

Colorado Justice Report

Founded in 1999, CCJRC is a network of organizations, faith communities, and individuals working to reverse the trend of mass incarceration in Colorado.
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Launch of *Take Care Health Matters* Website

Justice involved people have a right to health care. As most of you know, CCJRC has been working for over a year with our partners at the Colorado Center on Law and Policy (CCLP) on our health care access campaign. The passage of the Affordable Care Act (ACA), also known as Obamacare, creates groundbreaking opportunities for most justice involved people and we are working to make sure folks are aware of these new options. We have been convening a stakeholder group consisting of health care providers, community members, and criminal justice entities helping to build a bridge between these systems. We have provided trainings to over 300 individuals in a variety of systems and settings to help people better understand and navigate this new world of health care reform. The goal of our work is to take advantage of the opportunities that the ACA presents to increase health care access for justice involved people and to reduce the role of the criminal justice system in controlling access to substance abuse treatment. We believe that the ACA can allow justice involved people to be healthy and get treatment in the community, not through the criminal justice system.

We believe the ACA is a game changer. An estimated 70% - 90% of justice involved people in Colorado are currently uninsured. Colorado expanded Medicaid and chose to run our own state health insurance marketplace, Connect for Health Colorado. This means that justice involved people now have multiple avenues to sign up for and get enrolled in health insurance which will allow them better access to services and treatment in the community. We know this is going to be new for many folks who may have never had health insurance or received mental health or addiction disorder services outside of the criminal justice system. We want to make sure we are maximizing this opportunity and taking full advantage of the possibilities it offers. Your health should be one less thing to worry about.

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A Family Affair

In the early months of the year 2000, I was sitting in a cell in Canon City women's prison reading a letter I had received from Social Services that instructed me to write a goodbye letter to my children. My parental rights had been terminated and Social Services determined that that's what the children needed to be able to get on with their lives. I didn't know if my children were safe, if they were happy, if they were abused, sick, or even where they were. I couldn't write that letter. I was told I would never see my children again. My experience was not unlike millions of other families who had been devastated by parental incarceration.

Justice Strategies is a national research organization that focuses on reforming policies and practices that drive mass incarceration and they estimate that more than half of people in U.S. prisons were parents of one or more minor children. This represents an 80 percent increase since 1991. Data compiled by Bureau of Justice statistics shows the problem of racial disparity in the criminal justice system which is also reflected among the children of those incarcerated parents.

Recently, the United Nations Committee on the Elimination of Racial Discrimination (CERD) was asked to make recommendations to the US government about what they should do to address the psychological, emotional and physical needs of children who face parental incarceration. Little attention has ever been focused on reducing the impact of parental incarceration on children. In August, Justice Strategies was given the opportunity to present at the United Nations in Geneva. They put forth recommendations that centered on requiring family impact statements in court, repealing mandatory minimums sentencing and increasing sentencing options when children will be impacted by a parent's incarceration.

It wasn't necessary to put me in prison in 1997. It was just the automatic thing for the system to do. My children were taken from me and put into foster care with strangers because I had no immediate family in Colorado that could take them. My son Dalton was four and my daughter Ashleigh was seven. The last time I spoke with Ash and Dalton was on July 17, 1997.

Family Affair Continued on Page 2

We are very excited to announce the launch of the Take Care Health Matters website (www.takecarehealthmatters.org) as this is a key component of our health care access campaign. We are hopeful this website serves as a resource to help improve the health and lives of justice involved people.

Specifically the website serves as a tool for justice involved people, health care providers, criminal justice entities, and community members.

Resources you'll find on the website include:

- Video stories from both justice involved people and criminal justice staff sharing the importance of health care
- A research library highlighting the significance and impact the ACA can have on justice involved people
- Resources for justice involved people on who to contact to enroll in and access health care services, including behavioral health.
- Recorded webinars for health care, criminal justice, and community members
- A professional guide geared towards health care, criminal justice, and community members to establish relationships and connect with one another
- How to find a health care provider

Our next step in our health care access campaign is to create print materials to share with justice involved people to educate and empower folks to better access and utilize health care services. We would also love to hear from you! As part of our ongoing work, hearing what is and isn't working in the field is extremely helpful for our advocacy and policy efforts. Are people able to easily get enrolled? Are there barriers or issues in finding a doctor? What about issues getting substance use disorder treatment? Are you having to pay too much for medications? You can share your stories by writing us or by visiting our website www.takecarehealthmatters.org and click on the Tell Your Story form.

Now it's your time. Your turn. Your health. We are extremely appreciative for those of you who contributed to us to make this website possible. Obamacare holds the promise to promote alternatives to the overuse of the criminal justice system. Providing health care services, especially behavioral health care services, to justice involved people has not only been shown to reduce recidivism, but improve their health and lives. The ACA provides an opportunity to treat mental health and addiction disorders as a public health issue, not a criminal issue. This shift in treating these disorders as a public health issue provides us an opportunity to seriously look at shifting the punitive drug policies that our country has been engaged in for 100 years. While the ACA offers new strategies to reform the criminal justice system, we know there are challenges and gaps in health care services, particularly for mental health and substance abuse treatment. Health care reform is not the silver bullet that will end mass incarceration. We know that there are systemic barriers that may hinder justice involved people in accessing care. We know that many justice involved people may not trust working with the health care system. These barriers and issues are real and must be acknowledged, but they are not insurmountable and they can be addressed.

Again, we encourage you to check out our website (www.takecarehealthmatters.org), share your story, and keep us posted of your experience with Obamacare. We appreciate your continued support as we work to end mass incarceration and promote health care as a human right. Health care can support the path to positive change.

They put both of my kids up for adoption after a few months the foster parents said, "We'll keep the boy but the girl is too much of a problem" and my children were split up. Ashleigh did not want to be adopted and she kept telling people, "My mother will be back to get me." Ashleigh was put through a total of 23 foster homes and a maze of psychotropic medications.

After I was released from prison, I worked hard to get my life back and I successfully completed everything that was asked of me. I continued to contact Social Services for some sort of word on my children and one day I got a call and they asked me if I wanted Ash back. They couldn't find a permanent placement for her and after some rigorous examination of my current situation they allowed her to come home.

After Dalton was adopted we weren't allowed to have contact with him but when my son turned 18 and graduated from high school he called me and asked if he could come home. On July 17, 2012 he did. The trauma that my children endured is incalculable and we continue to heal from the issues that were created and that damage that was done.

Part of working through the personal issues that surrounded my family is by publicly speaking about what happened and how it affected each of us. My son Dalton is a poet and songwriter and I asked him to write a piece about what his experience after my incarceration was like for him. He presented his beautifully written poem at an event in 2013.

In the summer of 2014, quite by accident, I won the opportunity to take a class that was being held at Denver Open Media on Digital Storytelling. I asked my son if I could film him performing his poem and he agreed. We sent it out to all our members so that they could vote on it for the Denver Open Media contest. (You can find it here <https://www.denveropenmedia.org/shows/floorboards-colorado-criminal-justice-reform-coalition> if you would like to see it.) We won that contest but a few days later we were given something far more important.

During this same time, and hot on the heels of their presentation to the United Nations, Justice Strategies was planning to launch their new blog "Children of Incarcerated Parents" at both a congressional hearing in Washington D.C. and a presentation to the United States Sentencing Commission. The United Nations committee had agreed with the recommendations that Justice Strategies had presented and formally endorsed them and sent them to the Sentencing Commission. Judy Greene, the executive director of Justice Strategies is a supporter of CCJRC. She had received the video made by my son, and when she saw it she called us and invited me and my son to speak at the Congressional hearing in Washington on the impact of parental incarceration on children. Really? We accepted the invitation and one week later my son Dalton and I were in Washington D.C. to present our story.

If you would have told me back in 2000 when I was sitting on my bunk in a cell in a women's prison that 13 years later I would tell my story to policy makers and legislators in our nation's Capitol with my son by my side, I never would have believed you. When I walked down the hall of Rayburn House Office Building to the Congressional hearing room I realized that I had been so worried about Dalton and how he was going to handle all of this that I hadn't really thought about myself until I heard my steps echoing off the walls of that long hallway.



The 2014 Voices for Justice annual event was a huge success! Thank you to all our volunteers, the committee, sponsors, attendees and honoree for making this an unforgettable event!

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Family Matters continued from page 2

I had prepared a statement but I wasn't ready for the enormity of the emotion that washed over me of what I was about to do. I sat with a panel of experts looking out at a sea of faces that I didn't know. There's a fine line between coward and hero and I sat on that line at that exact moment. I thought of everything awful that could happen and then the voice in my head said, "it doesn't matter, this is your opportunity to tell them your story and hopefully help change the future for others. It's what you have waited to do for thirteen years." So with a lump in my throat and shaking hands I took my turn at the podium and with no idea of how I would be received, I started to speak, and I told them my truth about policies, family, pain and devotion. And they listened.

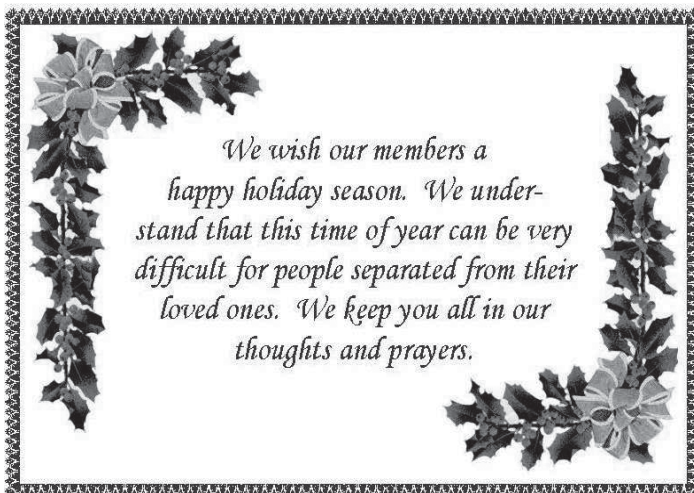
All I could think about afterwards while I watched my son bring that same audience to tears and then to their feet in a standing ovation was that, if we work hard enough, and we support one another, anyone can make a difference. The consequences of parental incarceration and the impact on our children is a very real travesty. It is the most devastating unintentional consequence and the one that is often the most overlooked. In Colorado alone, 18,000 children wake up every morning with a parent in prison. I don't know how this has affected all of them. I do know how deeply it affected the ones in my life.

I didn't need to go in prison. What I needed was to get help and treatment. I needed community support services and the opportunity to utilize alternatives to incarceration that would have allowed me to deal with the mental health and substance abuse issues that I was going through. That would have allowed me to get my life back on track and raise my children in a healthy environment without the disruption, chaos and trauma they endured.

CCJRC has successfully worked for alternatives to incarceration, sentencing and parole reform and expanding treatment funding. This means that there are more parents at home raising their children. Recently CCJRC supported legislation that addressed the issue of children languishing in foster care being reunited with their parents who have had their rights terminated after their parents had dealt with their personal issues. Something has to change. We need to push for family impact statements to be introduced prior to sentencing so that the needs of the children and families are taken into account. There are many alternatives to incarceration that must be explored. Real community based alternatives that solve real problems in real people's lives. We believe that being a part of a family matters and that these relationships need to be treated like the precious things that they are and by working together we can bring this issue to forefront and make sure it gets the attention it has long deserved.

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Ankeney et. al. v, Raemish – Case summary and update.

The Colorado Supreme Court is reviewing the case, Ankeney v. Raemisch, which challenges how the DOC has calculated good time and earned time for people sentenced to prison.

Originally, Ankeney filed a lawsuit in the District Court and lost. He appealed to the Court of Appeals and won and was released from prison. The DOC is now appealing the Court of Appeals decision to the Supreme Court.

Oral arguments were heard in the Supreme Court on December 9, 2014 and the Court will render a decision in the next few months. If the Court sides with Ankeney then many people will be affected in the Department of Corrections. If Ankeney loses, everyone maintains status quo at DOC for now. There is also a federal case that has been filed on the same issue.

The federal case will not move forward until the Colorado Supreme Court case until it has been decided. We will keep you updated.

Count me in! I want to support CCJRC and help to reduce the trend of mass incarceration in Colorado. Enclosed is my tax-deductible contribution!
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