

COLORADO DEPARTMENT OF CORRECTIONS



Budget Hearing
January 7, 2019

RICK RAEMISCH
EXECUTIVE DIRECTOR

DEPARTMENT OF CORRECTIONS
FY 2019-20 JOINT BUDGET COMMITTEE HEARING AGENDA

Monday, January 7, 2019
1:30 pm – 5:00 pm

1:30-1:45 INTRODUCTIONS AND OPENING COMMENTS

Presenter: Rick Raemisch, Executive Director

1:45-2:30 GENERAL QUESTIONS

Main Presenters:

- Kellie Wasko, Deputy Executive Director
- Deb Goheen, Interim Director of Finance & Administration

2:30-3:00 CORRECTIONAL SYSTEM

Main Presenters:

- Kellie Wasko, Deputy Executive Director
- Deb Goheen, Interim Director of Finance & Administration

3:00-3:15 BREAK

3:15-3:45 STAFF RETENTION

Main Presenters:

- Kellie Wasko, Deputy Executive Director
- Deb Goheen, Interim Director of Finance & Administration

3:45-4:30 PRISON CAPACITY

Main Presenters:

- Kellie Wasko, Deputy Executive Director
- Deb Goheen, Interim Director of Finance & Administration

DEPARTMENT OF CORRECTIONS

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GENERAL QUESTIONS

- 1. Please provide information on the average length of stay in county jails. Please include at least five years of previous data and the current year data.**

Response: The following table shows the average number of days a new court commitment spends in jail backlog awaiting transfer to a DOC facility, going back to FY 2012-13:

Jail Backlog - Average Length of Stay	
Fiscal Year	# Days
2012-13	7.67
2013-14	8.55
2014-15	8.07
2015-16	7.57
2016-17	9.11
2017-18	7.81
2018-19 Year-to-Date	7.59

The Department maintains a 3-month rolling average of time spent in jail for technical parole violators (TPVs). The current 3-month average for TPVs is 53 days before revocation and 10 days after revocation for an average 63 days in jail.

- 2. Do counties and jails work with the Department to negotiate prescription drug rates? If not, is this a possibility?**

Response: The Department currently uses Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) to negotiate pharmaceutical costs. MMCAP is a free, voluntary group purchasing organization for government facilities that provide healthcare services. Since 1985, MMCAP has been delivering pharmacy and healthcare value to members extending across nearly every state in the nation, delivering volume buying power.

MMCAP is open to government institutions that provide healthcare services such as state agencies, counties, cities, school districts, and correctional and public higher education institutions. It is unknown to the DOC which other departments/agencies/counties are current members of MMCAP. In the event that the other departments are an MMCAP member, then everyone is getting the same rates that are negotiated by MMCAP. If the

Department were to stop using MMCAP, it is likely that a group of Colorado departments, counties, etc., would have less buying power than the MMCAP currently does.

3. In regards to community re-entry programs:

- **How much effect do these programs have on recidivism when the results of the programs are combined?**
- **How much have these programs reduced total recidivism?**
- **What percentage of inmates released from the Department are served by these programs?**

***Response:** “Recidivism” has been used as a generalized term that loosely means “a return to prison after release”. In actuality, “recidivism” is well-defined by the Association of State Correctional Administrators (ASCA) as “a return to prison within 3 years of release”. It is reported in two categories: Technical Violators and New Convictions. The Department uses the ASCA definition of “recidivism” for reporting purposes.*

In order for the comparison of recidivism statistics to be meaningful, the methodologies for measuring recidivism must be identical and many times they are not. Returns to prison are the highest in the first year following release and tend to drop steadily in subsequent years. Most returns to prison occur within the first three years following release.

The Department receives inquiries regarding the return (or recidivism) rates of offenders who have participated in specific programs. While it would be beneficial to report at this granular level, it is typically not feasible for the following reasons:

- *Offenders participate in numerous programs throughout their incarceration and continuing into the community. It is not possible to know which of those many programs contributed to offender success.*
- *Calculation of recidivism requires a 4-year time lag before meaningful data can be reported. A cohort of offenders who release in a specific calendar year are tracked over the following 3 years to determine whether or not they return to prison. Those who do return within that 3-year time frame are included in the recidivism statistic. Therefore, it is not possible to calculate a recidivism rate on offenders who participate in a specific program until after that program has been running for a minimum of 4 years. Many programs for which the Department is asked to report recidivism rates have not been functional for 4 years.*

Prison Programs for Recidivism and Re-entry

There are 218 programs offered within DOC facilities, not including volunteer and faith-based programs. All offered programs are intended to impact offender re-entry and recidivism. The programs cover a variety of areas to include: clinical treatment; academic, vocational, and cognitive skills; and Correctional Industries work assignments. Offenders

typically complete multiple programs during their incarceration. Highlights of some of the recently developed re-entry programs are listed below:

Re-entry Living Units: *The Department implemented re-entry living units in 12 Level II, III, and IV state and private prison facilities in FY 2015-16. The re-entry living units provide releasing offenders with the tools and resources necessary to facilitate a fluid transition to the community and promote successful reintegration. A significant component for the success of the re-entry units has been the establishment of collaborative partnerships with private and governmental entities to identify resources for releasing offenders through an in-reach model. The concept of in-reach embraces the idea that in order for an offender to succeed in a community setting, the offender must have critical basics such as housing, job skills, employment, and treatment programs in place before the offender releases from prison. The 12 re-entry living units are comprised of 1,392 beds.*

Research suggests that prison programs should target moderate- to high-risk offenders in order to have the greatest results in reducing recidivism. The Department has therefore targeted moderate- to high-risk offenders for placement in re-entry units. At the end of FY 2017-18, 90 percent of the population in the re-entry units were moderate- to high-risk offenders. As of December 31, 2018, 16,641 offenders have participated in the re-entry living unit program.

Offender Re-entry Mentoring Program: *In October 2018, the Department began a mentoring program for releasing offenders to support a successful reintegration into the community by securing community support and involvement. The goal of the mentor-mentee relationship is to provide a supportive transition that offers a continuum of care and programs, and addresses the basic daily living challenges and obstacles offenders face upon release to the community. The program allows for prior offenders/felons who have been successful in the community to become mentors. As of December 31, 2018, there are 4 offenders enrolled in the re-entry mentoring program.*

Gang Disengagement Program: *A Gang Disengagement Program (GDP) was developed in early 2017 between DOC and ex-offenders who are subject matter experts on gangs and have been successful, positive role models within the community. GDP sets out to deliver transformational change in relation to the nature and scale of Colorado's gang intervention activities, as well as to change the context and culture of organizations who have a stake in the realization of GDP's proposed benefits. GDP was delivered for the first time at Colorado State Penitentiary in April 2017 with the first group of participants completing the program in June 2017. The program is delivered by ex-offenders who can speak from past experience and provide a level of credibility to the curriculum being delivered. The scope and availability of the program remains small because the Department utilized existing resources to fund the program and there are a limited number of ex-offenders than can deliver the program. The program is also being offered to parolees. To date, 5 facility groups, totaling 58 offenders, have completed GDP.*

Violence Reduction Program: *The Department started an offender violence reduction program in 2014 to deter offenders from committing violent acts and promote pro-social interactions; 672 offenders have participated in this program since inception. The program imposes privilege restrictions on offenders who participate in and/or are associated with offenders who commit certain violent or organized disruptive acts. The program was recently revised and expanded based on information gleaned from other agencies with similar programs. The DOC program is based on a model from the Boston Ceasefire project that was implemented in state correctional systems and showed success in reducing prison violence. The Department also consulted with one of the co-directors of the Boston Ceasefire project during the recent revision of the program.*

Parole Programs for Recidivism and Re-entry

House Bill 14-1355 expanded re-entry services in the Department. The expansion included staffing positions for Community Re-entry Specialists, Pre-release Specialists, Case Managers, Community Care Managers, Employment Training Navigators, Facility-based Community Parole Officers, and Community-based Behavioral Health Specialists that work directly with parolees. These staff work collaboratively to ensure releasing offenders receive transitional services prior to and after release to the community. They also ensure parole planning and transition includes stabilization, adequate housing, job readiness and employment, and access to critical mental health care. In FY 2018, 1,045 offenders completed the 10 modular pre-release curriculum and there were 4,930 individual sessions with offenders.

Community Re-entry Specialists (CRES): *provide integrated case management and support services throughout the state to assist with removing barriers that interfere with an offender's successful transition from prison to the community. Re-entry services are based on individual need and are incentive based. CRES use cognitive-based interventions when interacting with offenders to enhance motivation and reinforce positive behavior. CRES also conduct initial assessments to determine the appropriate level of transition assistance that may be needed for successful re-entry into the community.*

Facility-based Community Parole Officers (FCPO): *work with offenders who are within 180 days of release and residing within the Re-entry Living Units. FCPOs review offender records, case files, and transition plans to help offenders with identifying potential barriers to success upon release. They collaborate with Case Managers, Parole Behavioral Health Specialists, and Re-entry staff to identify offenders with high levels of needs and determine the necessary steps offenders should follow in conjunction with their release to the community.*

Employment and Training Navigators (ETN): *provide statewide services and specialize in working with parolees to enhance job readiness by encouraging long-term employment goals with sustainable wages through soft skills classes and funding for job training. ETNs*

provide individual case planning following the principles of the Risk-Need-Responsivity Model, and utilize strategies aimed at positive behavior changes such as developing increased decision making and problem solving skills. ETNs collaborate with state workforce centers, technical schools, community colleges, and other vocational schools to identify certification and job training opportunities. Additionally, ETNs seek and establish relationships with employers who are willing to hire parolees. They also work with local businesses and community organizations to promote workforce development projects, internships, and apprenticeship programs.

Work and Gain Education and Employment Skills (WAGEES): *This grant program was also created in H.B. 14-1355 and has the Latino Coalition for Community Leadership acting as an intermediary and program administrator on the Department's behalf. The program supports a partnership between DOC and local faith- and community-based organizations to support a successful re-entry transition for people leaving prison. The grants that are awarded fund community programs that help those on parole get high school diplomas (or equivalent), industry-recognized credentials, long-term vocational or post-secondary education, and employment. The WAGEES program was reauthorized in H.B. 18-1176 and also received increased funding for 10 underserved areas throughout Colorado. The expansion also includes a program specifically to address the needs of female parolees. In FY 2018, 2,262 participants were enrolled in the WAGEES program.*

Colorado Offender Identification Program: *This program is a collaborative effort between DOC and the Department of Revenue to provide proper identification for offenders, a vital component to successful re-entry. This program features a multi-prong approach to issue identification documents including on-line renewal, transports to local driver's license offices, waiver issuance for discharged/paroled offenders, and fully staffed facility-based Department of Motor Vehicle offices located in the Denver Reception and Diagnostic Center for all incoming offenders, and in the Colorado Territorial Correctional Facility for releasing offenders. Prior to the implementation of this program in FY 13, 23% of offenders released with state ID's. Approximately 80% of eligible offenders are currently releasing with state ID's. In FY 2018, 5,329 offenders were released with a driver's license or state identification card and 190 were sent to the offender post release.*

CORRECTIONAL SYSTEM

4. How many individuals in Colorado are serving time in prison for drug convictions?

Response: *As of November 30, 2018, 1,719 offenders have a most serious crime that falls under drug convictions.*

What percentage of that number is for simple drug convictions?

Response: *The Department does not have a definition for simple drug convictions but is providing conviction details on the 1,719 offenders that have a most serious crime that falls under drug convictions in Appendix A. Of the 1,719 offenders, 1,143 offenders (66.5%) have*

only drug-related offenses while the other 576 offenders (33.5%) also have non-drug-related felony criminal convictions during the same incarceration. In addition, 315 of the 1,719 offenders have possession crimes.

How many individuals are revoked from parole for drug reasons? Are the number of those being revoked for drug reasons increasing?

Response: The reason for revocation is not a data collection item; therefore, the Department cannot determine the number of individuals revoked from parole for drug reasons.

5. How many individuals are in prison due to drug charges as opposed to a drug related charges? Please discuss any connection from non-drug crimes (i.e. theft or burglary) that were the result of attempts to fund drug habits.

Response: The DOC offender management information system does not have information on drug-related charges or motives for crimes committed by offenders; therefore, the Department cannot provide data in response to these questions.

STAFF RETENTION

6. With regard to the transition from senior Department staff to warden positions:

- **Did the Department conduct a competitive process? If not, why was one not completed?**

Response: Personnel Director's Administrative Procedure 4-14 provides the appointing authority the following choices in assessing and selecting candidates: "A) Appoint an eligible candidate who is a transfer, non-disciplinary demotion or reinstatement, B) Appropriate an existing eligible list if a reemployment list does not exist, or C) Post an announcement and engage in fair and open competition through a comparative analysis." The Department chose to utilize reinstatement under the first option. Board Rule 1-64.2 defines a reinstatement as "An appointment of a former or current employee either to a class in which a person was certified and resigned or voluntary demoted in good standing or to a related class." The Department received affirmation from the Office of the Attorney General and the Department of Personnel and Administration that the reinstatement procedures were followed correctly.

The Warden position is unique, only existing in the Department of Corrections at the state level in Colorado. The mission of DOC is "To protect the citizens of Colorado by holding offenders accountable and engaging them in opportunities to make positive behavioral changes and become law-abiding citizens". Thus there is specialized knowledge and experience required for warden positions, solely obtained through training and experience within a correctional facility. To add, the Department's current pool of associate wardens includes many who are new to their role and in the early stages of developing the competencies required for serving as future Wardens.

In 2017, the Department's recruitment efforts for the position of Warden were insufficient due to a lack of qualified applicants as demonstrated with incomplete referrals (not meeting the Rule of 6, Article XII, Section 13). Based on the results of the last several recruiting attempts, evidence points to an insufficient applicant pool in Colorado. The Department subsequently pursued an Out of State Residency Waiver in May 2017 and, upon approval, conducted a nation-wide recruitment campaign. Unfortunately, these efforts did not produce any better results as the lack of qualified applicants produced an incomplete referral.

Warden positions require incumbents to possess job-specific knowledge. Senior staff exercised their reinstatement privileges, and were selected to fill the vacant warden positions based on their exemplary performance and success in their previous certified Management/Warden class positions. They were proven in their work behaviors with positive, progressive contributions to the overall goals and objectives of the Department. In their previous leadership positions, they were qualified and successful in documented, demonstrated competencies.

- **Does the Department believe that they are in compliance with the Colorado Constitution with these actions?**

***Response:** Yes, the Department is in compliance with the Colorado Constitution. Colorado State Personnel Board Rules and Personnel Director's Administrative Procedures are promulgated under the Colorado Constitution and Statute. All Board Rules are subjected to a Constitutional review and all revisions to the rules are subjected to the same review. The Department adhered to established board rules and procedures in conducting this selection process. Historically, the Department has routinely utilized Director's Procedure 4-14(A) to select and appoint former employees through the reinstatement process, as have other state agencies.*

- **How long were the warden positions vacant and will any remain vacant pending transition from senior staff to wardens?**

***Response:** The Warden at the Arkansas Valley Correctional Facility (AVCF) moved to the Limon Correctional Facility on December 1, 2018, due to a retirement. This transfer created a vacant warden position at AVCF on December 1, 2018. The warden position at Youthful Offender System/La Vista Correctional Facility became vacant on December 1, 2018, due to a retirement on November 30, 2018. A third warden position at the Centennial Correctional Facility became vacant on November 1, 2018, due to a retirement on October 31, 2018. These warden positions have been filled through the reinstatement process, and the Department currently has no remaining warden vacancies. The senior staff are serving in dual roles as wardens while performing interim duties for the Executive team through the transition to a new Executive Director.*

7. Please discuss the differences between state and private prisons with regard to staff salaries, staff to inmate ratios, and turnover.

Response: Private prisons are paid a per diem of \$57.37 per offender per day. The per diem covers facility operating costs, offender care, and staff salaries. There is a difference in the hourly rate paid to a Correctional Officer I (CO I) in a state facility compared to a private facility. There is also a difference in the staffing patterns and acuity/risk needs of offenders in state and private prisons. State prisons manage offenders with higher acuity/risk needs as compared to private prisons. More details on the offender population housed in private prisons can be found in the Annual Report Concerning the Status of Private Contract Prisons, December 1, 2018. Over the past 12 months, the 2 private prison contractors have raised salaries for CO I's to be more competitive in a robust job market. CoreCivic raised their starting salary rate to \$15.01/hour (\$31,221 annual salary) while the GEO Group offers \$14.00/hour (\$29,120 annual salary) as the starting rate. The starting hourly rate for a State CO I is \$20.29 (\$42,204 annual salary).

It is not possible to compare differences in staff ratios between private facilities and state facilities. Facility staffing patterns vary and are not based on a staff to inmate ratio. Staffing patterns are established based upon the physical plant characteristics of a facility, the classification/risk of the offender population, offender acuity needs, and the programs offered. Per the contracts, the private prisons are expected to meet a minimum staffing pattern to fill mandated positions and posts. Failure to meet a minimum staffing pattern on any given shift may result in liquidated damages as outlined in the contracts. The contracts only address minimum staffing based upon the contract requirements but each private prison attempts to hire above the minimum staffing pattern identified in the contract. The minimum staffing pattern for the private prisons is not comparable to a staff to inmate ratio of state facilities.

In a robust economy, the three private prisons are challenged by staff turnover as employees migrate to higher paying jobs, jobs closer to home, jobs that are less dangerous, or jobs that do not require shift work. The following were the CO I turnover rates for the three private prisons and DOC:

Correctional Officer I Turnover Rates	
FY 2017-18	
Department of Corrections	26%
Bent County Correctional Facility	30%
Crowley County Correctional Facility	20%
Cheyenne Mountain Re-entry Center	49%

8. Please discuss the turnover, vacancy rate, and any salary concerns with regard to nurses working for the Department.

Response: *The Department has a positive development to report regarding nurse vacancies and turnover rates in FY 2018-19. Prior to the current year, the Department has experienced a high number of vacancies due to high staff turnover. This trend has been reversed in the current year with 6 Nurse I and 2 Nurse III vacancies as of December 28, 2018 and substantially reduced turnover rates:*

Nurse Turnover History					
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19*
Nurse I	30.8%	34.6%	31.0%	38.1%	8.1%
Nurse III	33.3%	32.0%	40.9%	34.8%	12.5%

* FY 2018-19 turnover rates are through December 31, 2018.

The Department attributes this turn of events to the increased funding received in the FY 2018-19 Long Bill in response to the Department's FY 2018-19 Staff Retention change request (R-01). The additional funds allowed the Department to increase salaries for all existing nurses to range mid-point or higher depending on the employees' years of service. In addition, DOC starts all new nurses at range mid-point. DOC is now a competitive employer in the nursing labor market, to include the ability to pay nurses at the same level as those employed by the Colorado Mental Health Institute-Pueblo.

9. Please provide a list of employee incentives that the Department offers.

Response: *The Department is utilizing a variety of incentives to assist with recruiting and retaining key staff. The following incentive programs are currently in effect:*

Referrals:

- *Referring a new hire Correctional Officer I (CO I) and Correctional Support Trades Supervisor I (CSTS I) to the Sterling, Limon, or Buena Vista Correctional Facilities is \$100.*
- *Referring a new hire CO I and CSTS I to all other DOC facilities is \$50.*
- *Referring a licensed and credentialed clinical position statewide is \$500.*
- *Referrals are paid out after the new hire completes basic training and has six months satisfactory performance on the job.*

Incentives:

- *Incentive pay, \$200 per month, for CO I, CO II, CSTS I, Correctional Support Licensed Trades Supervisor I, and select Clinical Staff at the Sterling, Limon, and Denver area correctional facilities.*
- *Housing allowance, \$300 per month, for the same classifications as above plus the Facility Parole Officer at the Buena Vista Correctional Facility.*
- *Incentive pay, \$200 per month, for Community Parole and Facility Parole Officers at the following locations: Alamosa, Crowley, Craig, Delta, Durango,*

Grand Junction, La Junta, Las Animas, Limon, Montrose, Rifle, Sterling, and Trinidad.

Sign-on Bonus:

- \$1,000 for a new hire CO I to accept assignment to Sterling Correctional Facility. Paid out as follows:

Classification	Basic Training Graduation	6 Month Satisfactory Performance Review	Certification at 1 Year	Total Signing Bonus
CO I	\$250	\$250	\$500	\$1,000

- Various sign-on bonuses for medical positions, paid out as follows:

Classification	Basic Training Graduation	6 Month Satisfactory Performance Review	1 Year Satisfactory Performance Eval	Total Signing Bonus
Health Care Technician I	\$250	\$250	\$500	\$1000
Nurse I	\$250	\$250	\$500	\$1,000
Nurse I (Canon City)	\$250	\$1,000	\$1,250	\$2,500
Nurse III	\$250	\$250	\$500	\$1,000
Nurse III (Canon City)	\$250	\$1,000	\$1,250	\$2,500
Mid-Level Provider	\$500	\$1,000	\$1,000	\$2,500
Physician II	\$1,000	\$1,500	\$2,500	\$5,000

10. Please provide data on the trends in assaults, fights, and dangerous incidents within the prison system.

Response: The Department provides the below information on assaults, fights, and other dangerous incidents within the prison system from FY 2013-14 through FY 2017-18. It should be noted that the reporting of offender assaults changed in FY 2014-15 to better align with the Association of State Correctional Administrators reporting categories.

Category	Subcategory	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	Grand Total
Assaults/Fights	Assault Staff - With Serious Injury	10	4	3	14	5	36
	Assault Staff - W/Out Serious Injury	109	118	140	168	251	786

Category	Subcategory	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	Grand Total
	Assault Staff - Spitting	31	22	26	46	50	175
	Assault Staff - Hazardous Liquid	35	18	23	36	50	162
	Assault Staff - Attempt	69	42	63	39	129	342
	Assault Staff- Incidental Contact	73	66	83	33	43	298
	Fight		67	48	62	100	277
	Inmate Assault on Inmate -W/Out Serious Injury		364	462	525	589	1,940
	Inmate Assault on Inmate -With Serious Injury	594	763	796	825	932	3,910
	Inmate Assault Hazardous Liquid		8	6	9	14	37
	Inmate Assault Spitting		8	13	16	19	56
	Inmate Assault On Inmate	441	73				514
	Inmate Assault On Visitor	1	1				2
Dangerous Contraband	Alcohol	109	217	325	338	576	1,565
	Communication Device	15	24	61	79	67	246
	Drugs/Drug Paraphernalia	95	123	250	254	403	1,125
	Firearm, Knife, Bludgeon	412	457	485	412	495	2,261
	Tobacco	57	46	44	44	46	237
Escape	Attempted Escape	3	2	1	4	3	13
	Escape Paraphernalia	14	26	31	20	32	123
	Escape Threat	3	2		1		6
	Escape Without Force	1	1	2	2	3	9
Use Of Force		1,121	1,237	1,258	1,291	1,771	6,678
Grand Total		3,193	3,689	4,120	4,218	5,578	20,798

11. With regard to salaries:

- **Please provide a comparison of Correctional Officer salary to the salaries of local law enforcement officers for the areas where prisons are located.**
- **Please provide a comparison to rural areas.**
- **Please provide comparisons to the Pueblo police and sheriff departments.**
- **Please provide a similar comparison for private prisons as the Department provided for state employees.**

***Response:** The table below provides expanded information from change request R-01, Staff Retention, which includes local law enforcement agencies in the areas that DOC prisons are located, including those in rural areas and the various Pueblo law enforcement agencies. The private prison comparison information is found in the response to Question 7 above.*

Law Enforcement Agency Salary Comparison

Agency	2018 Starting Salary	Comments
Colorado State Patrol Cadet	\$66,996	
Thornton PD	\$61,461	Longevity Pay upon reaching fifth anniversary (\$12 per month x 60 = \$720)
Lakewood PD	\$59,571	Eligible for a pay increase around the time of their annual appraisal
Denver PD	\$59,403	Annual Step increases
Commerce City PD	\$58,806	
DHS CO II	\$57,840	
Denver Sheriff Deputy	\$56,355	Required to work at the Denver County Jail or the Downtown Detention Center
Northglenn Police Officer	\$57,500	
Aurora PD	\$53,713	
Jefferson County Detention Deputy Sheriff	\$52,932	Job Listing Minimum Salary, after academy moves to \$59,897. Time in grade pay increases
DHS CO I	\$52,464	
Delta Police Officer	\$52,416	Job Listing Minimum Salary
Pueblo County Sheriff Deputy	\$50,376	Based on Dec 31, 2017 Salary Publication
Montrose Police Officer	\$50,000	Job Listing Minimum Salary
Fremont County Detention Sergeant	\$49,950	Based on Dec 31, 2017 Salary Publication
Salida Police Officer	\$48,960	Job Listing Minimum Salary
Rifle Police Patrol Officer	\$48,797	Job Listing Minimum Salary
Garfield County Sheriff Detention Deputy	\$48,568	Job Listing Minimum Salary
Auraria Higher Education Center PD	\$48,432	
Lincoln County Correctional Officer II	\$45,120	County Commissioners Agenda - Nov 2018 expenses, lowest salary listed
Pueblo Police Patrol Officer	\$44,250	Entry level - 10 Step schedule that tops out at \$71,259
Garfield County Sheriff Detention Specialist	\$44,096	Job Listing Minimum Salary

Law Enforcement Agency Salary Comparison		
Agency	2018 Starting Salary	Comments
Pueblo County Sheriff Detention Deputy	\$42,024	Based on Dec 31, 2017 Salary Publication
Sterling Police Officer	\$41,829	Job Listing Minimum Salary
Canon City Police Corporal	\$41,779	Job Listing Minimum Salary - Multiple steps topping out at \$56,524.
Bureau of Prisons Correctional Officer		10 level step plan
Denver - Aurora	\$44,793	
Other	\$41,623	
Jefferson Co Detention Deputy Sheriff	\$52,931	After completion of 9-week Academy, salary adjusted to \$59,896
Adams County Sheriff Cadet	\$51,890	Deputy Sheriff Salary Range: \$55,004 - \$76,903; Deputies assigned to Jail or Patrol Divisions
Montrose County Corrections Deputy	\$39,250	Job Listing Minimum Salary
Chaffee County Detention Deputy	\$39,000	Job Listing Minimum Salary
Trinidad Police	\$38,584	Job Listing Minimum Salary, Increases to \$40,706 after a one-year probation
Fremont County Detention Correction Officer	\$36,750	Based on Dec 31, 2017 Salary Publication
Lincoln County Correctional Officer I	\$35,316	County Commissioners Agenda - Nov 2018 expenses, lowest salary listed
Average Salary	\$49,229	
CDOC - CO II	\$46,512	
CDOC - CO I	\$42,204	

PRISON CAPACITY

12. What role have habitual offenders legislation played in life sentences?

Response: As of September 30, 2018, the Department has 2,810 total Lifetime Maximum Sentenced offenders, representing 14% of the DOC inmate population. This is broken down as:

- 1,752 Lifers with Indeterminate sentences
 - Lifetime supervision sex offenders (1,750)

- Pre-1979 sentences (2)
- 1,058 Lifers with Determinate sentences. This includes 766 life without parole sentences, 217 sentenced 40-to-life, 54 sentenced 20-to-life, and 21 sentenced 10-to-life
 - 948 – 1st degree murder
 - 19 – 1st degree kidnapping
 - 91 – habitual offenders

13. What are the current drivers of life sentences?

Response: *Lifetime Supervision for sex offenders and Life without Parole, first degree murder convictions, are the current drivers for life sentences.*

Offenders eligible for life sentences include class one felonies of first degree murder and first degree kidnapping, and offenses with special habitual enhancements. In addition, certain offenses carry indeterminate sentences with a maximum sentence of life:

(A) Life without parole eligibility (C.R.S. 17-22.5-104)

Class one felonies committed on or after September 20, 1991, are sentenced to life in prison without parole eligibility.

(B) Life with parole eligibility (C.R.S. 17-22.5-104)

Parole eligibility after 40 years includes class one felonies committed on or after July 1, 1985, or convicted as an adult following direct filing on or after July 1, 2006, and certain habitual enhancements.

Parole eligibility after 20 years includes class one felonies and big habitual enhancements committed on or after July 1, 1977, but before July 1, 1985.

Parole eligibility after 10 years includes class one felonies and big habitual enhancements committed before July 1, 1977.

(C) Indeterminate sentences

Lifetime Supervision includes sex crimes committed on or after November 1, 1998, with a minimum sentence in the presumptive range (C.R.S 18-1.3-1001).

One day to life Colorado Sex Offenders Act includes offenders sentenced under C.R.S. 18-1.3-904 to a minimum sentence of 1 day.

Pre-1979 includes offenders sentenced for crimes committed before July 1, 1979, with a fixed minimum sentence.

14. What percentage of inmates reach their mandatory Parole date without using Community Corrections, ISP-I, or ISP-P?

Response: *The number of mandatory releases from a new court commitment with a Community Corrections or Intensive Supervision Program-Inmate (ISP-I) move within the inmate status are shown below. Inmates cannot go to ISP-P before being paroled.*

Mandatory Releases from New Court Commitments		
Fiscal Year of Release	Community/ISP-I Movement	No Use of Community/ISP-I
2013-14	29.22%	70.78%
2014-15	31.18%	68.82%
2015-16	32.87%	67.13%
2016-17	31.57%	68.43%
2017-18	28.71%	71.29%
2018-19 Year to Date	32.23%	69.15%

15. Please discuss the change of intake venue from DRDC to Centennial South that the Department submitted as a capital construction request.

Response: *The Centennial Correctional Facility-South (CCF-S) will be modified to duplicate the process that currently exists at the Denver Reception & Diagnostic Center (DRDC), accommodating 442 offenders for the intake and diagnostic process. This will occur through the capital construction renovation of the existing CCF-S. Upon admission and intake, offenders are assessed individually by multiple departments such as medical, behavioral health, and custody and control staff. Upon completion of the assessment process, offenders are assigned a permanent facility based on scored classification and programming needs. For behavioral health, diagnostic programmers assign appropriate alcohol, drug, sex offender, and mental health treatment level codes based on the results of assessments, criminal justice records, interviews, and other relevant information. Offenders identified as “high-risk, high-needs, and dually diagnosed” are flagged in the offender management information system which follows them throughout their incarceration and release. The intake and diagnostic process includes the following items:*

- *Process Mittimus and other documents for admission*
- *Initial clothing issue and fitting*
- *Preliminary intelligence questionnaire*
- *Nursing assessment: vital signs, self-reporting history, medication review, and mental health referral with review by a psychiatrist, if needed*
- *Blood draw*
- *Tuberculosis test and communicable disease tests*

- *DOC orientation video*
- *Prison Rape and Elimination Act video*
- *Peer educator presentation*
- *Test of Adult Basic Education*
- *Supplemental Security Income review*
- *Educational questionnaire*
- *Education interview*
- *Medical examination, urinalysis, DNA testing, and mental health psychiatrist*
- *Dental examination*
- *Diagnostic interview with a Case Manager/Programmer*
- *Level of Service Inventory-Revised (LSI-R) risk/need assessment*
- *Initial classification*
- *Diagnostic summary*
- *Quality check file/document*
- *Assessment and classification*
- *Specialty clinical interviews including: mental health, alcohol and drug, sex offender*

Upon completion of the swap, the central and southern counties will directly transport new arrivals to CCF-S while the northern counties will continue to transport new arrivals to DRDC. DOC will subsequently transport the northern county new arrivals from DRDC to CCF-S.

Appendix A

Details on the 1,719 offender that have a most serious crime that falls under drug convictions. These numbers are as of November 30, 2018.

Felony Class	Felony Desc	Count of Docno
Drug Felony Class 1	DIST/MANF/DISP/SALE > 50 MILLIGRAMS&	5
	DIST/MANF/DISP/SALE I-II > 225 GRAMS	33
	DIST/MANF/DISP/SALE I-II TO MINOR	3
	DIST/MANF/DISP/SALE M/H/K/C > 112 GRAMS	145
	MARIJUANA DISP/SELL/DISP >50LBS CONC >25LBS	3
	SPECIAL DRUG OFFENDER (2014)	42
Drug Felony Class 2	DIST/MANF/DISP/SALE I-II	20
	DIST/MANF/DISP/SALE I-II < 10 GRAMS	2
	DIST/MANF/DISP/SALE I-II >14 G < 225	3
	DIST/MANF/DISP/SALE I-II (REPEAT)	9
	DIST/MANF/DISP/SALE M/H/K/C > 112 GRAMS	2
	DIST/MANF/DISP/SALE TO <18YRS	1
	POSSESSION I-II (REPEAT)	1
	POSSESSION I-IV 1 GRAM OR LESS PRIOR CONVICTION	1
	POSSESSION II	3
	SPECIAL DRUG OFFENDER (2014)	3
Drug Felony Class 3	UNLAWFUL POSSESSION OF MATERIALS TO MAKE METHAMPHE	3
	CONTROLLED SUBSTANCES UNLAWFUL ACTS LICENSES	1
	CULTIVATE MARIJUANA > 30 PLANTS	3
	DIST/MANF/DISP/SALE I-II < 10 GRAMS	118
	DIST/MANF/DISP/SALE I-II <=14 GRAMS	10
	DIST/MANF/DISP/SALE I-II >14 G < 225	2
	DIST/MANF/DISP/SALE III-IV > 4 G	5
	DIST/MANF/DISP/SALE M/H/K/C <=7 GRAMS	89
	DIST/MANF/DISP/SALE M/H/K/C > 7G < 112G	4
	MARIJUANA DISP/SELL/DISP >50LBS CONC >25LBS	13
Drug Felony Class 4	SYNTHETIC MARIJUANA DIST/MANF/DISP/SALE	2
	CONTROLLED SUBSTANCE FRAUD DECEIT	2
	DIST/MANF/DISP/SALE I-II < 10 GRAMS	2
	DIST/MANF/DISP/SALE I-II <=4G	2
	DIST/MANF/DISP/SALE III-IV < 4 GRAMS	14
	IMITATION CONTROL SUBSTANCE	2
	MARIJUANA DISP/SELL/DISP >4<12OZS CONC>2<6OZS	1
	MARIJUANA SELLS/TRANSFER/DISPENSE TO MINOR	1
	POSSESSION I-II OR FLUN/KET	199
	CONTROL SUBSTANCE VIOLATIONS DEG 2	1
Felony 2	DIST/MANF/DISP/SALE I-II (REPEAT)	42
	POSSESSION I-II (REPEAT)	4
	SPECIAL DRUG OFFENDER	1
	CLASS III NARCOTIC OFFENSES	1
Felony 3	CONTROL SUBSTANCE VIOLATIONS DEG 2	1
	CONTROL SUBSTANCE VIOLATIONS DEG 3	1
	DIST/MANF/DISP/SALE I-II	285
	DIST/MANF/DISP/SALE I-II (REPEAT)	5
	MARIJUANA SELLS/TRANSFER/DISPENSE TO < 15	2
	POSSESSION I-II	18
	UNLAWFUL POSSESSION OF MATERIALS TO MAKE METHAMPHE	2
Felony 4	DIST/MANF/DISP/SALE I-II	34
	DIST/MANF/DISP/SALE I-II (REPEAT)	1
	DIST/MANF/DISP/SALE III	13
	DIST/MANF/DISP/SALE III (REPEAT)	1
	DIST/MANF/DISP/SALE MARIJ	3
	POSS MARIJUANA CLASS 4	1
	POSSESSION I-II	2
	POSSESSION I-II OR FLUN/KET 2GRAMS OR LESS	1
	POSSESSION I-II OR FLUN/KET/ > 4 GRAMS	25
	POSSESSION I-IV 1 GRAM OR LESS PRIOR CONVICTION	1
	POSSESSION II	27
	POSSESSION METHAMPHETAMINE > 2	22
	UNLAWFUL POSSESSION OF MATERIALS TO MAKE METHAMPHE	1
Felony 5	DIST/MANF/DISP/SALE MARIJUANA <5 LBs CONC <1LB	1
	POSSESSION I-II OR FLUN/KET/ > 4 GRAMS	1
	POSSESSION METHAMPHETAMINE > 2	1
Felony 6	POSSESSION I-II OR FLUN/KET <4GRAMS	5
	POSSESSION METHAMPHETAMINE 2 GRAMS OR LESS	3
Habitual	CONTROL SUBSTANCE VIOLATIONS DEG 2	1
	CONTROL SUBSTANCE VIOLATIONS DEG 3	3
	DIST/MANF/DISP/SALE > 10 MG <50MG	2
	DIST/MANF/DISP/SALE I-II > 225 GRAMS	2
	DIST/MANF/DISP/SALE I-II >14 G < 225	136
	DIST/MANF/DISP/SALE I-II (REPEAT)	1
	DIST/MANF/DISP/SALE M/H/K/C > 7G < 112G	286
	DIST/MANF/DISP/SALE M/H/K/C > 112 GRAMS	5
	MARIJUANA DISP/SELL/DISP >5<50LBS CONC >2.5<25LBS	21
	SYNTHETIC MARIJUANA DIST/MANF/DISP/SALE <18 YRS	3
UNLAWFUL POSSESSION OF MATERIALS TO MAKE METHAMPHE	4	
Grand Total		1719

**ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED.
PLEASE RETAIN THE NUMBERING IN ORDER TO MAINTAIN CONSISTENT LABELING FOR
COMMON QUESTIONS ACROSS DEPARTMENTS.**

- 1 **Provide a list of any legislation that the Department has: (a) not implemented, or (b) partially implemented. Explain why the Department has not implemented or has only partially implemented the legislation on this list. Please explain any problems the Department is having implementing any legislation and any suggestions you have to modify legislation.**

Response:

(a) Legislation not implemented

There is no legislation that meets this description.

(b) Legislation partially implemented

SB 13-210, Concerning Employment Conditions for Correctional Officers, requires the Department to establish staffing levels at each correctional facility and private prison by security level; develop a criteria when a corrections officer works two consecutive shifts and to pay overtime; and establish a new work period for staff subject to Fair Labor Standards Act (FLSA) 28 day work schedule. The Department is in compliance with these provisions of the Act.

Additionally, the Department is required to provide all Department employees with a pay stub that clearly and accurately reflects all hours worked, among other requirements. The Department is currently collaborating with the Department of Personnel and Administration (DPA) and the Governor's Office of Information Technology (OIT) on their efforts to modernize the state's personnel timekeeping systems. This modernized system will include the issuance of a pay stub that clearly and accurately reflects all hours worked, standard rate of pay, rate of overtime pay, accrual of any paid leave and compensatory time, remaining paid leave and compensatory time balances, as required by SB 13-210.

HB 18-1251, Concerning Measures to Improve the Efficiency of the Community Corrections Transition Placements, requires the Department to coordinate with community corrections boards and specifies the information that must be included in a community corrections transition placement referral packet. The bill also requires that the Division of Criminal Justice (DCJ) provide community corrections training to DOC staff and community corrections boards.

The Department has engaged in stakeholder processes and rolled out all changes to the referral process, as required by the bill. In addition, the DCJ trainer has already met with five community corrections boards and will begin the formal training schedule in January 2019. DOC staff are scheduled to begin receiving training by DCJ starting in January 2019.

- 2 **Does the Department have any HIGH PRIORITY OUTSTANDING recommendations as identified in the "Annual Report: Status of Outstanding Audit Recommendations" that was published by the State Auditor's Office and dated June 30, 2018 (link below)? What is the Department doing to resolve the HIGH PRIORITY OUTSTANDING recommendations? Please indicate where in the Department's budget request actions taken towards resolving HIGH PRIORITY OUTSTANDING recommendations can be found.**

<http://leg.colorado.gov/audits/annual-report-status-outstanding-audit-recommendations-june-30-2018>

Response:

In accordance with the State Auditor's Office report dated June 30, 2018, the Department had two audit recommendations classified as High Priority Outstanding as of June 30, 2018. The two recommendations involved federal reporting controls for grant funds received from the federal Bureau of Land Management (BLM) for the Colorado Correctional Industries' Wild Horse and Burro Program (WHIP).

Subsequent to the State Auditor report on June 30, 2018, the Department has undergone further audit reviews in conjunction with the Statewide FY 2018 annual financial audit, including a review of the Department's progress on implementing FY 2017 audit recommendations. The preliminary audit findings for the two high priority outstanding recommendations are being repeated in the current year; however, both findings will be reduced from material weaknesses to significant deficiencies. Both recommendations are related to finalizing the budgetary program review with BLM, which is expected to conclude in April 2019.

Recommendation 2017-051(A) was previously reported as partially implemented with an implementation date of 10/31/2018. The Department notes that updated grant procedures related to federal reporting, including reconciliation of reports to supporting documentation; documented supervisory reviews of reports to ensure accuracy; and retaining all required support including submission confirmations, have been fully implemented and updated through Administrative Regulation 200-18, Grants Management, effective 10/15/2018.

Recommendation 2017-051(C) continues to be partially implemented with an implementation date of 4/30/2019. The Department will continue to work with BLM to provide accurate cumulative expenditures through revised SF-425 reports as well as wait for BLM's review to be finalized before submitting revised SF-425 reports.

No additional budget resources are required to resolve the High Priority Outstanding recommendations identified in the report.

- 3 **If the Department receives federal funds of any type, please respond to the following:**
- a. **Are you expecting any changes in federal funding with the passage of the FFY 2018-19 or 2019-20 federal budget? If yes, in which programs, and what is the match requirement for each program?**
 - b. **Does the Department have a contingency plan if federal funds are eliminated?**
 - c. **Please provide a detailed description of any federal sanctions or potential sanctions for state activities of which the Department is already aware. In addition, please provide a detailed description of any sanctions that MAY be issued against the Department by the federal government during FFY 2018-19 or 2019-20.**

Response:

- a) *The Department is not aware of any funding impacts related to federal grants.*
- b) *The Department previously took steps to increase FY 2018-19 General Funds required to meet external capacity funding needs with the apparent elimination of awards from the Federal Bureau of Justice Assistance for the State Criminal Alien Assistance Program (SCAAP). The Department was informed of a \$2,189,593 SCAAP award on December 21, 2018.*
- c) *The Department is not aware of any actual or potential federal sanctions of state activities related to federal funding.*

- 4 **Is the Department spending money on public awareness campaigns? If so, please describe these campaigns, the goal of the messaging, the cost of the campaign, and distinguish between paid media and earned media. Further, please describe any metrics regarding effectiveness and whether the Department is working with other state or federal departments to coordinate the campaign?**

Response: *The Department does not spend any money on public awareness campaigns.*

- 5 **Based on the Department's most recent available record, what is the FTE vacancy and turnover rate by department and by division? To what does the Department attribute this turnover/vacancy? Do the statewide compensation policies administered by the Department of Personnel help or hinder in addressing vacancy or turnover issues?**

Response: *The Department had 6,083 active employees and 1,131 separations for a total 19 percent turnover rate in FY 17-18. Although division level data is unavailable at this time, the following turnover data is provided for five key classes:*

FY 2017-18 Turnover Rates by Class:

Class Title	Total Active Employees	Separations	Turnover Rate
Corr/Yth/Clin/Sec Off I	2,194	560	26%
Corr/Yth/Clin/Sec Off II	722	91	13%
Corr/Yth/Clin/Sec Off III (Spec and Supv)	302	23	8%
Corr Supp Trades Supv I	498	70	14%
Community Parole Officer	204	20	10%
Agency Total	6,083	1,131	19%

The Department attributes the turnover to salary concerns. Base salaries for the current workforce fall well below range midpoints with 72 percent of staff in quartile 1, 12 percent in quartile 2, 9 percent in quartile 3, and 7 percent in quartile 4. Per the FY 2019-20 Compensation Report, base salaries for state employees are 7% below market median. The following were the top reasons for DOC separations:

- *Accepted new job outside of system: 279*
- *Full service retirement: 182*
- *Personal reasons: 173*

6 Please identify how many rules you have promulgated in the past two years (FYs 2016-17 and 2017-18). With respect to these rules, have you done any cost-benefit analyses pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analyses pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis? Have you conducted a cost-benefit analysis of the Department’s rules as a whole? If so, please provide an overview of each analysis.

Response: Per Section 17-1-111 C.R.S., the Department is not subject to the requirements of Section 24-4-103 C.R.S. Rule-Making, and thus does not promulgate rules.

7 What are the major cost drivers impacting the Department? Is there a difference between the price inflation the Department is experiencing compared to the general CPI? Please describe any specific cost escalations.

Response: The main cost driver for the Department of Corrections, outside of caseload changes, is staff salaries and benefits, including the common policy increases from the other State agencies that provide services to DOC. The Department does not believe that price inflation for DOC exceeds general CPI; however, other factors as discussed below, do influence Department costs and budget needs.

The State of Colorado is experiencing low unemployment and a corresponding tight labor market. Employers often need to raise wages in order to fill vacancies. The Department is experiencing similar recruiting and retention challenges, especially for Correctional Officer (CO) I and II's as the starting annual salary is \$7,000 to \$11,000 less than the average of other law enforcement agencies. The Department is also competing against salary increases for direct care positions at the Colorado Mental Institutes at Fort Logan and Pueblo that included the CO I and CO II classifications. In addition, many of the Department's locations are in lower population areas or, in the case of Buena Vista, have a shortage of affordable housing. The Department is offering incentive pay for these classifications in the Denver, Sterling, Limon, and Buena Vista correctional facilities in an effort to improve staff retention until a more permanent solution, as proposed in the Department's R-01 Staff Retention change request, can be funded and implemented.

Other general cost drivers within the DOC include an expanding aging population; an increase in the number of offenders with mental illness; the Department's efforts to move from a model of warehousing offenders to treating offenders; the expansion of reentry initiatives through legislation, to include the legislatively funded Work and Gain Employment Education Skills (WAGEES) program, which was launched via HB 14-1355; higher medical and pharmaceutical costs; and costs associated with caring for a higher risk and higher needs population.

8 How is the Department's caseload changing and how does it impact the Department's budget? Are there specific population changes or service needs (e.g. aging population) that are different from general population growth?

Response: *The Department's prison caseload, including medical care for incarcerated offenders, is increasing. Although the prison population is increasing, it is not increasing at a pace that exceeds the general population growth in Colorado. The 2018 prison population is 0.35% of the state population which, along with the 2016 prison population, is the low point for prison population as a percentage to total population in the 20-year span from 2005 to 2024. Although the prison population is projected to grow through 2024, the percentage of the 2024 prison population is projected at 0.44% of the state population and is below the high of 0.47% in 2008.*

The Department of Corrections currently has 19 state and 3 private prison facilities available to house the adult prison population (the 20th state facility, Youthful Offender System, houses juvenile and youthful offenders sentenced as adults). Since July 2016, the Department has only had 6 months where the number of vacant prison beds exceeded the recommended 2 percent vacant bed rate as shown in the November 2018 Monthly Report on Prison Population, Capacity, and Utilization Report. With the low number of vacant beds and the projected prison population increase, the Department has a proposal (R-03A Prison Capacity) to increase the budget for the prison caseload. This request includes the cost to operate and staff a currently vacant prison facility in order to house the growing prison population and provide treatment and programming services to assist offenders with community re-entry.

Because the prison population has been increasing in recent years, the parole population is also expected to increase in FY 2019-20 as more offenders are released to parole. The Department submitted a change request increase for parole caseload (R-05 Parole Caseload) in order to have additional funding to provide contract services such as substance abuse treatment, medication management, and housing assistance to the growing parole population.

An increasing prison population also means the Department will have a larger population requiring medical care. Change request R-04 Medical Caseload reflects the larger population needs for the pharmaceuticals dispensed by the Department’s pharmacy as well as medical services that are provided outside of DOC facilities, e.g., emergency room visits, inpatient care, outpatient treatment, and specialist visits.

The medical caseload change request also reflects the increasing cost of providing external medical services to the prison population. One driver for the increase is the higher cost of external medical claims paid for aging offenders (those age 50 and older). Although this population is the minority in the number of claimants over the past 4 years, they have contributed to at least 50 percent of the external claims costs. Correctional Health Partners, the Department’s third-party administrator for managing the health care services provided outside of DOC facilities, reports the following external medical claims information for FY 2014-15 through FY 2017-18:

External Medical Claims								
Offender Age	# Claimants				Total Paid			
	2015	2016	2017	2018	2015	2016	2017	2018
< 50	5,170	4,690	4,520	4,798	\$10,313,658	\$7,623,709	\$8,993,958	\$11,062,490
50 & above	1,955	2,055	2,017	2,180	\$10,527,394	\$9,696,897	\$10,038,335	\$13,534,031
Total	7,125	6,745	6,537	6,978	\$20,841,052	\$17,320,606	\$19,032,293	\$24,596,521

% 50 & above	27.4%	30.5%	30.9%	31.2%	50.5%	56.0%	52.7%	55.0%
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The prison population has higher needs than the general population in many different areas. The Department’s FY 2017 Annual Statistical Report reflects 39.6% of the prison population had moderate to severe mental health needs while 74% of the prison population had moderate to severe substance abuse needs. Education needs are also notable with 24.9% of the prison population assessed with moderate to severe academic needs and 43.5% possessing moderate to severe vocational needs.

- 9 **Please provide an overview of the Department’s current and future strategies for the use of outward facing technology (e.g. websites, apps) and the role of these technologies in the Department’s interactions with the public.**

Response: The Department’s website provides statistical information for the offender population, legislative reports, monthly population and capacity reports, dashboard measures, and other published reports. The website also allows the public to access offender information (find an offender, request to visit or contact an offender, send money, etc.); victim services information; work/volunteer opportunities in the department; report PREA incidents; submit records, external research, or media requests; or send a request for information to a department constituent services staff. Department policies are also posted on the website, and real-time alerts are on the home page (canceled visiting hours, facility lockdowns, etc.). This website can be an initial resource for the public and is updated regularly.

- 10 The federal Family First Prevention Services Act of 2018 makes significant changes to the child welfare system aimed at keeping children and youth safely with families and avoiding placement in foster care by strengthening the protective capacity of families long before child welfare services are needed. The Act also expands the eligible use of funds from Title IV-E of the Social Security Act to include approved prevention and intervention services meeting the evidence-based threshold of promising-, supported-, or well-supported practices as defined by the federally selected clearing house. Several programs currently exist in the State of Colorado through which services are provided and that are intended to strengthen the protective capacity of families. The coordination and delivery of many of these services are or could be integrated with other programs and services with the intent of providing wrap-around services to children and families. The FFPSA provides an opportunity for the State of Colorado to evaluate existing programs and funding in order to leverage resources across systems, departments, and divisions and to improve service delivery.

In what way will the federal Family First Prevention Services Act impact the Department’s programs and budget? What statutory, policy, and rule changes does the Department anticipate will be required to ensure that the State of Colorado complies with all provisions of the federal Act?

Response: The Department does not have programs and budget that are impacted by the federal Family First Prevention Services Act. The Department does not anticipate any statutory, policy, or rule changes will be required to ensure departmental compliance with this act.

DEPARTMENT OF CORRECTIONS

FY 2019-20 JOINT BUDGET COMMITTEE FOLLOW-UP QUESTIONS

January 23, 2019

1. Please provide the percentage of releasing offenders that participated in the Re-entry Living Units.

Response: *While the Department targets moderate and high risk offenders for placement in the re-entry living units, all releasing offenders are provided opportunities to participate in re-entry programming. The annual percentages of releasing offenders that participated in the re-entry living units since FY 2016-17 are:*

FY 17 – 29.43%

FY 18 – 39.36%

FY 19 – 43.28% (through December 31, 2018)

2. Please provide the amount of funding the Department spends on re-entry programs and the timeline of when offenders get these services.

Response: *Expenses for the Department’s re-entry programs are shown below, followed by a discussion of program timelines.*

Re-entry Program Expenses	
Education Programs	\$19,639,769
Offender ID	\$243,965
Re-entry Programs	\$9,280,503
Behavioral Health In-Reach	\$30,000
Total	\$29,194,237

Education Programs

All of the Department’s education programs target offenders that are expected to release within five years. This includes academic programs that provide adult basic education or lead to obtaining the General Education Development certificate. DOC also offers vocational programs to provide offenders with the opportunity to acquire entry-level marketable vocational skills with a demonstrable demand in Colorado.

Offender ID

Upon intake at the Denver Reception & Diagnostic Center (DRDC), every offender is run through the Department of Revenue (DOR) system to see if they are eligible for a state ID. If they are, they are given the option to get a state ID or driver’s license (DL). If they are not eligible, then the Department identifies the reason an offender is not eligible, to include assessing if other documents are needed to prove identity. DOC will try to obtain those documents during the period of

incarceration. For those offenders requiring birth certificates, they are ordered at any point during incarceration and stored at the ID bank. For those offenders requiring social security cards, the cards are ordered 120 days prior to release and stored at the ID bank. The 120-day time frame is established by the Social Security Administration. Once the necessary documents are secured, transportation is arranged for the offender to go to DRDC or the Colorado Territorial Correctional Facility to meet with on-site DOR staff to finalize the process and obtain a state ID or DL. The Department has offenders that were incarcerated prior to establishment of the DOR office at DRDC. Once these offenders are within 120 – 365 days of release, they are placed on a list that is provided to DOR to determine eligibility for a state ID and to identify any additional documentation needs. Once eligibility is determined and all needed documentation is obtained, DOC arranges transport to DRDC or CTCF to finalize the process to obtain a state ID or DL.

Re-entry Programs

All facility-based re-entry services are offered 18 - 24 months prior to release, including placement in the re-entry living units. Re-entry services for parolees will begin or continue, as needed, upon release to the community.

Behavioral Health In-Reach

The Department has specialized treatment beds as well as outpatient services for offenders with behavioral health (mental health, substance use disorder, sex offender) treatment needs throughout the period of incarceration. These same staff also provide behavioral health programming tailored to re-entry needs to offenders that are 90-120 days from release. For high risk/high needs and dual diagnosed offenders, multidisciplinary teams that include parole staff and clinicians hold monthly transitional meetings during the 90-120 day window to coordinate community services and review current behavioral health needs. For offenders that will release from general population facilities, behavioral health staff, in collaboration with community re-entry specialists and case managers, present educational topics such as living under supervision, healthy boundaries, relapse prevention, self-soothing skills, and understanding mental health. Staff from community-based agencies that provide substance use disorder treatment meet monthly with offenders that participated in therapeutic communities to provide continuity of care services. The sex offender monitoring program provides in-reach workshops that focus on information and support for discharging offenders to facilitate successful community re-entry.

3. Please provide a comparison with other states regarding the amount of funding spent on re-entry.

Response: *The Department teamed with the Association of State Correctional Administrators (ASCA) to publish a survey to determine the amount of funding other states spent on re-entry programs. The Department will provide the results of the survey once it is complete.*

4. Regarding the staff retention request (R-01), please provide the total funding needed to increase salaries and fix all needed classifications for the Department.

Response: The Department's staff retention request moves CO I and II staff (Officer/Sergeant) and CSTS I staff (Sergeant) to range mid-point or higher, based on years of experience, over a 2-year period. In response to this question, the same approach was taken for CO III and IV staff (Lieutenant/Captain), Program Management I staff (Major), CSTS II and III staff (Lieutenant/Captain), and Case Manager I/II/III staff (Lieutenant/Captain) to preclude less experienced staff from being paid at a higher rate than longer tenured/more experienced staff. In addition, the Department used the same methodology for the parole officer classifications (Community Parole Officer, Parole Team Leader, and Parole Supervisor) since these POST Certified staff are comparable to other law enforcement agencies. Finally, the Department is including the Health Professional classifications to complete the medical staff retention efforts begun in the current fiscal year that provided salary increases for Nurses and Mid-level Providers.

The FY 2019-20 cost for the salary and benefits increase for the added classifications is \$4,173,227. The FY 2020-21 cost is \$8,088,394 for a total 2-year cost of \$12,261,621 for these 16 job classifications. This is in addition to the Department's staff retention request of \$38,276,550 over two years, for a total impact of \$50,538,171.

Staff Retention - Additional Job Classes			
Classification	Phase I FY 19-20 (11 Months)	Phase II FY 20-21 (12 Months)	Total
CO III (Lieutenant)	\$1,009,123	\$1,831,823	\$2,840,946
CO IV (Captain)	\$346,305	\$501,362	\$847,667
PM I (Major)	\$406,997	\$777,350	\$1,184,347
CSTS II (Lieutenant)	\$345,389	\$574,825	\$920,214
CSTS III (Captain)	\$139,924	\$192,522	\$332,446
CM I (Lieutenant)	\$782,745	\$1,167,837	\$1,950,582
CM II	\$30,375	\$83,905	\$114,280
CM III (Captain)	\$29,961	\$39,486	\$69,447
Community Parole Officer	\$801,297	\$1,924,001	\$2,725,298
Parole Team Leader	\$118,488	\$147,886	\$266,374
Parole Supervisor	\$57,611	\$88,021	\$145,632
Health Professional II	\$16,431	\$477,553	\$493,984
HP IV	\$36,086	\$43,849	\$79,935
HP V	\$0	\$15,327	\$15,327
HP VI	\$52,495	\$185,012	\$237,507
HP VII	\$0	\$37,635	\$37,635
Total	\$4,173,227	\$8,088,394	\$12,261,621

5. Please provide the crime breakdown of the 91 habitual offenders noted as part of the Lifers with Determinate sentences (in reference to DOC hearing question 12).

Response: *The number of habitual offenders that are lifers with determinate sentences decreased by 2 during December with an ending number of 89 on December 31, 2018. One offender passed away and one other offender was granted a court-ordered discharge from a murder conviction and was re-sentenced to a 6-year homicide charge. The crime breakdown for the 89 offenders is listed in the table below. It should be noted that these crimes/offenders pre-date the latest crime charges that make 1st degree murder a Life without Parole crime.*

Habitual Offender Crime	# Offenders
1st Degree Assault	7
1st Degree Burglary	2
1st Degree Murder	11
2nd Degree Assault	1
2nd Degree Burglary	3
2nd Degree Burglary of Dwelling	2
2nd Degree Murder	1
Aggravated Robbery	21
Aggravated Robbery - Drugs	1
Child Abuse Death	1
Controlled Substance Violations - 2nd Degree	1
Controlled Substance Violations -3rd Degree	3
Repeat Offense - Distribution/Manufacturing/Dispensing or Sale of Schedule I or II Drug	1
Holding Hostages	1
Vehicular Homicide	1
Kidnapping - 1st Degree	2
Kidnapping - 2nd Degree	5
Kidnapping - 2nd Degree (Sex Assault)	7
Menacing	1
Possession of Weapon - Convicted Felon	1
Possession of Contraband - 1st Degree	1
Robbery of Elderly or Disabled	1
Sexual Assault - 1st Degree	9
Sexual Assault on Child	4
Violation of Bail Bond	1
Total	89

6. Please provide the numbers of offenders noted by the percentages in the Mandatory Releases from New Court Commitments that reach their MRD without using Community Corrections or ISP-I (clarification to DOC hearing question 14).

Response: *The table has been updated to provide the numbers of offenders rather than percentages. It should be noted that the numbers behind the percentages provided for the January 7, 2019 hearing document excluded releases due to HB 09-1351, Increase Earned Time Allowance. The numbers in the revised table now include releases that were accelerated due to the earned time provisions in HB 09-1351. This change results in a slightly lower percentage moving through community/ISP-I than previously reported.*

Mandatory Releases from New Court Commitments			
Fiscal Year of Release	Community/ISP-I Movement	No Use of Community/ISP-I	Total
2013-14	613	1,700	2,313
2014-15	694	1,792	2,486
2015-16	805	2,003	2,808
2016-17	801	2,184	2,985
2017-18	768	2,314	3,082
2018-19 Year to Date	371	952	1,323
Grand Total	4,052	10,945	14,997

In FY 2017-18, 52% of the new court commitment offenders that were paroled were released on their MRD. Of these 52%, 75.1% did not go to Community or ISP-I prior to their release. While this may appear to be a high percentage of offenders not moving through Community or ISP-I, it is not a surprising outcome when considering offender risk factors. If the offender was not paroled by the Parole Board prior to their MRD, then it is expected that Community Corrections Boards and Programs may have rejected the offender for the same reasons that the Parole Board did not grant discretionary parole. The following table provides the total number of new court commitment releases for FY 18:

New Court Commitment Releases – Paroled in FY 18		
Discretionary Parole	2,843	48.0%
Mandatory Parole	3,082	52.0%
Total New Court Commitment Releases	5,925	

7. Please provide the informal recidivism rates.

Response: *The Department has 1-year return rates that are a timelier indicator of changes in the direction of recidivism/return to prison. The most current year is a 2016 cohort. The 2016 return rate of 26.4% (shown below) is a nearly 8% drop from the 1-year cohort for 2014, which was 34.2%.*

1-Year Return Type	Percent
New Crime	7.9%
Technical Violation	18.5%
Total	26.4%