



Legislative Council Staff

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Memorandum

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TO: Interested Persons

FROM: Juliann Jenson, Research Analyst, 303-866-3264

SUBJECT: Colorado Department of Corrections and COVID-19

Summary

Coronavirus (COVID-19) has impacted almost every aspect of society, including the criminal justice system, leaving crowded courts, prisons and jails especially susceptible to the outbreak. This memorandum provides an overview of how prisons in Colorado are reacting to this public health emergency. Please note that the COVID-19 situation is rapidly changing, and staff will be monitoring changes and making updates.

Prison Operations

The Colorado Department of Corrections (DOC) has modified operations in an attempt to curtail the spread of COVID-19 and has made the following temporary changes, summarized below.

Co-pays. Medical co-pays have been waived for offenders who are showing symptoms of COVID-19.

Face masks. Inmates have sewed upwards of 20,000 masks for themselves and other DOC staff. All employees who work in the prisons and parole officers must wear face masks.

Hygiene. Inmates are provided with two bars of soap each week, and disinfection efforts have been increased.

Inter-facility travel. Inter-facility travel by staff is conducted if absolutely necessary, and meetings between facilities will instead be conducted via phone or web conference whenever possible.

Lockdowns. Sterling Correctional Facility has been on lockdown since mid-April due to an uptick in the number of positive COVID-19 cases, and inmates are confined to their cells except for showering and bathroom trips.

Medical isolation. Inmates who test positive for COVID-19 are medically isolated from the general population. To the extent possible, staff and inmates who have been in in contact with the positive individual, are quarantined in the facility or sent home.

Parolees. Parolees who are sick, immune-compromised, over 60, and/or considered to be at a higher risk of infection are not required to make in-person visits to the parole office. Parolees will still be required to maintain contact with their parole officers with an agreed upon communication method.

Social distancing. Social distancing policies have limited the number of people in common and recreation areas. Communal programs have also been halted.

Staffing levels. The number of staff in state prisons and parole officers is being temporarily reduced and will vary based on security levels and programs. DOC headquarters in Colorado Springs is closed, and staff are working remotely. Parole officers are also increasingly supervising parolees remotely.

Testing and screening. The DOC has been conducting “widespread target testing” at Sterling Correctional Facility where there are 247 confirmed cases as of April 30, 2020. Outside of Sterling, 30 inmates have been tested across nine prisons, yielding one positive test at Buena Vista Correctional Complex. The DOC is also taking temperatures of all staff and vendors prior to entry.

Tours and events. All public tours and family reunification events are postponed.

Tracing. A risk management nurse is conducting contact tracing for staff and offenders who test positive.

Visits and communication with family. DOC has temporarily banned family visits. Phone calls and video visits are allowed with the exception of Sterling, where they have been suspended in an effort to prevent cross-contamination on devices. Volunteers are not allowed inside prisons, but noncontact legal visits are still permissible.

DOC’s COVID-19 prevention and response effort may be read in its entirety here: <https://www.colorado.gov/pacific/cdoc/news/department-corrections-update-comprehensive-covid-19-prevention-and-response-efforts>

Executive Orders

Governor Polis issued a number of Executive Orders aimed at providing COVID-19 relief to DOC during this public health emergency.

Prison population management. [Executive Order D 2020 016](#) issued by Governor Polis on March 25, 2020, responds to concerns about COVID-19 in state prisons and community corrections facilities, and outlines ways in which to reduce and more easily manage the inmate population. This order was extended by [Executive Order D 2020 043](#) on April 23, 2020, for an additional 30 days. The orders suspend certain regulatory statutes in the following ways:

- **County jail transfers.** The DOC is temporarily relieved of its duty to receive new intakes from county jails.
- **Release of inmates.** The orders also provide mechanisms to facilitate the release of inmates, including increasing inmate earned time credits and opening up special needs parole to a wider array of inmates. Intensive Supervision Program-Inmate (ISP-I) eligibility requirements are also lifted under the order, and the DOC has been authorized to release inmates who are within 180 days of their parole eligibility date.
- **Facilities.** The order further allows the Centennial Correctional Facility-South (CSP II) prison, which has been previously vacant, to house mixed custody levels of inmates for quarantine, intake, and other operational purposes related to the public health emergency.

Budget. On April 30, Governor Polis signed [Executive Order D 2020 050](#), which restricts government spending by \$228.7 million for the current fiscal year, in order to address significant revenue shortfalls as a result of COVID-19. The spending cuts are specific line item reductions, rather than across-the-board cuts, but impact most state agencies, including the DOC. Of the bigger ticket items, the DOC is expected to lose \$1.4 million to reimburse private prison facilities, and \$550,000 for inmate drug screening, mental health treatment, medication management, and other programs.

Prison Population Changes

The steps DOC has taken to manage the prison population in accordance with the Executive Orders, described above, have resulted in significant population changes.

- **Decrease in inmate population.** The inmate population decreased by approximately 1,200 individuals from March 31 to April 30, 2020. These changes are primarily attributable to discretionary parole releases, along with declines in new court commitments and technical parole violation returns. Most of the decreases were seen in the larger facilities (Sterling, Denver Women's, and Territorial). The Denver Reception and Diagnostic Center, an intake and classification facility, also processed approximately 230 fewer inmates.
- **Vacancy rate.** The overall vacancy rate at the end of April was 11 percent, compared to 2 percent a month earlier. Facilities for women had a higher vacancy rate at the end of April when compared with their male counterparts (21 percent and 10 percent, respectively).
- **Private prisons.** Private prisons (Bent and Crowley) housed approximately 120 fewer inmates over the past month.

- **Increase in jail backlog.** The jail backlog increased by almost 60 percent since the Executive Order allowing DOC to deny new intakes (503 individuals on jail backlog in April compared to 208 in March).
- **ISP-I.** The program added another 123 inmates to its rolls over the past month with the easing of eligibility requirements.