

Colorado Community Corrections Annual Report: FY19

Pursuant to House Bill 2018-1251

Prepared for the Colorado General Assembly

February 2020

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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 FY19, all the community corrections boards with a residential community corrections program were researching, developing, or had developed, a structured decision-making process. Training curricula have been developed and six training sessions were conducted in FY19. Just over 40% of transition referrals were accepted, and the number of vacant beds declined from a monthly average of 244.0 in July 2018 to 78.5 in June 2019.

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, he or she is placed in the program as beds become available.

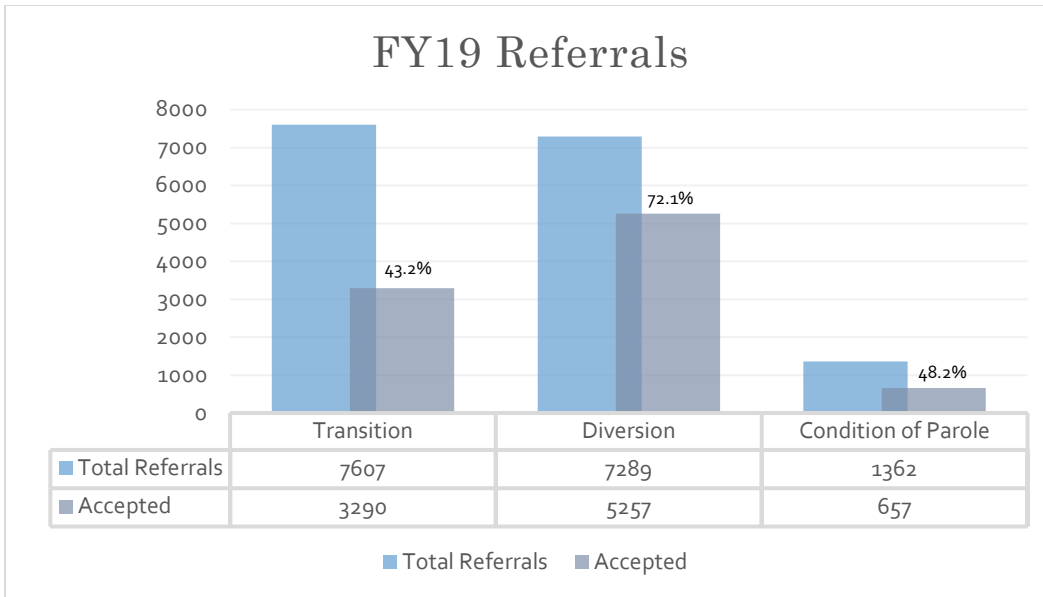
Key trends

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

Boards reported the number of each referral type denied by the board and those denied by the local community corrections programs. Response rates from programs improved over time. The data presented below should be considered preliminary given inconsistent reporting rates during FY19.

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*.

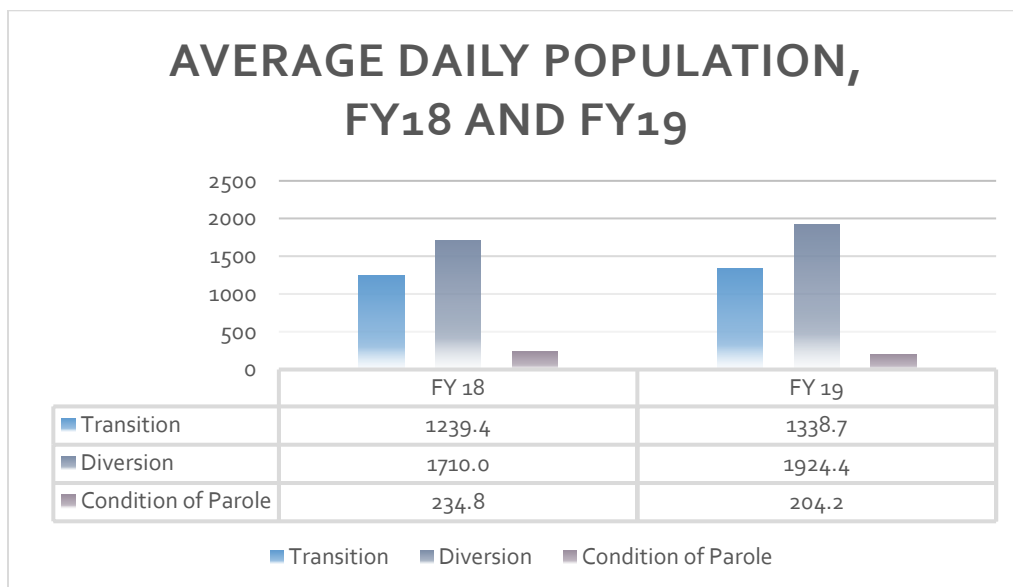


NOTE: These data represent the total of all responding JDs for each quarter: Q1 n=10; Q2 n=11; Q3 n=12; Q4 n=17

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 most jurisdictions' utilization rates surpass their bed allocation. 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

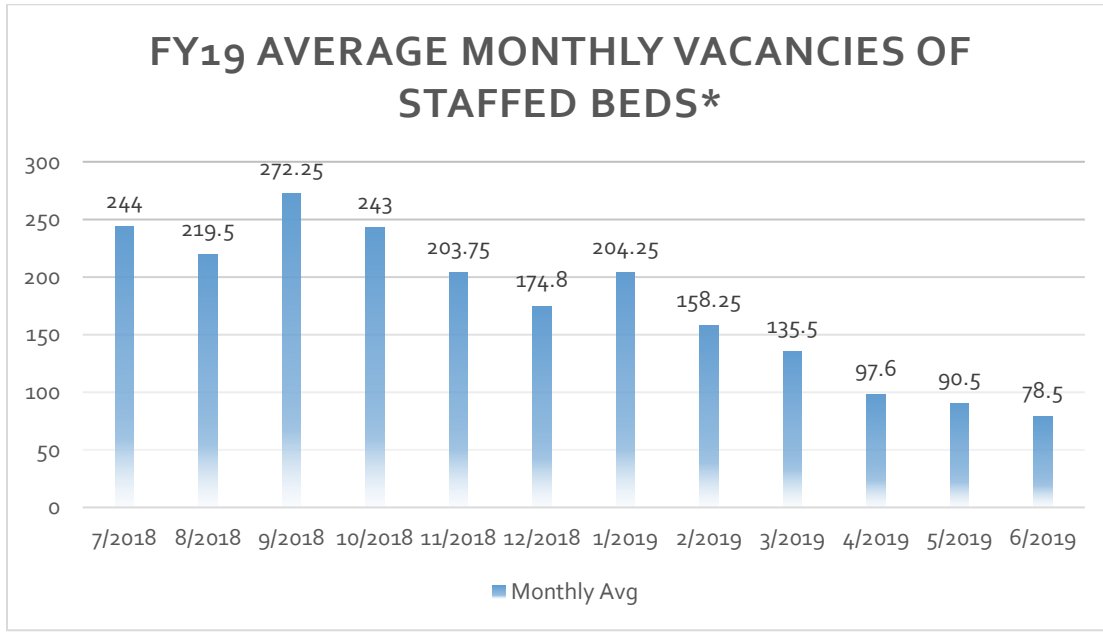
Between FY18 and FY19, growth in the average daily population (ADP) occurred for both transition and diversion clients, as demonstrated below.



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 FY19. Open and staffed beds do 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 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

OCC surveyed 17 community corrections boards with at least one residential community corrections program in their jurisdiction, regarding progress on developing and implementing a structured decision-making process. At the end of 2019, 15 responded to the survey. The survey found that 47% of responding boards were using a structured decision-making process and 53% were in the process of developing a strategic decision-making process.

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. To this end, OCC developed training curricula, in collaboration with key stakeholders including community corrections boards, program staff, and DOC. The OCC also coordinated with DOC to conduct six regional training sessions on the DOC transition community referral packet.

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 are 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 began submitting formal screening procedures and acceptance criteria to DOC. By June 30, 2019, 59% of boards complied with this new requirement. As this report goes to press, all remaining boards have either submitted, or are in the process of finalizing, board procedures.

Appendix A

Community Corrections Referral Reporting

Quarter 1, Quarter 2, Quarter 3, Quarter 4 and Year-to-date Cumulative FY 19

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 FY19.

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. Participation in the survey/data collection process increased over the course of FY19.

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 FY19 were the 2nd, 4th, 6th, 12th and 18th. The judicial districts with the highest Diversion acceptance rates (with rates above 80%) were the 2nd, 8th, 14th, 17th, 18th and 20th. The judicial districts with the highest Condition of Parole acceptance rates (with rates above 80%) were the 8th, 14th and 18th.

Community Corrections Referral Reporting
Table 1. Quarter 1 FY19

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	257	32	194	12%	237	21	39	75%	59	1	43	25%
2 nd	371	89	65*	58%	94	21	0	78%	154	0	68	56%
4 th	310	23	101	60%	319	7	134	56%	36**	2	26**	22%
8 th	37	1	21	41%	199	6	37	78%	6	0	0	100%
10 th	121	22	56	36%	83	18	6	71%	22	3	10	41%
13 th	26	21	0	19%	65	28	0	57%	1	1	0	0%
17 th	227	165***	--	27%	277	51***	--	82%	36	28***	--	22%
18 th	185	37	43	57%	100	10	0	90%	10	0	0	100%
19 th	131	15	98	14%	131	20	25	66%	32	1	24	22%
20 th	110	16	82	10%	30	7	0	77%	18	4	5	50%

*Of the transition referrals denied by the program, 68% were sex offenders.

**One program did not track Condition of Parole referrals, therefore, these figures reflect data from only one provider.

***Due to the 17th JD's screening process, this figure includes both board and facility denials. The program and screening committee review the criteria cases at the same time.

Community Corrections Referral Reporting
Table 2. Quarter 2 FY19

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 *	217	29	160	13%	233	24	31	76%	39	0	20	49%
2 nd	324	57	49**	67%	144	9	6	90%	96	0	44	54%
4 th	312	13	85	69%	334	8	170	47%	70	0	42	40%
8 th	72	8	37	38%	239	4	38	82%	3	0	0	100%
10 th	158	10	82	42%	69	7	7	80%	14	0	7	50%
12 th	22	10	4	36%	98	33	20	46%	12	3	3	50%
13 th	30	20	0	33%	63	29	0	54%	14	6	0	57%
17 th	261	180***	--	31%	271	52***	--	81%	32	28***	--	13%
18 th	207	48	47	54%	103	11	1	88%	9	0	2	78%
19 th	129	25	76	22%	150	29	32	59%	24	0	16	33%
20 th	104	19	66	18%	29	6	0	79%	9	0	3	67%

*Female IRT program referrals are not included.

**Of the transition referrals denied by the program, 69% were sex offenders.

***Due to the 17th JD's screening process, this figure includes both board and facility denials. The program and screening committee review the criteria cases at the same time.

Community Corrections Referral Reporting

Table 3. Quarter 3 FY19

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	160	41	66	33%	256	31	35	74%	17	5	3	53%
2 nd	441	61	65*	71%	112	3	10	88%	87	1	29	66%
4 th	301	3	109	63%	337	3	110	66%	71	1	44	37%
8 th	142	8	80	38%	188	3	18	89%	4	1	0	75%
10 th	121	9	84	23%	62	5	10	76%	28	0	18	36%
12 th	14	3	2	64%	101	16	10	74%	14	1	2	79%
13 th	21	20	0	5%	72	32	0	56%	13	5	0	62%
17 th	229	125**	--	45%	281	46**	--	84%	27	20**	--	26%
18 th	231	57	41	58%	100	11	0	89%	4	0	1	75%
19 th	92	14	51	29%	136	27	24	63%	17	2	9	35%
20 th	95	15	55	26%	38	5	0	87%	19	2	5	63%
21 st	76	67**	--	12%	99	42**	--	58%	13	11**	--	15%

*Of the transition referrals denied by the program, 74% were sex offenders.

**Due to the 17th JD's and 21st JD's screening processes, this figure includes both board and facility denials. The program and screening committees review the criteria cases at the same time.

Community Corrections Referral Reporting

Table 4. Quarter 4 FY19

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	296	51	175	24%	292	26	45	76%	32	2	11	59%
2 nd	361	74	37	69%	166	11	4	91%	98	3	26	70%
4 th	282	14	121	52%	353	3	129	63%	70	0	34	51%
6 th	26	7	3	62%	85	15	18	61%	8	3	0	63%
7 th	45	5	35	11%	74	35	0	53%	11	5	0	55%
8 th	80	6	58	20%	182	8	18	86%	1	0	0	100%
9 th	88	28	55	6%	56	45	0	20%	10	8	0	20%
10 th	103	7	64	31%	55	5	14	65%	16	0	6	63%
12 th	23	6	2	65%	113	30	19	57%	8	2	1	63%
13 th	15	13	0	13%	72	32	0	56%	23	11	0	52%
14 th	48	23	7	38%	18	3	0	83%	6	1	0	83%
15 th	13*	9	0	31%	58	17	0	71%	7	3	0	57%

17th	196	116**	--	41%	281	47**	--	83%	14	12**	--	14%
18th	189	51	34	55%	109	2	1	97%	5	0	0	100%
19th	123	16	76	25%	146	19	36	62%	16	0	10	38%
20th	101	36	32	33%	33	3	0	91%	10	6	3	10%
21st	84	74**	--	12%	146	59**	--	60%	17	8**	--	53%

*Due to the 15th JD's acceptance criteria excluding sex offenders, this number does not reflect approximately 10 transition sex offenders that were denied prior to being screened by the board or facility.

**Due to the 17th JD's and 21st JD's screening processes, this figure includes both board and facility denials. The facility and screening committees review the criteria cases at the same time.

Community Corrections Referral Reporting

Table 5. Quarter 1 through Quarter 4, FY19

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	930	153	595	20%	1018	102	150	75%	147	8	77	42%
2 nd	1497	281	216	67%	516	44	20	88%	435	4	167	61%
4 th	1205	53	416	61%	1343	21	543	58%	247	3	146	40%
6 ^{th***}	26	7	3	62%	85	15	18	61%	8	3	0	63%
7 ^{th***}	45	5	35	11%	74	35	0	53%	11	5	0	55%
8 th	331	23	196	34%	808	21	111	84%	14	1	0	93%
9 ^{th***}	88	28	55	6%	56	45	0	20%	10	8	0	20%
10 th	503	48	286	34%	269	35	37	73%	80	3	41	45%
12 ^{th*}	59	19	8	54%	312	79	49	59%	34	6	6	65%
13 th	92	74	0	20%	272	121	0	56%	51	23	0	55%
14 ^{th***}	48	23	7	38%	18	3	0	83%	6	1	0	83%
15 ^{th***}	13	9	0	31%	58	17	0	71%	7	3	0	57%
17 th	913	586	--	36%	1110	196	--	82%	109	88	--	19%

18th	812	193	165	56%	412	34	2	91%	28	0	3	89%
19th	475	70	301	22%	563	95	117	62%	89	3	59	30%
20th	410	86	235	22%	130	21	0	84%	56	12	16	50%
21^{st**}	160	141	--	12%	245	101	--	59%	30	19	--	37%

*Only Quarter 2, Quarter 3 and Quarter 4 referrals are reported.

**Only Quarter 3 and Quarter 4 referrals are reported.

***Only Quarter 4 referrals are reported.

Appendix B

Community Correction Bed Allocation and Utilization: FY19

Judicial District	Total Bed Allocation ¹	Average Daily Population ²
1	243	247.71
2	701	684.03
3³	4	2.59
4	437	467.06
5³	18	23.62
6	32	38.46
7	45	51.98
8	279	309.16
9	37	37.74
10	110	117.33
11³	8	6.17
12	86	92.15
13	89	102.20
14	34	31.00
15	35	17.98
16³	10	10.82
17	400	405.69
18	340	325.75
19	166	173.86
20	70	78.04
21	180	204.64
22³	10	9.47
Total	3334	3437.45

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.