



Community Corrections Task Force

Final Recommendation Presentation to the Colorado
Commission on Criminal and Juvenile Justice

December 9, 2016

Community Corrections Task Force

MEMBERS

Peter Weir (Chair) /CCJJ	1 st Judicial District
John Cooke /CCJJ	Senate District 13
Rose Rodriguez /CCJJ	Independence House
Michael Vallejos /CCJJ	2nd Judicial District
Dave Weaver /CCJJ	Douglas County Commissioner
Dana Wilks	Division of Probation Service
Alexandra Walker	Parole Board
Dennis Berry	Mesa County Criminal Justice System
Glenn Tapia	Division of Criminal Justice
Greg Mauro	Denver Community Corrections Boards
Brian Hulse	Intervention Community Corrections Services
Harriet Hall	Jefferson Center for Mental Health
Joe Cannata	Voices of Victims
Kathryn Otten	Jefferson County Justice Services
Kevin Strobel	Public Defender
Melissa Roberts	Department of Corrections/Adult Parole
Mike McIntosh	Adams County Sheriff
Shannon Carst	Colorado Community Corrections Coalition

ISP-I Working Group

Community Corrections Task Force

GOAL

Solve the problem of ISP-I status inmates in the community.

MEMBERS

Greg Mauro	Denver Community Corrections
Brian Hulse	Intervention Community Corrections Services
Alexandra Walker	Parole Board
Melissa Roberts	Department of Corrections
Valarie Schamper	Office of Community Corrections, DCJ
Glenn Tapia	Office of Community Corrections, DCJ
Dennis Berry	Mesa County Criminal Justice Systems
Christine Burns	El Paso County
Brad Kamby	Arapahoe County
Angie Riffel	Tooley Hall-CEC
Kathy Otten	Jefferson County Justice Services



ISP-I WG Background

March 2016

CCJJ Retreat Outcomes

- ISP-I identified as a remaining area of work for the Community Corrections Task Force
- Create an ISP-I Working Group to address the ISP-I Issues, then
- Wrap up the work of the Community Corrections Task Force

April 2016

ISP-I Working Group created

Summer 2016

ISP-I Working Group met at least monthly April – October 2016

ISP-I Working Group held a two day retreat in July

September 2016

- Preliminary recommendations presented to the Community Corrections Task Force by the ISP-I Working Group
- Recommendation returned to the Working Group by the Task Force for more consideration

October 2016

- Revised recommendations presented to the Community Corrections Task Force
- Recommendations approved and forwarded to the Commission (today)



ISP-I Working Group

What you need to know:

There are two paths to release from prison



Parole (Parole Board)

Inmates are released by action of the Parole Board

Community Corrections (Community Corrections Boards)

Inmates are accepted by community corrections boards and programs, and then placed in residential facilities



What IS the ISP-I Problem?

Assumption:

All inmates in the Department of Corrections are released via the Parole Board

Fact:

- Inmates can be released by the Parole Board at any time between their Parole Eligibility Date (PED) and their Mandatory Release Date (MRD). This is called discretionary release.
- Inmates can be released (without the Parole Board) on their Mandatory Release Date. This is called Mandatory Release.

--alternatively--

- DOC is statutorily required to refer inmates directly to community corrections at either 16 months prior to Parole Eligibility Date (non-violent offenders) or 6 months prior to PED (for offenders convicted of a Crime of Violence).
- A community corrections BOARD can accept a DOC inmate into their community on Transition Status without the inmate going through the Parole Board.
- Also, a community corrections PROGRAM must also agree to accept.

What IS the ISP-I Problem?

So what's the problem....???

- The offender successfully completes the community corrections residential program and is ready to be released from the facility.
- At this point, a transition offender may be released from the Community Corrections program to Parole... BUT they may be denied parole even though they successfully completed the comcor program.
- If this person was not granted parole by the Parole Board, the person is placed in the community on Intensive Supervision Parole – Inmate Status (ISP-I).
- **THEREFORE**, ISP-I inmates are people who have:
 - Been accepted by a community corrections program
 - Successfully completed the residential portion of a community corrections program
 - Have been released from a community corrections facility but have not been granted parole by the Parole Board
 - Are living in the community, as an inmate, not on parole, and being supervised on ISP-I status
 - These are often people with long sentences that the parole board does not feel comfortable releasing to parole



ISP-I Working Group

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The ISP-I Working Group concentrated on two issues:

1. How can we better align the two release processes (Parole Board and Community Corrections) to eliminate ISP-I status
2. How can we modify the ISP statute to allow for individualization based on risk and needs



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Data points to keep in mind as we go through recommendations:

- Approximately 3000 DOC Transition offenders terminate from community corrections each year
- Average monthly ISP-I population is 350
- There 33 offenders who have been on ISP-I for 2 years or more

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Other information to keep in mind as we go through recommendations:

- Once the Parole Board does grant someone parole who has been on ISP-I, that person will still (automatically) be required to serve 5 more years on parole.
- The forthcoming recommendations are NOT retroactive.

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What we know about COV offenders

A reasonably small percentage of offenders fall into the Crime of Violence Offenders (COVs) category:

- COV crimes include offenses such as murder, kidnapping, aggravated assault, aggravated robbery
- COV involves the use, attempted use or threatened use of physical force
- This is a sentencing enhancement option for certain violent crimes. COVs constitute:
 - 2.4% of DOC admissions
 - 7.7% of DOC population
 - 1.7% of DOC releases



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FY17 – CC #01

FY17-CC #01 Purpose of Community Corrections (Statutory)

Recommendation

Codify the mission and purpose of Community Corrections in language similar to that of Parole as enacted by SB 16-1215*

This action will provide legislative guidance for current and future Community Corrections boards and facilities/programs

**SB 16-1215 was the result of a CCJJ recommendation*

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FY17 – CC #01

FY17-CC #02 New Community Corrections Reentry Referral Process (Statutory)

Recommendation

- COV offenders eligible for comcor placement not prior to PED / Non-COV remains the same at 16 months
- DOC to provide a referral packet to comcor boards
- If a program/board accepts a COV offender, the offender will be seen by the Parole Board. Non-COV offenders in comcor upon successful completion will be paroled (in statute)
- Community Corrections boards encouraged to use structured decision-making tool
- Repeal statutory definition of ISP-I

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FY17 – CC #01

FY17-CC #03 Community Reentry Process (Policy)

Recommendation

- Referrals to community corrections are based on explicit criteria.
- Defines successful completion of community corrections
- Expand the use of DOC's Achievement Earned Time for inmates in comcor programs



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Questions?