

**COLORADO GENERAL ASSEMBLY  
JOINT BUDGET COMMITTEE**



**INTERIM SUPPLEMENTAL REQUESTS  
FOR FY 2013-14**

**DEPARTMENT OF CORRECTIONS**

**JBC Working Document - Subject to Change  
Staff Recommendation Does Not Represent Committee Decision**

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## Non-prioritized Interim Supplemental Requests

### NON-PRIORITIZED INTERIM SUPPLEMENTAL #1, FUGITIVE UNIT

	Request	Recommendation
<b>Total</b>	<b><u>\$976,449</u></b>	<b><u>\$915,293</u></b>
FTE	6.7	6.7
General Fund	976,449	915,293

<p><b>Does JBC staff believe the request satisfies the interim supplemental criteria of Section 24-75-111, C.R.S.?</b> [The Controller may authorize an overexpenditure of the existing appropriation if it: (1) Is approved in whole or in part by the JBC; (2) Is necessary due to unforeseen circumstances arising while the General Assembly is not in session; (3) Is approved by the Office of State Planning and Budgeting (except for State, Law, Treasury, Judicial, and Legislative Departments); (4) Is approved by the Capital Development Committee, if a capital request; (5) Is consistent with all statutory provisions applicable to the program, function or purpose for which the overexpenditure is made; and (6) Does not exceed the unencumbered balance of the fund from which the overexpenditure is to be made.]</p>	<b>YES</b>
<p><b>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?</b> [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]</p>	<b>YES</b>
<p>JBC staff and the Department agree that (1) this request meets the interim supplemental criteria of Section 24-75-111, C.R.S., and (2) this request is the result of data that was not available when the original appropriation was made.</p>	

**Department Request:** The Department requests an increase of \$976,449 General Fund and 6.7 FTE in FY 2013-14 for the creation of a fugitive unit that will recover parolees who have absconded. The Department's request annualizes to \$946,974 General Fund and 10.0 FTE in FY 2014-15.

**Staff Recommendation:** Staff recommends that the Committee approve an appropriation of \$915,293 General Fund and 6.7 FTE for FY 2013-14. This annualizes to \$854,546 General Fund and 10.0 FTE in FY 2014-15.

*The rules governing interim supplementals in Section 24-75-111 (5), C.R.S., require the Committee to introduce all interim supplementals that it approves.*

**Staff Analysis:** Following the murder of Department of Correction's Executive Director Tom Clements in March 2013, a series of news stories and editorials have focused on the following issues related to Colorado's parole system:

- The premature release of incarcerated offenders to parole.
- The problems presented by parolees who abscond (i.e. escape).

- Crimes committed by parolees, particularly those who abscond.
- The length of time it takes to apprehend parolees who abscond.
- Parolee ankle monitors that generate large numbers of tamper alerts, indicating possible escape. Many are false alarms.
- Slow responses by parole officers when ankle bracelets worn by offenders generate alerts.
- Caps that may have been placed on parolee enrollment in the Department's Intensive Supervision Program for Parolees (ISP) in response to funding limits. According to news reports, these caps may have led the Department to place some offenders on regular parole who would have been placed on ISP parole in the absence of a cap.

**The General Fund roll forward to FY 2013-14.** After figure setting, but before the Long Bill was introduced, the Committee approved a roll forward that allows the Department to expend \$500,000 of its FY 2012-13 parole personal-services appropriation in FY 2013-14. The Department will use this General Fund roll forward during FY 2013-14 to conduct monthly absconder round ups and to shorten the response time for ankle-bracelet tamper alerts. Roundups, which are usually conducted on weekends or at night, are a proven method of apprehending absconders and increased roundups are expected to reduce the average amount of time that absconders remains at large. The Department hopes that a faster response to tamper alerts will also reduce the absconder population. In early April, the Department adopted a mandatory two hour response-time for investigation of all tamper alerts. During traditional hours, parole officers respond to alerts for their existing caseloads. During non-traditional hours, parole officers, on a rotating basis, staff two-member teams that respond to alerts. The roll forward will pay sixteen officers \$225 per week to provide this coverage in addition to their normal daily caseload responsibilities.

The current supplemental request furthers the department's efforts to reduce the absconder population by establishing a full-time fugitive unit within the Parole Office that will focus on absconders.

**What will the unit do?** The Department proposes the creation of a specialized fugitive unit made up of Community Parole Officers that would be assigned to apprehend offenders who have (1) absconded from parole supervision, (2) walked away from community corrections centers, or (3) walked away from the Department's intensive supervision program for inmates (a program that allows offenders in community corrections to transition to independent living in the community prior to parole). The Department expects the fugitive unit to reduce the number of fugitives by a quarter. This would mean, for example, that the percentage of parole fugitives, which currently equals about 7.2 percent of the parole population, would decline to 5.4 percent. The Department notes that other states with fugitive units have reduced their fugitive populations by more than a quarter; Kansas, for example, reduced its absconder population by three-quarters over the course of a decade.

The Department requests funding for a 10-member fugitive unit that will operate in all areas of the state. The unit will be comprised of one supervisor and nine community parole officers. Because of the challenges unit members will face, the Department wants to staff the unit with experienced parole officers. The unit would be organized in October 2013, meaning that its

members would be paid for eight months of work during FY 2013-14 due to the pay day shift, which equates to  $10 * 8/12 = 6.7$  FTE for the first year.

The job duties of the nine fugitive officers will include reviewing cases to develop leads, advising the public about fugitives, responding quickly to information about a fugitive's current location, developing safe and effective fugitive apprehension plans, creating detailed operational plans, conducting surveillance activities on a few high-risk cases, and tracking outcomes.

The Department emphasizes that this unit will supplement the absconder recovery activities that are to be financed by the roll-forward of FY 2012-13 spending authority, as discussed above.

**Benefits for the entire parole office.** The Department also emphasizes that the fugitive unit is likely to result in enhanced parole supervision for offenders who do not abscond. Currently offenders who abscond remain on their parole officer's caseload until they are arrested. A fugitive unit will relieve parole officers of some of this work and will allow them to focus a greater portion of their time on their non-absconder caseloads, allowing added time for in-home visits, pre-parole investigations, work with employers on behalf of parolees, and offender contact. The Department hopes that this will increase the number of offenders who succeed on parole.

**Size of the Fugitive Unit.** The Department does not explain how it chose 10 employees as the appropriate size for its fugitive unit, but information supplied by the Department suggests that this number roughly accords with the size of fugitive units in some other states, adjusting for population. The following table compares the number of FTE for Colorado's proposed unit with the size of fugitive units elsewhere.

State	a. State population (in millions)	b. FTE in Fugitive Unit	FTE per million state population (=b/a)
Washington	6.9	26.0	3.77
Iowa	3.1	8.0	2.58
Nevada	2.8	6.0	2.14
Colorado request	5.2	10.0	1.92

**Adjustment to personal services calculation.** JBC staff believes that 10.0 FTE is a reasonable number of employees for the new unit and agrees with the Department's statement that the unit should be staffed with experienced parole officers, rather than new hires. However, staff does not agree with the Department's personal services calculations, which multiply the number of community parole officers in the new unit by the midpoint of the community-parole-officer salary range. When the Department creates the fugitive unit, it will move experienced officers into the unit and replace those officers with new hires. The cost of adding the fugitive unit is thus equal to the cost of the new hires plus any premium that the Department must pay to induce existing employees to move to the new unit and subsequently remain in their new jobs. Staff recommends an appropriation based on (1) salaries for the new hires that equal to the minimum of the salary range, plus (2) a salary premium equal to one quarter of the salary range for the experienced officers who join the new unit. The staff recommendation reflects this adjustment.

**The impossible-to-forecast impact on the inmate population:** In addition to the direct costs of operating the fugitive unit, there are likely to be other difficult-to-forecast changes to the Department's expenditures. For example, there has been a steady stream of negative publicity concerning the parole program since early April. This negative publicity could conceivably affect the decisions of parole board members, who are not subject to the Department's control. Out of concern that insufficient efforts are being made to apprehend absconders, board members might grant fewer discretionary paroles, thus increasing the prison population relative to what it otherwise would have been. This may have occurred in May, when the number of discretionary parole releases declined by 75, the largest month-to-month decline in two years. During May the ratio of mandatory to discretionary parole also reached its highest level since August 2012. Coincidentally, the Department's total inmate population rose by 57 during May, ending a string of month-to-month population declines that has lasted two years. However it is too soon to know whether this is a trend. A new fugitive unit could conceivably reassure the board and lead to more discretionary paroles.

In the short run, more fugitive recaptures will increase the populations in prison, jail and community return to custody facilities by a difficult-to-forecast amount, but, in the long run, returns to prison could decline as parolees learn that they are more likely to be apprehended when they run. In addition, parole officers, now relieved of some of their absconder duties, will be able to devote more time to their caseloads of non-absconders, possibly leading to fewer parole failures.

It is also important to note that almost all fugitives are ultimately recaptured under the Department's current procedures. In most cases, enhanced recovery efforts simply shorten the average amount of time offenders remain at large until capture, moving forward a capture that otherwise would have occurred later.

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**NON-PRIORITIZED INTERIM SUPPLEMENTAL #2,  
SEX OFFENDER TREATMENT AND MONITORING**

	<b>Request</b>	<b>Recommendation</b>
<b>Total</b>	<b><u>\$1,056,795</u></b>	<b><u>\$956,795</u></b>
FTE	9.0	9.0
General Fund	1,056,795	956,795

<p><b>Does JBC staff believe the request satisfies the interim supplemental criteria of Section 24-75-111, C.R.S.?</b> [The Controller may authorize an overexpenditure of the existing appropriation if it: (1) Is approved in whole or in part by the JBC; (2) Is necessary due to unforeseen circumstances arising while the General Assembly is not in session; (3) Is approved by the Office of State Planning and Budgeting (except for State, Law, Treasury, Judicial, and Legislative Departments); (4) Is approved by the Capital Development Committee, if a capital request; (5) Is consistent with all statutory provisions applicable to the program, function or purpose for which the overexpenditure is made; and (6) Does not exceed the unencumbered balance of the fund from which the overexpenditure is to be made.]</p>	<b>YES</b>
<p><b>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?</b> [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]</p>	<b>YES</b>
<p>The Department states that this request is the result of data that was not available when the original appropriation was made. Staff notes that the general circumstances related to this request have been known for some time. A budget request has been expected since January when consultants issued an evaluation report that was critical of the Department's Sex Offender Treatment and Monitoring Program. From January until May, the Department worked closely with the consultants and developed a plan for restructuring of the program that was not complete until after the session ended. The new program's details were unknown and could not have been foreseen during the session. Staff believes that the revised program and the expenditures associated with it constitute new data that was not available while the General Assembly was in session. Staff also concludes that this new information constitutes unforeseen circumstances for purposes of Section 24-75-111, C.R.S.</p>	

**Department Request:** The Department requests a supplemental appropriation of \$1,056,795 General Fund and 9.0 FTE for FY 2013-14 to expand and restructure the Department's Sex Offender Treatment Program. This request annualizes to \$1,296,062 General Fund and 13.0 FTE in FY 2014-15.

**Staff Recommendation:** Staff recommends that the Committee approve a supplemental appropriation of \$956,795 General Fund and 9.0 FTE for FY 2013-14 to expand and restructure the Department's Sex Offender Treatment Program. This recommendation annualizes to \$1,196,062 General Fund and 13.0 FTE in FY 2014-15.

*The rules governing interim supplementals in Section 24-75-111 (5), C.R.S., require the Committee to introduce all interim supplementals that it approves.*

**Staff Analysis:** Since September of 2011, the Department has submitted several requests to expand its Sex Offender Treatment and Monitoring Program (SOTMP) to deal with a growing backlog of untreated offenders. Concerned over inadequacies in the Department's SOTMP

program, the Committee declined to approve these requests until figure setting last March, when prospective program changes led it to approved an additional FY 2013-14 appropriation of \$193,658 General Fund and 2.0 FTE. The Committee also asked the Department to submit a more complete proposal and request for additional funding by June 7, 2013. The Department submitted the current proposal on June 7.

The Department's request is based on the findings and recommendations that were made by a team from Central Coast Clinical and Forensic Psychology Services, which evaluated the SOTMP program and issued a critical report in January 2013. The report focused on the efficacy and cost-effectiveness of the program and offered recommendations for improvement.

The report relied on the widely used, empirically-derived, Risk-Need-Responsivity ["RNR"] model, which guides much correctional programming. This model indicates that treatment should be:

- [Risk] Proportionate to the risk of re-offense that each individual offender presents,
- [Need] Targeted at the individual characteristics of each offender that contribute to re-offense, and
- [Responsivity] Delivered in a manner that results in meaningful participation, learning and behavior change on the part of the offender.

To ensure that the restructured SOTMP program conforms to the study recommendations, the Department hired the study's authors to review the proposed program as the Department was developing it. Based on a conversation with one of the authors, staff understands that the Department's plan for its new program was revised at least once to more closely correspond with RNR principles. The result is a replacement for the current one-size-fits-all approach. The new program contains the following components:

- Measurement of Risk: Develop a comprehensive evaluation of each offender that includes actuarial assessments and psychological risk factors.
- Increased Individualization: Offer two intensity levels of treatment with different duration of timing (dosage) and place offenders in treatment based on their measured risk, not mingling different risk populations to avoid contagion.
- Increased Quality of the Therapeutic Relationship: Increase time for meaningful contact between therapists and participants and have smaller treatment groups.
- Recruit Skilled Staff: Increase the number of therapists who can properly implement the program.
- Retain Qualified Staff and provide them with ongoing training.
- Provide Clinical Oversight and Supervision: Hire someone to provide clinical supervision and training.
- Increase Access to Treatment: Increase treatment slots and reduce wait times for treatment.

The revised treatment program will have two stages:



- A “core” treatment program (Phase I) that offenders of all risk levels must complete. Sex offenders enrolled in Phase I will be separated by risk categories. All sex offenders will participate in Phase I, but low risk offenders will stop treatment at this point.
- More intense programming for moderate-high risk and high risk sex offenders who will enter either a “Phase II” program or a Therapeutic Community.

The author with whom staff spoke emphasizes that a good program plan is only half the battle; it is equally important that the Department implement the program in a fashion that is faithful to RNR principles.

In order to implement the revised program, the Department plans to hire 13 individuals who will begin work on approximately September 1, 2013. Because of the pay day shift, this equates to 9.0 FTE in FY 2013-14. Eight of the 13 new employees will be Social Worker Therapist III's who will provide therapy to offenders, two will be Social Worker Therapist IV's who will provide therapy and will have supervisory responsibilities, two will be Psychologist I's who will conduct offender evaluations, and one will be an Administrative Assistant III. Due to difficulties that the Department has encountered when hiring sex-offender therapists in the past, the Department requests that the therapists and psychologists be funded at the midpoint of their pay ranges. Having talked to the Department about its hiring problems, Staff agrees with the use of the midpoint. With associated personal services expenditures for PERA, Medicare, Health, Life, and Dental, etc, as well as start-up costs and \$243,000 for increase polygraph testing, the entire first year request comes to \$1,056,795.

The Department currently has a backlog of approximately 1,600 offenders awaiting treatment who are within four years of their estimated parole eligibility dates. The Department estimates that it will be able to eliminate this backlog in approximately eight years if this supplemental is approved.

Staff recommends that the Committee approve most parts of this request but finds one element of bothersome: 23.0 percent of the total (\$242,931 out of \$1,056,795 total) is for contract polygraph testing. The appropriation would allow for each of 685 offenders to be tested twice at a cost of \$250 per test. Having spoken with one of the study author's, staff concludes that the large expenditure for polygraphy is not driven by RNR principles, but by the requirements of the Sex Offender Management Board (SOMB) as contained in its *Standards and Guidelines for Adult Sex Offenders*. The Department states in a summary document that it will address the use of the polygraph with the SOMB (apparently to ask for variance that would allow it to use the polygraph less) but the staff director for the SOMB has heard nothing about this from the Department.

Staff believes that the Department should seek a variance from SOMB polygraph requirements for low risk offenders who constitute an estimated 30.1 percent of the offender population needing treatment. For this reason, Staff recommends that the Committee approve an appropriation that is \$100,000 less than the request for polygraph testing.

**What about treatment at the Cheyenne Mountain Reentry Center?** In an April 18, 2013 letter, the Committee asked that the Department's June budget request include an evaluation of

the feasibility of placing sex offenders at the Cheyenne Mountain Reentry Center (CMRC) in Colorado Springs. The Department responded in a separate letter that is attached to this document. The Department's letter is somewhat hard to interpret, but it seems to state that a low-enrollment pilot maintenance program for low and low-moderate risk offenders could be established at CMRC. However, the Department apparently does not feel that Phase I or II treatment should be offered at CMRC, apparently because it is a reentry facility. A statutory change could, of course, turn CMRC into a treatment and reentry center. The letter also suggests that the time demands on the lead staff members who are revamping the Department's Sex Offender Treatment and Monitoring Program make it impossible to use CMRC for sex offenders at this time.

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	FY 2012-13	FY 2013-14	Fiscal Year 2013-14 Interim Supplemental		
	Appropriation	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<b>DEPARTMENT OF CORRECTIONS</b>					
<b>Executive Director - Roger Werholtz</b>					
<b>Non-prioritized Interim Supplemental #1 - Fugitive Unit</b>					
<i>(1) Management</i>					
<i>(A) Executive Director's Office Subprogram</i>					
Health, Life, and Dental	<u>42,056,242</u>	<u>44,530,806</u>	<u>44,210</u>	<u>44,210</u>	<u>44,575,016</u>
General Fund	40,785,401	43,015,413	44,210	44,210	43,059,623
Cash Funds	1,270,841	1,515,393	0	0	1,515,393
Short-term Disability	<u>531,705</u>	<u>605,263</u>	<u>697</u>	<u>605</u>	<u>605,868</u>
General Fund	516,204	585,519	697	605	586,124
Cash Funds	15,501	19,744	0	0	19,744
Amortization Equalization Disbursement	<u>9,669,881</u>	<u>11,342,186</u>	<u>14,173</u>	<u>12,317</u>	<u>11,354,503</u>
General Fund	9,371,299	10,968,249	14,173	12,317	10,980,566
Cash Funds	298,582	373,937	0	0	373,937
Supp. Amortization Equalization Disbursement	<u>8,256,132</u>	<u>10,198,829</u>	<u>12,795</u>	<u>11,120</u>	<u>10,209,949</u>
General Fund	7,999,538	9,861,247	12,795	11,120	9,872,367
Cash Funds	256,594	337,582	0	0	337,582
Leased Space	<u>3,316,781</u>	<u>3,549,546</u>	<u>41,250</u>	<u>41,250</u>	<u>3,590,796</u>
General Fund	3,106,576	3,333,035	41,250	41,250	3,374,285
Cash Funds	210,205	216,511	0	0	216,511

	FY 2012-13	FY 2013-14	Fiscal Year 2013-14 Interim Supplemental		
	Appropriation	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<i>(C) Inspector General Subprogram</i>					
Operating Expenses	<u>347,417</u>	<u>349,219</u>	<u>250</u>	<u>250</u>	<u>349,469</u>
General Fund	264,230	266,032	250	250	266,282
Cash Funds	83,187	83,187	0	0	83,187
<i>(2) Institutions</i>					
<i>(G) Superintendents Subprogram</i>					
Start-up Costs	<u>32,480</u>	<u>110,743</u>	<u>14,500</u>	<u>14,500</u>	<u>125,243</u>
General Fund	32,480	110,743	14,500	14,500	125,243
<i>(3) Support Services</i>					
<i>(D) Communications Subprogram</i>					
Operating Expenses	<u>1,514,685</u>	<u>1,547,100</u>	<u>4,500</u>	<u>4,500</u>	<u>1,551,600</u>
General Fund	1,514,685	1,547,100	4,500	4,500	1,551,600
<i>(E) Transportation Subprogram</i>					
Vehicle Lease Payments	<u>2,806,899</u>	<u>3,098,328</u>	<u>21,200</u>	<u>21,200</u>	<u>3,119,528</u>
General Fund	2,422,558	2,688,301	21,200	21,200	2,709,501
Cash Funds	384,341	410,027	0	0	410,027
<i>(F) Training Subprogram</i>					
Operating Expenses	<u>275,834</u>	<u>276,376</u>	<u>250</u>	<u>250</u>	<u>276,626</u>
General Fund	275,834	276,376	250	250	276,626

	FY 2012-13	FY 2013-14	Fiscal Year 2013-14 Interim Supplemental		
	Appropriation	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<i>(G) Information Systems Subprogram</i>					
Operating Expenses	<u>1,700,816</u>	<u>1,614,582</u>	<u>2,000</u>	<u>2,000</u>	<u>1,616,582</u>
General Fund	1,700,816	1,614,582	2,000	2,000	1,616,582
<i>(5) Community Services</i>					
<i>(A) Parole Subprogram</i>					
Personal Services	<u>9,811,825</u>	<u>10,385,066</u>	<u>439,356</u>	<u>381,823</u>	<u>10,766,889</u>
FTE	154.0	167.6	6.7	6.7	
General Fund	9,811,825	10,385,066	439,356	381,823	10,766,889
Operating Expenses	<u>1,058,738</u>	<u>1,123,795</u>	<u>50,558</u>	<u>50,558</u>	<u>1,174,353</u>
General Fund	1,058,738	1,123,795	50,558	50,558	1,174,353
Start-up Costs	<u>25,652</u>	<u>19,911</u>	<u>330,710</u>	<u>330,710</u>	<u>350,621</u>
General Fund	25,652	19,911	330,710	330,710	350,621
<b>Total for Supplemental #1</b>	81,405,087	88,751,750	976,449	915,293	89,667,043
FTE	<u>154.0</u>	<u>167.6</u>	<u>6.7</u>	<u>6.7</u>	<u>174.3</u>
General Fund	78,885,836	85,795,369	976,449	915,293	86,710,662
Cash Funds	2,519,251	2,956,381	0	0	2,956,381

	FY 2012-13	FY 2013-14	Fiscal Year 2013-14 Interim Supplemental		
	Appropriation	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<b>Non-prioritized Interim Supplemental #2 - Sex Offender Treatment and Monitoring</b>					
<i>(I) Management</i>					
<i>(A) Executive Director's Office Subprogram</i>					
Health, Life, and Dental	<u>42,056,242</u>	<u>44,530,806</u>	<u>48,631</u>	<u>48,631</u>	<u>44,579,437</u>
General Fund	40,785,401	43,015,413	48,631	48,631	43,064,044
Cash Funds	1,270,841	1,515,393	0	0	1,515,393
Short-term Disability	<u>531,705</u>	<u>605,263</u>	<u>998</u>	<u>998</u>	<u>606,261</u>
General Fund	516,204	585,519	998	998	586,517
Cash Funds	15,501	19,744	0	0	19,744
Amortization Equalization Disbursement	<u>9,669,881</u>	<u>11,342,186</u>	<u>20,292</u>	<u>20,292</u>	<u>11,362,478</u>
General Fund	9,371,299	10,968,249	20,292	20,292	10,988,541
Cash Funds	298,582	373,937	0	0	373,937
Supp. Amortization Equalization Disbursement	<u>8,256,132</u>	<u>10,198,829</u>	<u>18,319</u>	<u>18,319</u>	<u>10,217,148</u>
General Fund	7,999,538	9,861,247	18,319	18,319	9,879,566
Cash Funds	256,594	337,582	0	0	337,582
<i>(C) Inspector General Subprogram</i>					
Operating Expenses	<u>347,417</u>	<u>349,219</u>	<u>271</u>	<u>271</u>	<u>349,490</u>
General Fund	264,230	266,032	271	271	266,303
Cash Funds	83,187	83,187	0	0	83,187

	FY 2012-13	FY 2013-14	Fiscal Year 2013-14 Interim Supplemental		
	Appropriation	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<i>(2) Institutions</i>					
<i>(G) Superintendents Subprogram</i>					
Start-up Costs	<u>32,480</u>	<u>110,743</u>	<u>18,850</u>	<u>18,850</u>	<u>129,593</u>
General Fund	32,480	110,743	18,850	18,850	129,593
<i>(3) Support Services</i>					
<i>(D) Communications Subprogram</i>					
Operating Expenses	<u>1,514,685</u>	<u>1,547,100</u>	<u>4,875</u>	<u>4,875</u>	<u>1,551,975</u>
General Fund	1,514,685	1,547,100	4,875	4,875	1,551,975
<i>(F) Training Subprogram</i>					
Operating Expenses	<u>275,834</u>	<u>276,376</u>	<u>271</u>	<u>271</u>	<u>276,647</u>
General Fund	275,834	276,376	271	271	276,647
<i>(G) Information Systems Subprogram</i>					
Operating Expenses	<u>1,700,816</u>	<u>1,614,582</u>	<u>2,167</u>	<u>2,167</u>	<u>1,616,749</u>
General Fund	1,700,816	1,614,582	2,167	2,167	1,616,749
<i>(4) Inmate Programs</i>					
<i>(E) Sex Offender Treatment Subprogram</i>					
Personal Services	<u>2,784,830</u>	<u>2,899,553</u>	<u>629,059</u>	<u>629,059</u>	<u>3,500,233</u>
FTE	40.8	42.8	9.0	9.0	
General Fund	2,756,451	2,871,174	629,059	629,059	3,500,233
Cash Funds	28,379	28,379	0	0	

	FY 2012-13	FY 2013-14	Fiscal Year 2013-14 Interim Supplemental		
	Appropriation	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Operating Expenses	<u>84,776</u>	<u>85,776</u>	<u>5,417</u>	<u>5,417</u>	<u>485,000</u>
General Fund	84,276	85,276	5,417	5,417	242,500
Cash Funds	500	500	0	0	242,500
Polygraph Testing	<u>99,569</u>	<u>99,569</u>	<u>242,931</u>	<u>142,931</u>	<u>242,500</u>
General Fund	99,569	99,569	242,931	142,931	242,500
Start-up Costs	<u>0</u>	<u>12,856</u>	<u>64,714</u>	<u>64,714</u>	<u>77,570</u>
General Fund	0	12,856	64,714	64,714	77,570
<b>Total for Supplemental #2</b>	<b>67,354,367</b>	<b>73,672,858</b>	<b>1,056,795</b>	<b>956,795</b>	<b>74,995,081</b>
FTE	<u>40.8</u>	<u>42.8</u>	<u>9.0</u>	<u>9.0</u>	<u>0.0</u>
General Fund	65,400,783	71,314,136	1,056,795	956,795	72,422,738
Cash Funds	1,953,584	2,358,722	0	0	2,572,343
<b>Totals</b>					
DEPARTMENT OF CORRECTIONS					
TOTALS for ALL Departmental line items	740,960,074	751,232,064	2,033,244	1,872,088	753,104,152
FTE	<u>6,077.1</u>	<u>6,019.6</u>	<u>15.7</u>	<u>15.7</u>	<u>6,035.3</u>
General Fund	654,682,235	664,148,559	2,033,244	1,872,088	666,020,647
Cash Funds	39,619,027	40,179,999	0	0	40,179,999
Reappropriated Funds	45,644,484	45,892,992	0	0	45,892,992
Federal Funds	1,014,328	1,010,514	0	0	1,010,514

Key:

"N.A." = Not Applicable or Not Available



# STATE OF COLORADO

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## COLORADO DEPARTMENT OF CORRECTIONS

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John W. Hickenlooper  
Governor

Roger Werholtz  
Interim Executive Director

June 7, 2013

The Honorable Pat Steadman  
Chair, Joint Budget Committee  
Colorado General Assembly  
200 E. 14<sup>th</sup> Avenue, Third Floor  
Denver, CO 80203

Dear Senator Steadman:

The Department analysis of the feasibility of a sex offender program at Cheyenne Mountain Re-Entry Center (CMRC) is contained below. The Department understands the importance of collaboration with Community Education Centers (CEC) and is awaiting the results of the Prison Utilization Study to determine the best course of action for the program. Accordingly, the Department will be sharing this analysis with CMRC/CEC and has scheduled a meeting for Tuesday, June 11<sup>th</sup>.

The Department believes that any component of a CMRC Sex Offender Treatment Program should begin only after an in depth evaluation of the feasibility of sex-offender programming by a team of Department of Correction (DOC) Sex Offender Treatment Management Program (SOTMP), CMRC, and CEC staff. The best program to implement would be a pilot maintenance program for low and low moderate risk offenders. Although the number of offenders that this could serve, absent of statutory changes, is relatively low, the best case scenario may be that a maintenance program could be offered, but would not recommend any Phase I or II treatment at CMRC.

If sex-offender treatment is offered at CMRC, it would be the most beneficial and feasible to offer treatment in maintenance programming, low to low moderate risk sex offenders, and to pilot the treatment of sex offenders prior to offering full implementation to ensure that the program would meet the DOC's requirements for maintenance treatment and the offender is compliant with SOMB requirements. Maintenance programming would also need to be supervised and trained by a DOC SOTMP team. However the Trainer Manager is a highly needed position in the current SOTMP program and initially will have a very full workload with the responsibilities within DOC programs. They would not be available to train, coach, and mentor therapists at CMRC.

It would be imperative that the program be an extension of the DOC sex offender maintenance program to ensure continuity of treatment. There would be no need for any Phase I or II treatment in a re-entry facility, so the delivery of a maintenance program that is an extension of the DOC program is the optimum choice.

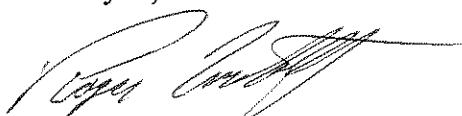
After the SOTMP, CMRC and CEC team determines whether DOC or CEC employees would be the treatment providers, analysis of the current funding would determine if there is a need for increased payments. Initially, it would be DOC SOTMP to implement programming.

The committee asked if CMRC could be used for sex offender assessments. Assessments could not feasibly be completed at CMRC. The statutory mission of CMRC is re-entry. Therefore, the offenders that would be going to CMRC would be in the last six months of their sentence and would not require Sex Offender Risk Assessment. This would be accomplished upon entry into Department of Corrections (DOC), not while they are re-entering into the community. Those offenders should be complete with Phase I and Phase II treatment.

Statute changes may be required to Section 17-1-206.5, C.R.S., which governs CMRC, as the statute currently states it is to service as a pre-parole and revocation center. Utilizing the facility as a Sex Offender Treatment Program will require a revision. In addition, the statute limits CMRC population to offenders who have not been convicted of a crime of violence and who have no more than 19 months remaining to their parole eligibility date, or those who have been convicted of a crime of violence and who have no more than 9 months remaining until such offenders' parole eligibility date. Most sex offense crimes are determined to be crimes of violence.

We will keep you apprised of our progress in collaboration with CEC.

Thank you,



Roger Werholtz  
Interim Executive Director  
Colorado Department of Corrections

cc: Representative Claire Levy, Joint Budget Committee Vice-Chair  
Senator Mary Hodge, Joint Budget Committee Member  
Senator Kent Lambert, Joint Budget Committee Member  
Representative Cheri Gerou, Joint Budget Committee Member  
Representative Crisanta Duran, Joint Budget Committee Member  
Mr. Steve Allen, Senior Legislative Analyst, Joint Budget Committee Staff  
Mr. Henry Sobanet, Director, Governor's Office of State Planning and Budgeting  
Mr. Erick Scheminske, Deputy Director, Governor's Office of State Planning and Budgeting  
Mr. Paul Doyle, Senior Policy and Budget Analyst, Governor's Office of State Planning and Budgeting