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BOARD OF COUNTY COMMISSIONERS
STRATEGIC PRIORITIES

**EQUITY &
JUSTICE**

Priorities Progress Update - Jan 2019 - Mar 2022



BOULDER COUNTY

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BOULDER COUNTY

BACKGROUND



In 2016, the Board of County Commissioners commissioned a study to determine causes and potential remedies for the unmanageable growth of the jail population. Crime had steadily decreased in Boulder County since 1985, but the incarceration rate had nearly tripled, growing faster than both Colorado and the nation. Boulder County still has a relatively low incarceration rate compared to national and state averages, and Boulder County has seen an increase in individuals with high-risk criminal behaviors entering the justice system. The onset of COVID resulted in a dramatic decrease in the jail population to reduce the threat of transmission, and stakeholders are tracking to see what long term impacts this will have.

The study identified that policy and practice changes – not solely changes in criminal activity – were influencing the increased incarceration rate and the jail's overcrowding problem.

The study made recommendations that fell into four main categories: **coordinate the efforts across the county addressing the justice involved population, provide high fidelity evidence-based practices that are proven to reduce recidivism, decrease the use of the jail and other justice system interventions for those struggling with behavioral health disorders, and evaluate interventions to determine effectiveness.** Boulder County is fortunate to have the necessary support from system partners as well as county leadership to tackle these reform practices and will work alongside partners in the Criminal Justice Management Board to implement reforms and ensure public safety.

Ultimately, with the proper implementation of these objectives, especially in light of the construction of the 2018 voter-approved alternative sentencing facility, the county will see a reduction in recidivism as well as reduced costs associated with this population, allowing configuration of the jail to address high risk criminal justice involved people, and diverting low-risk justice involved individuals to appropriate services and programs.



INTRODUCTION



In May 2018, in response to requests from employees and partners to understand the BOCC's priorities and goals, and to help better identify and support key initiatives across the county the BOCC - in collaboration with Boulder County's key leadership - implemented a process to define the Board of County Commissioners' five-year strategic priorities.

The five priority areas identified align with existing programs and projects within departments, work that has been developed using community input and feedback via the Boulder County Comprehensive Plan, Regional Affordable Housing Plan, Public Health Improvement Process, Transportation Master Plan, Parks & Open Space Vision2020, and Sustainability Plan among other planning efforts.

Equity can be defined as all people having full and equal access to the opportunities they need to survive or succeed.

The Boulder County Commissioners have identified equity both as one of the five priority areas and as a guiding principle for implementing each of the priorities over the next five years. Included in this Equity & Justice priority area are three high level goals:

- Implement the Boulder County's Cultural Responsiveness and Inclusion Roadmap.
- Implement criminal justice reform actions alongside other partners in the criminal justice system.
- Improve access to mental health services.

For the purpose of this report, we will be focusing on the high level goal of "Implement criminal justice reform actions alongside other partners in the criminal justice system."

GOAL 2

EQUITY AND JUSTICE

Implement criminal justice reform best practices to decrease recidivism and crime, diverting people with low criminal justice involvement risk to appropriate programming and utilizing incarceration for people with high criminal justice risk to ensure public safety.

Collaboration of committed stakeholders that span across the system is essential in pursuing this goal. Stakeholders engaged in this effort include:

Law Enforcement

Boulder County Sheriff's Office (BCSO) and the Boulder County Jail

Community Justice Services (CJS), a division of the Community Services Department

District Attorney

Public Defender

Private Defense Bar

20th Judicial District Bench

20th Judicial District Probation

Together members of this group comprise the Criminal Justice Management Board (CJMB). A Collaborative Management Memorandum of Understanding was executed by CJMB in 2018. There is much work happening by elected officials and across these agencies. This report will focus on the programming that is overseen by the Board of County Commissioners and specifically by Community Justice Services. The work of CJS in this area could not be achieved without the tremendous support, collaboration and guidance of our critical criminal justice partners.

First Appearance Center Courtroom F

Arraignment Room
This way to meet with
the DDA



Community Justice
Services



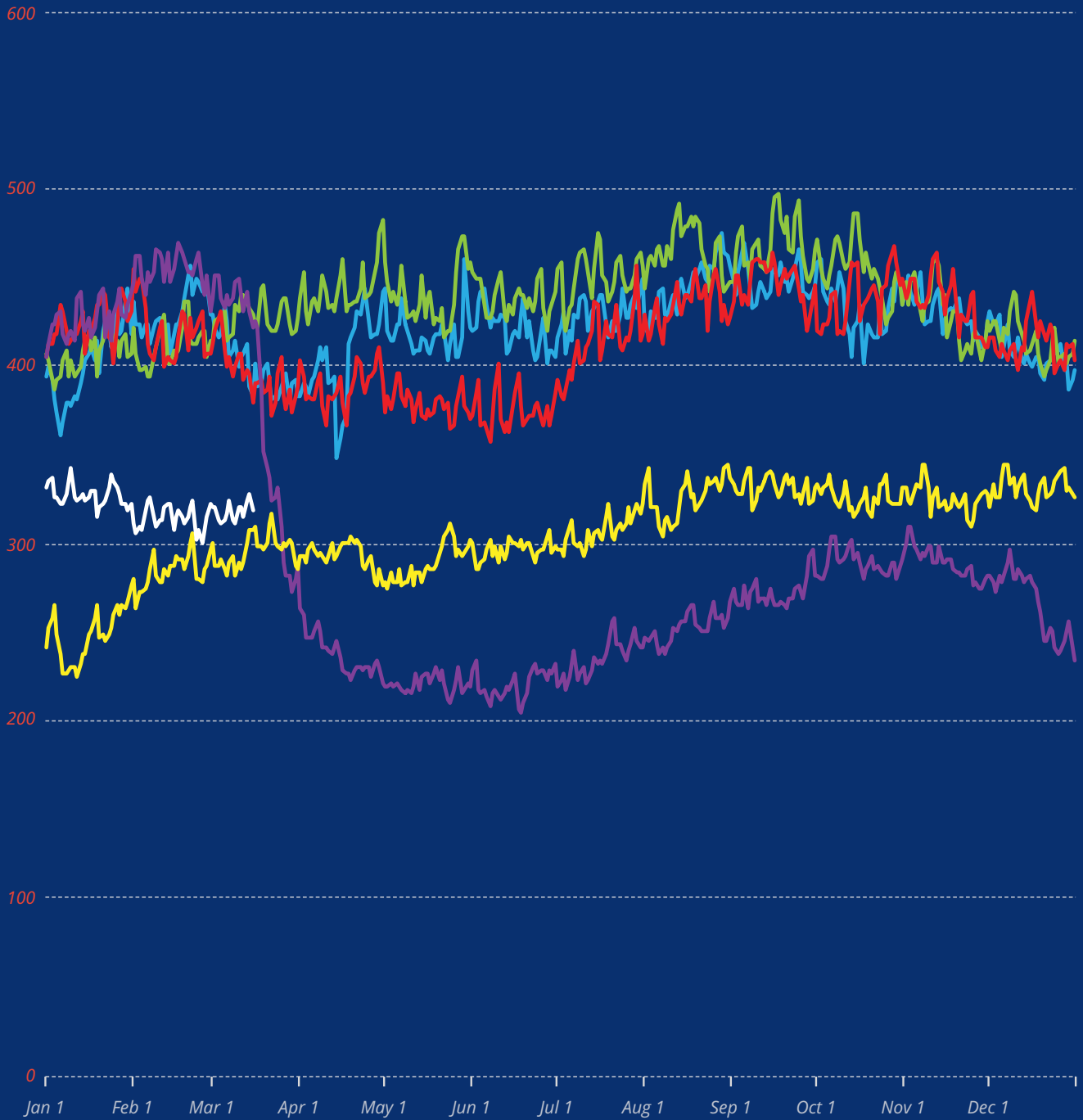
OBJECTIVE 2A

Focus Boulder County funding in criminal justice services on reducing recidivism through data-driven decision making, fidelity monitoring, and financial accountability.

DATA DRIVEN DECISION-MAKING

- CJS has partnered with the BCSO to graph jail population and spearhead development of a data dashboard that incorporates jail and case management data for real-time analysis and data-informed decision making.
- An Annual Report provides descriptions and data for all CJS programming.¹
- Through funding from the BOCC, CJS has hired a Research Analyst/Data Technician to increase reporting and data visualization capacity to allow for more comprehensive analysis of trends and recidivism outcomes.
- In collaboration with the DCJ Office of Research and Statistics, CJS has conducted an analysis of disparities by race and ethnicity in the 20th Judicial District.
- In collaboration with the BCSO and the District Attorney's Office, CJS has produced an analysis of the impact of COVID on justice system trends that inform recommendations that both increase public safety and maximize the use of taxpayer dollars.

BOULDER COUNTY JAIL DAILY POPULATION BY YEAR



In 2020, through systemwide efforts, the jail population was reduced significantly in order to address the threat of COVID spread to jail staff and inmates.



FIDELITY MONITORING

Monitoring fidelity is key to understanding if evidence-based programs are being delivered as prescribed and if they are working. When fidelity is achieved, evaluations that measure the effect of specific practices, treatments, decisions, and/or placements as they are applied to targeted groups should yield desired outcome results. Progress:

- CJS hired the county-funded Strategic Implementation Manager to work across programming with emphasis on behavioral health services.
- System partners have implemented jail-to-community skills groups that allow individuals to start in jail and continue upon release in one of several community settings. A data sharing agreement was executed to allow continuity of care. Because of the innovative nature of this approach, fidelity measures have been developed and the partnership is defining baselines for each to track participant progress.
- The forthcoming Alternative Sentencing Facility will bring programming, including Community Corrections, under the County's management which will allow for more direct fidelity monitoring and quality assurance. The ASF will have a robust training plan with value added by the Implementation Specialist. Training will be provided to all ASF staff interacting with clients to ensure the highest level of practices to reduce recidivism upon release.
- A recent audit of the Restoring Our Communities Program (ROC) for multiple DUI offenders produced extremely positive results. The audit found that ROC's treatment plans are related to excellent assessments that are updated frequently, and that program is sound and a model for other treatment agencies.

FINANCIAL ACCOUNTABILITY

- CJS serves as a subject matter expert in making recommendations to the BOCC for resource allocation and serves as a stakeholder partner with CJMB to collaboratively support and assist research, establish funding priorities and support decision making at key decision points in the criminal justice system.
- Contracts in the justice system realm that CS/CJS holds include: Adult Integrated Treatment Court (Mental Health Partners and Probation); Mental Health Diversion Program (HHS); PACE (Probation). Additionally, grant funding for Jail behavioral Health programs, medically assisted treatment, and state funding to support incompetent to proceed pretrial cases, have all have been maintained or increased. There is active work between CJS and MHP to align programming vision tied to contracts.
- To date Community Justice Services manages contracts where county dollars are spent towards supporting criminal justice programs in the amount of \$790,000. This allows CJS to flexibly adapt county funding to strategic priorities that meet the Commissioners goals and to report on outcomes from how taxpayer money is spent.

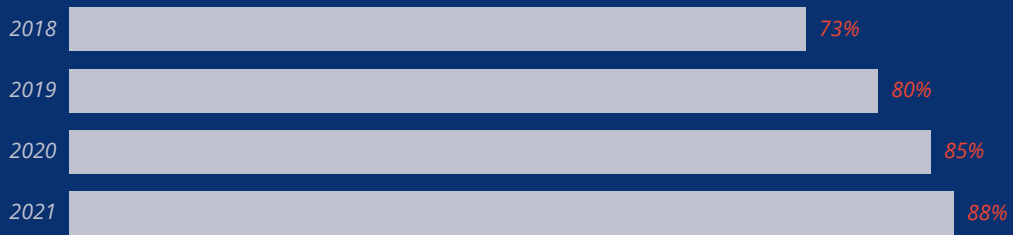


OBJECTIVE 2B

Implement best, risk-based practices in sentencing and criminal justice programming to ensure long-term public safety.

- CJS facilitates system-wide pretrial reform efforts by regularly convening partner agencies to make risk-informed decisions supporting public safety and least restrictive conditions of release. Boulder County is part of a national movement to shift from a money-based pretrial system which disproportionally penalizes people of low income, to an intentional, risk-based system. Under a money-based system, low risk defendants may remain in custody due to inability to pay bail, while high risk defendants with financial means can be released awaiting trial. CJS provides risk assessment information to aid release decision-making by the courts, supporting an increase in non-monetary Personal Recognizance (PR) bonds for low-risk individuals and utilizing incarceration for people with high criminal justice risk.
- CJS has worked tirelessly to identify and implement programs that both support public safety while making accessible free supportive services to clients released. When low risk pretrial individuals have violations, a recommendation is made to the court to refer to treatment services rather than revoke bond. (See descriptions of behavioral health programming later in this document.)
- UNC Researchers have collaborated with statewide partners to re-validate the Colorado Pretrial Risk Assessment Tool. CJS participated in data collection to inform the analysis. Risk factors to be included in the revised tool were analyzed by race/ethnicity, gender, and homelessness to reduce bias and create the most predictive and equitable tool possible.
- In 2020 Community Corrections implemented a structured decision making tool to evaluate risk in case consideration.
- The Alternative Sentencing Facility will provide sentencing options that reduce the use of jail beds for individuals with low to moderate risk and enhance programs for stabilizing residents who are re-entering the community.

PR BOND RATE FOR LOW RISK INDIVIDUALS



PUBLIC SAFETY RATES FOR LOW RISK INDIVIDUALS RELEASED ON PR BONDS



Low risk as defined by the Colorado Pretrial Assessment Tool; Public safety rate is the proportion of defendants with no new charges in Colorado during the pretrial period.

RESOURCE ENGAGEMENT/PROBATION NAVIGATOR

“*Juan is on both probation and parole having served a 7+ year sentence in Department of Corrections related to previous gang involvement and a domestic violence-related charge in Boulder.*”

When he was referred to the Resource Engagement program, Juan was couch-surfing and struggling to find work due to his significant background and his extensive tattoos, including face and eye tattoos. The team supported Juan in his job search and connected with his probation officer about an upcoming solar energy job training in Boulder County with an organization focused on equity. Juan registered for the training and excelled. His performance was so good the organization chose to keep him on as an intern and advocate with employers across the Denver metro to give him a chance, despite his background. They found a willing employer. Juan now makes >\$20 hourly. He is renting a home in Longmont, and he is in full compliance with probation including perfect attendance for his appointments.



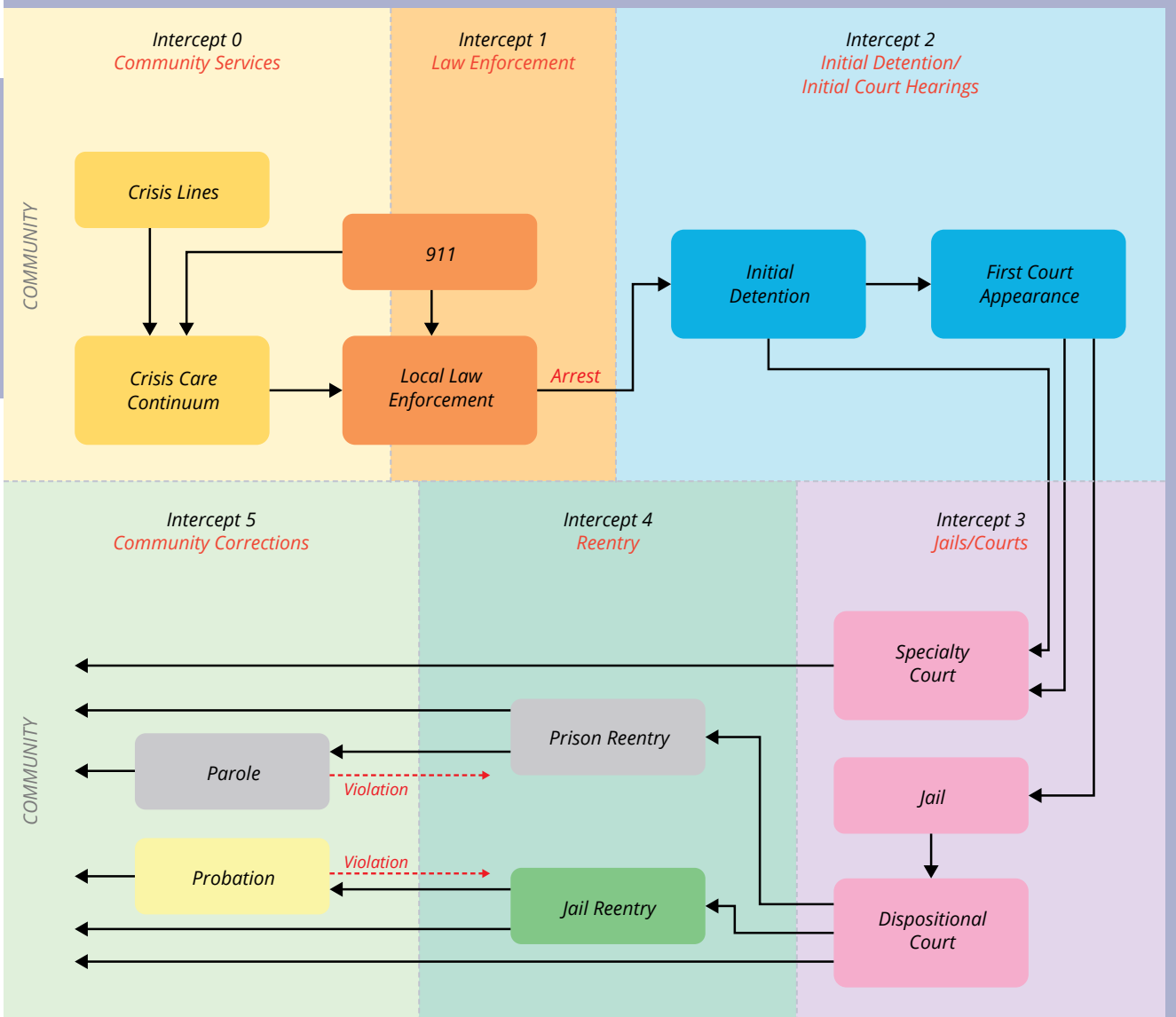
OBJECTIVE

2C

Support behavioral health and criminogenic programming by diverting low-risk justice-involved clients with behavioral health needs from the criminal justice system, utilizing jail beds for high-risk offenders, and providing appropriate criminogenic programming for moderate-to-high risk justice-involved clients.

SEQUENTIAL INTERCEPT MODEL

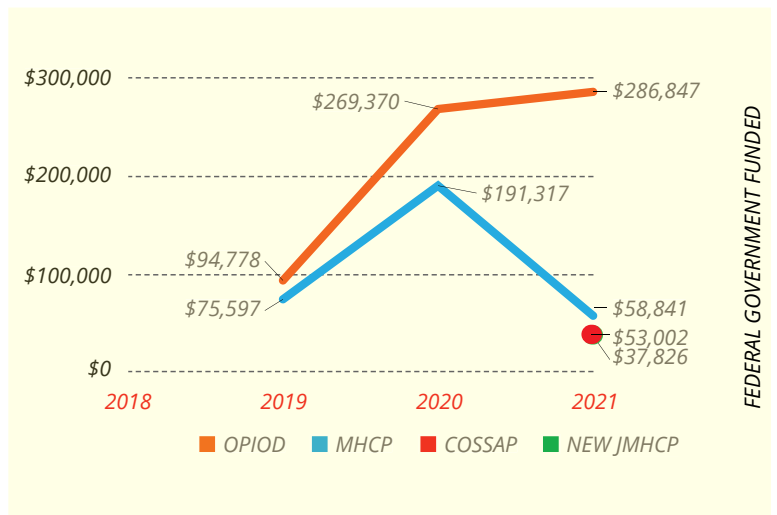
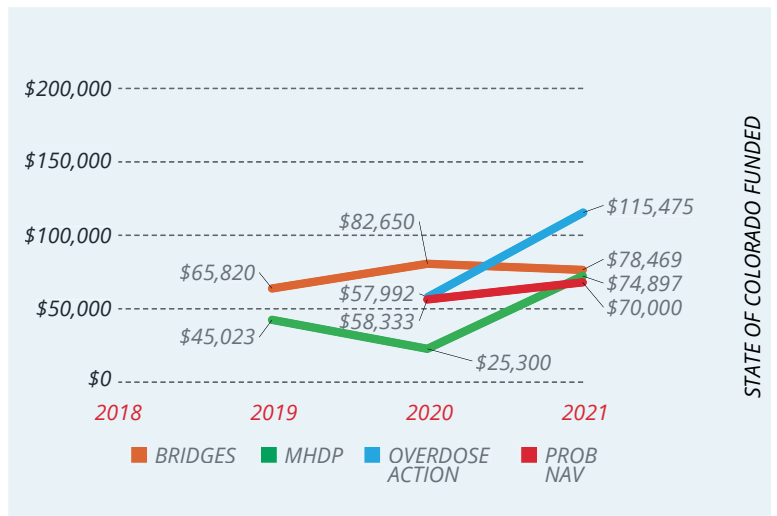
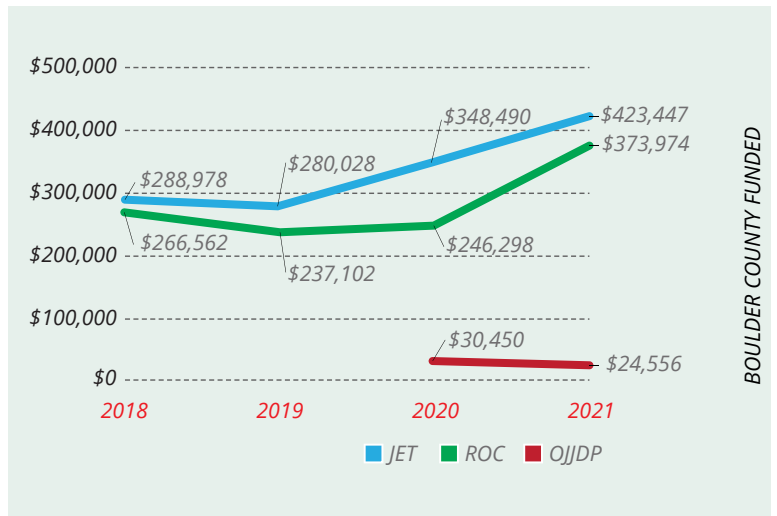
The Sequential Intercept Model² was developed by the Substance Abuse and Mental Health Services Administration. The model clarifies six points at which standard processing of crimes can be intervened with community-based actions, so that individuals with mental and psychiatric disorders would not have to further penetrate the criminal justice system. Clients can be diverted from the criminal justice system at any point along the Sequential Intercept continuum. Emphasis is on supporting clients in a way that promotes stability and community safety.

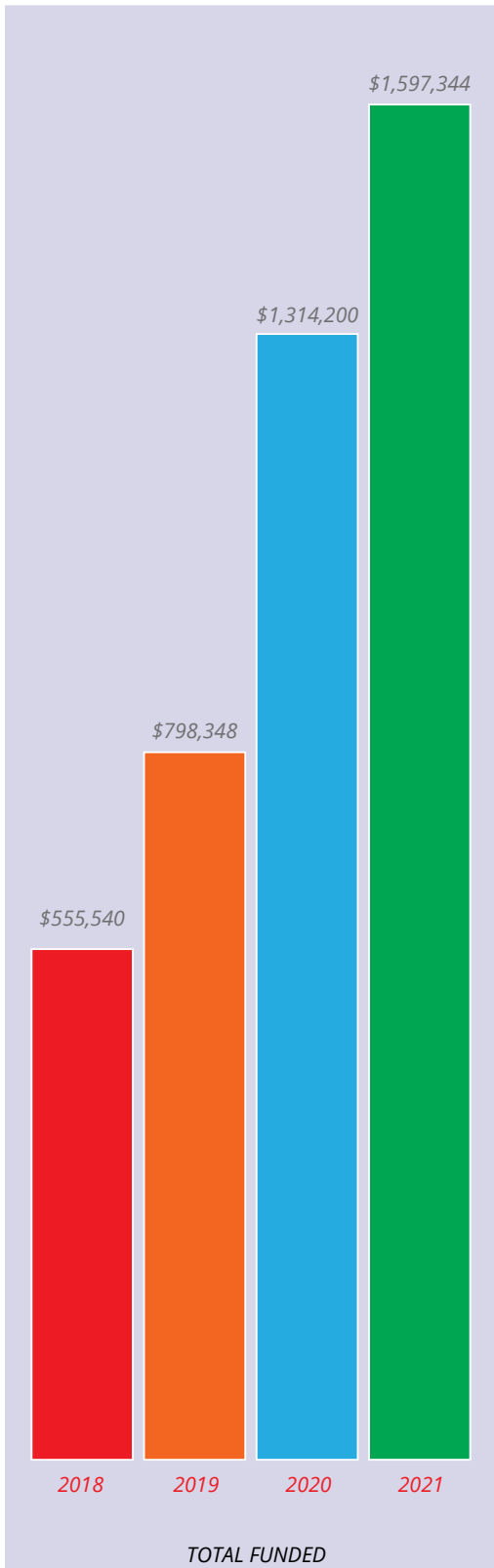


BEHAVIORAL HEALTH PROGRAMMING

In 2020 CJS was awarded three Bureau of Justice Assistance federal grants with additional funding from the State of Colorado to positively impact availability and quality of rehabilitative services for the justice-involved population.

The increase in program funding over the last five years, as indicated in the charts, is a direct demonstration of the expansion of behavioral health services to the criminal justice population in Boulder County. The intensive effort for program development in this area has been strategic and demonstrates the commitment that Boulder County has to more effectively meeting the needs of our community.





"BHAP has been a stepping stone for me. It's been a great resource so far, we're still kind of getting to where I need to be, where I want to be. But it has added a pep to my step."

Christina G., BHAP participant



"BHAP is helping me, along with a couple of other agencies, to be able to get housing, and helping me get out and stay out."

Mike L., BHAP participant

BEHAVIORAL HEALTH TEAM

CJS facilitates system-wide planning for individuals both in and out of jail. Grant and county-funded resources support specialized behavioral health assistance in the criminal justice system when a lack of treatment support has increased clients' involvement in the legal system:

Behavioral Health Assistance Program (BHAP)

198 *referrals for support*

492 *case mgmt. meetings*

BHAP provides justice-involved individuals with mental health or substance related needs a connection to behavioral health treatment and stabilizing resources in the community upon jail re-entry.

Bridges Court Liaison Program

189 *clients referred by court*

Bridges Court Liaison Program provides individuals in the competency process with the highest mental health needs a connection to behavioral health treatment and stabilizing resources in the community.

Comprehensive Opioid Abuse Program (COAP)

126 *clients served*

2,131 *client contacts individual & groups*

57% *successful discharge of clients across intercepts 3 and 4*

96% *of clients reported receiving services and support needed to stay on track after release*

COAP supports incarcerated individuals who struggle with opioid addiction. Support includes safe withdrawal, medically-assisted treatment, recovery support, and re-entry services for a safe transition to the community. As grants expire, CJS will be collaborating with the Boulder County Sheriff's Office to sustain the program moving forward.

BEHAVIORAL HEALTH ASSISTANCE PROGRAM

“

In 2021 BHAP began working with a 27-year-old man. He was born into homelessness in Boulder County, was a high system utilizer, and had a history of unsuccessful attempts with probation.

While working with him, his BHAP case manager noticed he struggled to comprehend information and began to pursue doctor appointments to assess his cognitive abilities. It took many months finding Medicaid providers who could complete the required assessments and appointments. His BHAP case manager navigated the complex system of disability benefits while simultaneously initiating connection to probation, mental health and physical health services, basic needs, and coordinated entry so that he could stay at the homeless shelter. His case manager-maintained communication with his public defender so that he was successful in completing his open court cases. After nearly a year of case management and coordination between prosecutor, defense, and judicial this client was released to BHAP to be transported to his new host home where he will, for the first time in his life, have permanent and supportive housing



ALTERNATIVE SENTENCING FACILITY

The ASF will centralize existing alternative sentencing options offered to Boulder County residents involved in the criminal justice system. Under county supervision and management, the facility will support better access and coordination of programs and services to those re-entering the community on an alternative sentence.

The voter-approved Alternative Sentencing Facility (ASF) will provide a dignified, therapeutic, living environment for up to 252 residents and will also offer an array of rehabilitative programs designed to treat individual criminogenic risk factors and support efforts toward a successful re-entry into society.

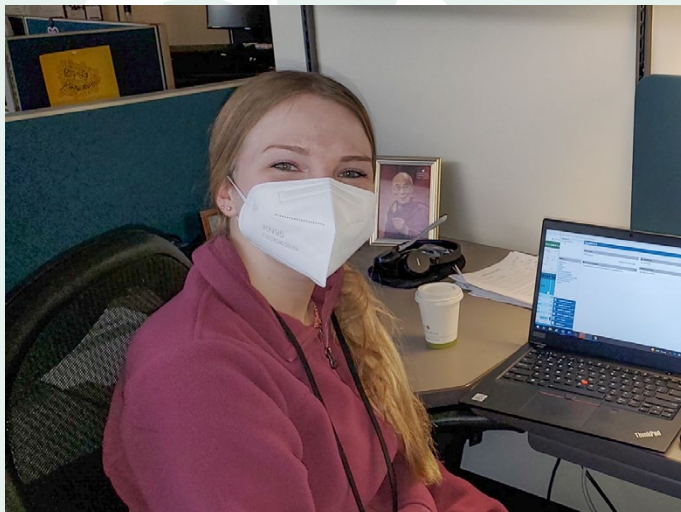
Following the passage of the ballot initiative, Community Justice Services received dollars to support and ASF Planning Manager who has been working collaboratively with Building Services in 2020 and 2021 to develop and implement a cutting edge facility providing the highest standard of care and ensuring public safety. The ASF building design has passed the first phase of site review with the City of Boulder and is poised for groundbreaking in Q4 of 2022. The construction phase will span 18 months with completion expected in Q1 2024.





Artist Rendering of the Alternative Sentencing Facility

OUR SPECIAL THANKS TO THE BOULDER COUNTY COMMISSIONERS FOR THEIR CONTINUED FUNDING AND SUPPORT OF THE COMMUNITY JUSTICE SERVICES DIVISION.



BOULDER
County

