



**FY2008 RECOMMENDATION/FY08-BP32 SPECIAL CONDITIONS OF PROBATION**

**Status:** Implementation Complete

**Actions/Updates**

**2012 UPDATE**

In 2011, an Evidence-Based Decision Making Committee was formed to develop a training curriculum (Evidence-Based Decision Making) for judges. The curriculum is scheduled to be available statewide in 2012-2013. In addition, Probation is developing an assessment summary (the summary will include available resources in the community) that can be used at sentencing when a pre-sentence investigation report has not been ordered. The information in the summary will likely assist the sentencing judge with making decisions tailored to the individual, based on risk to reoffend and availability of viable sentencing options in the community. The assessment summary will likely be implemented in 2013.

**2011 UPDATE**

No additional information is available; efforts described in 2010 are still underway.

**2011 OVERSIGHT COMMITTEE ACTION STEPS**

Judge Gilbert Martinez to review the progress of this recommendation with Probation and report back to CCJJ staff.

**2010 UPDATE**

*Implementation underway.* Officials from the Judicial Department report that probation continues to emphasize the importance of the pre-sentence investigation report (PSIR), special reports and complaint recommendations. The recommendations should be linked to the individual's assessments, specific criminogenic needs and the current offense (to address victim issues/concerns). This is an ongoing focus of training and discussions with probation staff.

Judicial officials also report that implementation plans are in place to train and provide educational materials to judges. The Division of Probation Services has limited resources and opportunities to provide new and existing judges with training. Colorado Judicial has recently acquired the technological means to create "training on demand" via computer which will expand training available to judges. In addition, the Commission's training initiative described in the 2010 Update for GP-16 (Evidence Based Practices Implementation for Capacity, or EPIC) will provide training for judges on evidence-based practices, including conditions of probation. Approximately 40 judges have been trained in Motivational Interviewing® under the EPIC project.

**2009 ACTION/IMPLEMENTATION**

The Division of Probation Services (DPS) in the Judicial Branch plans to create a training program for judges, emphasizing that any special conditions of probation should be directly linked to the offense and the individual's risks/needs. In addition, DPS plans to create a training program for judges on evidence-based practices and the Division's philosophy regarding the importance of tailoring supervision to each individual.

### **2009 IMPACT**

The number of judges trained will be reported in the June 2010 Commission report. Resources preclude the study of the extent to which this initiative is implemented and its impact on recidivism.

### **2009 BARRIER**

Access to judicial training opportunities to inform the court about the reform may be limited.

### **Description**

The imposition of special conditions of probation should be based only on specific, individual needs/risk assessment information.

### **Agencies Responsible**

State Judicial

### **Discussion**

*Implementation of this recommendation is underway. The Commission remains committed to the use of empirically-based risk/needs assessments that would form the foundation of individualized conditions of supervision to further the Commission's statutory mandate to "focus on evidence-based recidivism reduction initiatives...." and ensure the "...cost effective use of public resources." [C.R.S. 16-11.3-103(1)].*