

**Pueblo Law Enforcement Assisted Diversion - LEAD  
Key Stakeholder Policy Committee Meeting (KSPC)  
January 17, 2019 ▪ 3:00pm – 4:00pm  
Pueblo County Emergency Services Bureau, Leide DeFusco Room  
101 West 10<sup>th</sup> Street, Pueblo CO 81003**

The LEAD Key Stakeholder Policy Committee (KSPC) meeting was called to order at 3:04 PM on January 17, 2019.

In attendance:

Board of County Commissioners	Garrison Ortiz
10 <sup>th</sup> Judicial District Attorney's Office	Jeff Chostner
Pueblo County Sheriff's Office	David Lucero
Pueblo Police Department	Troy Davenport
Pueblo County Community Corrections	Brian Gomez
Pueblo Department of Public Health & Environment	Lynn Procell
Crossroads' Turning Points, Inc.	Rob Archuleta, Charles Davis
Community Member	Eileen Dennis
Community Member	Shaun Gogarty
Community Member	Mike Nerenberg
Project Manager	Christine Zeitvogel
Pueblo County Attorney	Sarah Long

Absent:

Colorado Public Defender's Office - Pueblo  
Pueblo Department of Human Services

**Approval of Agenda**

Ms. Zeitvogel presented the meeting agenda for approval.

Commissioner Ortiz moved to approve the agenda; seconded by DA Chostner.

*The motion passed unanimously.*

**Approval of Minutes**

Mr. Gomez moved to approve the minutes from the October 25, 2018 KSPC meeting; seconded by Commissioner Ortiz.

*The motion passed unanimously.*

**Executive Session**

County Attorney Sarah Long requested that the Key Stakeholder Policy Committee 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; Mr. Lucero seconded the motion.

*The motion passed unanimously.*

The KSPC moved into Executive Session at 3:08 PM.

The KSPC returned from Executive Session at 3:22 PM to continue the meeting.

Ms. Long advised that the KSPC cannot consider any study or disclosure of data regarding the Pueblo LEAD pilot program under the contract obligations with the State of Colorado and because of protections pursuant to 42 CFR Part 2 Confidentiality of Substance Use Disorder Patient Records.

### **Public Comment**

A ten-minute public comment period was included in the meeting.

Commissioner Ortiz stated that the intent was to hear the request from Southern Colorado Harm Reduction Association (SCHRA) about a grant from the Drug Policy Alliance (DPA) and to vote on that grant as a committee, however, the county attorney's office has researched the issue and briefed the Board of County Commissioners and KSPC on the legal reasons the committee cannot consider allowing research on the LEAD project. As a result, the KSPC will not vote on the grant.

Dr. Nerenberg asked if there would be any study other than the state's data collection as he would like to study participants vs nonparticipants and see if there is a difference in health-related outcomes. Ms. Long stated that there is specific language in the contract that would prevent providing data to anyone who wanted to study LEAD. The facts of the request would have to be reviewed.

Art Way, State Director of the Drug Policy Alliance (DPA) in Colorado, made the following statement:

“DPA worked with the former governor's office and the joint budget committee to establish the revenue stream for the four LEAD pilot programs. That was probably two to three years ago. So, I'm not sure how the grant we gave to SCHRA has caused a firewall to be put up when it comes to data. I don't think that the specific grant requirements ask for data from this committee. You know, I think we can use public data. But it's still frustrating, I have to admit, that all of a sudden there's a firewall put up when you all hear about a grant that we've given to SCHRA. To be honest with you all, harm reduction is a big part of our work. We are funders. And I just want to keep them alive and keep them going given the great work that they do when it comes to syringe access and so on and so forth. And the special opportunities grant was just a way to get them under our grantee umbrella, to develop a relationship with our advocacy and grants program. You all seem to take this almost as some type of threat to this LEAD Stakeholder process, which I don't think it is. It's just a general grant to provide what we would consider community organizing around the LEAD process and to watchdog the process, but the goal was not to try to shut it down or to discourage or disparage what's going on here. But I'm happy to answer any further questions about the grant. I would like to see the specific language that you referenced when it comes to this language within the proposal that prevents data from being shared with community members.” Ms. Long stated that the language is part of the state contract and any request for the contract would need to go through the typical CORA request. Mr. Way continued, “I mainly just came to say I hope things are going well. I hope things get better. I would like to see and learn about whether or not there's been contracts with any other local

community groups or even state groups regarding the wrap around services that LEAD is ideally supposed to provide. A true LEAD program is supposed to be about wrap around services, mental health, help for those experiencing homeless. It's not simply a drug treatment program. So, you know, I'm curious if you all have contracted with anybody other than Crossroads' to provide these wrap around services. Or can Crossroads' show that they've contracted with other folks to provide these wraparound services. Ideally, LEAD is supposed to build a harm reduction infrastructure and not simply bolster an existing drug treatment program. So, other than that, I'm glad you all are taking on this effort. Given our experience and history with the program, we kind of consider these four LEAD pilots kind of like our babies and, you know, I'm here to offer technical assistance if needed and hope everything goes well. But I would love to get information from you around the firewall when it comes to data and, I think, as not a member of the Pueblo community but a member of the Colorado community interested in harm reduction and providing an alternative to deal with drug dependency and other mental health issues, I would love to get some information about what is going on down here when it comes to increasing the wrap around services and contracting with folks to help with that specific issue."

Ms. Zeitvogel offered to meet with Mr. Way to give him information on community partners, and Rob Archuleta stated that LEAD case manager, Troy Ard, has the list of community organizations Crossroads' has either contracted with or obtained letters of intent from.

Mr. Way made an additional statement: "You know, Denver's not even up and running yet. So, in many ways you guys are ahead of other folks. So, you know, we hope to see this succeed but, at the same time, we want to ensure that the harm reduction fidelity that LEAD is supposed to provide is maintained throughout the four jurisdictions. And happy to work with you all moving forward as the first measurement period comes to an end." Ms. Zeitvogel confirmed that all four Colorado sites will conclude in June 2020.

There were no further questions or comments during the public comment period.

### **Role of the KSPC and Communication Guidelines**

Ms. Zeitvogel stated that the KSPC's role is to develop detailed criteria and protocols that support smooth implementation of the LEAD project. Operational oversight falls to the law enforcement and District Attorney's representatives at the operational work group, Rob Archuleta as the director of the case management group, and the Ms. Zeitvogel as the project manager. Concerns about the implementation of the policy should be sent to Ms. Zeitvogel. The committee was asked to assume the best intentions for all involved. Ms. Zeitvogel will investigate all allegations and report back findings if requested.

Dr. Nerenberg stated he has sent information-only emails including one to the entire group to point out that sometimes perception is different than intent. For example, if a probation officer makes a suggestion, the client may hear it as a command. Commissioner Ortiz clarified that concerns should be sent to Ms. Zeitvogel and not the entire committee. He further stated that if concerns are not adequately addressed the item can be added to the agenda and discussed in the next KSPC meeting. Rob Archuleta stated that concerns with case management can be brought directly to him.

Any member of the KSPC may ask Ms. Zeitvogel to add items of concern to the agenda.

Ms. Dennis spoke in support of having one person conduct investigations and report back to the committee. Ms. Zeitvogel stated that a special meeting will be called if deemed necessary. Ms. Long stated that any KSPC member may contact the county attorney directly regarding legal questions regarding LEAD and that Ms. Zeitvogel must still follow the open meeting posting requirements when calling special meetings. Open meeting requirements must be followed even if the meeting will be an executive session; this informs the public that something was discussed.

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

Ms. Zeitvogel presented the quarterly report from 10/1/18 to 12/31/18. Five individuals have been diverted to the program, although one was not eligible upon review. Twelve social contact referrals have also been received from law enforcement. One was active at the end of the reporting period, two could not be contacted, four declined participation, and four were ineligible. The remaining social contact referral was referred in 2018 but enrolled in 2019. Of the 3 original social contact referrals, one remained active as of 12/31/18 and one was moved to inactive on 12/17/18. Project progress includes the hiring of a LEAD attorney in November, development of collaborative relationships with probation and social services, and broad law enforcement support as demonstrated by the receipt of referrals and diversions from 16 different officers. Client progress includes re-establishing relationships with families, regaining custody of children, and feeling secure enough with the case management team to ask them to attend court. Some of the challenges of the project include the large amount of time required by certain clients, the inability to establish initial contact with some social referrals, false statements made by clients to other agencies, and some clients trying to avoid engagement. Services provided to clients include temporary housing, mental health care, substance use treatment, medication assisted treatment, detox, psychological counseling, financial coaching, and clothing vouchers.

There was a brief discussion following the quarterly report. Mr. Archuleta spoke about obtaining LEAD-only gift cards from Loaf 'n Jug to allow clients to purchase specific items including food, gloves, hats, gasoline, and telephone minutes. These gift cards will not be used as incentives but rather in lieu of cash when clients need something. DA Chostner discussed the possibility of expanding the LEAD program at the end of the grant period to serve clients coming from the jail. Mr. Archuleta mentioned that probation would also like to refer clients who are successful in all aspects of probation except sobriety. Dr. Gogarty spoke about efforts to provide medication assisted treatment in the Pueblo County jail, especially for the non-sentenced population who receive no such services. Commissioner Ortiz asked that the group discuss how the Pueblo LEAD model compares to other LEAD programs (in-state and out of state) from a process standpoint at a future meeting.

### **Next Meeting**

The next meeting is scheduled for Thursday, April 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 at 4:09 PM.

Respectfully submitted,

Christine Zeitvogel, LEAD Project Manager