



Board Summary Report

File #: 24-714

Agenda Date: 12/16/2024

Agenda #:

To: Board of County Commissioners

Through: Katherine Smith, Director, Community Resources

Prepared By:

Katherine Smith, Director, Community Resources

Presenter: Katherine Smith, Director, Community Resources

Subject:

2:15 PM *Community Corrections Update

Purpose and Request:

The purpose of this study session is to request approval from the Board of County Commissioners (BoCC) to enter into an Intergovernmental Agreement (IGA) with the new 23rd Judicial District, which outlines the process for community corrections referrals to the 18th Judicial District Community Corrections Board.

Background and Discussion: Community corrections plays a vital role in diverting individuals from prison and assisting people in transitioning from the Department of Corrections back to the community. There are three community corrections programs that serve the 18th Judicial District (Arapahoe, Douglas, Elbert and Lincoln counties), all located in and contracting with Arapahoe County. The Arapahoe County Community Corrections Board (ACCCB) is responsible for approving or denying individuals referred for placement in community corrections in the 18th Judicial District (JD). Judicial Services staff process referrals for the ACCCB and provides oversight for the community corrections programs.

Effective January 7, 2025, Douglas, Elbert and Lincoln counties will move from the 18th JD to a newly created 23rd JD. The 23rd JD is in the process of establishing a community corrections board but does not have a community corrections program. It is unknown as to when or if the 23rd JD will establish a community corrections program. It is anticipated that the 23rd JD will look to Arapahoe County to serve much of its community corrections needs.

Over the past three fiscal years (July 1 to June 30), the ACCCB has received an average of 159 referrals annually from what will be the 23rd JD. 90% of those are Douglas County cases. During this same timeframe the ACCCB has received 45 referrals from other jurisdictions throughout the state. Out of county referrals are most often received when an individual is convicted of a crime in another jurisdiction but has close ties to the 18th JD. Approximately 29% of the current community corrections diversion population was sentenced from what will be the 23rd JD (26% Douglas, 3% Elbert, 1% Lincoln).

The funding for community corrections placements and board administration is provided by the Colorado Division of Criminal Justice (DCJ). Judicial Services has been informed that DCJ will be allocating funds to the 23rd JD beginning January 2025 to pay for community corrections placements and community corrections board administrative functions.

Per direction from the BOCC on November 19, 2024, Judicial Services, in coordination with the County Attorney's office, drafted an Intergovernmental Agreement (IGA) that will allow referrals and placements from the 23rd JD for a period of one (1) year from the date of execution of the IGA. The proposed IGA would also allow for 23rd JD clients placed in Arapahoe County programs on or before the expiration date to remain in the program until completion. In addition, the IGA included financial reimbursement from the 23rd JD community corrections board for staff time spent training the 23rd judicial staff on the required referral paperwork that must be completed, creation of the process to meet the 18th judicial board's needs, and performing auditing functions on 23rd JD cases.

Douglas County has accepted the proposed IGA and has agreed to re-evaluate this agreement at the end of the agreement period. Arapahoe County Judicial Services will track all referrals during this time and will compile data around cases, placements, and outcomes over the agreement period. This data will be brought back to the BOCC for consideration of any future partnership and agreement in this area beyond 2025.

Fiscal Impact: This agreement will provide the calculated fiscal support from the 23rd judicial district to meet the ACCCB's needs for the 2025 year. The 23rd judicial district will also be funding bed placements with our providers, ensuring fiscal stability for them through 2025.

Alternatives: The BOCC can chose not to enter into this IGA and determine another specified course of action for handling any referrals from the 23rd JD into the 18th judicial programs.

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service

Be community focused

Staff Recommendation: Staff is recommending that the BOCC approve the IGA and re-evaluate this agreement and partnership for the future in 2025.

Concurrence: County Attorney's office