

Intensive Supervision Program - Inmate (ISP-I)

• AUTHORITY

- A. C.R.S. 17-27.5-101. Authority to establish intensive supervision programs for parolees and community corrections offenders.
- B. C.R.S. 17-27.5-102. Minimum standards and criteria for the operation of intensive supervision programs
- C. C.R.S. 18-1.3-301. Authority to place offenders in community corrections programs.
- D. Senate Bill 20-085, Concerning a requirement that a sex offender being placed in a community corrections program meet certain requirements for a sex offender being released on parole.

• ELIGIBILITY

INTENSIVE SUPERVISION PROGRAM REFERRAL EXCLUSION CRITERIA			
Offenders greater than 9 months out to PED Offenders with felony warrant/detainer/pending charges Offenders with ICE detainer/notification Offenders with misdemeanor detainer for consecutive jail sentence/community correction sentences Offenders currently in DOC (from another state) under the ICC compact. Offenders sentenced pursuant to the "Colorado Sex Offender Lifetime Supervision Act of 1998", who have NOT successfully progressed in the treatment required by section 16-11.7-105.			
CRITERIA SPECIFIC TO DIRECT FROM A CDC FACILITY TO ISP-I			
Offender Type (initial referral unless otherwise designated)	Referral Time Frame	Specific Eligibility Criteria	Placement time frames
Offenders (per AR 600-01) with extraditable misdemeanor detainers 18-1.3-301	Ineligible until issue is resolved.		6 months prior to PED once resolved
Offenders (per AR 600-01) with misdemeanor detainers for concurrent jail sentences 18-1.3-301	After serving jail time AND 9 months prior to PED		6 months prior to PED
Offenders (per AR 600-01) with concurrent probation/community corrections sentences 18-1.3-301	9 months prior to PED		6 months prior to PED
Violent offenders per 18-1.3-406, serving sentence for a class 1 or 2 felony, excluding escape, and whose parole hearing has been deferred at least 36 months 18-1.3-301	6 months prior to next parole board hearing		Not earlier than 6 months prior to parole hearing date
Inmate re-referral	6 months following closing/denial of previous community or ISP-I referral.	Progress with 2 or more goals and objectives in CTAP, At least 180 days to MRD/SDD.	6 months prior to PED
Regressed community inmate	Completion of minimum of 3 months in DOC facility	Progress with 2 or more goals and objectives in CTAP	6 months prior to PED
Revoked parole	Completion of minimum of 6 months in a DOC facility	Progress with 2 or more goals and objectives in CTAP	6 months prior to PED
Convicted of a COPD I Code of Penal Discipline conviction	18-months from hearing date		6 months prior to PED
Convicted of a COPD II Code of Penal Discipline conviction	12-months from hearing date		6 months prior to PED

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A. Eligibility Criteria: Identification and referral of a **residential** inmate housed in a community corrections program. **[5-ACI-5F-02]**

1. A residential inmate who has not yet been paroled may be placed in the Intensive Supervision Program-Inmate (ISP-I) and is subject to the Code of Penal Discipline.
2. A residential inmate must be within 180 days to their parole eligibility date (PED).
3. To be considered for ISP-I plan development and investigation to the appropriate community corrections board, the residential inmate will have successfully attained Level 3 or the equivalent of the Community Correction Progression Matrix and achieved stabilization.
4. To be considered for ISP-I placement, the residential inmate will provide a residence plan for review, investigation and approval. The residential inmate is not authorized to financially commit to a residence of record until official approval is granted by the Division of Adult Parole and the appropriate community corrections board. Transitional housing may be considered on a case-by-case basis and must be approved by a community parole supervisor.
5. Movement to ISP-I will not take place before the investigative plan has been presented to the appropriate community corrections board for action and the residential inmate has successfully attained Level 3 of the Community Corrections Progression Matrix. A referral will not be submitted for community corrections board review unless stabilization has been achieved, as determined by the supervising CPO and in consultation with program staff.
6. A residential inmate may be considered for ISP-I prior to attaining Level 3 if the inmate suffers from a chronic, permanent, terminal or irreversible physical or mental illness. Cases will be staffed with the community corrections director or designee and a community parole supervisor.
7. A residential inmate is **not eligible** for referral or placement:
 - a. If the residential inmate's prospective residence plan is not within the geographical area of the ISP-I or community corrections board authorization for ISP-I programming.
 - b. If the offender has a felony warrant/detainer/pending charges, to include an ICE detainer/notification, or any extraditable warrant/detainer/pending charges These offenders are ineligible to be referred until the legal matter has been resolved. Concurrent probation/community corrections sentences may still be referred.

B. Eligibility Criteria: Identification and referral of an offender directly from a **CDOC facility** to ISP-I **[5-ACI-5F-02]**.

1. Offenders who have not yet been paroled may be placed directly on ISP-I and are subject to the Code of Penal Discipline.
2. An offender must be within 180 days to their parole eligibility date (PED).
3. To be considered for an ISP-I plan and referral to the appropriate community corrections board, an offender housed in a CDOC facility must demonstrate acceptable institutional behavior including:
 - a. No Class I Code of Penal Discipline convictions within the previous 18 months.
 - b. No Class II COPD convictions in the previous 12 months.
 - c. Participating in available CDOC recommended programs.
 - d. No documented Security Threat Group activity as defined by C.R.S. 17-1-109 for two (2) years.
 - e. Has not been on any Management Control Unit status as defined by AR 600-09, *Special Management* for two (2) years.
 - f. Offenders must meet eligibility criteria outlined in AR 550-01, *Integrated Case Management System* conforming to requirements of SB 20-085 concerning lifetime sex offenders.
4. The offender is not authorized to financially commit to a residence of record until official approval is granted by the Division of Adult Parole and the appropriate community corrections board.

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5. An offender from a CDOC facility is **not eligible** for referral or placement:
 - a. If the offender has been tabled by the parole board pending successful completion of a program, the offender should progress to parole without a period of ISP-I.
 - b. If the offender's prospective residence plan is not within the geographical area of the ISP-I or community corrections board authorization.
 - c. If the offender has a felony warrant/detainer/pending charges, to include an ICE detainer/notification, or any extraditable warrant/detainer/pending charges. These offenders are ineligible to be referred until the issue has been resolved. Concurrent probation/community corrections sentences may still be referred.

• **REFERRAL PROCESS**

1. If the Parole Board recommends community corrections transition for an offender, the assigned case manager will review the offender for eligibility criteria based on the below requirements. The case manager will notify the Parole Board if a referral is submitted for the offender or the reason why the referral was not submitted.
2. Placements are approved by local community corrections boards (ISP-I and res) and programs (res).
3. Lifetime sex offenders must meet two additional criteria for eligibility for community referral. If the offender does not meet both of these criteria they are ineligible for a community referral. Ineligibility must be recorded in the chronological record for this offender at the time of the first referral requirement based on parole eligibility date and a waiver for ineligibility must be completed.
 - a. The offender must be assigned to and progressing in SOTMP treatment. This determination will be requested from a clinical services SOTMP program provider and documented in the offender chronological record as well as in the community referral if eligible for a referral.
 - b. The offender must have a Colorado Transitional Accountability Plan assessment (CTAP) level of low to satisfy the requirement of SB-20-085 that states there is a strong and reasonable probability that the offender would not thereafter commit a new criminal offense. This will be determined by a low CTAP assessment score at the time of the community referral. This should be documented in the offender chronological record as well as in the community referral if eligible for a referral.
4. It is the responsibility of the CDOC case manager/CPO liaison to review their caseload to identify and refer all eligible offenders. This review utilizes, at a minimum, the following resources:
 - a. Offender Eligibility Grid
 - b. CICJIS COPS, Denver Courts, PCDCIS.
 - c. DCIS, DOCNET, CCIS/NCIC, etc.and consists of:
 - d. Estimated parole eligibility date (PED).
 - e. Classification violent/non-violent.
 - f. Disciplinary record/COPD convictions.
 - g. Chronological record to ensure acceptable institutional behavior.
 - h. A records check for felony warrant/detainer/pending charges.
 - i. An Immigration Alien Query to determine if there is an Immigration and Customs Enforcement detainer/notification.
5. An offender can refuse or waive the referral process in writing utilizing AR Form 550-01A, Community Corrections Placement Refusal/Waiver which will exempt the case manager from submitting the referral at the time of the

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refusal/waiver. This form should be reviewed with the offender at a minimum of every six months to assess resolution of waiver reasons/changes in refusal or determine if the offender wishes to rescind their refusal.

6. Upon determination of eligibility the case manager will update the community referral plan located in the Case Management Tracking System (CMTS) and should include the following information:
 - a. Residence plan to include sponsor information.
 - b. Results of the records query/background check.
 - c. Offender parole eligibility date (PED) and mandatory release date (MRD).
 - d. Employment opportunities/plans/skills/ability/willingness.
 - e. Institutional programming recommendation including participation and completion information (need to include Mental Health/Substance Abuse/SOTMP).
 - f. Medical.
 - g. Institutional Adjustment to include disciplinary record.
 - h. For referrals for direct placement from a CDOC facility to ISP-I the assigned case manager will document eligibility for ISP-I in the residence section of the community referral form.
 - i. A recommendation or reason why placement is or is not recommended from the case manager for the community placement based on an individualized review that considers risk, institutional conduct, and responsibility factors.
 - j. Prior community corrections and/or parole outcomes.
 - k. Number of prior community corrections referrals.
 - l. The specific type of referral (IRT only, IRT/Transitional, Transitional only, ISP-I, RDDT Residential Dual Diagnosis Treatment).
7. Along with submitting the community referral plan via CMTS, the following documents will be e-mailed to the Community Referral Unit (CRU):
 - a. PSIR, if available.
 - b. Parole Board Action form.
 - c. Offender Statement (AR 550-01C, Offender Letter to Community Corrections Board/Program), if completed.
 - d. Behavioral Health Transition form.
 - e. Mental Health Assessment, if available.
 - f. Substance use disorder assessment, if available.
 - g. Sex offender assessment, if applicable.
 - h. Community Support Letters, if submitted.
 - i. CTAP risk and needs assessment which was administered in the last 12 months to include the Prison Intake Tool, Supplemental Re-entry Tool, and the Re-entry Tool if available, demonstrating progress towards identified goals.
8. The CRU will notify via email the affected city and county law enforcement agencies, district attorney, and community corrections board that an inmate/offender has been referred for community corrections board review and potential placement in their community.
9. Cases with VNP notification:
 - a. Direct from CDOC facility, notification, 30 day hold
 - b. Placement from residential community corrections, notification only

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• COMMUNITY SUPERVISION

A. Intensive Supervision Program Inmates

1. Initial Office Visit
 - a. ISP inmates will be seen within the same day of their release.
 - b. The CPO will complete and review the Intensive Supervision Program Directive with each ISP inmate (AR form 250-22A). Copies of the completed/signed document will be distributed to the ISP inmate and department file.
2. ISP inmates will remain on ISP-I status until they are either regressed or paroled.

B. Community Surveillance

1. Refer to AR 250-48, *Management of Sex Offenders and the Community Parole Sex Offender Program*, for the criteria related to application of electronic surveillance for sex offenders.
2. Electronic surveillance is an additional supervision tool. With the exception of AR 250-48, it is not mandatory that anyone on ISP-I also be on electronic surveillance. The CPO will staff with the supervisor and obtain approval from the manager the need for a more restrictive form of supervision utilizing electronic surveillance when appropriate. The decision will be documented in the chronological record. Refer to AR 250-79RD, *Electronic Surveillance*.
3. In accordance with C.R.S. 17-27.5-102.(2), ISP-I requires weekly face-to-face contact, daily telephone contact, a monitored curfew at the offender's place of residence at least once a month, and employment visits at least twice each month. Additional surveillance, such as home visitation, drug and alcohol screening, treatment referrals, restitution payments, and community service should be conducted in a manner that minimizes risk to the public. Curfew surveillance may be accomplished through telephone calls, virtual face-to-face interactions (i.e. video), place-based supervision or other alternative methods.