

**Pueblo Law Enforcement Assisted Diversion - LEAD
Key Stakeholder Policy Committee Meeting (KSPC)
April 18, 2019 ▪ 3:00pm – 4:00pm
Pueblo County Emergency Services Bureau, Leide DeFusco Room
101 W 10th Street, Pueblo CO 81003**

The LEAD Key Stakeholder Policy Committee (KSPC) meeting was called to order at 3:06 PM on April 18, 2019.

In attendance:

Board of County Commissioners	Garrison Ortiz
10 th Judicial District Attorney's Office	Tony Marzavas, Joseph Tolman
Pueblo County Sheriff's Office	Kirk Taylor, David Lucero
Pueblo Police Department	Troy Davenport, Chris Noeller
Pueblo County Community Corrections	Brian Gomez
Pueblo Department of Public Health & Environment	Randy Evetts
Pueblo Department of Human Services	Lee Hodge
Colorado Public Defender's Office - Pueblo	Albie Singleton
Crossroads' Turning Points, Inc.	Rob Archuleta
Community Member	Shaun Gogarty
Project Manager	Christine Zeitvogel
Pueblo County Attorney	Gavin Wolny

Absent:

Community Member	Eileen Dennis
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Approval of the Agenda

Ms. Zeitvogel presented the meeting agenda for approval.

Mr. Lucero moved to approve the agenda; seconded by Dr. Gogarty.

The motion passed unanimously.

Approval of the Minutes

Ms. Zeitvogel presented the minutes from the January 17, 2019 meeting for approval.

Commissioner Ortiz moved to approve the minutes from the January 17, 2019 KSPC meeting; seconded by Chief Davenport.

The motion passed unanimously.

Executive Session

Ms. Zeitvogel requested that the KSPC go into Executive Session for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. § 24-6-402 (4) (b).

Commissioner Ortiz moved to go into Executive Session for the reasons listed on the Agenda; seconded by Chief Davenport.

The motion passed unanimously.

The KSPC moved into Executive Session at 3:09 PM.

The KSPC returned from Executive Session at 3:13 PM to continue the meeting.

Consideration of applications for the position of Community Representative

Kathy Cline, the Executive Director of the Pueblo Rescue Mission applied for the position of Community Representative vacated by Dr. Nerenberg.

Sheriff Taylor moved that the KSPC recommend that the Board of County Commissioners appoint Ms. Cline to fill the vacant position; seconded by Mr. Hodge.

The motion passed unanimously with Commissioner Ortiz abstaining.

Policy review regarding eligibility without prior criminal charges

Ms. Zeitvogel informed the committee that the state RFA includes a statement that all eligible participants “have been repeatedly involved with law enforcement.” That requirement is not included in the Pueblo LEAD policy. Two clients with no documented prior contact with law enforcement have been enrolled, and Emily Richardson at OBH wanted this brought to the committee’s attention for discussion.

Because LEAD is intended to address the revolving door of incarceration, release, and re-incarceration common among substance users, Ms. Zeitvogel asked the committee if they wanted to change the policy to add a requirement for documented prior contact with law enforcement. The committee discussed the issue and chose not to create more barriers to treat and serve, noting that some contacts with law enforcement are not documented. The committee prefers to prevent people from ever entering the criminal justice system and asked why we would want to wait for an individual to have numerous contacts with law enforcement.

The committee declined to change the policy.

LEAD Community Forum with Drug Policy Alliance and OBH

The LEAD Community Forum with the Drug Policy Alliance and OBH will take place on May 18, 2019 from 1:30 PM to 3:00 PM in the large community room at the Lucero Library at 1315 E. 7th Street. The draft agenda was distributed. Dr. Gogarty recommended Brian Brewer from Colorado Health Network Access Point to present *Harm Reduction 101*. Ms. Zeitvogel requested representatives for the LEAD panel and hopes to have a LEAD participant willing to present.

Presentation and discussion of the Quarterly Report to be submitted to OBH

Ms. Zeitvogel presented the quarterly report covering 1/1/19 to 3/31/19.

Arrest Diversions: In the first quarter of 2019, 2 individuals were diverted to LEAD, compared to 4 individuals in the fourth quarter of 2018. The Police Department and Sheriff’s Office each made one diversion. As of 3/31/19, all 6 arrest diversions are actively involved with LEAD and none have picked up new charges. 1 client’s probation was revoked, and the case managers will attend the client’s court appearances for support on 4/18/19 and 4/19/19. They have scheduled a visit with the client in jail on 4/22/19.

Social Contact Referrals: There were 8 social contact referrals in this reporting period of which 6 were approved for enrollment and 3 were ultimately enrolled. The breakdown of social contact referrals is as follows:

- 1 enrolled while in jail and disappeared shortly after release.
- 2 were in jail awaiting intake (enrolled after the reporting period).
- 3 were approved for intake but could not be reached (counted as declining LEAD).
- 2 were ineligible: 1 for criminal history and 1 was out of area and had a no-contact order for an existing LEAD client (counted as declined by LEAD).

Since LEAD launched, we have received 23 social contact referrals: 2 from the Sheriff's Office, 15 from the Police Department, 3 referred by self, family or another agency through the Operational Work Group, and 3 referred through the original case management outreach. 4 social contact referrals remain active as of 3/31/19 including 1 of the 3 referrals from the original case management outreach.

Progress: Project progress includes hiring 2 new access specialists to complete the case management team, which has continued to forge strong ties with law enforcement. The presence of the case management team at court and in the jail has improved relations with public defenders, probation officers, jail staff, the department of human services, and judges. Enrollment has been slow but steady and we receive fewer ineligible referrals.

Challenges: Without a warm handoff for social contact referrals, we continue to struggle connecting with homeless referrals when there is not a good telephone number or address. This frustrates LEAD staff and law enforcement. We have begun receiving social contact referrals for individuals incarcerated at the Pueblo jail (for example when officers arrest good LEAD candidates on warrants) and have found that scheduling intake meetings in the jail is slow and inefficient. We are addressing this with the jail staff. Finally, we lost one hotel contract due to client behaviors.

Services Provided to Clients: This quarter, clients have received temporary housing, medical care, mental health care, medication assisted treatment, psychological counseling, and clothing vouchers.

Discussion

There was a discussion following the quarterly report.

Regarding enrollment numbers, the goal is to have 200 pre-booking contacts and 30 social contacts resulting in a minimum of 100 participants. To date, we have made 7 pre-booking contacts (6 enrolled) and 23 social contacts (8 enrolled). The ratio of diversions to social contacts is likely to be the reverse of the ratio stipulated in the grant application. This issue that has been identified and discussed in previous meetings, and OBH has encouraged us to focus on enrolling the right people instead of enrollment numbers.

It was noted that there are not many victimless crimes, so many people are not eligible for pre-booking diversion. The group discussed the possibility of taking social referrals from the jail in the future. Mr. Marzavas stated that individuals must have already been sentenced. Sheriff Taylor stated that a person with a misdemeanor plea could serve their time and come into LEAD

as a social referral, however the group recognizes that the grant cannot be modified to refer jailed clients into LEAD at this time.

Mr. Singleton discussed the faster process in district court vs misdemeanor where court dates are pushed out about a month. Generally, fast-track agreements are resolving pretty fast, and the agreements reached are usually probation or jail with no other conditions. He noted that district judges are very interested in getting clients into the re-entry program at the jail.

Mr. Singleton reported that his office has 108 DF4 clients where possession is the top charge. Some have other charges as well, for example a DUI, resisting or other lower charges.

Mr. Singleton believes jail inmates are a great population to target. When thinking about the revolving door, motor vehicle theft and DF4 are the least likely to show up to court after they get PR bond. These 2 groups have the highest rate of Failure to Appear. When incarcerated, everyone already has a bead on them, they are in Pueblo County Jail, they have been pled and sentenced, and the question is: can we bring them into LEAD? They didn't work out on probation. They may only have one count and may not have a lot of ties to the community – we have a lot of people from Colorado Springs in Pueblo now. Mr. Singleton is supportive of getting this population into LEAD upon release from the jail.

Mr. Marzavas pointed out that car thefts are at the heart of this program stating that these people are not stealing cars to cut them up and make money. Mr. Singleton clarified that these are the cars that potential LEAD clients are driving.

Law enforcement supports LEAD, but there is not a big pool of appropriate people and law enforcement does not have the manpower to send officers out specifically looking for LEAD referrals. Law enforcement typically visits homeless camps with a different focus. This is the first full summer for the LEAD program, and perhaps we will see an increase in numbers resulting from visits to homeless camps. One law enforcement officer who was initially hostile to LEAD took the initiative to invite the case management team to accompany him on visits to the homeless encampments along the Fountain Creek. Mr. Noeller and Chief Davenport estimated that at least 80% of the homeless abuse substances, and that when alcohol is included, the rate approaches 100%. Law enforcement driven LEAD outreach has not yet occurred, but it is of note that if larger numbers of homeless clients are accepted into LEAD, housing them will be a challenge.

Sheriff Taylor stated that the jail is getting ready to launch their medically assisted treatment (MAT). Dr. Gogarty asked about transitioning MAT clients into LEAD because they generally need a lot of services.

LEAD was originally created to address Seattle's problems which are different from Pueblo's. Consequently, the Seattle model is not ideal for Pueblo. Commissioner Ortiz asked Ms. Zeitvogel to prepare a list of changes to tailor the program to address Pueblo's situation and problems and draft a letter to OBH for the next KSPC meeting outlining the structural changes required to tailor the LEAD program for Pueblo. Whether the state grants the request or not, we will know the changes necessary for LEAD to better serve our community.

Dr. Gogarty noted that this project has brought everybody together and everyone is trying to solve the problem. He further stated that we cannot get more people into the program by beating the officers; the people are in the jail. Mr. Singleton stated that when Sheriff Taylor has identified 43 females in the jail who would be well suited to the program, and enrollment in LEAD can keep them away from DHS, prevent pregnancy and additional drug cases, enrolling them is the goal regardless of whether they enter the program through an arrest diversion or the jail. These are the people we want to enroll in the program.

Commissioner Ortiz stated that he believes the criteria did not limit the enrollment as much as the parameters of the grant. Mr. Ortiz asked Mr. Archuleta to provide outcome data for the next KSPC meeting.

Next Meeting

The next meeting is scheduled for Thursday, July 18, 2019, 3:00 PM – 4:00 PM in the Leide DeFusco Room, Pueblo County Emergency Services Bureau, 101 West 10th Street, Pueblo.

Adjournment

The meeting was adjourned 4:06 PM.

Respectfully submitted,

Christine Zeitvogel, LEAD Project Manager