



**FY2021 RECOMMENDATION/FY21-SR02 Update the Standard Conditions of Parole and Revise the Additional Conditions of Parole [STATUTORY, POLICY]**

**Status:** Implementation Unknown

**Actions/Updates**

**2023 UPDATE (JUNE)**

During the FY 2023 Legislative Session, Senate Bill 2023-158 to reauthorize the Colorado Commission on Criminal and Juvenile Justice (CCJJ) was postponed indefinitely on May 7, 2023. Therefore, with the sunset of the Commission, all activities of the CCJJ ceased on June 30, 2023.

No further monitoring of CCJJ recommendations will occur.

**2021 UPDATE (MAY)**

This recommendation, approved by the Commission on May 14, 2021, includes statutory revisions and is first applicable for action during the FY 2022 Legislative Session. The recommendation also includes a policy component that suggests action by the Colorado State Board of Adult Parole.

**Description**

Amend §17-2-201, C.R.S., to update and clarify the Standard Conditions of supervision for individuals on parole. The Standard Conditions of Parole apply to all individuals released under parole supervision. The existing Additional Conditions of Parole also have been revised for the Colorado State Board of Parole ["the Board"]. Both sets of conditions have been updated to clarify expectations, simplify language, increase comprehension, and remove duplication. Because Additional Conditions are not specified in statute, no statutory language regarding Additional Conditions is required in the recommendation.

In this recommendation, the following substantive changes are made to the Standard Conditions:

- The mandatory urinalysis-testing requirement is moved to the Additional (Individual) Conditions.
- The expectation that an individual on parole not associate with people with a criminal record is eliminated.
- A requirement is added that mandates that the individual comply with all terms of any civil protection orders.

[The recommended Standard and the Additional Conditions may be found in Appendix A and the Proposed Statutory Language may be found in Appendix B in the "Recommendation Text."]

## **Agencies Responsible**

General Assembly and the Colorado State Board of Parole

## **Discussion**

Two sets of parole conditions are issued by the Colorado State Board of Parole [“the Board”]. The Standard Conditions apply to every person placed on parole supervision, and these are derived from statute. The Additional Conditions consist of additional requirements that are specifically selected by the Board based on the individual risks and needs of each parolee. All of the Standard Conditions apply to each person on parole; the Additional Conditions establish additional requirements that may be imposed by the Board upon a specific parolee.

The current statutory language related to the Standard Conditions of Parole is antiquated, difficult to understand, and lengthy. To accomplish this update, parole conditions from other states were reviewed, evidence-based practices were considered, and each condition was analyzed for clarity, enforceability and specificity to address criminogenic needs. Conditions that are more easily understood are likely to improve compliance and outcomes.[FOOTNOTE 1]

## **Footnotes**

[1] Solomon et al. (2005) emphasize that individuals on parole need to know the ground rules and expect them to be enforced if conditions are to help deter reoffending (Solomon, A.L., Kachnowski, V., & Bhati, A. (2005). Does parole work? analyzing the impact of postprison supervision on rearrest outcomes. The Urban Institute, Washington. D.C. available at [urban.org/research/publication/does-parole-work](http://urban.org/research/publication/does-parole-work). See also Kennedy, D. (1998). Pulling levers: Getting deterrence right. National Institute of Justice Journal, 236, 2-8; Kleiman, M. A. R. (1999). Controlling drug use and crime among drug-involved offenders: Testing, sanctions, and treatment. In P. H. Heymann & W. N. Brownsberger, Eds., Drug Addiction and Drug Policy. Cambridge: Harvard University Press; Harrell, A. V., Cavanagh, S., & Roman J. (1999). Final report: Findings from the evaluation of the DC Superior Court Drug Intervention Program. Washington DC: The Urban Institute; Taxman, F., Soule, D., & Gelb, A. (1999). Graduated sanctions: Stepping into accountable systems and offenders. Prison Journal, 79(2), 182-205; and Taxman, F. (2002). Supervision - Exploring the dimensions of effectiveness. Federal Probation, 66(2), 14-27.