

Colorado Community Corrections Annual Report: FY20

Pursuant to House Bill 2018-1251

Prepared for the Colorado General Assembly

February 2021

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Executive Summary

This report summarizes efforts underway to address the mandates associated with H.B.18-1251. Subsequent to the passage of the bill, the Office of Community Corrections (OCC) within the Division of Criminal Justice (DCJ), the Department of Corrections (DOC), and community corrections boards and programs, increased collaborative efforts to improve the referral process associated with individuals transitioning from the DOC to a community based residential program. In FY20, all community corrections boards with a residential community corrections program had developed a structured decision-making process, ranging from a first draft to full implementation to data analysis for continuous quality improvement. Training facilitated in FY20 included eight sessions for DOC staff and three workshops for community corrections boards and providers. Just over 40% of transition referrals were accepted in FY20. Beginning March 2020, COVID-19 had a significant impact on residential placements and provider vacancy rates.

Purpose of this report

The Colorado General Assembly passed House Bill 1251 in 2018. The bill mandates DCJ prepare an annual report of community corrections activities as they pertain to the transition of offenders from DOC. Specifically, the bill requires DCJ to report on the following:

- Key trends related to community corrections service providers and boards,
- Referral trends,
- Acceptance rates, and
- Progress on the implementation of structured decision-making by community corrections boards.

This report provides a brief overview of community corrections; identifies key trends within the community corrections field; updates the status of the implementation of structured decision-making; identifies training provided by DCJ; and highlights additional efforts underway pertaining to HB 1251.

Overview of Colorado community corrections

Community corrections in Colorado is a system of more than 30 “halfway houses”, that provides a sentencing alternative for judges to divert individuals from prison (diversion community corrections) and a residential community placement for individuals referred from the prison system (transition community corrections). Eligibility for community corrections is defined in statute. Individuals participating in community corrections are expected to engage in services to address criminogenic needs and risks, and are required to pay for services plus up to \$17/day per diem. Referrals to community corrections programs are screened by the local community corrections board and the program’s administration. When individuals are accepted by both the local board and the program director, they are placed in the program as beds become available.

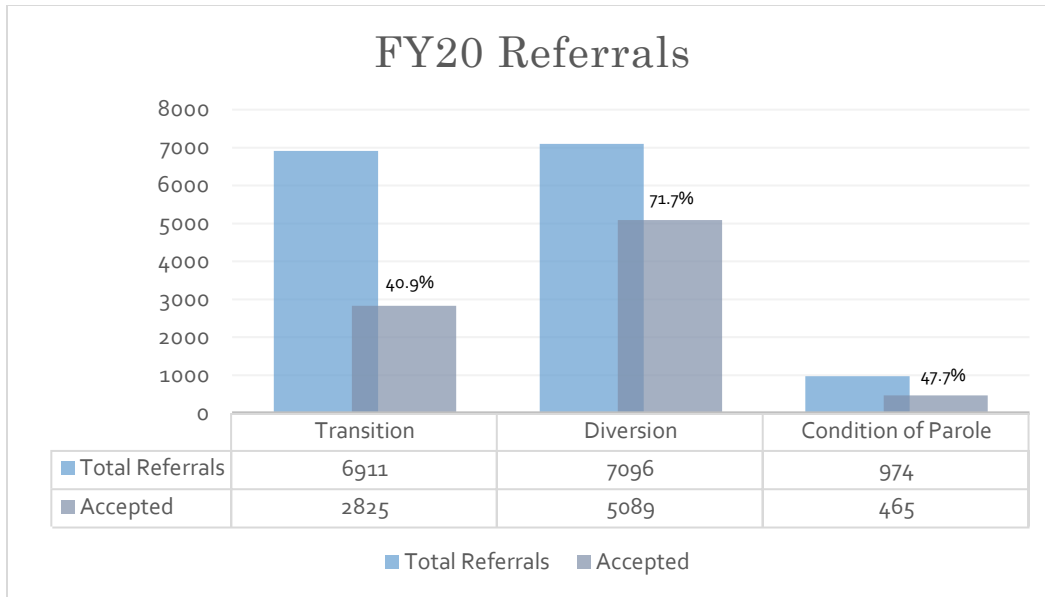
Key trends

Community corrections boards, in cooperation with the Colorado Association of Community Corrections Boards and the Colorado Community Corrections Coalition, developed a survey to capture the number of referrals, board denials, and provider denials for each jurisdiction. Boards that oversee residential facilities within their jurisdiction were surveyed in order to capture bed capacity. See the *Referral and acceptance rates* section and Appendix A for details.

Referral and acceptance rates

On a quarterly basis, boards reported the number of each referral type denied by the board and those denied by the local community corrections programs.

For information about all community corrections referrals submitted to each Judicial District (JD) and the number of those referrals that were denied or accepted, please see *Appendix A Community Corrections Referral Reporting*.

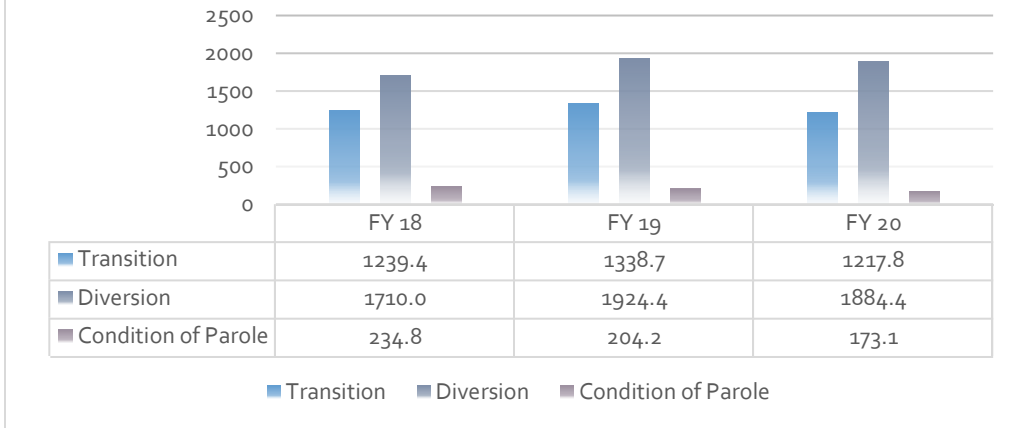


As detailed in Appendix A, diversion and transition referral rates vary considerably across judicial districts, and over time. In general, diversion and condition of parole referrals were approved at higher rates than transition referrals. Cases with a sex offense conviction were frequently denied; in some judicial districts, these cases are automatically excluded from consideration. Note that with the impact of COVID-19, just over half of the jurisdictions' utilization rates surpassed their bed allocation, a lower proportion when compared to FY19. For a comparison of the total residential community corrections beds allocated to each JD and the average daily residential population paid for by each JD, please see *Appendix B Allocation and Utilization Data*.

Average daily population

From FY19 to FY20, a decrease in the overall average daily population (ADP) occurred for all client types due to health department guidelines for physical distancing through the COVID-19 pandemic. More stringent restrictions were also required for programs designated as outbreak sites, which began mid-March and continued through the remainder of the fiscal year.

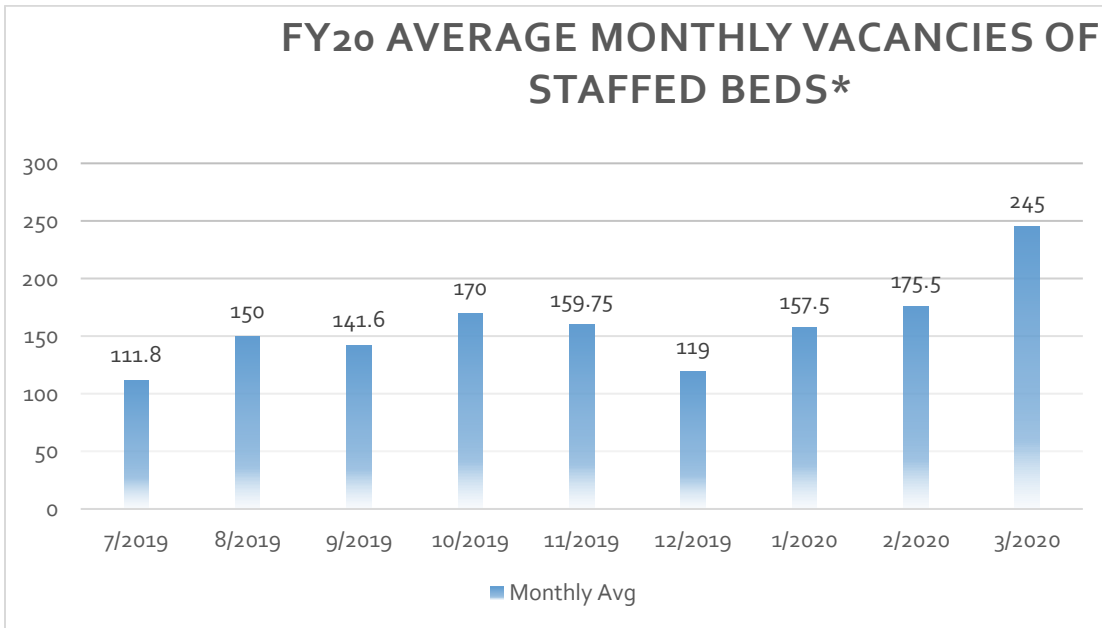
AVERAGE DAILY POPULATION, FY18, FY19 & FY20



NOTE: Diversion ADP includes Condition of Probation placements

Bed vacancies

OCC obtained information regarding the number of open beds from each community corrections program on a weekly basis during FY20 through mid-March at which point reporting was temporarily suspended for the remainder of the fiscal year. This change was made as the COVID-19 pandemic required an increased vacancy rate in the majority of programs to allow for physical distancing, and quarantine and isolation space, as needed. Open and staffed beds do not account for funding or allocations and can fluctuate in an individual facility due to expansions, staffing or other changes. The number should not include vacant beds already reserved for waitlist and/or awaiting transportation. This included specialized program beds with acceptance criteria as demonstrated in the figure below.



**Open/staffed beds: The average number of open and staffed beds does not account for funding or allocations. The number should not include vacant beds already reserved for waitlist and/or awaiting transportation. This included specialized program beds with acceptance criteria.*

Structured decision-making process

HB 18-1251 states that community corrections boards shall develop and use a structured, research-based decision-making process that combines professional judgment and actuarial risk and needs assessment tools. By close of FY20, 100% of the 17 community corrections boards with a residential community corrections program in their jurisdiction had, at minimum, developed a first draft of a structured decision-making (SDM) tool. Of those, 65% began using or continued to use a process consistently, 29% tested a first draft of a tool and began making revisions based on their testing, and the final 6% created a tool in FY20. Due to COVID-19 delays, these remaining boards will begin piloting in early FY21. In FY21, the goal is for all boards with a residential program to use a SDM process consistently.

Community corrections training

HB 18-1251 requires that DCJ provide annual training to DOC staff involved in making community corrections transition placement referrals and ongoing annual training to community corrections boards on structured decision-making and/or other relevant issues. Utilizing the training curriculum developed in FY19 on the community corrections referral process, OCC, in collaboration with community corrections boards, community corrections program staff and DOC staff, delivered 8 sessions to nearly 300 DOC staff. The OCC also collaborated with subject matter expert Richard Stroker, to facilitate 3 regional workshops on structured decision-making to approximately 75 community corrections board staff and members, provider staff and OCC staff. In February 2020, a session on structured decision-making was held during the Statewide Conference for Criminal Justice Professionals. Several stakeholder groups attended this session, conducted by Strategy & Evaluation, LLC.

COVID-19 Impact

The COVID-19 epidemic precipitated many adaptations and innovations across the entire community corrections field. This included adjusting business practices within the OCC, community corrections boards and providers. For example, boards transitioned referral screenings to virtual platforms and conference calls, while the OCC moved to virtual communication with stakeholders. The OCC also hosted virtual forums for providers and boards on COVID-19 responses and began planning for virtual training delivery for DOC and boards in FY21.

During this unprecedented time, DOC referrals to community corrections decreased dramatically and community corrections intakes were limited or stopped altogether. Residential programs worked closely with local health departments to implement procedures related to intake, quarantine and/or isolation processes, and guidelines for use of personal protective equipment (PPE) and increased cleaning.

During this time, many community corrections clients were placed on furlough status or released to parole in an aggressive effort to decrease the residential population to meet physical distancing guidelines. In fact, the residential ADP on June 30, 2020 was over 1,000 less than the ADP at the onset of the COVID-19 pandemic.

Ongoing efforts

The implementation of HB 18-1251 is precipitating additional accomplishments, many of which focus on increased communication and collaboration between OCC, community corrections boards, providers, and DOC case managers. Examples include the following:

- Efforts continue to be underway to document the reasons that transition referrals are denied by community corrections boards and providers. Once computer programming is completed, this information will be provided via electronic transfer to DOC to inform the case manager and to provide feedback to the offender.
- All community corrections boards and programs, along with DOC facilities, were informed about key schedule changes to parole application hearings that affect community corrections clients.
- Regular, electronic communication between DOC, community corrections boards and providers occurs regarding pending referrals.
- Community corrections boards continued to submit formal screening procedures and acceptance criteria to DOC. By June 30, 2020, 94% of boards had complied with this requirement with the final board in process.

Appendix A

Community Corrections Referral Reporting

Quarter 1, Quarter 2, Quarter 3, Quarter 4 and Year-to-date Cumulative FY20

Background. HB 18-1251 requires the Division of Criminal Justice to publish an annual report that includes case referral and acceptance trends. This appendix provides the number of referrals submitted to each judicial district and the percent of community corrections referrals that are accepted within a judicial district by quarter for FY20.

Data source. Several local community corrections boards, in cooperation with the Colorado Association of Community Corrections Boards and Community Corrections Coalition, developed a survey that captures the number of referrals, board denials, and provider denials for each jurisdiction. Recognizing that there are different screening processes in each jurisdiction, only the final approved/denied decision is recorded and presented here. All boards with a residential program participated in the survey/data collection process in FY20.

Transition referrals. The transition referrals, approvals, and denials include all transition referrals screened by each judicial district, including primary, secondary and tertiary. A transition primary referral is a referral that is sent to the jurisdiction that an inmate is planning to parole to. Secondary and tertiary referrals are those that have been denied by the primary jurisdiction and sent to alternate jurisdictions for screening. In some jurisdictions, the number of secondary and tertiary transition referrals exceed the number of primary referrals received.

Summary of findings. Diversion and Transition referral rates vary considerably across judicial districts, and also vary over time. In general, Diversion and Condition of Parole referrals were approved at higher rates than Transition referrals. Cases with a sex offense conviction were frequently denied; in some judicial districts, these cases are automatically excluded from consideration. The judicial districts with the highest Transition acceptance rates (with acceptance rates above 60%) in FY20 were the 2nd, 4th and 12th. The judicial districts with the highest Diversion acceptance rates (with rates above 80%) were the 2nd, 14th, 17th, 18th and 20th. The judicial district with the highest Condition of Parole acceptance rate (with a rate above 80%) was the 18th.

Residential Community Corrections Referral Reporting

Table 1. Quarter 1, FY20

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	223	32	168	10%	198	22	31	73%	36	2	17	47%
2 nd	283	57	20	73%	122	9	2	91%	31	1	6	77%
4 th	277	12	56	75%	321	11	84	70%	78	1	40	47%
6 th	88	23	26	44%	126	34	18	59%	17	11	0	35%
7 th	50	3	46	2%	49	15	0	69%	5	3	0	40%
8 th	97	12	77	8%	166	11	28	77%	4	0	1	75%
9 th	32	10	14	25%	38	21	0	45%	0	0	0	-
10 th	78	5	33	51%	63	2	9	83%	11	0	2	82%
12 th	20	3	2	75%	104	22	17	63%	26	3	3	77%
13 th	16	12	0	25%	62	19	0	69%	10	5	0	50%
14 th	28	20	7	4%	21	4	0	81%	6	0	0	100%

15th	10	8	0	20%	35	14	0	60%	8	3	0	63%
17th *	180	77	-	57%	232	25	-	89%	21	14	-	33%
18th	192	37	36	62%	91	10	0	89%	2	0	0	100%
19th	84	18	38	33%	140	22	41	55%	23	3	14	26%
20th	159	34	82	27%	41	6	0	85%	15	0	8	47%
21st *	69	59	-	14%	106	44	-	58%	9	5	-	44%
Totals	1886	422	605	46%	1915	291	230	73%	302	51	91	53%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

Residential Community Corrections Referral Reporting

Table 2. Quarter 2, FY20

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	194	19	156	10%	192	22	39	68%	28	4	16	29%
2 nd	228	50	19	70%	101	9	0	91%	39	2	11	67%
4 th	162	14	42	65%	341	5	102	69%	72	0	49	32%
6 th	20	11	2	35%	56	12	2	75%	7	2	0	71%
7 th	53	3	45	9%	75	24	0	68%	4	3	0	25%
8 th	78	6	48	31%	186	7	35	77%	6	0	3	50%
9 th	77	24	42	14%	31	18	0	42%	7	7	0	0%
10 th	105	6	43	56%	87	6	12	79%	11	0	1	91%
12 th	15	2	1	80%	136	28	14	69%	23	2	3	78%
13 th	24	19	0	21%	116	30	0	74%	8	1	0	88%
14 th	16	12	1	19%	11	3	0	73%	5	2	0	60%

15th	8	6	0	25%	54	29	0	46%	1	1	0	0%
17th *	174	73	-	58%	248	28	-	89%	15	6	-	60%
18th	167	44	28	57%	130	15	1	88%	1	0	0	100%
19th	117	11	64	36%	156	23	39	60%	22	1	16	23%
20th	156	13	118	16%	34	9	0	74%	11	2	6	27%
21st *	89	76	-	15%	112	43	-	62%	20	8	-	60%
Totals	1683	389	609	41%	2066	311	244	73%	280	41	105	48%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

** 18th JD Community Corrections Board reviewed transition and diversion referrals from Denver; as a result, those totals may be slightly higher than previous years.

Residential Community Corrections Referral Reporting

Table 3. Quarter 3, FY20

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	177	25	130	12%	189	20	39	69%	21	0	15	29%
2 nd	219	57	36	58%	79	6	2	90%	23	0	6	74%
4 th	220	21	28	78%	331	3	109	66%	57	0	37	35%
6 th	42	33	9	0%	46	18	1	59%	2	2	0	0%
7 th	47	14	30	6%	90	37	0	59%	10	6	0	40%
8 th	134	6	87	31%	174	2	38	77%	8	1	1	75%
9 th	50	5	37	16%	27	24	0	11%	20	18	0	10%
10 th	81	5	61	19%	58	5	15	66%	9	0	4	56%
12 th	13	3	2	62%	147	23	14	75%	24	6	4	58%
13 th	20	11	0	45%	79	28	0	65%	10	3	0	70%
14 th	26	18	0	31%	20	2	0	90%	3	3	0	0%

15th	10	8	0	20%	42	18	1	55%	0	0	0	-
17th *	206	106	-	49%	229	28	-	88%	15	11	-	27%
18th	159	46	28	53%	104	10	1	89%	8	0	0	100%
19th	98	18	46	35%	128	19	26	65%	22	4	11	32%
20th	141	12	100	21%	40	5	1	85%	14	2	10	14%
21st *	103	91	-	12%	121	40	-	67%	15	8	-	47%
Totals	1746	479	594	39%	1904	288	247	72%	261	64	88	42%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

** 18th JD Community Corrections Board reviewed transition and diversion referrals from Denver; as a result, those totals may be slightly higher than previous years.

Residential Community Corrections Referral Reporting

Table 4. Quarter 4, FY20

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	189	34	128	14%	102	16	21	64%	4	0	2	50%
2 nd	226	44	48	59%	42	36	1	12%	2	0	0	100%
4 th	199	29	33	69%	203	5	38	79%	25	0	6	76%
6 th	57	34	6	30%	62	18	1	69%	5	4	0	20%
7 th	43	38	0	12%	46	11	0	76%	10	8	0	20%
8 th	68	3	47	26%	98	6	31	62%	5	0	3	40%
9 th	86	11	75	0%	26	16	0	38%	6	3	0	50%
10 th	62	5	25	52%	35	3	9	66%	3	0	2	33%
12 th	6	2	1	50%	94	14	12	72%	11	3	1	64%
13 th	17	15	0	12%	46	28	0	39%	8	4	0	50%
14 th	7	5	0	29%	10	0	0	100%	0	0	0	-

15th	10	7	0	30%	18	5	0	72%	3	3	0	0%
17th *	196	90	-	54%	142	35	-	75%	11	11	-	0%
18th	136	33	36	49%	79	12	3	81%	8	0	0	100%
19th	95	26	42	28%	104	16	22	63%	11	3	4	36%
20th	85	14	53	21%	29	6	1	76%	3	0	1	67%
21st *	114	104	-	9%	75	30	-	60%	16	11	-	31%
Totals	1596	494	494	38%	1211	257	139	67%	131	50	19	47%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

** 18th JD Community Corrections Board reviewed transition and diversion referrals from Denver; as a result, those totals may be slightly higher than previous years.

Residential Community Corrections Referral Reporting

Table 5. Quarter 1 through Quarter 4, FY20

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	783	110	582	12%	681	80	130	69%	89	6	50	37%
2 nd	956	208	123	65%	344	60	5	81%	95	3	23	73%
4 th	858	76	159	73%	1196	24	333	70%	232	1	132	43%
6 th	207	101	43	30%	290	82	22	64%	31	19	0	39%
7 th	193	58	121	7%	260	87	0	67%	29	20	0	31%
8 th	377	27	259	24%	624	26	132	75%	23	1	8	61%
9 th	245	50	168	11%	122	79	0	35%	33	28	0	15%
10 th	326	21	162	44%	243	16	45	75%	34	0	9	74%
12 th	54	10	6	70%	481	87	57	70%	84	14	11	70%
13 th	77	57	0	26%	303	105	0	65%	36	13	0	64%
14 th	77	55	8	18%	62	9	0	85%	14	5	0	64%

15th	38	29	0	24%	149	66	1	55%	12	7	0	42%
17th *	756	346	-	54%	851	116	-	86%	62	42	-	32%
18th	654	160	128	56%	404	47	5	87%	19	0	0	100%
19th	394	73	190	33%	528	80	128	61%	78	11	45	28%
20th	541	73	353	21%	144	26	2	81%	43	4	25	33%
21st *	375	330	-	12%	414	157	-	62%	60	32	-	47%
Totals	6911	1784	2302	41%	7096	1147	860	72%	974	206	303	48%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

** 18th JD Community Corrections Board reviewed transition and diversion referrals from Denver; as a result, those totals may be slightly higher than previous years.

Appendix B

Community Corrections Allocation and Utilization: FY20

Judicial District	Total Bed Allocation ¹	Average Daily Population ²
1	243	244.52
2	695	537.31
3 ³	5	3.52
4	459	494.93
5 ³	18	21.10
6	36	36.07
7	51	56.31
8	288	287.83
9	38	31.32
10	115	112.38
11 ³	8	12.14
12	86	94.44
13	111	103.90
14	35	22.43
15	39	41.82
16 ³	10	15.75
17	408	366.47
18	340	336.43
19	166	175.67
20	70	73.73
21	182	173.24
22 ³	10	14.07
Total	3413	3255.36

¹ The number of state funded residential beds per contract per judicial district

² The Average Daily Population of occupied beds paid for by the judicial district. These beds may be within the judicial district or may be in a residential program in a different judicial district

³ These judicial districts do not have a residential program; these jurisdictions use the allocation to purchase diversion programming from providers in other jurisdictions