

DEPARTMENT OF PUBLIC SAFETY (DIVISION OF CRIMINAL JUSTICE)
FY 2022-23 JOINT BUDGET COMMITTEE HEARING AGENDA

Monday, December 13, 2021
11:00 pm – 12:00 pm

11:00-11:05 INTRODUCTIONS AND OPENING COMMENTS

Presenter: Stan Hilkey, Department of Public Safety Executive Director

11:05-11:25 COMMUNITY CORRECTIONS GENERAL DISCUSSION

Main Presenters:

- Stan Hilkey, Department of Public Safety Executive Director
- Joe Thome, Director of the Division of Criminal Justice

Supporting Presenters:

- Katie Ruske, Director of the Office of Community Corrections

Topics:

- General questions: Page 1, Questions 1-5 in the packet
- Subsistence: Page 4, Questions 6-7 in the packet

11:25-12:00 PERFORMANCE-BASED CONTRACTING (PBC)

Main Presenters:

- Stan Hilkey, Department of Public Safety Executive Director
- Joe Thome, Director of the Division of Criminal Justice

Supporting Presenters:

- Katie Ruske, Director of the Office of Community Corrections

Topics:

- General PBC questions: Page 5, Questions 8-11 in the packet
- Performance measures: Page 7, Questions 9-17 in the packet

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COMMUNITY CORRECTIONS GENERAL DISCUSSION

GENERAL QUESTIONS

1. [Sen. Hansen] What would be the impact of providing a 1.0 percent rate increase for community corrections provider given current inflation rates? How might this impact individual providers?

Response: *The September 2021 quarterly inflation rate calculated for Colorado is 3.7 percent¹. A one percent increase to daily rates would yield approximately \$0.49 per resident day for those in a base rate bed. For residents in specialized beds, the daily rate/client impact would be an additional \$0.95. For a facility with an average daily population (ADP) of 115 residents, that would provide an additional \$20,567 annually. Across the system, based on the FY 2021 ADP of 3,800 in base beds, the cost would be \$679,630. Providers are better positioned to detail the impact of inflation on operations and the manner in which the increase per diem will offset expenses and inflation.*

2. [Sen. Rankin] What actions can we take to ensure the community corrections system remains viable, especially given the difference in costs as compared to the DOC?

Response: *The viability of community corrections is impacted by the ability to maintain a census that supports the operation of community corrections. Currently, the census is impacted in two main areas, reduction of referrals and reduced capacity due to program closures and staffing shortages. In regards to referrals, the reduction of the criminal justice population since the beginning of the pandemic has decreased the number of referrals received by community corrections boards from both major referral sources, DOC transition clients and direct sentences from the courts. In FY 2019-20 there were a total of 14,981 referrals, this number dropped to 11,409 in FY 2020-21. A full data set from FY 2018-19 is not available, but believe the number of referrals was higher in that year, before the pandemic impacts. Current crime trends and criminal justice population projections suggest that an increase in referrals could be realized in the future. In addition, the Department continues to work with boards, providers, and DOC on improving both the number and quality of referrals, as well as acceptance rates. Pursuant to H.B. 18-1251, the Department provides training to DOC case managers to educate them on community corrections to aid in better preparation of inmates and improved referrals. In addition, the Department arranges in reaches where community corrections boards and providers connect with inmates. These in reaches are aimed at improving communication and reducing the number of offenders who waive their referral. Capacity issues in regards to program closures most significantly affect Denver, where the decision was made to no longer contract with their two major providers, CoreCivic and GEO. The two GEO programs closed and CoreCivic contracts have been reduced as they transition to complete closure. To date,*

¹ <https://cdola.colorado.gov/inflation-denver-aurora-lakewood-consumer-price-index>

two of the four Denver-based CoreCivic programs have closed, with another is scheduled to close at the end of this month. These specific program closures are not related to the reduction of referrals or financial impacts. Denver currently has a waitlist of approved individuals awaiting placement in community corrections. Two other programs have permanently closed their doors across the state for a variety of reasons. Community corrections is no exception to the hiring issues seen across the state and country. Of the current 28 respondents to a provider capacity survey conducted by the Department, 13 report that staff hiring and retention is affecting their current capacity. To aid with these financial impacts, as well as the impacts of COVID, the Department is making available an additional facility payment for this fiscal year. The facility payment is contingent upon submission of an approved plan for the use of funds to cover the costs of the COVID-19 pandemic and/or utilization for staff hiring and retention.

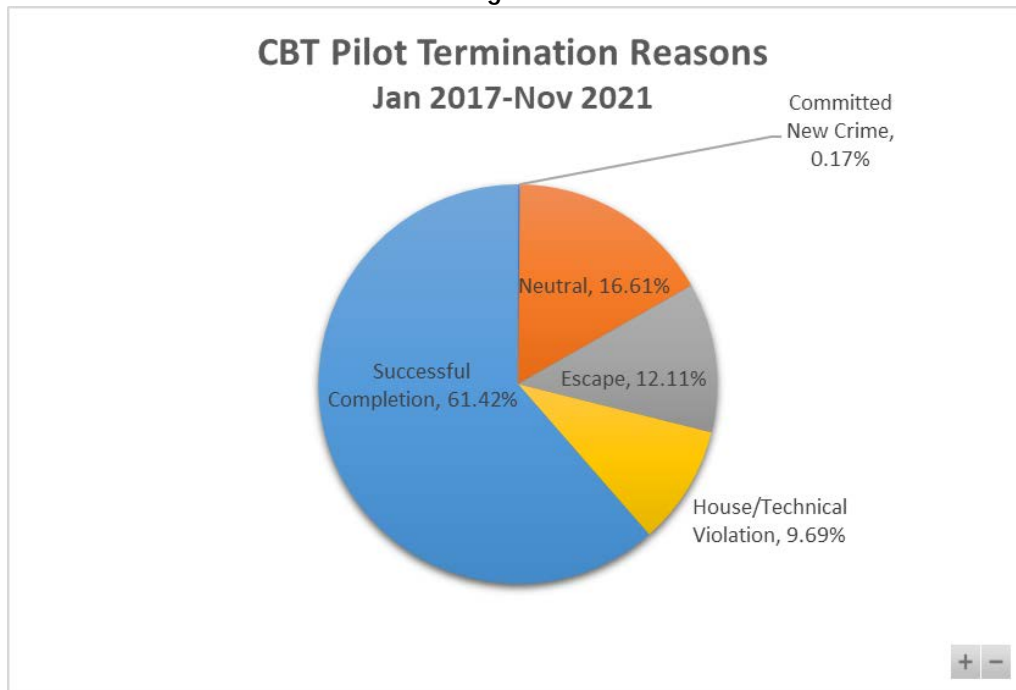
3. *[Sen. Moreno] Please provide any available data or evaluation information related to the Cognitive Behavioral Therapy Pilot program.*

Response: *The implementation of the Cognitive Behavioral Therapy (CBT) pilot program has encountered several setbacks out of the control of the Department. These implementation limitations have led to the inability to determine if the pilot program is meeting the original objectives and intended outcomes. The first milestone causing disruption in the consistency and continuity of the pilot program was an unexpected change of vendor. The contract for the pilot program was awarded to the partnership of the City and County of Denver and Community Education Centers (CEC). Just a few months after the opening of the program, the GEO Group acquired CEC. After navigating this transition and collaboratively working on implementation with the vendors, the Office of Community Corrections completed a Statement of Work Evaluation in December 2018. The purpose of the evaluation was to provide feedback and ongoing technical assistance from to help the program address implementation and fidelity challenges. While those efforts were underway, the GEO Group contract the Denver City Council voted to not renew and the program was closed in December 2019. The City and County of Denver remained committed to the CBT pilot program and received permission from the Department to solely operate the pilot program out of the county's work release program in the jail. Renovations, the hiring of personnel and other operational needs had to be completed before the program could reopen in April 2020, in the midst of the COVID-19 pandemic. Implementation, to fidelity, of such a robust evidence-based program takes significant and sustainable effort. Unfortunately, the multiple changes in vendors, change in location, and the pandemic resulted in implementation of the CBT pilot never being fully realized. Accordingly, an evaluation of the effectiveness of the program to meet objectives and improve outcomes for high-risk, high-need clients has not been possible.*

While an outcome evaluation has not been possible, we have conducted an examination of program outputs. Since January 2017, the CBT pilot program has served 580 clients, 21 of which are currently active in the program. Approximately 80% of the total clients served participated when the program was operated by CEC/GEO and 20% while the program has been operated by the City and County of Denver. Reasons for termination from the program are generally comparable to those in Intensive Residential Treatment (IRT) which is a similarly situated 90-day IRT program during which clients do not have unsupervised access to the community. However, a comparison of overall CBT Pilot termination reasons to FY21 IRT terminations shows that the CBT pilot has higher rates of escape (CBT = 12.11%; IRT=7.4%)

and lower technical violation rates (CBT=9.69%; IRT=16.6%). Success rates across the two programs are similar (CBT=61.42; IRT=67.6).

Figure 1



4. [Rep. McCluskie] Regarding the relationship between DCJ, boards, and providers: Are the expectations of the three entities aligned? Do some local boards set expectations that are higher than DCJ's?

Response: DCJ, boards, and providers are aligned through community corrections guiding statutes, the Colorado Community Corrections Standards, and contractual requirements. The partnership of local control statutorily allows boards and providers the authority to set criteria for acceptance into local programs, as well as the authority to decide which clients they will accept for placement into community corrections. Statutes, Standards, and contracts dictate that structured decision making tools be utilized for these decisions. Per 17-27-103(4), C.R.S. community corrections boards have the authority to establish and enforce standards as long as they exceed the standards set by DCJ and do not conflict with those standards. DCJ works closely to partner and collaborate with all stakeholders on the statutory purpose of community corrections.

5. [Sen. Moreno] Please provide recommendations to improve data sharing between Judicial, DOC, and DCJ.

Response: DCJ has a memorandum of understanding (MOU) with the DOC and State Judicial for the purposes of research and population projections assigned to the division by the general assembly. Those MOUs provide relatively easy access for the division to conduct its research obligations. Those MOUs or updated agreements can be explored to expand data sharing allowances to better understand the relationship and outcomes for sentenced offenders with

similar risk and need profiles across systems. Included in the Governor's FY 2022-23 budget request, is set aside funding for data sharing in the Safer Communities package.

SUBSISTENCE

6. *[Sen. Moreno]* How much would it cost to cover subsistence payments for the rest of the current fiscal year? How much might it cost for FY 2022-23?

Response: *Assuming subsistence were to be covered for the entire period of the individual's involvement with community corrections, the ADP for the individuals in community corrections for whom subsistence applies can be utilized. IRT clients and CBT clients are not charged subsistence and were removed from the ADP. In an effort to be able to do a quick analysis, Residential Dual Diagnosis Treatment (RDDT) clients were left in the data set, but are not charged subsistence for the first 30 days of their placement. Based on current year-to-date ADP for this population (2,050), it would cost \$6,668,280 to cover subsistence for 180 days. This includes the coverages of subsistence for both residential and non-residential populations. It is not possible to know the exact ADP for the coming fiscal year. However, it is believed that the population could increase given current criminal justice population forecasts and crime trends. Assuming an increase of 300 in residential and 50 in non-residential ADP for next fiscal year, the estimated cost for covering subsistence for all clients in FY 2022-23 would be \$15,438,040.*

Another way to accomplish the coverage of subsistence would be to increase the per diems by the subsistence amount, and eliminate subsistence. While this strategy would simplify billing and budgeting, increasing the base per diem for residential and non-residential would come at a greater cost. For example, when considering covering subsistence for the remainder of this FY, the total average ADP is higher and \$7,705,620 would be needed to cover subsistence. In addition to considering ADP data when contemplating coverage of subsistence, the Department collects data from providers on the amount of subsistence paid by individuals, as well as any fees owed to the program. While this data set is not perfect and comes with its limitations, it does provide insight into the amount of subsistence that is actually collected. For the clients who discharged in FY 2020-21, providers reported collecting a total of \$8,454,975 in subsistence from those individuals. For this same time period providers reported that the total amount of fees owed to the program was \$2,711,463. While it is believed that the majority of these fees are subsistence, it is possible that other fees could be owed.

7. *[Sen. Moreno]* Please provide additional commentary on subsistence: What is the Department's perspective? What could the State do to address this issue?

Response: *Currently subsistence fees are \$17/day for residential clients and \$3/day for non-residential clients. During the pandemic, the Department covered subsistence fees initially for all clients in community corrections. Due to Stay at Home Orders and many industries and businesses closing, clients were often not able to work and covering subsistence ensured they were not accruing financial debts because of the pandemic. Once these orders were lifted and businesses began to reopen, the Department transitioned to covering subsistence for individuals in community corrections when they were required to quarantine or isolate and therefore unable to work throughout the remainder of FY 2020-21. In FY 2013-14 the JBC funded the Subsistence Grace Period Pilot Project, to determine if waiving the fee of*

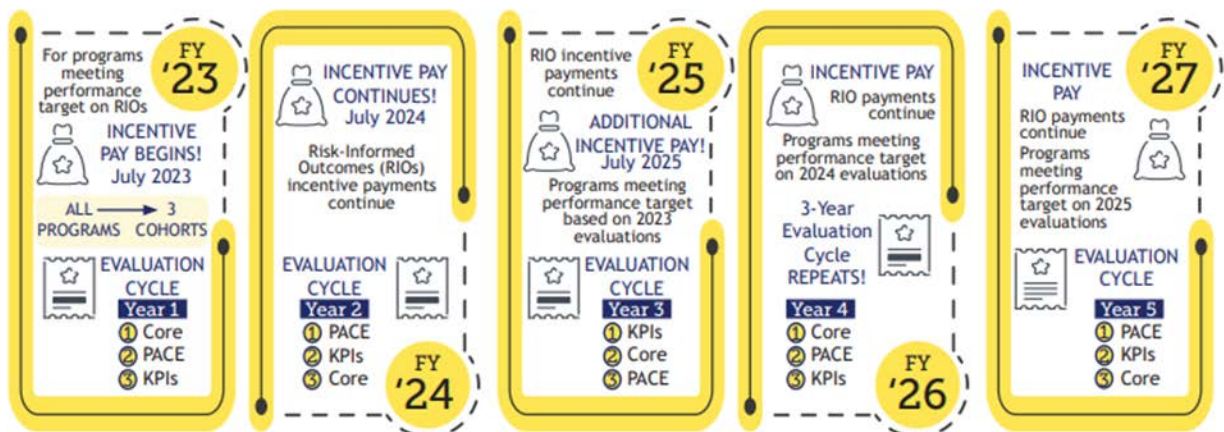
subsistence for the first 28 days improved outcomes. Individuals were randomly selected to participate in the pilot from both the transition and diversion populations and a comparison group of community corrections clients from the previous year was utilized for the data analysis. The study found no statistically significant difference in the average length of stay across all groups. In regards to the amount owed at termination from the program, there was no statistically significant difference for diversion clients; however, transition clients did owe significantly less (\$549 versus \$686). In regards to the intended purpose of the study, improvement of outcomes, the results were not as hypothesized. For diversion clients, 42.0% of the pilot project group successfully completed community corrections versus 49.5% of the comparison group, a statistically significant difference. For transition clients, 57.8% of pilot participants successfully completed versus 59.9% of the comparison group, a non-statistically significant difference. The pilot only covered subsistence for the first 28 days and the Department has not done a study that includes coverage of subsistence for the entire length of stay. The results of the Grace Period Pilot Project align with national discussion and research on the topic of fees in criminal justice, as the discussion and research do not provide a clear answer on the use of fees. One part of the national discussion and research suggest that a small fee leads to greater buy-in and motivation from the individual while perhaps also preparing them for budgeting and financial responsibility. Another part of the national discussion suggests that fees increase the financial burdens on individuals, potentially affecting their future success and ability to reach financial stability.

PERFORMANCE-BASED CONTRACTING (PBC)

GENERAL PBC QUESTIONS

8. Please discuss the potential timeline for implementation. What would prevent the Division from implementing in FY 2022-23? Is it a resource issue? If so, what resources are required? Are there technical or non-resource challenges preventing implementation?

Response: *After consulting with budget and procurement, the Department believes that PBC payments can be appropriately managed through the current contracts. Given that contracts do not need to be updated immediately, payments for risk-informed outcomes can begin in FY 2022-23 for the planned and prepared measures. In regards to the other performance measures of Core Security, PACE, and key performance indicators that are recommended by the Department, payments would begin in FY 2024-25. Key performance indicators are a new measure added in the Request for Information (RFI) based on feedback gathered from stakeholders. It is important that every program has the opportunity to be evaluated to ensure equity in the first round of payments for these measures. In addition, the Department needs time to make any needed updates and changes to the processes before completing the first round of measurements. The Department proposes a 3-year measurement cycle for these measures, in which a provider will receive a PACE evaluation, Core Security audit, or key performance indicators review each year. Three years meets current staffing resources, but of equal importance, allows providers time in between audits to make adjustments and improvements to increase their performance for the next audit. Given this, the Department does not recommend an accelerated evaluation and payment cycle. Full details around the timeline and payments will be provided in the RFI.*



Fiscal year (FY) runs from July 1 - June 30. Evaluation cycle is off-set from fiscal year and runs January 1 - November 30.

All programs continue to receive base pay every year.

Analysis of Risk-Informed Outcomes (RIOs) occurs every year for all programs.

Core Security audits and PACE evaluations are conducted on-site. Programs will receive reports of any findings along with corrective actions.

Specific measures are achieved through Key Performance Indicators (KPIs) a self-reported performance metric.

9. [Rep. McCluskie] Are there existing, validated models for performance-based contracts in criminal justice systems that we could consider using in Colorado? Perhaps models from other states?

Response: As part of their contract with the Department, the Urban Institute did a search for other PBC systems in criminal justice. The most applicable was in the state of Pennsylvania. The outcome measures utilized by this state includes: risk-adjusted recidivism rates, program completion, escape/unexcused absence, employment, program audits, security audits, and operation audits. The PBC model recommended by the Department has similarities in the areas of risk-adjusted recidivism. While the model proposed by the Department also includes program completion and auditing, there are some key differences. The Department's model also adjusts program completion rates for risk to ensure the PBC model does not unintentionally encourage accepting lower risk clients into the program. In regards to auditing, the Pennsylvania model appears to only require that audits be 100% completed, while the model we are proposing is dependent upon a program's performance in the audit to better ensure quality services. The Urban Institute was not able to locate any other PBC model in criminal justice for their analysis. They did review PBC models applied in human service agencies, but still found the Pennsylvania model to be the most relevant.

10. [Rep. McCluskie] How large do PBC payments need to be to be effective? Is there relevant data available?

Response: The Department additionally consulted with the Urban Institute on the issue of payment size. The Urban Institute suggested that even a small incentive could be effective. The total incentive earned in Pennsylvania is a 1% addition to their payment. The Urban Institute recommended a gradual model of increasing incentives, while also decreasing the percentage of per diem a program receives as the base payment. Their report also included a more aggressive model, should the state wish to pursue higher incentives. Having a balance of an incentive increase, smaller base rate, and consequences for underperforming create a balanced model that encourages provider engagement. A gradual model that develops over

time allows the programs and systems to adjust to the model before increased financial impacts set in. The Department is recommending a gradual payment model that starts with a potential 2% increase in the first year and accumulates to 5% in future years. One of the benefits of this proposed payment model is the flexibility to adjust the percentages as more is learned through application of PBC.

11. [Sen. Rankin] Is there underlying value in having these discussions concerning desired outcomes, even if we never implement a performance based payment system. Do these discussions with and among providers improve services and outcomes or have other benefits?

Response: *Engaging in data-driven discussions around outcomes with stakeholders and as a system is always a valuable endeavor. Analyzing outcome data allows the system to have informed discussions about quality, performance, and alignment with the system purpose. As a system, we are then able to make data-driven decisions around policy, standards, targeted training, and strategic planning. Discussion creates awareness and breeds collaborative goal-setting and strategic planning for the system. Relying solely on outcome measures as those discussed in the briefing does come with challenges, including when considering a performance-based payment system. This is why the Department has proposed a model of PBC that also includes measures in the direct control of the provider that tie directly to the purpose of community corrections, as well as research on recidivism reduction. Having a balance of measures for PBC aids in mitigating the challenges of looking at outcome measures alone.*

PERFORMANCE MEASURES

12. [Sen. Moreno] Does DCJ have any concerns about how complicated certain performance measures are? Please speak to the certain PACE and Core Security Audits in your response.

Response: *The PACE and Core Security Audits measure compliance with Colorado Community Corrections Standards. The audits include a variety of evaluation methods including document and file review, direct observations, and interview and survey methods with both clients and staff. The Department has made all of the tools utilized in these processes available to both boards and providers and works to create a transparent and collaborative process. The PACE was designed and developed with national experts in the area of adherence to the Principles of Effective Intervention. Both audits were intentionally designed to create objectivity in the measurement and mitigate bias and subjectivity in determining compliance. The Department is confident in the audit processes, while also committed to continuously evaluating and improving upon them as needed. Including these measures in PBC ensures there is a component in the direct control of the providers included in PBC. Incentivizing outcome measures of recidivism, successful completions, and similar alone does not sufficiently incentivize the provision of quality services aligned with best practices. While outcome measures are an important piece of the puzzle, they do not tell the whole story about program performance and investment in the success of clients.*

13. [Rep. Ransom] What kind of resources does the Division need to track employment-related outcomes after people leave the community corrections system? Are there any challenges to tracking this kind of information apart from resource challenges?

Response: After an individual leaves community corrections they are under no obligation to report any data or information back to the provider or the Department. For those individuals who transition onto parole, DOC Parole may have data regarding employment. However, for the rest of the population and those on parole who discharge, there is no longer any supervising agency that the individual must report information to, including employment. To be able to collect this type of information, the Department would need accurate contact information for individuals and would need to reach out to them to participate in voluntary surveys providing information about their current employment status. Getting accurate contact information, conducting the surveys, data entry, and analysis on an ongoing basis would require a considerable amount of resources. Typical survey response rates range from 5-30%, with 33% being the ideal target. It is unlikely that a survey response strategy would yield the response rate needed to have reliable data.

14. [Sen. Rankin] Is there data to compare outcomes for individuals directly leaving DOC compared to those going through community corrections?

Response: The Department does not have any data for individuals who do not go through community corrections. An analysis of this type would need to be coordinated with DOC. There are many important considerations for an analysis of this type, first and foremost being a definition of the outcome you wish to compare. Currently DOC and the Department use different definitions of recidivism. The DOC defines recidivism as return to prison, as this is the nationally accepted definition for corrections systems. Community systems tend to adopt different definitions, rooted in new crime either at the time of filing or conviction. Research staff from different agencies and partners in the criminal justice system in Colorado did come together to try to identify a recidivism definition that would work across all systems, but the practical necessities of each particular system (i.e. probation, community corrections, parole, DOC) require a definition suitable for their operational needs. For the proposed analysis, we would have to find an outcome definition that is the same and works for both DOC and community corrections. This would likely be a common definition used in addition to current respective recidivism measures. In addition to defining the outcome(s), the analysis should also compare risk/need profiles. It is important to adjust for this factor to ensure similar clients and profiles are being compared in the analysis.

15. [Sen. Rankin] Is there national research available about how recidivism should be measured and potentially used for performance payments? Does the Department have any resources devoted to looking at this type of evidence?

Response: This type of research is not specifically available for recidivism in relationship to performance payments. Very few states provide performance payments in criminal justice. When the Department worked with the Urban Institute, they stated that the most commonly accepted definition for recidivism for a community based criminal justice population was new conviction starting from the day of entry into the community. Given that community corrections serves felony offenders, a definition of new felony conviction from time of entry into the program was recommended. The Department agrees with utilizing this definition for PBC.

16. [Sen. Moreno] Are outcome measures truly objective given that local boards and programs have discretion to accept or reject individuals?

Response: *While boards and providers do have the ability to accept and reject clients, they cannot ultimately know how an individual will perform once accepted into the program. Although, some data points are more accurate at predicting future success, such as current risk and needs. For this reason, PBC is designed to adjust outcome measures for risk to mitigate concerns that only low risk clients will be accepted into community correction programs. In the 1990's, community corrections experimented briefly with a variable rate based on client outcomes. Boards and providers naturally accepted those whom they considered as potentially more likely to succeed, so the experiment was abandoned. The intention of the modernized PBC model is to overcome that unintended consequence. In addition to adjusting outcome measures for risk, the PBC model includes measures of performance and quality that are not tied to the clients accepted for placement. Including performance on the Core Security audit and PACE evaluation aid in balancing out the PBC model. Performance in these areas is in the control of the provider and while performing well in these areas will lead to improved outcomes, performance is not specifically about the outcome of specific individual clients. Research demonstrates that individuals, who are provided a safe environment where the Principles for Effective Intervention are applied, have improved outcomes. Including program performance in these areas is critical to ensuring quality services are provided.*

17. [Sen. Moreno] Are there any measures that relate to the relationships between staff and residents? Can we know if staff are building good rapport with residents?

Response: *The PACE evaluates many different levels of interactions with clients and staff throughout the PACE evaluation. Factor 2 of the PACE - Enhancing Intrinsic Motivation highlights consistent themes that are carried throughout the PACE evaluation, and within multiple factors.*

- *Factor 2 - We measure and capture a staff's skill using motivational interviewing through live observations, and recorded sessions. We look at and measure partnership, which is the ability of staff to foster and encourage a collaborative rapport with the client where they are an active participant in conversations and influence their sessions with a case manager or line staff. We look at and measure empathy; how are staff able to demonstrate an understanding of the client's point of view. Affirmations assess and measure how staff respond in an affirming way to a client's behavior, strengths or achievement.*

These various measures are captured through many different means: taped sessions of a staff and client, live observations of case managers and line staff as they interact with clients in the course of their normal job duties, and client surveys that measure how or if the client feels heard, supported and respected within the program.

The skills of motivational interviewing have shown to build effective working relationships and assist in individuals becoming successful in making behavior change. With effective relationships with clients and embracing the skills to effectively interact

with clients the scores are reflected in the following factors on some level. Factors that assess for client and staff relationship or rapport;

- *Factor 1 – Risk/Need (Assess Actuarial Risk), here we measure for partnership and empathy as well as the use of active listening skills.*
- *Factor 3 - Target Intervention (Responsivity), here we measure how the staff understands the needs of the client to best match services. This shows up in understanding what their unique needs may be and how best to match services for the client.*
- *Factor 4 - Skill Train with Directed Practice, here we measure the interaction of a staff and client and the ability of the staff to identify where a client may be struggling and encourage and teach the client to practice new skills.*
- *Factor 5 - Increase Positive Reinforcement, here measure the ability of staff to interact with clients and find and highlight their strengths.*
- *Factor 6 - Respond to Violation Behavior with Effective Practices, here we measure staff responses when clients have a negative behavior. Can the negative be turned to a positive learning opportunity?*

For Core Security audits, the staff and client relationships are also evaluated. During our live observations, we look at how staff interact with clients during walkthroughs of the facility, as well as how they interact in general security tasks. The walkthroughs are intended to specifically engage with clients on affirming prosocial behaviors, correction and education around antisocial behaviors. We also observe security interactions while they go about their regular daily duties, and complete client interviews. Specifically, we have the opportunity to hear from the clients about how they see staff interacting in the facility with clients during the walkthroughs. During all client interviews, the clients are invited to discuss any other comments or concerns they have.

DEPARTMENT OF PUBLIC SAFETY (DIVISION OF CRIMINAL JUSTICE)
FY 2022-23 JOINT BUDGET COMMITTEE HEARING
WRITTEN RESPONSES ONLY

COMMUNITY CORRECTIONS

1. [Sen. Moreno] How are offenders identified for specialized programs?

Response: *Current specialized programs in Colorado Community Corrections include:*

- *Intensive Residential Treatment (IRT) is a 90-day evidence-based program designed to treat high risk, high needs individuals with severe substance use issues and a history of felony criminal conduct. IRT provides brief, intense treatment addressing substance use, anti-social thinking, attitudes, and cognitions.*
- *Residential Dual Diagnosis Treatment (RDDT) which serves individuals presenting with co-occurring severe substance use and mental health disorders with a history of felony criminal conduct. RDDT focuses on drug and alcohol abstinence, improved mental health and desistance from continued criminal conduct.*
- *Therapeutic Communities (TC) which offer long-term, intensive treatment for individuals with chronic substance use disorders, related anti-social behaviors and co-occurring mental health disorders. The TC model is based on "community as method" or mutual self-help where all individuals within the TC assume responsibility for not only their own recovery, but that of their peers, and hold each other responsible for making meaningful change.*
- *Sex Offender Supervision and Treatment in Community Corrections (SOSTCC) programming is designed to serve individuals with felony sex offenses who are under the jurisdiction of community corrections programs. SOSTCC provides treatment and monitoring for eligible individuals in hopes of successful transition to the community after the completion of residential intervention. Programming must follow the Sex Offender Management Board of Colorado (SOMB) Standards and Guidelines for clinical treatment, monitoring and supervision.*

Each specialized program has a Scope of Work with expectations of referral and placement criteria. IRT and RDDT include criteria according to the Standardized Offender Assessment (SOA-R) assessment levels required for placement and appropriate treatment matching. Clients may be referred to these specialized programs at the time of entry into community corrections or at any time during their stay should treatment needs be appropriately identified.

VICTIMS SERVICES

2. [Sen. Hansen] Provide an update on how funding for VALE grants has been affected by the pandemic as well as decreases in funding from the federal Victims of Crime Act.

Response: *There are two types of VALE grants that provide funding for victim services. The first are state VALE grants, which are awarded through the Office for Victims Programs (OVP). The second are local VALE grants that are awarded through the 22 local VALE Boards administered by local VALE coordinators within the District Attorneys' Offices. Both forms of grant funding are dependent on offender surcharges assessed upon conviction.*

- *State VALE funding was awarded for a two-year period, CYs 2021 and 2022 and the awards were reduced to 6 months of funding instead of 24 months of funding based on the lack of funds available, due to a decrease in revenue. Grantees received around 50% of the amount requested. Based on current revenue, two agencies will each receive an additional \$50,000 to help them with the shortfall from January through June 2022.*
- *Local VALE programs have reported as much as a 40% decrease in collections during the pandemic due to the closure of the courts. Some local VALE programs reported cutting their awards by up to 50% and one metro program did not have sufficient funds to award grants during calendar year 2021.*
- *The Victim of Crime Act (VOCA) has also seen a decline. In 2018, the federal award reached a peak of \$58 million. Unfortunately, since 2018, VOCA has decreased each year and the 2021 award will be \$19 million. This is a 67% decrease from the 2018 formula award.*
- *The next Crime Victim Services (CVS) funding is a two-year award for CYs 2023 and 2024, which includes the VOCA funds. The decrease of the federal VOCA awards will negatively impact these upcoming CVS grant awards. It is anticipated that the CVS Board will have to cut approximately 30-35% from the current funding levels. This would be a decrease of approximately \$33 million over a two-year period.*
- *The federal government passed a long awaited solution to the VOCA legislation that will hopefully stabilize that funding, but OVP has been informed that it will take several years for the solution to be realized. Therefore, we anticipate that we will receive flat funding of the most recent award for at least another year or maybe longer.*