as the Chair of the national organization Mental Health Corporations of America. In addition to being past-chair of this Task Force, she serves on the Jefferson County Community Corrections Board, the Jefferson County Criminal Justice Task Force and the Governor's Community Corrections Advisory Board. Dr. Hall is co-chair of the Health Plan Advisory Group for the Colorado Health Benefit Exchange Board.

Tim Hand

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Tim Hand is the Director of the Division of Adult Parole, Community Corrections, and Youthful Offender System for the Colorado Department of Corrections. Over the past twenty-two years, Mr. Hand has held numerous positions throughout the state Parole system. Mr. Hand attended Harvard University's JFK School of Government in 2008. He is a member of the Board at Aurora Mental Health, the Comprehensive Sentencing and Drug Policy Task Forces and a Commissioner with the Interstate Commission for Adult Offender Supervision.

Terri Hurst Greene, MSW

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Terri Hurst Greene is the Director of Public Policy for the Colorado Behavioral Healthcare Council. She is responsible for tracking, influencing, analyzing, and reporting on legislative and policy activities that will improve access to behavioral healthcare services. She advocates on behalf of CBHC members and behavioral healthcare consumers. Terri received a Master's of Social Work in 2005 from the University of Hawaii and has worked in drug policy reform and public health policy for over 10 years. She is an Advisory Board member for the Harm Reduction Action Center and sits on the Drug Policy Task Force of the Colorado Criminal and Juvenile Justice Coalition.

Camille Harding, LPC

Quality Health Improvement Unit Manager
Clinical Services Office
Colorado Department of Health Care Policy and Financing
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Camille Harding earned her Masters of Mental Health Counseling, and currently is employed with Health Care Policy and Financing managing the Quality and Health Improvement Unit. She previously worked in HIV/AIDS prevention and substance abuse and mental health treatment. Ms. Harding was in private practice for 12 years specializing in childhood trauma, abuse and neglect. She served on the Colorado Association of Play Therapy Board for five years and has conducted numerous trainings on treating young children with behavioral health needs, and working with families and parenting interventions.

Gregory Fisher Kellermeyer, MD

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Dr. Kellermeyer is a board certified adult and forensic psychiatrist. He is the Director of Correctional Behavioral Health Services at Denver Health and oversees the behavioral health services at the Van Cise-Simonet Detention Center and the Denver County Jail. He is also an assistant professor in psychiatry at the University Of Colorado School Of Medicine where he is a faculty member of the forensic psychiatry fellowship program.

Bruce Langer

Boulder County District Attorney's Office
1777 Sixth Street, Boulder, CO 80302

Bruce Langer has been a prosecutor in the 20th Judicial District (Boulder County) for 18 years. He is currently chief trial deputy in the felony prosecutions unit. Among his duties is responsibility for all litigation involving defendants committed to the Colorado Mental Health Institute. Mr. Langer received his *Juris Doctor* from the University of Colorado in 1994. He has served on the task force since 2008.

Caren Leaf

Associate Director, Colorado Department of Human Services
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Caren Leaf received her Master of Social Work from Fordham University in 1983 with a concentration in research and program evaluation. Ms. Leaf is currently an Associate Director with the Division of Youth Corrections which is part of the Colorado Department of Human Services. In this position Ms. Leaf oversees ten state operated secure facilities where both detained and adjudicated juveniles are in custody and served. In addition she is responsible for the behavioral health, medical, and educational programs available to serve juveniles in each facility.

Fernando A Martinez

CEO San Luis Valley behavioral Health Group
8745 County Road 9 South, Alamosa, Colorado 81102
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Fernando A Martinez received his MSW from the University of Michigan in 1997 and MA in Guidance and Counseling from Adams State College in 1977. He is currently CEO of the San Luis Valley Behavioral Health Group, a regional mental health system that covers six counties in the San Luis Valley. He is currently working on behavioral health integration with primary health care in his region and is working with a greater network of partners across the state to accomplish the same. Previously, he served as probation officer with the Third Judicial District and as Chief Probation Officer for the Eleventh Judicial District.

KJ Moore

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KJ Moore received her Juris Doctor from Vermont Law School in 1995. She is currently a County Court Judge in Jefferson County handling primarily criminal cases and also presides over the Juvenile Mental Health Court. Previously, Judge Moore served as a District Court Magistrate handling domestic and juvenile matters. She was also a public defender for nearly ten years. Judge Moore is a member of the Board of Directors for CASA of Jefferson and Gilpin Counties, an appointed member of the Behavior Health Transformation Council, chair of the Jefferson County Court Services Advisory Committee, member of the Mental Health Court Advisory Council, member of the Problem Solving Courts Advisory Committee and as a member of the Recovery Court Advisory Council.

David Mosher

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David Mosher attended New York State University at Albany 1995-1999 and double majored in Biochemistry and Molecular Biology. Unfortunately, during senior year chronic depression and anxiety forced to withdraw from one class and lacked three credits to graduate. Prior to involvement with the criminal justice system he worked as an analytic chemist. Mr. Mosher transitioned from medium close facility back into the community through the John Eachon Re-entry Program JERP. He currently works as a heavy duty diesel truck and automotive mechanic.

Commander Clif Northam

El Paso County Sheriff's Office
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Commander Clif Northam is a thirty year law enforcement veteran. He has been employed with the El Paso County Sheriff's Office since January of 1994. In addition to his duties with the El Paso County Sheriff's Office, Commander Northam is a trainer for Penn State Justice and Safety Institute and teaches various police related courses. Outside of his work at the Sheriff's Office, Commander Northam is a member of the El Pomar Emerging Leaders Development Committee, the Colorado Springs Black Advisory Council, the Colorado Springs Branch NAACP, The Fourth Judicial District Community Corrections Board, and The El Paso County Court's Minority Over-Representation Committee. Additionally, he is a board member for Kid Power of Colorado Springs and a graduate of the 2006 class of the Center for Creative Leadership's Community Leadership Program.

Deirdre Parker

deirdremp@comcast.net

Deirdre Parker's son had mental illness and passed away from suicide while under the care of the criminal justice system. This tragic event opened Ms. Parker's eyes to the issues many people with mental illness face when involved in the criminal justice system. For thirty years, Ms. Parker owned a small business and employed 30 staff. She has worked as a victim advocate for the Boulder Sheriff's Dept, a counselor at a Denver Battered Women's Shelter, a counselor for The Boulder Rape Crisis Team, a neighborhood activist, 4H leader, Volunteer coordinator at Waldorf and Dawson Schools and is active in NAMI, HOPE and a board member of Second Wind Foundation.

Michael Ramirez, M.A.

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Michael Ramirez is currently employed in the Office of Learning Supports, Teaching and Learning Unit with the Department of Education. He also serves as Chair of the Juvenile Subcommittee of this Task Force.

Brenidy A. Rice

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Brenidy Rice attended the University of Colorado, Denver where she received a graduate degree in Public Administration. She currently is the Colorado State Problem Solving Court Coordinator with the State Court Administrator's Office, Division of Planning and Analysis, specializing in implementation and evaluation of problem solving courts including drug courts, DUI Courts, Mental Health Courts, Juvenile Drug Courts, Family Drug Courts and Veterans Trauma Courts. She is also a member of the State Methamphetamine Task Force.

Gina K. Shimeall

Private Attorney
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Gina Shimeall received her *Juris Doctor* from Washington University, St Louis, Mo. in 1980. Ms. Shimeall currently works part time in private practice specializing in mental health issues. She devotes her other time as the project coordinator responsible for the collaboration and implementation of the 4th Judicial District's HEALS-Mental Health Problem Solving Court. She is also a member of the 18th Judicial District's Community Corrections' Board. Her experience entails spearheading the planning and implementation of the mental health court in Colorado's 18th Judicial District and she is a retired twenty-six year veteran public defender.

Joanie Shoemaker

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Ms. Shoemaker began her career at the Colorado Department of Corrections in 1987 as a Nurse. She has held a variety of positions within the DOC and was appointed to her current position, Deputy Director of Prisons, Clinical Services in 2007. As the Health Authority, she represents the Department by continuing to serve on several task forces and committees related to medical and behavioral health services. Ms. Shoemaker received her Bachelor of Science in Nursing, from the University of Wyoming and her Masters Degree in Business Administration, from the University of Phoenix.

Jeanne M. Smith

Director, Division of Criminal Justice
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Jeanne Smith is the Director of the Division of Criminal Justice. This division undertakes criminal justice policy, research, and trainings throughout the state, manages justice-related federal and state grant programs, oversees community corrections and crime victim rights protection. Ms. Smith chairs the Juvenile Clemency Board and serves as a member of the Colorado Witness Protection Board. She also chairs the sentencing reform subcommittee of the Colorado Criminal and Juvenile Justice Commission and is a board member of the National Criminal Justice Association. Ms. Smith was the elected District Attorney for the Fourth Judicial District for 8 years and served as a prosecutor for 22 years. From 2005- 2007, Ms. Smith was the Deputy Attorney General for the Criminal Justice Section of the Colorado Attorney General's office. She received her *Juris Doctor* from the University of Illinois College of Law.

Barb Stephenson

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Barb Stephenson is serving on the MICJS task force as a member of the public. Her adult bipolar son is currently serving a sentence in Colorado Department of Corrections. Barb is co-chair of CURE LifeLong, a national grassroots organization that works for all lifers and long-termers that are incarcerated. She serves as a member of the Board of Directors for CURE-Colorado. She is also working on the start-up of a new chapter, AMI-CURE (Advocates for Mental Illness). Barb will be a member of the Board of Directors and will serve as the representative for the Mountain States Region.

Rebecca Spiess

Undersheriff, Mesa County Sheriff's Office

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Since 2004, Rebecca Spiess has been employed with the Mesa County Sheriff's Office. She holds a Bachelor's Degree in Criminal Justice from the Pennsylvania State University, and a Master's of Art degree in Criminal Justice Administration from the University of Colorado at Denver. In 2008, she graduated from the Senior Management Institute of Policing at Boston University, and is a 2009 graduate of the 236 session of the FBI National Academy. She has held multiple Board positions and affiliations, such as the Mesa County Underage Drinking Task Force, International Association of Financial Crimes Association, Western Colorado Peace Officer's Academy, Colorado Child Fatality Prevention System committee, and the state Cold Case Task Force.

Libby Stoddard

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(970) 227-7196

Libby Stoddard is a mental health advocate for The Federation of Families for Children's Mental Health – CO Chapter, working with children and families in the mental health system under the System of Care Implementation grant. Ms. Stoddard also serves on the HCPF Mental Health Advisory Committee, the Continuum of Care subcommittee of the Behavioral Health Transformation Council, and various other mental health work groups. In addition, Ms. Stoddard has presented on several subjects at multiple conferences throughout the years.

Patrick Teegarden

Department of Labor and Employment

633 17th Street, Suite 1200, Denver, Colorado 80202Patrick.teegarden@state.co.us**Susan L. Walton, MSW**

Program Manager, Division of Children, Youth and Families

Jefferson County Human Services

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Susan Walton graduated from the University of Colorado at Boulder with a Bachelor's Degree in Psychology and Philosophy in 1989 and earned her Master's Degree in Social Work from the University of Denver in 1995. Since that time she has held several positions in the human services field, most recently as Director of Social Services in Elbert County from 2003 through 2009. She is currently the Program Manager of the Permanency Section of the Division of Children, Youth and Families in Jefferson County, managing many child welfare functions, including adoption, kinship care, juvenile delinquency and youth transitioning out of foster care.

Strengthening Behavioral Health Budget Request – Talking Points by Request Component

Integrate Community Wide Crisis Response System

- Improve access to the most appropriate resources and services as early as possible
- Decrease the number of unnecessary involuntary civil commitments, utilization of hospital emergency departments, jails, prisons, and homeless programs for individuals experiencing a behavioral health emergency
- Promote recovery for the individual

| ID# | Request Title | FY 2013-14 \$ | FTE | FY 2014-15 \$ | FTE |
|------|--|---------------------|-----|---------------------|-----|
| R-3C | Crisis Response System | \$19,792,028 | | \$24,991,041 | |
| | CDHS Administrative | \$72,933 | 0.9 | \$74,352 | 1.0 |
| | 24/7 Crisis Help Line | \$2,046,675 | | \$2,298,405 | |
| | Walk-In Crisis Services/Crisis Stabilization Units | \$7,553,265 | | \$9,404,350 | |
| | Mobile Crisis Services | \$5,926,500 | | \$7,878,520 | |
| | Crisis Respite / Residential Services | \$3,592,655 | | \$4,735,414 | |
| | System Marketing/Branding/Web Presence | \$600,000 | | \$600,000 | |

- 24-Hour crisis help line – Lines staffed by skilled professionals to assess and make appropriate referrals to resources and treatment.
- Walk-in crisis services / crisis stabilization unit(s) x 5 – Urgent care services with capacity for immediate clinical intervention, triage, and stabilization.
- Mobile crisis services – Mobile crisis units with the ability to respond within one-hour to a behavioral health crisis in the community (e.g., homes, schools, or hospital emergency rooms).
- Crisis Respite/Residential – A range of short-term crisis residential services (e.g., supervised apartments/houses, foster homes, and crisis stabilization services).
- Statewide awareness campaign and communication – multi-media campaign/branding and communication to increase awareness of behavioral health illness and resources.

Improved Community Capacity

- Address the State's current behavioral health system lack of funding and capacity to deliver a continuum of community-based treatment services most appropriate to consumer needs, in the appropriate, least restrictive and most independent community setting
- Provide community living for individuals currently placed in inappropriate settings, including psychiatric hospitals, nursing homes, emergency rooms, and county jails

| ID# | Request Title | FY 2013-14 \$ | FTE | FY 2014-15 \$ | FTE |
|------|---|--------------------|-----|--------------------|-----|
| R-3B | Improved Community Capacity | \$4,793,824 | 0.0 | \$9,587,648 | 0.0 |
| | Assertive Community Treatment Services | \$1,930,500 | | \$3,861,000 | |
| | Enhanced Alternative Living Residence for high need BH | \$1,985,600 | | \$3,971,200 | |
| | Housing Subsidy | \$288,900 | | \$577,800 | |
| | BH navigation and intensive case management specialists | \$245,000 | | \$490,000 | |
| | Housing subsidy w/ wrap-around services | \$346,824 | | \$687,648 | |

- Assertive Community Treatment (**ACT**) – ACT teams are specialized to provide intensive services (clinical, emergency, rehabilitation, and support) in a manner that emphasizes outreach, relationship building, individualization of services, and recovery.
- Enhanced Alternative Living Residence (**ALR**) facility beds – ALR beds provide step-down services after hospitalization and are also an alternative to hospitalization. Included under ALR – room and board; personal care services; protective oversight; social care – due to impaired ability to live independently; and 24-hour supervision.
- Housing subsidy – Rent subsidy vouchers through the Division of Housing, to improve the individuals stability, independence, and long-term treatment and recovery.
- Housing subsidy with wrap-around services – In addition to the rent subsidy, provide wrap-around services to serve harder to place clients (e.g., personal needs, individualized mentoring, transportation).

Increase Access to Mental Health Institute Civil Beds

- Provide a 20-bed jail-based restoration program (contracted) in the Denver metro area
- Reduce the number of restoration patients admitted to Colorado Mental Health Institute at Pueblo (CMHIP) and make available 20 beds for civilly committed individuals at CMHIP
- Inmates requiring in-patient level of care will still be served by CMHIP
- Save county sheriff departments' valuable time and resources by not requiring them to transport jail inmates from the Denver area to CMHIP

| ID# | Request Title | FY 2013-14 \$ | FTE | FY 2014-15 \$ | FTE |
|------|--|--------------------|-----|--------------------|-----|
| R-3A | Increase Access to Mental Health Institute Civil Beds | \$2,063,438 | | \$2,455,769 | |
| | Personal Services: Wages/Benefits | \$75,285 | 0.9 | \$82,319 | 1.0 |
| | Private Provider Contract | \$1,982,500 | | \$2,372,500 | |
| | Operating Expenses | \$5,653 | | \$950 | |

Expansion of Jail Based Behavioral Health Services(JBBS) funded by Correctional Treatment Fund (HB 12-1310)

- Funding initially made available through HB 10-1352
- Services began in Fiscal Year 2011 through RFA process for County Sheriffs
- Sheriffs required to subcontract with OBH licensed Substance Use Disorder(SUD) treatment provider
- Supports services for persons with SUD or co-occurring SUD and MH disorders
- Includes screening for SUD, MH, history of trauma and Traumatic Brain Injury
- Money is intended to support services within the Jail, which may include case management services to assist with community continuity of care

| Program Title | FY 2012-13 | FTE | FY 2014-15 | FTE |
|---|--------------------|-----|--------------------|-----|
| Jail Based Behavioral Health Services | | | | |
| Alamosa | \$77,034 | | | |
| Arapahoe | \$297,442 | | | |
| Boulder | \$277,779 | | | |
| Delta (partnering with Gunnison, Hinsdale, Montrose and Ouray counties) | \$249,035 | | | |
| Denver | \$194,000 | | | |
| El Paso | \$262,246 | | | |
| Jefferson | \$142,800 | | | |
| La Plata | \$82,953 | | | |
| Larimer | \$82,953 | | | |
| Logan (partnering with Cheyenne, Elbert, Kit Carson, Lincoln, Morgan, Phillips, Sedgwick, Washington and Yuma counties) | \$320,187 | | | |
| OBH Personal Services: Wages/Benefits | \$0 | 0 | | 0 |
| Totals | \$1,866,446 | | \$3,066,446 | |

13-14

- HB 12-1310 allowed for an increase in funding to the Correctional Treatment Fund for fiscal year 2014
- Correctional Treatment Fund Board in November supported an increase to OBH for JBBS program of \$1,200,000
- Goal for expansion is to expand services to be available to as many persons incarcerated in County Jails as possible
- Plans include increases to some County Sheriffs with large populations, and expansion to other County Sheriffs not currently funded
- A non-competitive process will be used to allocate funds, allowing for quicker start up or expansion

STATE OF COLORADO



Colorado Department of Human Services

people who help people

OFFICE OF BEHAVIORAL HEALTH
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John W. Hickenlooper
 Governor

Reggie Bicha
 Executive Director

Expand State Inpatient Psychiatric Hospital Capacity 20-bed Jail-Based Restoration Program

Mental Health Institutes

- The Office of Behavioral Health operates two mental health institutes:
 - Pueblo: 451 beds (144 civil and 307 forensic)
 - Fort Logan (Denver): 94 adult civil beds
- The Institutes are the inpatient psychiatric hospital “safety net” provider in Colorado.
- Both Institutes serve indigent and Medicaid eligible individuals with a civil commitment (“27-65”) for treatment.

Demand for CMHIP Forensic Services

- The Colorado Mental Health Institute in Pueblo (CMHIP) also serves individuals committed by the State’s criminal justice system:
 - Evaluation of competency to stand trial
 - Restoration of competency to stand trial
 - Not guilty by reason of insanity
- Over the last decade, orders for inpatient evaluation and restoration have increased by 337 percent (from 82 to 354)
- Orders for inpatient restoration have increased by 145 percent (from 111 to 272)
- CMHIP inpatient restoration orders are projected to increase 18.9 percent by FY 15-16.
- 2012 federal lawsuit settlement – No patient may wait more than 28 days for admission to CMHIP for a competency evaluation or restoration
- Growth in demand for CMHIP forensic beds, and lawsuit settlement, has reduced availability of CMHIP civil beds for mental health center referrals.

- An average of 20-22 civil beds at CMHIP are used for forensic restoration or evaluation patients on any given day.

Expand Capacity with 20-bed Jail Based Restoration Unit in Denver Metropolitan Area

- In an effort to expand state hospital capacity, the Department submitted a \$2.1 million FY 13-14 budget request to open a contract-operated 20-bed jail-based restoration unit in the Denver metro area on September 1, 2013. The JBC voted on March 12th to fund the program.
- Adding the jail-based restoration forensic capacity will “free up” CMHIP civil beds used for forensic patients and increase access for community mental health center patients.
- The jail-based restoration program will serve inmates with court orders for inpatient restoration to competency from a nine county area, including Arapahoe, Adams, Broomfield, Douglas, Denver, Jefferson, Weld, Larimer, and Boulder counties.
- Vendor will be selected using a Request For Proposals process and awarded a five-year contract.

Jail-based Restoration Program Components

- Partnership between selected program provider, county sheriff’s departments, and Office of Behavioral Health.
- Program provides multidisciplinary treatment team (including psychiatry, social work, psychology); comprehensive assessments upon admission; and, individual and group treatment sessions with each inmate five days per week.
- Inmates not appropriate to be restored in jail will be transferred to CMHIP. No inmate will spend more than 60 days in the jail-based restoration program.
- Individuals requiring inpatient hospitalization will be served at CMHIP. The jail-based program will not serve inmates requiring involuntary medications or with serious co-occurring conditions, including developmental disabilities, traumatic brain injury, dementias.
- “Host” county jail is paid by the provider for housing, food, medications and related services. The Arapahoe County Sheriff’s Department has offered to host the program.
- The Colorado program is based on a similar program operating in San Bernardino, California. This 20-bed jail-based program is operated by Liberty Healthcare, Inc. in partnership with the San Bernardino County Sheriff’s Department and the California Department of State Hospitals.
- A report by the California Legislative Analyst’s Office concluded that the San Bernardino program;
 - initiated restoration treatment more quickly than the state hospital;
 - restored individuals in fewer number of days; and,
 - is effective as only two of the approximate 155 individuals restored by the program returned to an incompetent status prior to their court hearing.

Status of Bills of Interest to the MICJS Task Force, as of March 18, 2013

| BILL | SPONSOR | TOPIC | STATUS | Description |
|-------------|-------------------|---|---|---|
| SB 13-014 | Aguilar/Pettersen | Immunity for Admin Emer Drugs to Overdose Victims | House Health, Insurance, & Environment, 03/19 | Provides immunity from criminal and civil liability for a person other than a health care provider or a health care facility who acts in good faith to administer an opiate antagonist to another person who is believed to be suffering an opiate-related overdose. The bill also provides immunity from criminal and civil liability, and charges of unprofessional conduct, for licensed prescribers and dispensers of opiate antagonists, by licensing authorities for certain health professions based on good faith administration of an opiate antagonist. An opioid antagonist blocks the effects of prescription and illicit opioids. |
| SB 13-116 | Ulibarri/Lee | Psychologists Evaluate Defendant's Mental State | House 2nd Reading | Authorizes licensed psychologists who have a certification in forensic psychology to perform mental health evaluations to determine a criminal defendant's sanity or impaired mental condition if appointed by the courts. Under current law, psychologists may only be appointed to assist a psychiatrist in performing such evaluations. |
| SB 13-123 | Steadman/Levy | Collateral Consequences | Sen JUD | Under current law, records of certain drug convictions may be sealed under specific limitations. This bill extends the right to seal records of most other crimes. The bill states that a pardon issued by the Governor waives all of the collateral consequences of a criminal conviction unless such pardon limits the scope of the pardon. The Dept of Regulatory Agencies is required to include in any sunrise review of a profession or occupation a description of any anticipated disqualifications on an applicant for licensure, certification, relicensure, or recertification based on criminal history and how the disqualifications serve public safety or consumer protection interests. |
| SB 13-177 | Lambert/Gerou | Reduce Juvenile Detention Bed Cap | Awaiting Governor's Action | The bill, which is recommended by the JBC, reduces the bed cap for the Division of Youth Corrections in the Department of Human Services. Beginning on April 1, 2013, the bed cap is reduced from 422 to 382. The bed cap reduction is part of a larger set of changes that will reduce detention, commitment, and assessment capacity at the DYC. |

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|-----------|--------------------|--|-----------------------|--|
| SB 13-200 | Aguilar/Ferrandino | Expand Medicaid Eligibility | Senate Appropriations | <p>Expands Medicaid eligibility from 100 percent of the federal poverty level (FPL) to 133 percent for parents and caretaker relatives with dependent children (parents) and adults without dependent children (AWDC). It also allows the state's share of costs for these eligibility groups, up to 133 percent of FPL, to be paid with Hospital Provider Fee Cash Fund moneys.</p> <p>The bill also repeals provisions of current law that allow the state to reduce, by rule, eligibility or benefits for optional groups in the Medicaid or Children's Health Plan Plus (CHP+) programs if there are insufficient hospital provider fee cash funds and matching federal funds. Under current law, for parents, reductions are permitted for those with incomes of between 61 percent and 100 percent of FPL, and for AWDC, the state may reduce or eliminate the eligibility group entirely.</p> |
| SB 13-208 | Steadman/May | Limitations on Drug Paraphernalia Laws | Senate HHS | <p>The bill will allow persons participating in an approved syringe exchange program to be exempt from drug paraphernalia statutes.</p> |
| SB 13-210 | Giron/Duran | Corrections Officer Staffing Levels | Senate JUD, 04/01 | <p>Requires the DOC to annually report to the General Assembly regarding corrections officer staffing levels. The DOC is required to develop criteria for when a corrections officer is able to work a double shift. DOC must negotiate with its employees to establish work period and compensation practices. The Executive Director of the DOC is also required to establish a timekeeping payroll system and procedures for separation or demotion of employees due to lack of work, lack of funds, or department reorganization.</p> |
| SB 13-216 | Giron/Rosenthal | Corrections Youthful Offender System | Senate JUD, 04/01 | <p>Recreates and reenacts, with amendments, certain provisions relating to the sentencing of young adult offenders to the Youthful Offender System (YOS) in the DOC that were repealed on October 1, 2012. The provisions allow certain young adult offenders to be sentenced to the YOS. A "young adult offender" means a person who is at least 18 years of age but under 20 years of age at the time the crime is committed and under 21 years of age at the time of sentencing.</p> <p>On or before August 1, 2013, the DOC must implement policies pursuant to the federal Prison Rape Elimination Act. And on or before October 1, 2013, and on an annual basis thereafter, the DOC must report to the Judiciary Committees concerning the implementation of the new policies within the YOS.</p> |

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|------------|---------------------|--|----------------------------|--|
| HB 13-1015 | Kraft-Tharp/Kefalas | Disclose Mental Health Claims All-payer Database | Awaiting Governor's Action | Repeals the prohibition on disclosure of certain mental health information by small group carriers, thereby allowing the information to be reported to the all-payer health claims database. |
| HB 13-1038 | Rosenthal/Todd | Voting Rights Persons in Youth Corrections Custody | Awaiting Governor's Action | <p>For youths committed to a juvenile facility in the custody of the Division of Youth Corrections (DYC) in the Department of Human Services (DHS) who will be 18 years of age or older on the date of the next election, the bill, requires the facility administrator where the youths are confined to:</p> <ul style="list-style-type: none"> • facilitate voter registration and voting by youths; • provide information on voting rights and how to register to vote; • provide information on how youths may cast a mail or mail-in ballot; • distribute voter information materials to confined youths; and • ensure that any mail or mail-in ballots cast by youths are delivered in a timely manner to the designated election official. <p>The bill specifies that verification that a voter is committed to a juvenile facility and in the custody of the DYC is acceptable identification for voting purposes. The Secretary of State is required to inform county clerks and post information on the Secretary's and the DHS' websites on what type of verification is acceptable. Lastly, the bill exempts DYC facility administrators from any restrictions on the number of mail or mail-in ballots that an individual may deliver in person to the designated election official.</p> |
| HB 13-1065 | Stephens/Todd | Federal Professionals Mental Health Authority | Awaiting Governor's Action | Allows persons licensed in another state to treat persons with a mental illness at facilities operated in Colorado by certain federal agencies, including the armed forces, the U.S. Public Health Service, and the U.S. Department of Veterans Affairs |

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|------------|------------------|--|---|--|
| HB 13-1082 | Labuda/ | Expunging Juvenile Delinquency Records | Hou JUD, witness testimony taken, awaiting action | <p>Clarifies the procedure for petitioning the court for the expungement of juvenile delinquency records. It addresses, among other things, the proper timing for advisements of the right to petition for expungement and who may initiate expungement proceedings.</p> <p>Current law allows the court to expunge all juvenile records unless the juvenile has been convicted of or adjudicated for a new felony or misdemeanor since the juvenile was released from the court's jurisdiction or parole supervision for the original offense. This bill allows the court to expunge all records in a petitioner's case even if they have a new misdemeanor conviction, provided the new offense does not involve domestic violence, unlawful sexual behavior, or possession of a weapon. Juvenile arrest and criminal records are open to the public only for juveniles who were subject to a probation revocation petition for committing:</p> <ul style="list-style-type: none"> • the crime of possession of a handgun by a juvenile; • class 1 or class 2 felony offenses; or • crimes involving the use of a weapon. <p>Certain juvenile offenders who are not currently eligible to petition for expungement, namely any person adjudicated as an aggravated or violent juvenile offender, or any person who commits a crime of violence or an offense involving unlawful sexual behavior, are made eligible by the bill.</p> |
| HB 13-1127 | McNulty/Lundberg | Defendant Burden Not Guilty Reason by Insanity | Postponed indefinitely | <p>Requires a defendant to prove insanity by clear and convincing evidence. Under current law, when a defendant pleads not guilty by reason of insanity, the burden to prove sanity beyond a reasonable doubt is placed on the prosecution.</p> |

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|------------|------------------|--|----------------------|---|
| HB 13-1129 | Pettersen/Newell | Evidence-based Practices for Offender Services | House Appropriations | <p>Codifies the existing Evidence-Based Practices Implementation for Capacity (EPIC) Resource Center in the Department of Public Safety (DPS). The EPIC Center was developed in 2009 as an initiative of the Colorado Commission on Criminal and Juvenile Justice. It is funded with federal Justice Assistance Grant funds, set to expire on September 30, 2013. Staff of DPS, the Departments of Corrections (DOC), Human Services (DHS), and the Judicial Department will collaborate to offer education, skill-building, and other resources through the EPIC Center to individuals working with adult and juvenile offenders.</p> <p>A five-member EPIC Advisory Board (board) is created, consisting of staff from DPS, DOC, DHS, and the Judicial Department, and any additional members that may be appointed to fulfill the board's purpose. Members of the board are to serve without compensation or reimbursement for expenses. The board is required to meet at least four times annually through September 1, 2023, when it is scheduled for sunset review.</p> |
| HB 13-1148 | Foote/Roberts | Aggravating Sentence Enhancement Provisions | Hou JUD, 03/21 | <p>Makes changes to the sentencing of persons convicted of certain violent crimes by: repealing the extraordinary risk sentencing enhancer; reducing the mandatory sentence for certain crimes from the midpoint in the presumptive sentencing range to the minimum of the presumptive sentencing range; and increasing maximum sentences for class 3 through class 6 felonies.</p> |

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|------------|-------------------------|---|----------------------------|---|
| HB 13-1156 | Levy/Steadman | Adult Pretrial Diversion Program | House Appropriations | <p>Repeals the adult deferred prosecution option and replaces it with an adult diversion program. Any district attorney's office that accepts state funding to create or operate a diversion program pursuant to the bill must adhere to the provisions established by the bill. District attorney's offices that do not accept such funding are not bound by the provisions of the bill.</p> <p>Under the bill, a district attorney may suspend prosecution of an offense for up to two years either before or after charges are filed. The period of diversion may be extended for an additional year if failure to pay restitution is the only diversion condition that has not been fulfilled and the defendant has a future ability to pay. During the period of diversion, the defendant is subject to the supervisory conditions of the diversion agreement and may be supervised by the Probation Department of the Judicial Branch or by a diversion program approved by the district attorney.</p> <p>Pretrial diversion is governed by an individualized diversion agreement. The agreement may include a statement of facts the charge is based on, which is admissible in court if the defendant fails to complete his or her diversion agreement.</p> |
| HB 13-1210 | Kagan/Steadman | Right to Legal Counsel in Plea Negotiations | Hou JUD, 03/21 | Repeals a statute that requires an indigent person charged with a misdemeanor, petty offense, or motor vehicle or traffic offense to meet with the prosecuting attorney before legal counsel is appointed. |
| HB 13-1229 | Fields & McCann/Carroll | Background Checks for Gun Transfers | Awaiting Governor's Action | Expands situations in which background checks are required prior to the transfer of a firearm and changes the process for reporting and updating the records on which background checks are based. The bill also creates a judicial process for petitioning for relief from federal firearms prohibitions pursuant to the federal National Instant Criminal Background Check System (NICS) Improvement Amendments Act of 2007. |

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|------------|------------------------|---|----------------------|--|
| HB 13-1230 | Williams, Pabon/Guzman | Compensation for Persons Wrongly Incarcerated | House Appropriations | <p>Creates a state compensation program for persons who are found factually innocent of felony crimes after serving time in jail, prison, or juvenile placement.</p> <p>To become eligible for state funds, the exonerated person, or his or her immediate family members, must submit a petition and supporting documentation to the district court in the county that heard the original case. The Attorney General and district attorney may concur or contest the petition. If contested, the district court may order for evidence to be retested and is authorized to consider new evidence, whether or not it was part of the original trial. If a petition is contested, the burden to prove innocence is upon the petitioner.</p> |
| HB 13-1242 | Pettersen/None | Repeal Mandatory Sentence Bail Condition | Hou JUD, 03/26 | <p>Under current law, if a person fails to appear for court or knowingly violates the conditions of the bail bond, they are required to be incarcerated and are not eligible for probation or a suspended sentence. If the person was on bail for a felony offense, failure to appear or knowingly violating the conditions of the bail bond is a class 6 felony and requires a minimum of one year to be served consecutively to any other sentence. If the person was on bail for a misdemeanor offense, failure to appear or knowingly violating the conditions of the bail bond is a class 3 misdemeanor and requires a minimum of six months to be served consecutively to any other sentence. This bill, recommended by the Colorado Commission on Criminal and Juvenile Justice, repeals the mandatory sentencing provisions for these crimes, but leaves the existing sentencing ranges.</p> |
| HB 13-1251 | Pabon/Morse | DNA Collection Misdemeanor Convictions | Hou JUD | <p>Under current law, only an offender convicted of a misdemeanor involving unlawful sexual conduct must provide a DNA sample for inclusion in the DNA database at the Colorado Bureau of Investigation. The bill would require collection of a DNA sample from all persons convicted of a class 1, 2, or 3 misdemeanor.</p> |
| HB 13-1254 | Lee/Newell | Restorative Justice | Hou JUD, 03/26 | <p>Under current law, restorative justice victim-offender conferences must be initiated by the victim. The bill modifies the requirement of victim initiation in some instances to permit district attorney or offender initiation. There is a restorative justice coordinating council established in the state court administrator's office; the bill adds: a member of the Parole Board; a representative from the DOC; a representative from a statewide organization representing victims; and a restorative justice practitioner.</p> |

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|------------|--------------------------------|---|-----------------|--|
| HB 13-1261 | Garcia & Dore/None | Use of the Fort Lyon Correctional Facility Prop | Hou Local Gov't | Designates a portion of the Fort Lyon property, which was the site of a former state correctional facility, as a transitional residential community for the homeless to provide substance abuse supportive services, medical care, job training, and skill development for the residents. For this purpose, the Division of Housing in the Department of Local Affairs is required to provide for the maintenance and operation of the Fort Lyon property and to enter into a contract with a private contractor to establish the residential community. |
| HB 13-1264 | Levy & Melton/Guzman & Carroll | Repeal of the Death Penalty | Hou JUD, 03/19 | Repeals the death penalty as a sentencing option for class 1 felony offenses committed on or after July 1, 2013, and makes conforming amendments. |

Colorado Problem Solving Courts



- ADULT DRUG COURT
- MENTAL HEALTH COURT
- JUVENILE DRUG COURT
- DUI COURTS
- VETERANS/TRAUMA COURT
- FAMILY/D&N COURT
- JUVENILE MENTAL HEALTH
- HYBRID COURTS



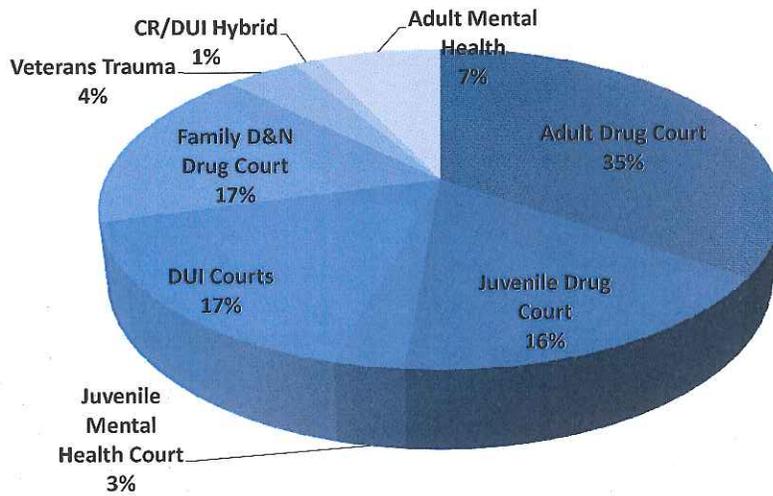
Problem Solving Court State Profile

- ◎ **73 Operational Problem Solving Courts**
- ◎ **8 Problem Solving Courts in Planning**
- ◎ **Now serving over 3,000 Defendants/Clients**
- ◎ **Most Commonly used drugs prior to program entrance:
Alcohol, Marijuana, Amphetamines and Cocaine with heroine
and prescription drug use growing**

2/19/2013



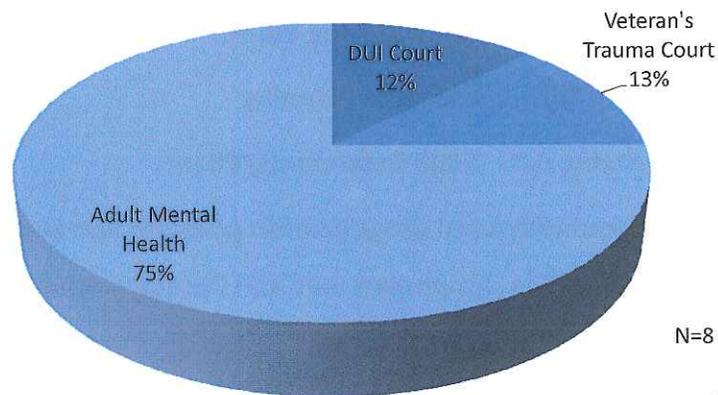
Operational Problem Solving Courts In Colorado



2/19/2013



Problem Solving Courts in Planning



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2/19/2013



Mental Health Courts

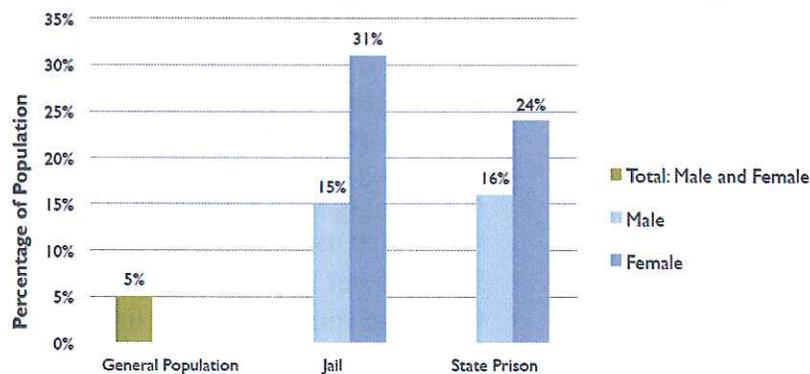
- What are Mental Health Courts?
 - A “Mental Health Court” is a program based in a court room and led by a judge that brings together members of the criminal justice system and the behavioral health system, among others, to work with individuals with mental illnesses who face criminal charges.

- Why a Mental Health Court?
 - Over representation in jails and prisons
 - Poor Performance under correctional supervision
 - Those with a mental health diagnosis tend to stay incarcerated for longer periods of time compared to other similar individuals with similar charges
 - Higher risk for committing new crimes



Mental Illness in Detention

Serious Mental Disorders among Offenders and the General Population



Sources: General Population (Kessler et al., 1996), Jail (Steadman et al., 2009), Prison (Ditton 1999)



The Essential Elements

- 1 Planning and Administration
- 2 Target Population
- 3 Timely Participant Identification & Linkage to Services
- 4 Terms of Participation
- 5 Informed Choice
- 6 Treatment Supports & Services
- 7 Confidentiality
- 8 Court Team
- 9 Monitoring Adherence to Court Requirements
- 10 Sustainability

The Council of State Governments Justice Center worked with leaders in the field to identify the common characteristics shared by mental health courts and how they can be achieved. These common characteristics are articulated in the *Ten Essential Elements*.



Research on MHC's



- Fewer bookings into jail
- Greater number of treatment episodes
- Greater number of treatment services
- Significantly less likely to incur new charges or be arrested
- Improved their independent functioning and decreased their substance use
- Spent fewer days in jail
- Reported more favorable interactions with the Judge and feeling like they were treated with greater fairness



How the Legislature Can Help

- Seek expert knowledge from task force in area of mental health and the criminal justice system
- Understand where Mental Health Courts fit into the system
- Promote community awareness and education around mental health issues to reduce the stigma and normalize mental health needs

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