DEPARTMENT OF CORRECTIONS
FY 2023-24 JOINT BUDGET COMMITTEE HEARING AGENDA

Thursday, December 14, 2022
2:30 pm – 4:30 pm

2:30-2:45   INTRODUCTIONS AND OPENING COMMENTS

Main Presenters:
- Andre Stancil, Interim Executive Director
- Ashley Clark, Director of Finance and Administration

2:45-3:05   COMMON QUESTIONS

Main Presenters:
- Ashley Clark, Director of Finance and Administration

Supporting Presenters:
- Rick Thompkins, Chief Human Resource Officer

Topics:
- Federal funding: Pages 1-2, Question 1 in the packet, Slide 5
- COWINS total compensation request: Pages 2-3, Question 4-5 in the packet, Slides 6-7

3:05-3:40   Current State: PRISON STAFFING

Main Presenters:
- Rick Thompkins, Chief Human Resource Officer
- Brenda Valerio, Interim Chief Human Resource Officer

Supporting Presenters:
- Ashley Clark, Director of Finance and Administration

Topics:
- Turnover and vacancies: Pages 3-5, Question 6 in the packet, Slides 8-10
- Hiring and retention: Pages 5-6, Question 7 in the packet, Slides 11-18
- D-04 Corrections Training Academy: Slide 19

3:40-4:00   FY 2023-24 REQUESTS

Main Presenters:
- Ashley Clark, Director of Finance and Administration
- Ruth Coffman, Deputy Executive Director
- Merideth McGrath, Director of Adult Parole
- Matthew Hansen, Interim Deputy Executive Director

Supporting Presenters:
- Melissa Smith, Interim Director of Prison Operations

Topics:
- Inflation Impact on Critical Operations: Slides 21-23
- R-08 Sober Recovery Homes: Slide 25
- R-09 Fugitive Apprehension Unit: Slide 26
- R10 Gang Disengagement Unit: Page 6, Questions 8 in the packet, Slides 27
- R11 Virtual Reality Career Training Program: Pages 6-9, Question 8 in the packet, Slides 28

4:00-4:20   PAROLE – TECHNICAL VIOLATIONS

Main Presenters:
- Merideth McGrath, Director of Adult Parole
- Ruth Coffman, Deputy Executive Director

Topics:
- Technical violations: Pages 10-12, Question 9 in the packet, Slides 29-32

DEPARTMENT OF CORRECTIONS
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Thursday, December 14, 2022
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COMMON QUESTIONS FOR DISCUSSION AT DEPARTMENT HEARINGS

1   Please describe the implementation plan for new programs added to the Department from one-time stimulus funds (such as the CARES Act, ARPA, and one-time General Fund), as well as any challenges or delays to program implementation.

The Department received $3.6 million in FY 2019-20 and $50.6 million in FY 2020-21 from the CARES Act to pay for extraordinary expenses associated with DOC's response to the pandemic. These expenses were primarily for payroll costs, including temporary staff for testing and contact tracing, temporary medical staff, overtime, and incentive pay. The Department also used a portion of the funds to provide personal protective equipment to staff, masks for inmates, and supplies for enhanced cleaning.

The Department was awarded four ARPA projects:[1]
* *Expanded medication-assisted treatment (MAT) in prisons – $3.0M was authorized by SB 22-196 and provides funding in the Department's mental health program for upgrades necessary to store medications at Department facilities, continuity of care for inmates with opioid use disorder between institutional settings and community-based treatment, and facilitating long-term treatment and recovery of individuals upon release. The spend-by date is December 2024.*
* *Correctional staffing (hiring and retention support) – $1.35M was authorized by HB 22-1411 for DOC to recruit and retain correctional staff. The spend-by date is June 2023.*
* *Staff shortage and booster incentives – $8.98M was authorized to provide retention incentives to staff as well as incentives for staff to get COVID-19 booster shots. Of the allocated amount, $5.19M was expended. The spend-by date was March 2022.*
* *Private prison retention bonuses – $1.34M was authorized for DOC to allocate to CoreCivic, the Department's private prison partner, for hiring and retention bonuses. Of the allocated amount, $1.05M was expended as a $1,000 per employee bonus, delivered in November 2021, December 2021, and February 2022. The spend-by date was May 2022.*

The Department has two ARPA - SLFRF awards pending:
* *Webex – $647,433 will fund 13 FTE for one year (three administrative positions and ten correctional officers), and $389,654 will fund technology upgrades and equipment to comply with mandatory county video court appearances for inmates, which began during the pandemic. The proposed timeline in the draft agreement is 6/13/2022 - 6/30/2023.*

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[1] https://coforward.colorado.gov/data/overview-by-agency/dept-of-corrections-doc

- *Operating costs for male prison beds – Authorization for funding up to $413,833 was awarded for operating expenses to re-open some male state prison beds. The proposed timeline in the draft agreement is 1/1/2023 - 6/30/2023.*

2   Please identify how many rules you have promulgated in the past year (FY 2021-22). 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.

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.

3   How many temporary FTE has the Department been appropriated funding in each of the following fiscal years: FY 2019-20, FY 2020-21, FY 2021-22, and FY 2022-23? For how many of the temporary FTE was the appropriation made in the Long Bill? In other legislation? Please indicate the amount of funding that was appropriated. What is the Department's strategy related to ensuring the short term nature of these positions? Does the department intend to make the positions permanent in the future?

The Department is unable to provide temporary FTE counts. Temporary FTE is not included in the statutory definition of FTE pursuant to Section 24-75-112(1)(d)(II), C.R.S., which states that FTE does not include contractual, temporary, or permanent season positions. The department has provided, as part of the November 1 request, Schedules 14A and 14B, which provide actual expenditures. For the upcoming years, the department manages the dollar appropriation, which has been affirmed by two Supreme Court cases (Colorado GA v Owens and Anderson v Lamm).

4   Please provide a description, calculation, and assumptions for the fiscal impact of implementing the provisions of the Partnership Agreement, including but not limited to changes in annual leave accrual, holiday pay, and paid family and medical leave. If your department includes employees who are exempt from the Partnership Agreement, please indicate whether or not you intend to implement similar benefit changes as those required for covered employees. Please provide a breakdown of the fiscal impact of implementing the provisions of the Partnership Agreement for: a) employees who are subject to the Agreement, and b) employees who are exempt from the Agreement.

The cost to departments for employees using the paid family medical leave was requested and approved last year (DPA FY 2022-23 R-02). For FY 2023-24, the cost is part of the POTS appropriation called Temporary Employees Related to Authorized Leave. The adjustment to annual leave and the additional holiday, as noted in the fiscal note for the bill (S.B. 22-139), were expected to be minimal and, if necessary, will be addressed through the annual budget process. The Governor's November 1, 2022 budget included funding for the economic articles of the Partnership Agreement, including funding for paid family medical leave. The department is

working with OSPB and DPA to submit a January budget amendment, if necessary, to seek additional adjustments related to the Partnership Agreement. In addition, OSPB will provide the JBC with a breakdown of the fiscal impact of implementing the Partnership Agreement by department.

5. PRISON STAFFING

Please address the $17.98 million portion of the compensation request related to COWINS. What is included in this number?

DPA calculated the $17.98 million through the common total compensation process related to the COWINS agreement. The largest portion of this increase is across-the-board salary adjustments for staff. Increases to the minimum hiring salaries for certain job classes (such as Correctional Officer I, II, III, Nurse, Teachers, and Social Workers) also contribute.

6. TURNOVER AND VACANCIES

What role does the budget play, if any, in staff turnover and vacancy rates?

Budget plays a significant role in staff turnover and vacancy rates. For example, staff were informed of a significant hiring and retention program in September, then given the first installment of the retention bonus on October 31st. The Department experienced a reversal of staffing trends in October that widened further in November, illustrated in the chart below. Additionally, applications rose 46% over the same period. The immediate rise in applications and hiring, combined with a significant decrease in separations, further indicates that inadequate compensation is contributing DOC's staffing crisis.

Staffing Crisis Reversed in Oct 2022
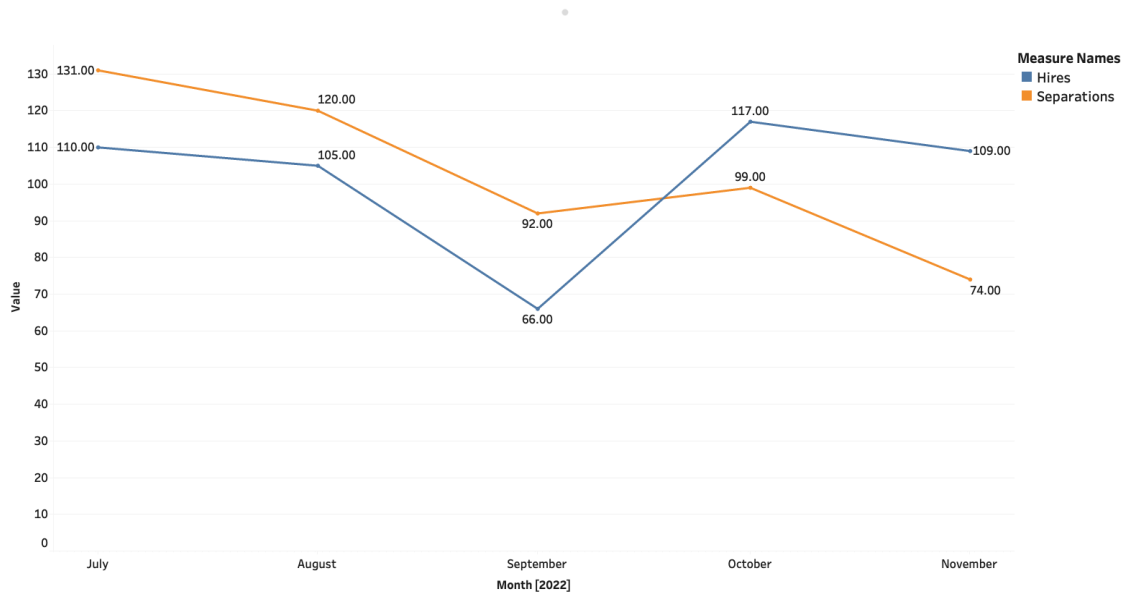
Compensation reform is essential for DOC to sustain these successes and return to healthy staffing levels. Success in this area also fuels numerous invaluable upward-spiraling benefits that should be considered, such as reduced

turnover and associated costs, a safer work environment for staff and inmates, increased departmental efficiency, the ability to staff valuable inmate programming, decreased recidivism, and a more resilient professional culture.

Which non-budgetary factors are most salient in turnover and vacancy rates? Please focus the answer on critical job classes like correctional officers, correctional support trades supervisors, and health professionals.

> *Due to staffing challenges, factors include burnout (due to mandatory double shifts and overtime), redeployed assignments (e.g., teachers and case managers working security posts instead of regular assignments), shift work, and unique occupational stressors that often lead to correctional fatigue.*
>
> *The Department is experiencing a growing correctional fatigue crisis within the correctional officer classes that warrants serious attention. Correctional fatigue is an insidious condition that negatively impacts individual and organizational health. It drives up sick time, which naturally leads to reduced staffing, followed by increases in overtime hours. Those overtime increases further expand correctional fatigue, and a destructive cycle continues until mitigated. The effects of correctional fatigue and stress can be profound: declining health, high divorce rates, substance abuse, suicide, and shortened lifespan. Data indicates that the life expectancy for corrections staff is 59 years versus the national average of 75. Tragically, Correctional Officers commit suicide at twice the rate of police officers and the general public and meet the criteria for Post-traumatic Stress Disorder, Major Depressive Disorder, Generalized Anxiety Disorder, suicidal thinking, and Substance Use Disorder at levels exponentially higher than the general population. Correctional fatigue negatively impacts correctional staff's personality, health and functioning, core beliefs and behaviors, and workforce culture.[2]*
>
> *Given the profound occupational stressors that are increasingly concentrated on fewer staff, it must be concluded that vacancies fuel more vacancies. Therefore, DOC's staffing crisis will continue until the underlying conditions that drive it are adequately addressed.*

Alternatively, do we know why employees stay long-term (e.g. 5 or more years)? For example, do they have particular qualities that separate them from other employees? What motivates them to stay? Please focus the answer on critical job classes like correctional officers, correctional support trades supervisors, and health professionals.

> *Based on prior stay surveys, the responses indicate several reasons that employees stay long-term which include salary, benefits, the ability to help others change, comradery between staff, and after vesting with PERA, retirement.*

[Rep. Bird] Please describe whether and how job vacancies and turnover rates impact the Department's capacity to house and/or manage the prison population?

> *The Department is facing unprecedented staffing shortages at the majority of its facilities. In FY 2021-2022, the staff turnover rate was reported at 29%, a 13% increase from 16% in FY 2020-2021. As stated above, with sustained high turnover and vacancies, profound occupational stressors are increasingly concentrated on fewer staff, fueling more separations.*
>
> *Staffing shortages reduce the Department's ability to house and manage the inmate population. Specifically, staffing issues directly led to bed closures at Limon Correctional Facility (156 beds), Trinidad Correctional*

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[2] https://www.ojp.gov/ncjrs/virtual-library/abstracts/posttraumatic-stress-disorder-united-states-corrections

Facility (200 beds), and Sterling Correctional Facility (400 beds), also resulting in significantly modified programming for inmates.

7. HIRING & RETENTION

[Rep. Bockenfeld] Please describe any recent changes to hiring criteria. Also, how many applicants have been rejected due to previous offenses?
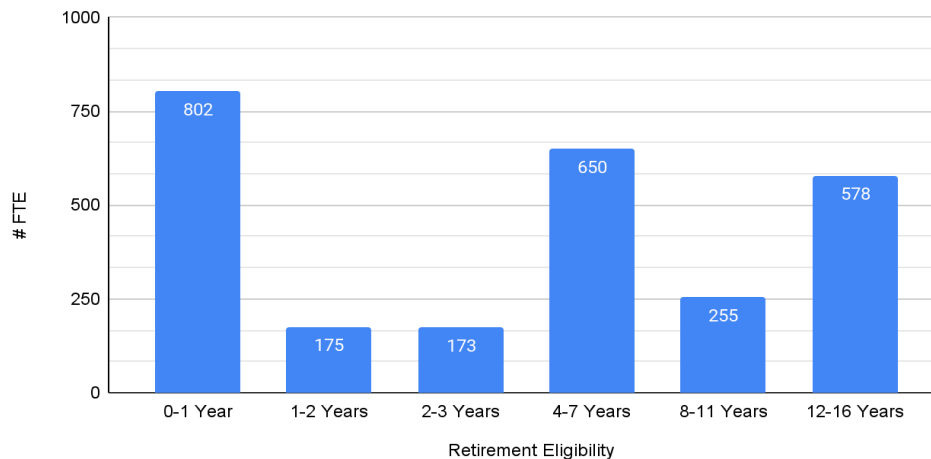
The Department recently lowered the minimum age of Correctional Officer I, Medical Records Technician, Health Care Technician I (LPN), and Client Care Aide II (CNA) job classifications from 21 to 18. Also, to align with the Governor's Executive Order, DOC is no longer drug screening for marijuana, except for Peace Officer Standards, Training (POST), certified employees, and some clinical job classes; they are prohibited from using marijuana.

The Department is currently researching the number of applicants who have been rejected due to previous offenses.

[Sen. Kirkmeyer] How many employees are expected to retire over the next year? Next two years? Three years?

Adding to the Department's staffing challenges is the upcoming spike in retirement-eligible employees, from 243 in the current year to 802 next year. Following this spike, 175 and 173 employees will be eligible for retirement in two and three years, respectively.

Over 800 staff are eligible for retirement in the next year

Retirement Eligibility	# FTE
0-1 Year	802
1-2 Years	175
2-3 Years	173
4-7 Years	650
8-11 Years	255
12-16 Years	578

How does the Department decide how many positions it needs for key job classifications like correctional officers? What about supervisory staff?

To ensure the safety and security of its facilities throughout the state, DOC identifies essential posts for each facility based upon a combination of factors. These factors include inmate population, demographics, risk assessments, physical plant factors and limitations, technology, and operational needs.

The Department determines the total FTE needs for these mandatory posts by calculating a post relief factor, a multiplier representing the ratio of FTE to posts. The calculation is based on the number of days an average employee will work in a calendar year, accounting for regular days off, average leave days, mandatory breaks, and average training days.

8. FY 2023-24 REQUEST

Regarding the R10 Gang Disengagement Unit, how will the Department measure the success of the program?

The Department will develop a multi-disciplinary team to monitor programmatic and behavioral outcomes. This includes working with local law enforcement partners and other partners in the law enforcement community to develop benchmarks. Programmatic outcomes may be measured by the number of people who have attended gang disengagement programs, time in class, and curriculum completions. The behavioral outcomes may be assessed through gang membership status changes, implementation of prosocial behaviors, interactions with social networks, and institutional conduct.

[Sen. Kirkmeyer] Regarding R11 Virtual Reality Career Training Program, is the Department coordinating with local workforce development offices? Is this request duplicative of existing programs at the local level?

The Department collaborates with CDLE, industry, and college partners to ensure career and technical education and training opportunities align with Colorado's labor market trends and felon-friendly employment. The Virtual Reality Career Training Program provides hands-on simulation to enhance current career and technical education courses, industry training, and re-entry programming.

This request is not duplicative of existing programs but ensures that correctional students are provided similar and equitable training and education opportunities to students outside prison. The intent is to promote successful re-entry opportunities and increase workforce access to highly skilled talent. The VR training program will create more opportunities for incarcerated students to practice skills through "hands-on," virtual learning. At a reasonable cost, the actual work environment in high-demand career fields, such as manufacturing, auto, diesel, electrical, and other trade skills, is simulated.

Through VR learning, students will problem-solve real challenges in an environment that is as close to the real thing as is practical, enhancing safety, performance, and confidence. This system will be accessed during classroom instruction and in Educational Opportunity Centers to ensure students have the opportunity to practice and master the skills required. In alignment with Bloom's Taxonomy for appropriate and progressive development, this VR system will create appropriate learning, including skills integration, at varying education and skill levels. Additionally, higher levels of Bloom's Taxonomy are accessed more effectively than traditional learning formats due to the immersive and interactive nature of VR. These higher-level skills are the most valuable but difficult to acquire in traditional learning environments.

If funded, the R-11 request will add more opportunities for hands-on simulated training and expand the catalog of skills that individuals can be trained on. Leveraging VR technology, DOC will also reach more incarcerated in areas experiencing significant staffing issues, including Trinidad, La Vista, Colorado Territorial, Sterling, Delta, Four Mile, Limon, Arkansas Valley, YOS, and Denver Women's.

[Sen. Kirkmeyer] Regarding R11 Virtual Reality Career Training Program, provide data about the Department's current workforce development programs and whether those programs were successful, and provide any data available about the success of other states' virtual reality career training programs.

Virtual Reality (VR) has many uses, including educational purposes, vocational training, and therapeutic development. The Department currently uses this technology for inmate training and rehabilitation.

Seven DOC facilities use VR to teach career development, life skills, and healthy living habits: Buena Vista Correctional Complex, Denver Women's Correctional Facility, Fremont Correctional Facility, Limon Correctional Facility, La Vista Correctional Facility, Sterling Correctional Facility, and Youthful Offender System.

Programs focus on vocational skills, such as welding, spray painting, and operating heavy equipment. Each facility uses different VR technology to teach these skills. For example, Limon Correctional Facility uses the Miller Augmented Arc Virtual Welding System to teach various welding skills. Buena Vista Correctional Complex uses equipment and software from Simspray to teach spray painting skills to inmates.

Facilities utilize VR technology at varying degrees, with some using it daily and others as needed. To protect the equipment and maximize instructional benefits, facilities set participation requirements, such as good institutional conduct, pre-requisite course completion, and a high school diploma or GED equivalent. Facilities also track inmate progress using VR, including progress reports, successful completions, and real-time feedback on errors.

Table 1. Virtual Reality Technology and Classes Offered to Offenders at CDOC Facilities

Facilities with VR	*VR Technology*	*Programs Taught Using VR*
Buena Vista Correctional Complex		*Welding, spray painting*
Denver Women's Correctional Facility	*Miller Augmented Arc Virtual Welding System*	*Welding*
Fremont Correctional Facility	*Wands, goggles, and headset*	*JCAP, welding*

Limon Correctional Facility	*360 Oculus goggles and a VIVE VR system*	*Welding*
La Vista Correctional Facility	*Wands, goggles, and headset*	*JCAP, driving simulation*
Sterling Correctional Facility	*Lincoln Vrtex 360 virtual welders*	*Welding*
Youthful Offender System	*John Deere Heavy Equipment Excavator / Logitech Extreme 3D Pro Forklift Simulator / and a Sodamatic Welding Simulator headgear unit and the A and B Software driving Simulator*	*Welding, driving simulator, heavy equipment*

The Department expanded its uses for VR through the Juveniles Convicted as Adults Program (JCAP). Within the JCAP, VR is one of the tools employed to introduce offenders to real-life situations and develop effective ways to respond to their environment. After decades of incarceration, offenders are taught how to use self-checkout lines and laundry machines, all from within the confines of the prison walls. This affords a safe and controlled environment while reducing a few elements of culture shock for the offenders.

The JCAP program was implemented at Fremont Correctional Facility and La Vista Correctional Facility. The facilities have a specific curriculum for the VR portion of JCAP that is focused on three skill development areas: career development, healthy living, and life skills. Examples of this curriculum include how to do laundry, job interview practice, how to order fast food, avoiding a fight with an angry man on the street, de-escalating conflict with a customer, conflict resolution with an angry boss, how to use a cell phone, how to clean an apartment, refusing drugs on a street corner, how to grocery shop, and how to order a full-service meal. The programs in place demonstrate that VR is a highly effective tool with the potential for impact beyond just vocational uses - it can be used more widely in corrections.

Current VR systems are used to supplement the curriculum and build the proficiency of the specific skill set through repetition without the increased costs of consumable products. It also reduces the number of accidents in shop areas. VR training will ultimately help the Department address high-risk, high-need individuals, motivating them to change behaviors and develop a sense of possibility. Studies show that people retain only about 10% of the information they read, compared to 90% of the information they experience. Virtual reality and 3D experiences greatly support the retention of skills and confidence and reduce the cost of retraining.

The Department utilizes Virtual Welders and Auto Paint Booths for virtual instruction and costs savings. In addition to training programs, DOC utilized virtual technology to enhance career exploration, education exploration, and resource development through two programs: My Colorado Journey and Virtual Job Shadow. These programs provide virtual demonstrations of various work and virtual 3D tours of work environments and education campuses, allowing students to "see" and experience what it would be like to walk through a factory, a science lab, or a college campus. These formats have been used in prison and extensively in cooperation with community workforce centers through the Pathways grant.

To further enhance opportunities for releasing offenders, DOC provided 62 Pathways Participants Chromebooks to continue their job search, education, career skills development, and virtual exploration upon release. Recent statistics for the Pathways participants are encouraging. As of the first quarter of FY 2023, measurable skills gains through training are at 87%, the Workforce Innovation & Opportunity Act goal is 91%, and the goal rate for new offense recidivism is 22% or less. Notably, recidivism is currently down to 2% for students participating in the Pathway Program. This reduction is the direct result of improved access to technology, training, education, and resources made available through virtual programming.

Lastly, VR learning allows students to experience appropriate language and interactions in a contextualized and safe environment without judgment. To be successful in the world of work and education, incarcerated students must often bridge the chasm between their primary language format and a more formal one. The virtual learning environments are built to model appropriate language, sentence structure, and behavior. These are skills that are hard to teach without the ability to practice, and they are often in opposition to the background culture of student learners. Virtual reality offers a new level of emotional engagement where participants can experience and practice new and often uncomfortable language structures and physical behaviors in a safe place to fail.

ITEMS NOT INCLUDED IN REQUEST

[Sen. Zenzinger] What is the current backlog for sex offender treatment and how is the Department addressing it? Why was there not a budget request related to this issue?

As of 12/7/22, there are 1,086 people on the global referral list for sex offender treatment, validated through individual assessments for treatment readiness, amenability, and risk for sexual recidivism. Individuals who score below low risk for sexual recidivism are not recommended for treatment. Additionally, the SOTMP created several behavioral telehealth positions. The Department is limited in its ability to expand telehealth due to lack of infrastructure.

The SOTMP currently has 32 vacant treatment provider positions. Since the primary limiting factor for this program is staffing shortages, a request for additional funds was not warranted. Consequently, DOC is focusing on recruiting treatment providers to fill the current vacancies. Given the current job market, however, the Department struggles to hire and retain qualified and competent staff due to compensation that significantly lags behind alternatives.

[Sen. Kirkmeyer] What data do county jails report to the DOC? How does the current per-diem rate compare to the costs of housing DOC inmates at county jails?

The Department receives county jail data, including institutional conduct, medical issues, and billing invoices. This information is utilized for inmate classification and assessments on intake.

Regarding county jail-related costs compared to the current per-diem rate: previous JBC staff surveyed various counties and asked how much their actual costs were to house DOC inmates temporarily. The per-diem rates they reported varied widely, and it was unclear what each county included in their costs, e.g., salaries, operating costs, overhead, etc. Therefore, the Department cannot do an apples-to-apples comparison of the funded jail per-diem rate to each county's costs.

The Department notes that the current reimbursement process uses an incremental cost approach rather than full cost. From Section 17-1-112, C.R.S., "…the department shall reimburse any county or city and county for a portion of the expenses and costs incurred by that county or city and county in the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility."

9. PAROLE – TECHNICAL VIOLATIONS

[Sen. Kirkmeyer] Describe recent changes to parole technical violation criteria, including both statutory and internal policy changes.

The timeline below provides legislative changes impacting the Department's parole division. A list of respective actions for each bill is included in the Appendix.

HB14-1355: DOC Re-Entry Initiatives.

HB14-1336: Long Bill (Offender ID start up)

SB15-124: Reduce Parole Revocations for Technical Violations

HB16-1215: Purpose of Parole

HB16-1345: Sunset Treatment Program for Sex Offenders

HB18-1029: Lowering Mandatory Parole

HB20-1019: Prison Population Reduction and Management

SB20-217: Enhance Law Enforcement Integrity

2017   2019   2021

2014-2016   2018   2020

HB17-1326: Justice Reinvestment Crime Prevention Initiative

HB17-1308: Individualized Conditions of Parole

SB17-021: Assistance to Released Mentally Ill Offenders

SB17-048: Requires Arrest of ISP Escapees

SB19-143: Parole Changes

HB19-1263: Offense Level for Controlled Substance Possession

SB21-153: DOC Offender Identification Assistance Program.

SB21-271: Misdemeanor Reform

Policy/practice adaptations since 2014 include:
- *Focused transitional preparation*
  - *2015-2022-pre-release program, facility parole officers, WAGEES partnerships*
    - *AR 250-23 Client Choice Treatment Provider*
    - *AR 250-65 Pre-Release Program*
    - *AR 250-58 Community Re-Entry*
  - *2020 (tabled list reduction, administrative supervision, earned discharge, specialized caseload design)*

- - ■ *AR 250-75 Low Risk, Low Custody*
    - ■ *AR 250-29 Earned/Early Parole Discharge,*
    - ■ *AR 250-48 Management of Offencers with an Identified Sex Offense (Specialized Supervision Unit)*
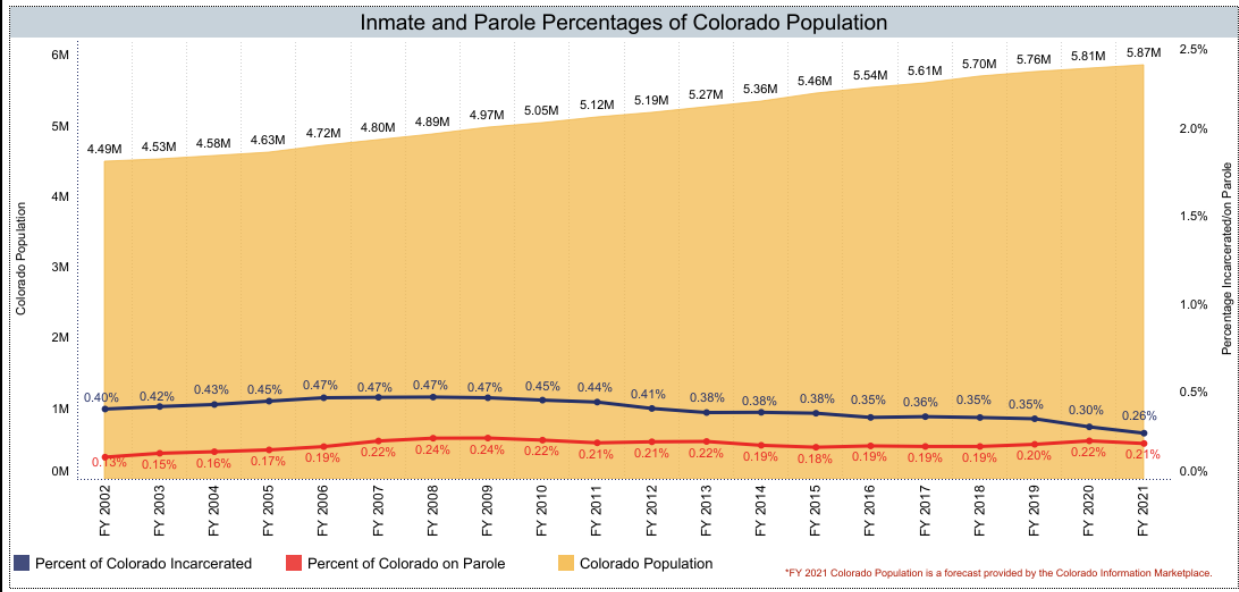 - ○ *2022 (RESTORE program, BAT team, both in construction/early pilot implementation SNP)*
    - ■ *AR 250-81 Special Needs Parole (SNP)*
    - ■ *AR 250-78 Medication Assisted Therapy- Vivitrol*
- ● *Risk/Need Case Planning based upon validated risk assessments (Community Supervision Tool and Case Plan)*
  - ○ *Staffing of cases to ensure violations are addressed with available interventions applied (2015 forward)*
    - ■ *AR 250-28 Offender Assessment Tools and Case Planning*
    - ■ *AR 250-37 Parole Directives/Modification of Parole Conditions*
    - ■ *AR 250-41 Responding to a Parole Violation through the Colorado Violation Decision Making Process*
    - ■ *AR 250-56 Emergency Mental Health Intervention*
  - ○ *All arrest cases reviewed for continued hold, release to summons, release with interventions applied (2015 forward, this includes technical/bond to technical/criminal charges pending);*
    - ■ *AR 250-46 Sanctions in Lieu of Revocation/Regression*
    - ■ *AR 250-76 Sure and Swift Program*
    - ■ *AR 250-77 Parole Complaint and Summons*
- ● *All absconder cases reviewed for prioritization with the fugitive apprehension unit, task force officers, (higher risk, crimes of violence, felonies pending)*
    - ■ *AR 250-55RD Fugitive Operations for Adult Parole andCommunity Corrections*

[Sen. Zenzinger] Are changes to technical violation criteria working?

The Department measures the effect of technical violation criteria changes through recidivism rates (top figure) and parole outcomes (bottom figure). The recidivism rate, as presented below, indicates a decline in technical returns from 2013 forward.

CDOC QUICK STATISTICS

Recidivism and Returns

Returned within 1 Year

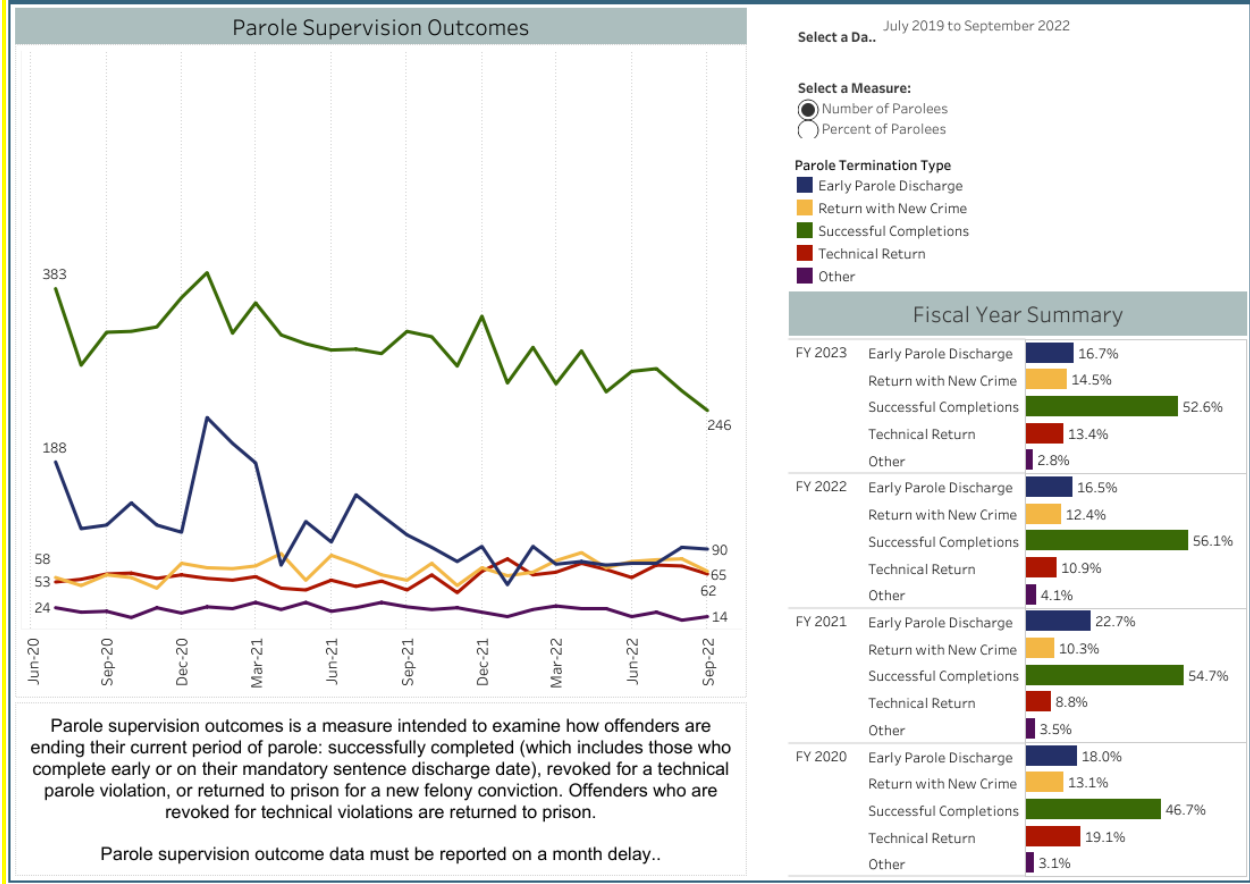|	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Total	32.9%	33.9%	33.7%	32.7%	32.9%	33.6%	32.4%	29.4%	29.9%	33.9%	34.2%	29.8%	26.4%	26.8%	24.9%	17.3%
Technical Violation	24.1%	23.6%	24.4%	23.6%	24.2%	26.4%	25.2%	23.2%	23.9%	27.3%	26.8%	22.3%	18.5%	18.3%	15.2%	9.8%
New Crime	8.8%	10.3%	9.3%	9.0%	8.7%	7.2%	7.3%	6.2%	6.0%	6.6%	7.3%	7.6%	7.9%	8.5%	9.7%	7.5%

Returned within 2 Years

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Total	46.9%	47.9%	47.8%	47.1%	47.3%	45.8%	44.3%	41.3%	43.9%	46.1%	44.9%	42.1%	41.4%	39.7%	36.9%
Technical Violation	31.9%	31.2%	32.6%	32.2%	33.2%	33.9%	32.0%	30.4%	32.7%	34.9%	32.7%	28.8%	26.3%	24.5%	20.3%
New Crime	15.0%	16.7%	15.2%	14.9%	14.1%	11.9%	12.3%	10.9%	11.2%	11.1%	12.2%	13.3%	15.1%	15.2%	16.5%

Recidivism - Returned within 3 Years

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Total	52.5%	53.2%	53.2%	51.8%	51.8%	49.8%	48.8%	46.1%	48.6%	50.0%	49.5%	48.1%	47.2%	44.9%
Technical Violation	33.9%	33.3%	35.0%	34.5%	35.0%	35.5%	33.5%	32.2%	34.5%	36.4%	34.0%	30.7%	28.2%	25.8%
New Crime	18.6%	19.9%	18.2%	17.3%	16.8%	14.4%	15.3%	13.9%	14.1%	13.6%	15.5%	17.4%	19.0%	19.1%

Legend: New Crime · Technical Violation · Total

Year = Cohort of Offenders released in that Calendar Year

Inmate and Parole Percentages of Colorado Population

	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Colorado Population	4.49M	4.53M	4.58M	4.63M	4.72M	4.80M	4.89M	4.97M	5.05M	5.12M	5.19M	5.27M	5.36M	5.46M	5.54M	5.61M	5.70M	5.76M	5.81M	5.87M
Percent of Colorado Incarcerated	0.40%	0.42%	0.43%	0.45%	0.47%	0.47%	0.47%	0.47%	0.45%	0.44%	0.41%	0.38%	0.38%	0.38%	0.35%	0.36%	0.35%	0.35%	0.30%	0.26%
Percent of Colorado on Parole	0.13%	0.15%	0.16%	0.17%	0.19%	0.22%	0.24%	0.24%	0.22%	0.21%	0.21%	0.22%	0.19%	0.18%	0.19%	0.19%	0.19%	0.20%	0.22%	0.21%

Legend: Percent of Colorado Incarcerated · Percent of Colorado on Parole · Colorado Population

FY 2021 Colorado Population is a forecast provided by the Colorado Information Marketplace.

The parole outcomes chart below presents data demonstrating that for those who leave parole supervision (via discharge or return to prison) within the fiscal year, most cases are considered successful completions/early parole discharges.

Parole Supervision Outcomes (FY20-21 Methodology)
As of September 30, 2022

Parole Supervision Outcomes

Parole supervision outcomes is a measure intended to examine how offenders are ending their current period of parole: successfully completed (which includes those who complete early or on their mandatory sentence discharge date), revoked for a technical parole violation, or returned to prison for a new felony conviction. Offenders who are revoked for technical violations are returned to prison.

Parole supervision outcome data must be reported on a month delay..

[Rep. Bockenfeld] How many parolees have returned to prison due to a new crime who would have had their parole revoked prior to that crime, but did not have their parole revoked due to changes to technical violation and parole revocation criteria?

> *Statute requires that if criminal charges are pending, a parole hearing is continued pending disposition of the criminal charges CRS 17-2-103.5 (1)(c). Therefore, DOC does not capture that specific data but reviews and staffs each case to assess if they are safely managed within the community based upon individual risk/need. The division will either file a summons (to appear in person before the Parole Board) or a complaint (requiring a jail hold and appearance before the board) for cases with criminal charges, as required by statute.[3,4]*

APPENDIX:

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[3] CRS 17-2-103 Arrest of parolee - revocation proceedings
[4] CRS 17-2-103.5 Revocation Proceedings - parolee arrested for certain offenses

Bill	Title	Overview
HB14-1355	DOC Re-Entry Initiatives	Release planning, assessment-driven case planning, pre-release specialists, facility parole officers, transport of high-risk releases, transitional services upon release, and a grant program for a community-based agency.
HB14-1336	Long Bill	Provided funding for driver's license offices in two facilities and start-up of Offender ID program.
SB15-124	Reduce Parole Revocations	The use of evidence-based practices in response to technical violations, for Technical Violations intermediate sanctions must be used for noncompliance, shall make treatment and support services referrals, and Sure & Swift.
HB16-1215	Purposed of Parole	Concerning changing the statutory purpose of parole to successfully reintegrating parolees into society by providing enhanced supportive services: redefines the purpose of parole to focus on successful reintegration.
HB16-1345	Sunset Treatment Program for Sex Offenders	Requires supervising agency to give the offender a choice of at least two treatment providers.
HB17-1326	Justice Reinvestment Crime Prevention Initiative	Changed the length of time that a parolee may serve for a technical parole violation.
HB17-1308	Individualized Conditions of Parole	Eliminates certain mandatory conditions of parole and removes prior approval by the parole officer for changes in residence.
SB17-021	Assistance to Released for Mentally Ill Offenders	Directs the DOH to establish a program to provide housing vouchers for persons with

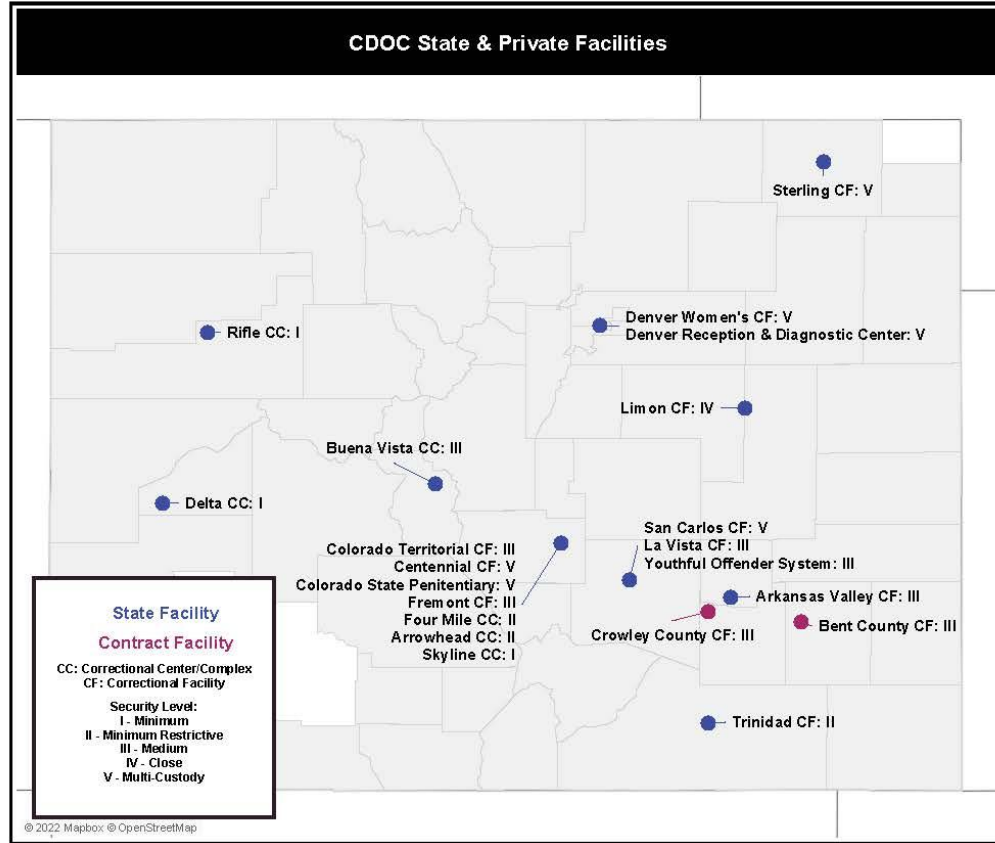|		behavioral health disorders released from DOC.
SB17-048	Requires arrests of offenders who escape from an Supervision Program	Requiring an officer to arrest an offender who escapes from an who escape from an intensive supervision program in the Department of Corrections.
HB18-1029	Lowering Mandatory Parole	Lowers Mandatory Parole from 5 years to 3 years.
SB19-143	Parole Changes	Concerning Changes Related to Parole Release to Alleviate Prison Population Issues: eliminated 30 and 90-day revocations, only new convictions are revocable (petty and municipal no longer revocable), made possession of a deadly weapon, no compliance with SO treatment, absconding from parole, victim contact, failure to appear on a summons, and tampering/removal of EM a revocable violation
HB19-1263	Offense Level for Controlled Substance Possession	Reduces possession offenses to misdemeanors
SB20-217	Law Enforcement Integrity	Body-worn cameras and use of force reporting.
HB20-1019	Prison Population Reduction and Management	Amends escape statutes for types of custody or confinement and creates a new crime of unauthorized absences at a lower level.
SB21-153	DOC Offender Identification Assistance Program	Codified existing process
SB21-271	Misdemeanor Reform	Reclassifies various criminal offenses.

Overview

CDOC State & Private Facilities

- Sterling CF: V
- Denver Women's CF: V
- Denver Reception & Diagnostic Center: V
- Rifle CC: I
- Limon CF: IV
- Buena Vista CC: III
- Delta CC: I
- San Carlos CF: V
- La Vista CF: III
- Youthful Offender System: III
- Colorado Territorial CF: III
- Centennial CF: V
- Colorado State Penitentiary: V
- Fremont CF: III
- Four Mile CC: II
- Arrowhead CC: II
- Skyline CC: I
- Arkansas Valley CF: III
- Bent County CF: III
- Crowley County CF: III
- Trinidad CF: II

State Facility

Contract Facility

CC: Correctional Center/Complex
CF: Correctional Facility

Security Level:
I - Minimum
II - Minimum Restrictive
III - Medium
IV - Close
V - Multi-Custody

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Overview

Division of Adult Parole
Office Locations

Craig · Fort Collins · Greeley · Sterling · Longmont · Aurora · Westminster · Denver (2) · Englewood · Rifle · Grand Junction · Colorado Springs · Montrose · Canon City · Pueblo · La Junta · Alamosa · Durango
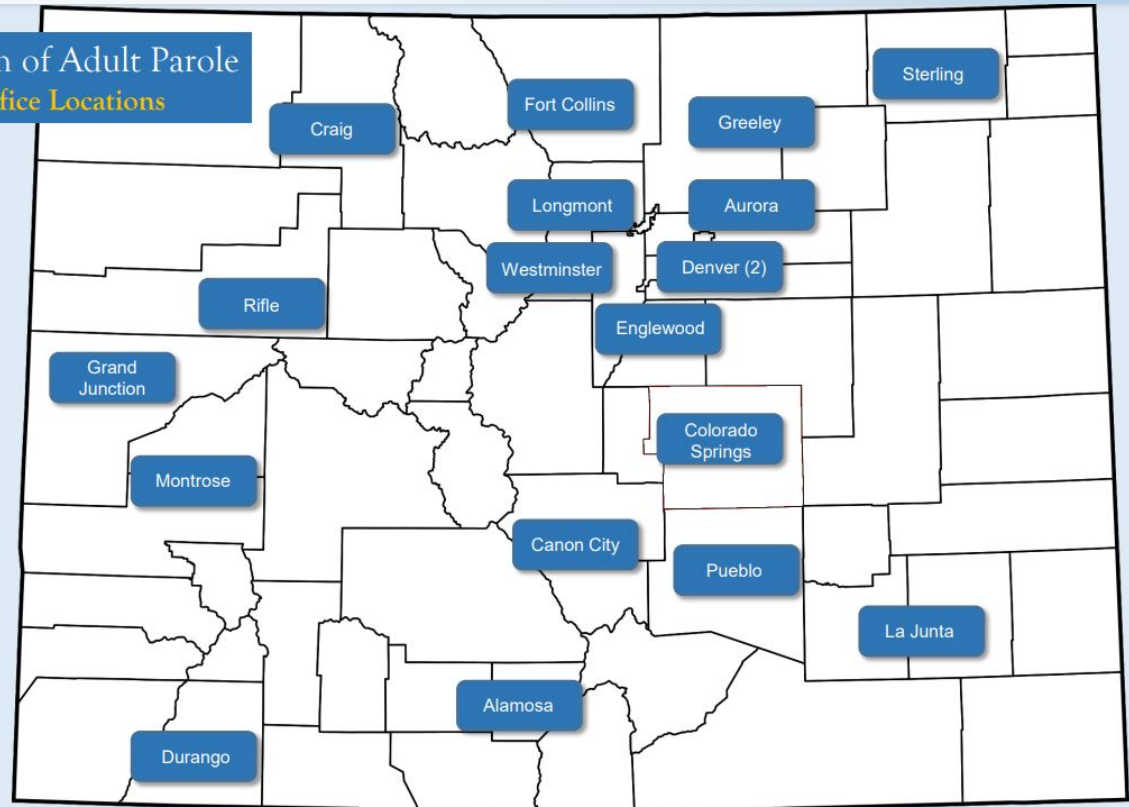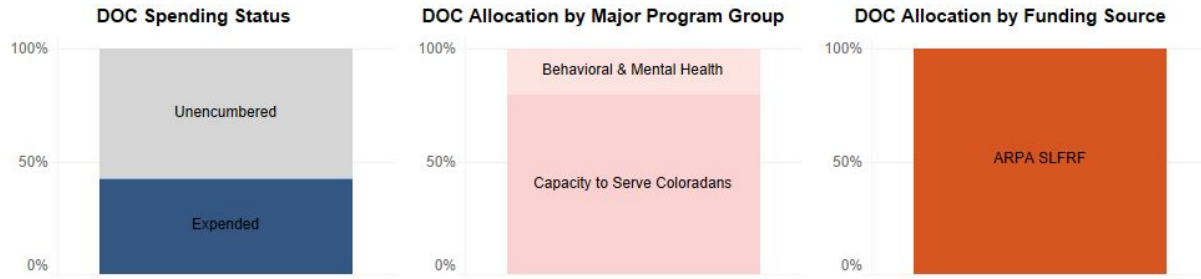
Common Questions

One-Time Stimulus Fund Implementation

Mission: *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.*

DOC Spending Status

- Unencumbered
- Expended

DOC Allocation by Major Program Group

- Behavioral & Mental Health
- Capacity to Serve Coloradans

DOC Allocation by Funding Source

- ARPA SLRF

DOC Project List
(Click on project for more information)

Major Program Group	Project Name	Spend by	Allocation	Amount Expended	Amount Encumbered	Percent Expended + Encumbered
Behavioral & Mental Health	Expand Medical Assisted Treatment in Prisons	12/2024	$3.00M	$0.00M	$0.00M	0.0%
Capacity to Serve Coloradans	Correctional Staffing: Hiring and Retention Support Program	06/2023	$1.35M	$0.00M	$0.00M	0.0%
	Department of Corrections Staff Shortage + Booster Incentives	03/2022	$8.98M	$5.19M	$0.00M	57.8%
	Private Prison Retention bonuses	05/2022	$1.34M	$1.05M	$0.00M	78.6%

Partantership Agreement

Strengthens pay for our most critical job classes

	Current Min	Proposed Min	Percent Increase
CO I	$3,732	$4,560	22.19%
CO II	$4,114	$4,788	16.38%
CO III	$4,534	$5,279	16.43%
Nurse I	$5,478	$7,225	31.89%
Teacher I	$4,791	$5,675	18.45%
Social Worker/ Counselor	$4,739	$6,553	38.28%

Partnership Agreement

Placement Plan based on time in Job Series
- 5% increase at 3, 5, and 8 years
- 5% increase or midpoint of the pay grade range at 10 years

Critical Staffing Needs Incentives
Based on funding for FY 2023/24 and 2024/25, job classifications listed below working in 24/7 facilities shall receive up to 10% non-base building temporary pay differential.

- Correctional Officers (DOC)
- Nurses (DOC and CDHS)
- State Teachers (DOC and CDHS)
- Social Workers (DOC)

- Legal Assistants (DOC)
- Client Care Aides (CDHS)
- Health Professionals (DOC)
- Health Care Tech (DOC and CDHS)

The Current State

A Department at a crossroads

Staffing Challenges

While vacancy rate has increased from 10% to 25%, the applications received have dropped from 1,762 to 852
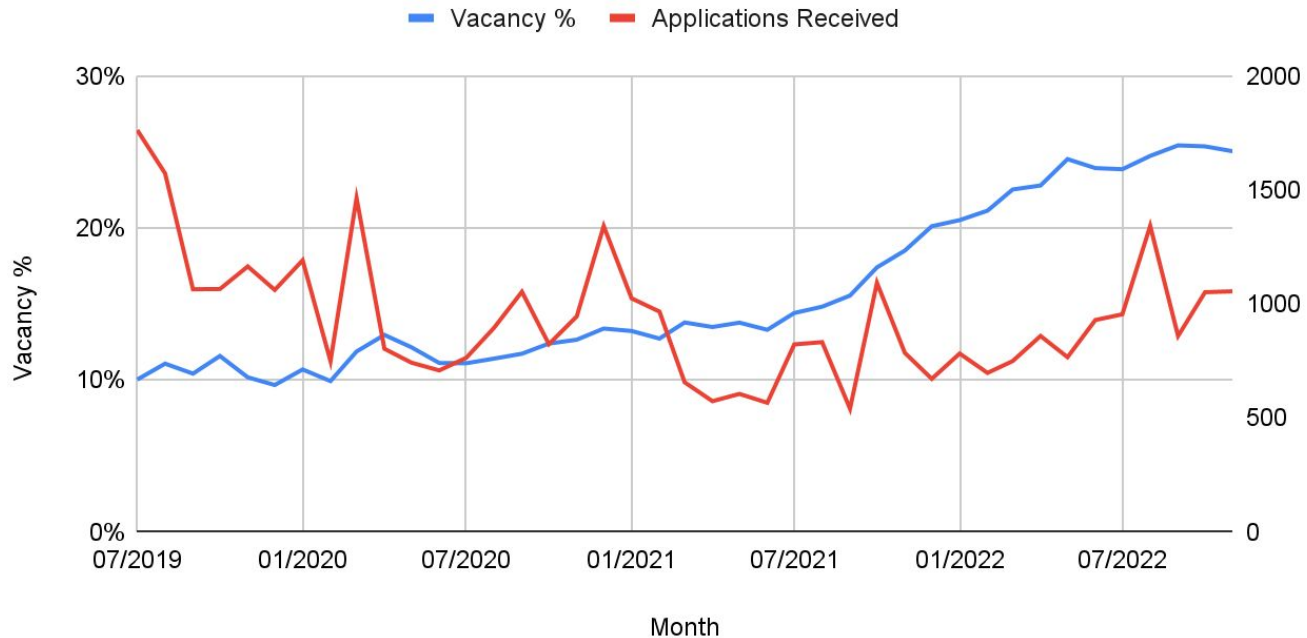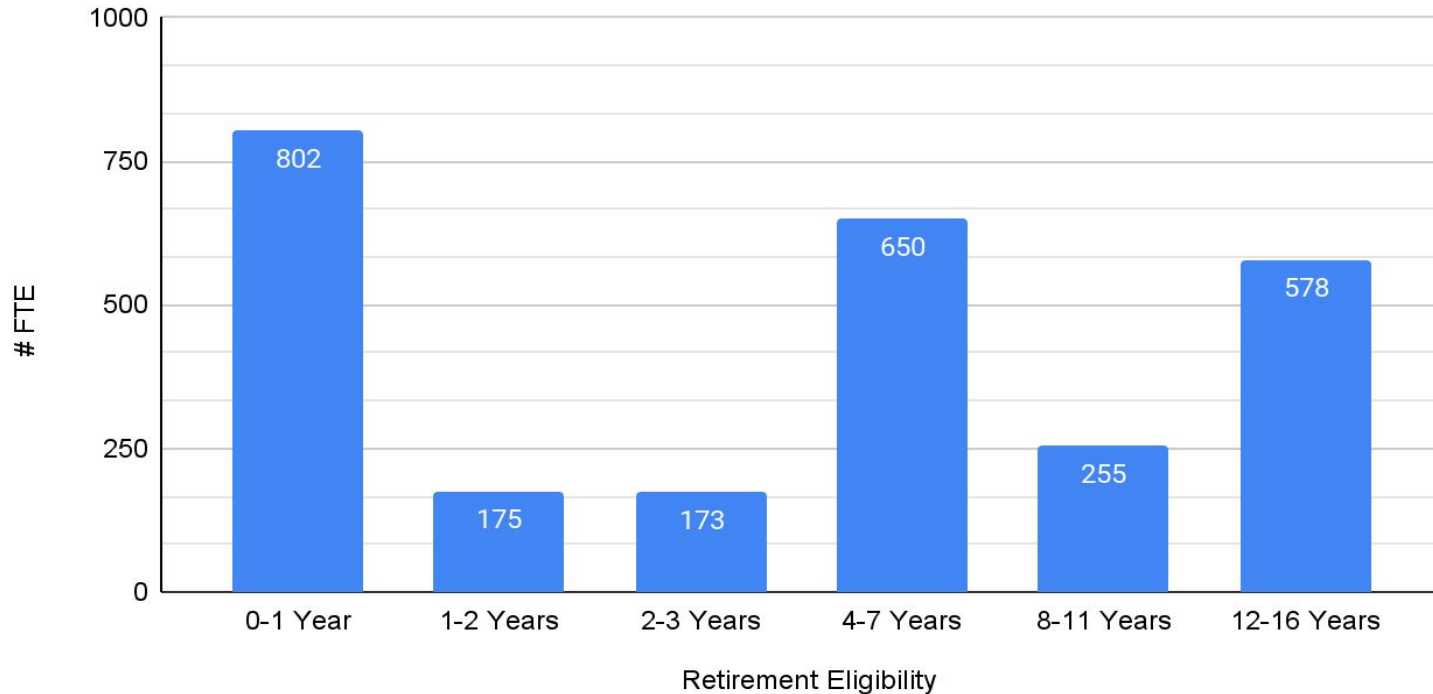
Staffing Challenges

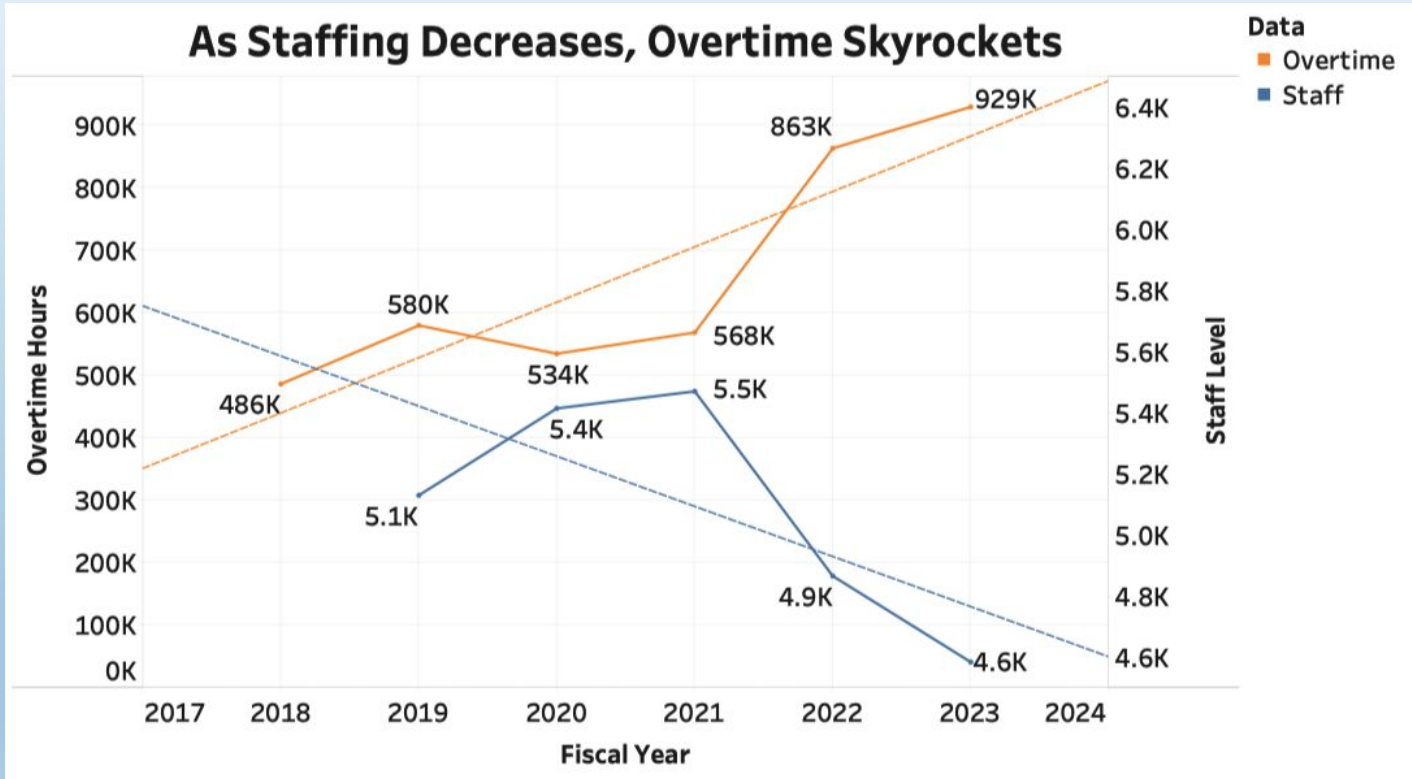CDOC's wage at hire and five years is behind similar agencies
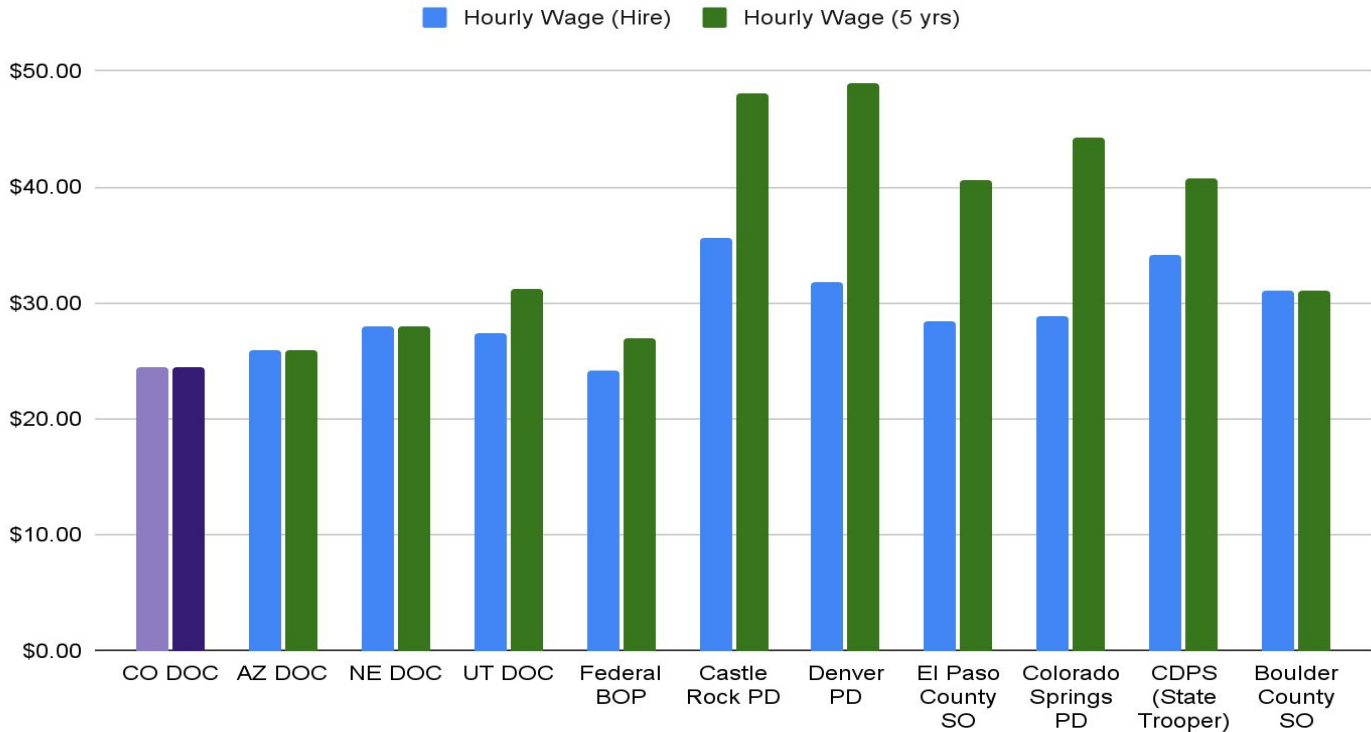
Legend: ■ Hourly Wage (Hire) ■ Hourly Wage (5 yrs)

Categories: CO DOC, AZ DOC, NE DOC, UT DOC, Federal BOP, Castle Rock PD, Denver PD, El Paso County SO, Colorado Springs PD, CDPS (State Trooper), Boulder County SO

Impacts on Staff

As Staffing Decreases, Overtime Skyrockets

Data
- Overtime
- Staff

Overtime Hours: 486K, 580K, 534K, 568K, 863K, 929K

Staff Level: 5.1K, 5.4K, 5.5K, 4.9K, 4.6K

Fiscal Year: 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024

Impacts on Staff

Overtime per Staff Member Doubles in Two Years
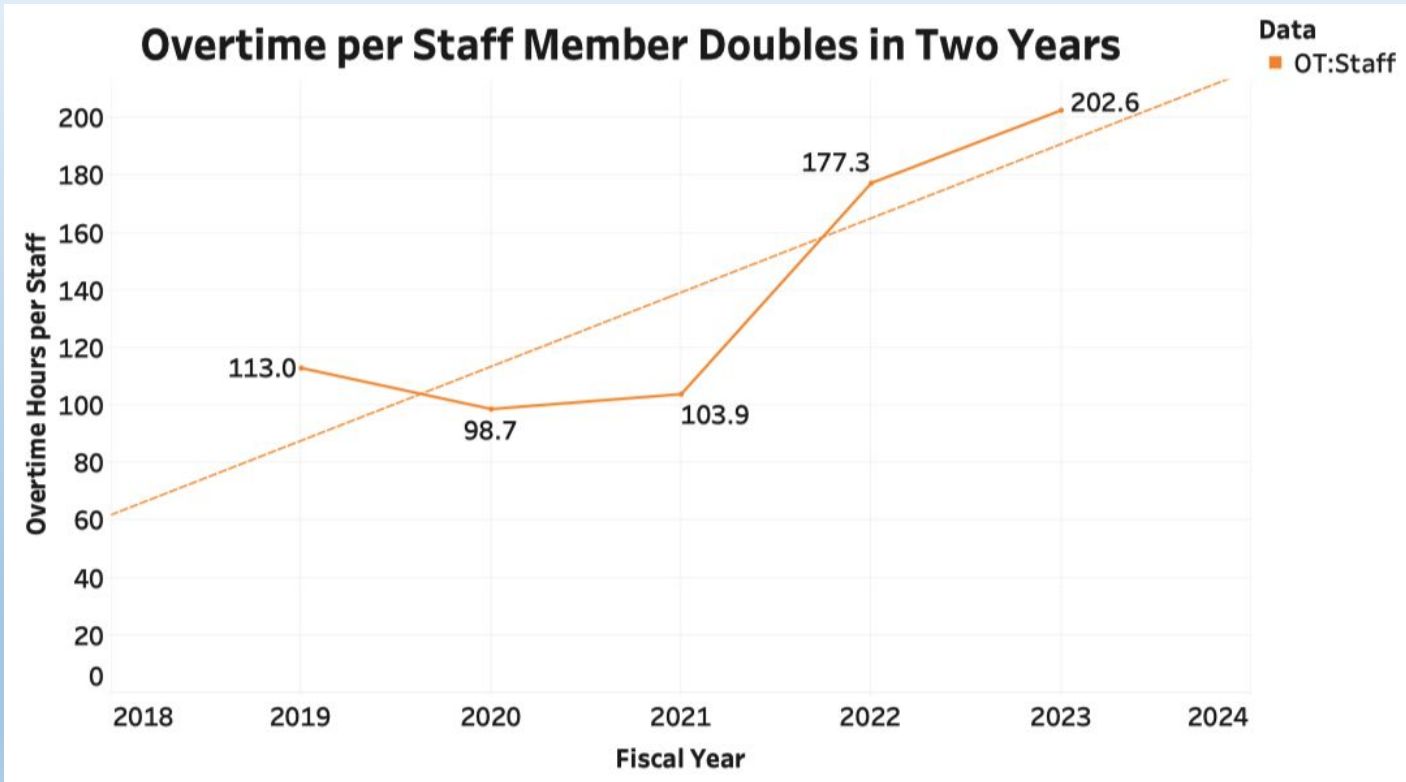
Impact on Staff and Incarcerated

Staffing Wanes, Inmate Population Rises
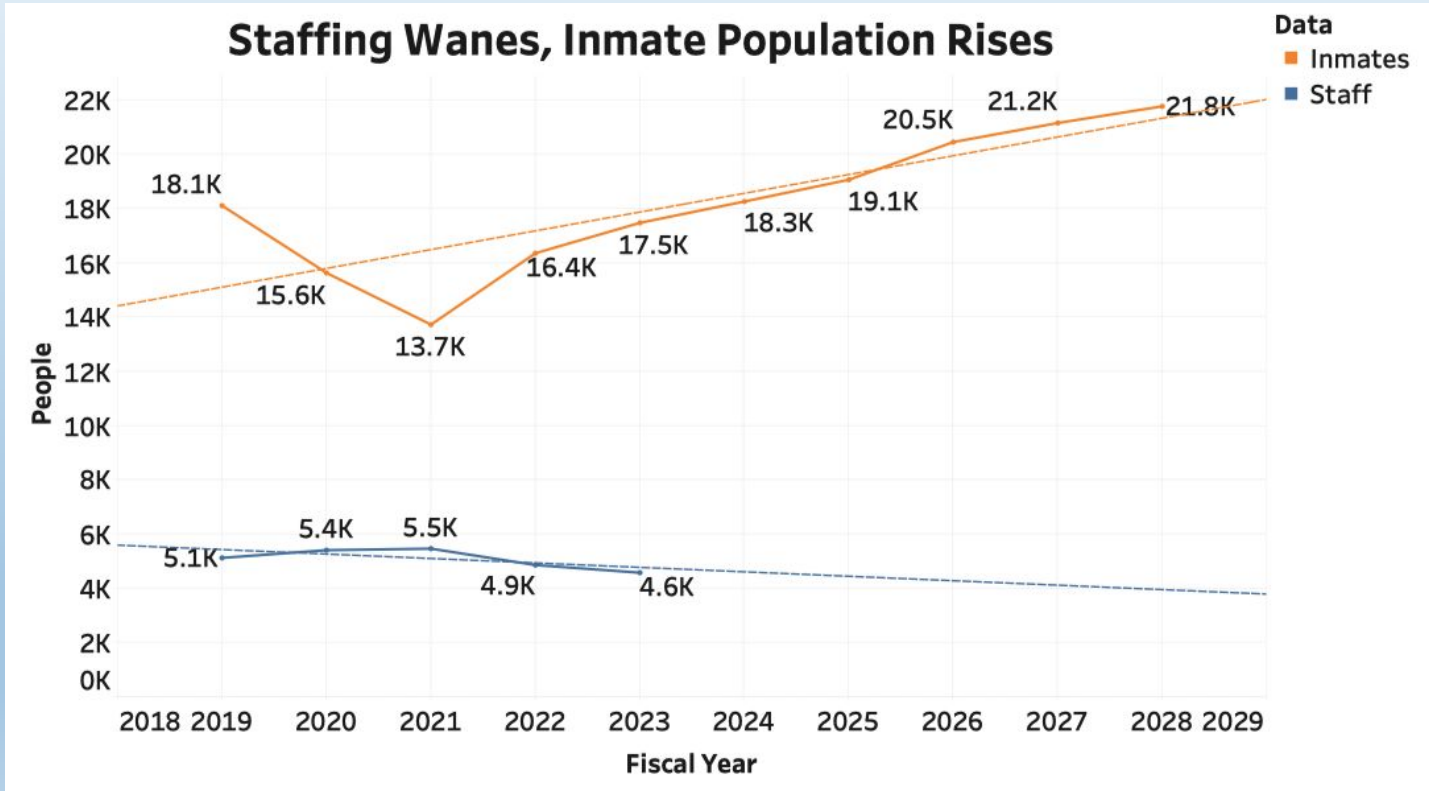
Staffing Efforts: Incentives

		Incentive Size	Staff impacted to date
New Hire Incentives	*Correctional Officer Series*	**$4,500**	**215**
	All others who report to 24/7 facilities	**$3,250**	**60**
	Hardest Hit Facilities	**$2,500**	**203**
	Relocation Bonus	**$5,000**	**19**
	Referral Incentive	**$2,000**	**79**
Retention Incentive	*Correctional Officers*	**$4,000**	**3,253**
	"Redeployed"	**$4,000**	**109**
	All others who report to 24/7 facilities	**$1,000**	**1,083**

Staffing Efforts: Incentives

Since launch of the hiring incentive, there has been a 60% increase in average monthly number of applications received for the CO I position.

	Avg May - September	Avg October - November
	233	374
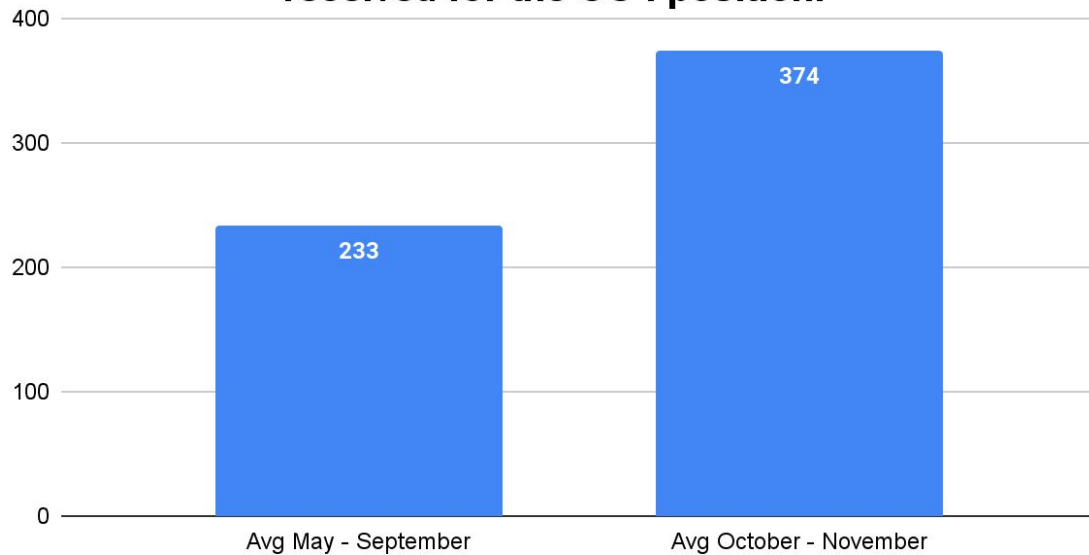
Staffing Efforts: Recruitment

Enhancements

- Lowered the minimum age for specific classes
- Drug screen change in alignment with Governor's Executive Order
- New hire essential functions health screening, in-house

Talent Acquisition Team

- Recruitment and retention focused
- Modernization of hiring processes
  - Fast track hiring events
  - Social Media presence
  - Targeted ads and software tools
- Strengthening community partnerships

Staffing Efforts: Retention

DOC Employer of Choice

- 2021 CO I Apprenticeship

- 100% Tuition Reimbursement

- Flexible Work Arrangements

- Employee Wellness

- Other Efforts

- $0.4M GF

- Crucial component to stabilize staffing

- Aligns with "Reimagining State Government"

FY 2022-23 Requests

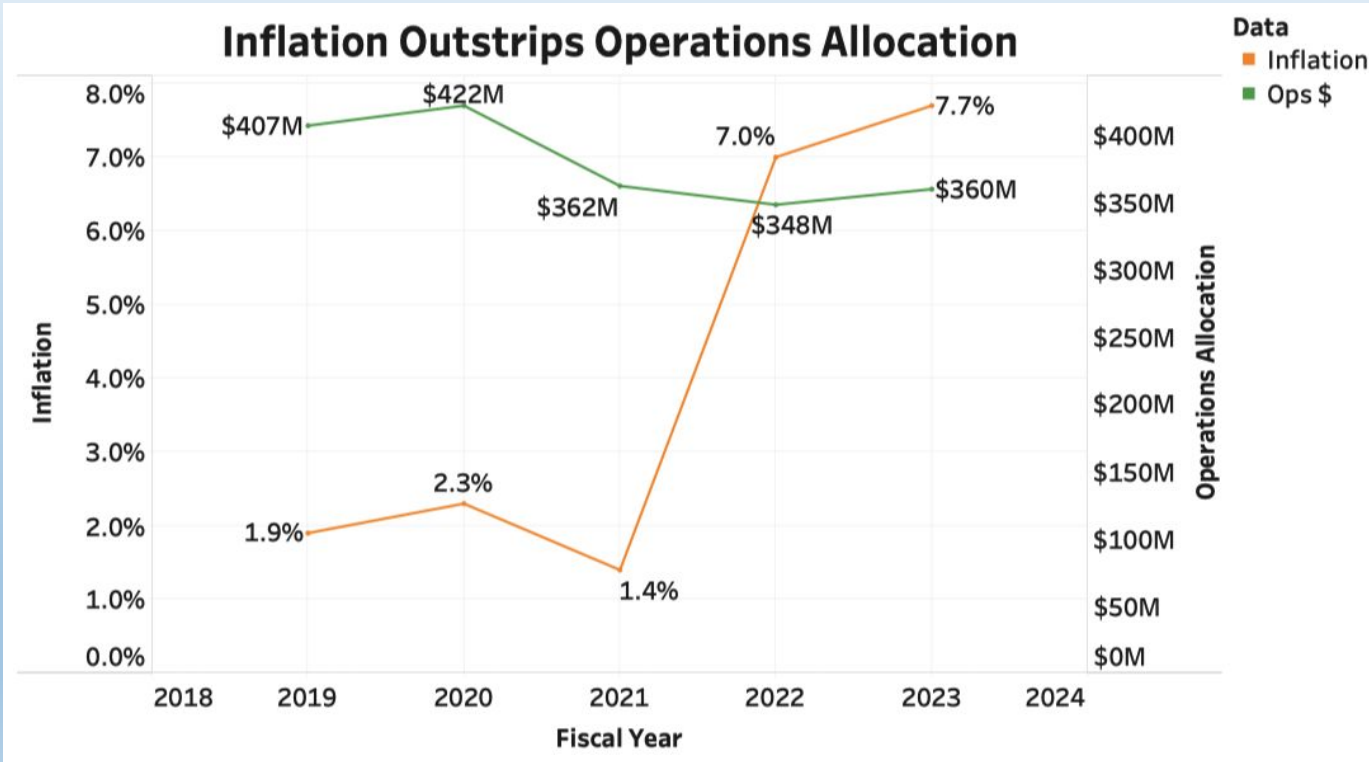Accounting for Inflation
Public Safety Package
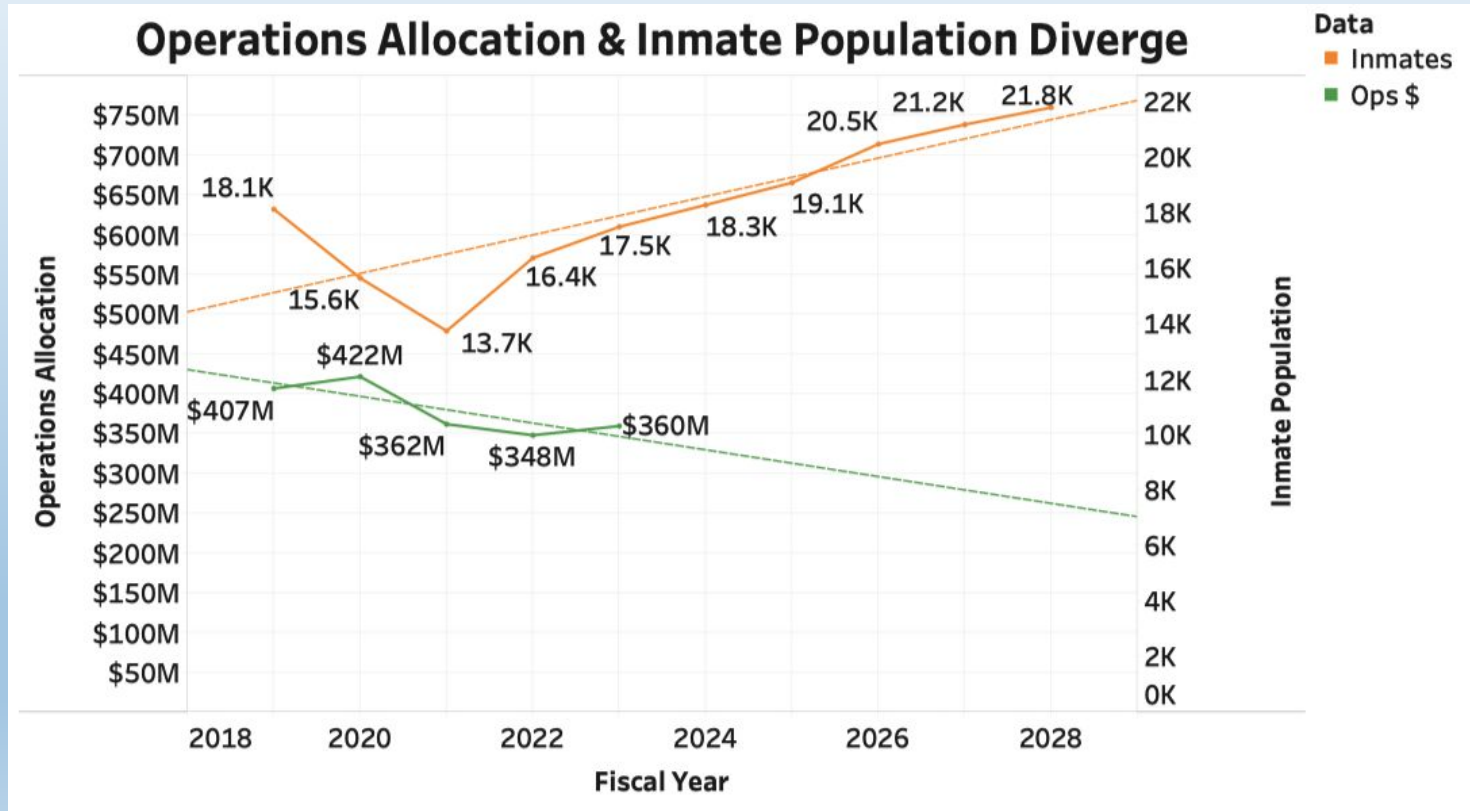
Operations Allocation & Inmate Population Diverge

Inflation Outstrips Operations Allocation

Decision Items

- R-01 Food Service Inflation ($2.8M)

- R-02 Utilities Operating Budget ($1.4M)

- R-03 Facilities Operating Maintenance Budget ($1.4M)

- R-05 Inmate Clothing ($0.4M)

Public Safety Package

Decision Items

- R-08 Sober Recovery Homes ($5.0M)

- R-09 Fugitive Apprehension Unit ($0.4M)

- R-10 Gang Disengagement ($0.5M)

- R-11 Virtual Reality Career Training ($0.8M)

Public Safety Package:
R-08 Sober Recovery Homes

- $5M GF to acquire sober recovery homes and $377K yearly maintenance between FY 2024-25 and FY 2028-29
- Allows the Department to award grants to community providers to acquire and maintain sober living homes
- Offer underserved returning citizens an intentional environment supportive of recovery and successful re-entry reflective of best practices

- $0.4M General Fund and 0.9 FTE

- Support the Fugitive Apprehension Unit with enhanced training and specialized equipment

- Absconding continues to be a nationwide issue, impacting Colorado as well. Supporting FAU will support reduction of absconders.

Public Safety Package
R-10 Gang Disengagement

- $0.5M General Fund and 2.7 FTE to create a Gang Disengagement Unit (GDU)
- ⅓ of the total inmate population are known or suspected gang members
- Deliver community-led curriculum designed to reduce recidivism and penal code violations within DOC facilities with disproportionately large gang populations

Public Safety Package
R-11 Virtual Reality Career Training

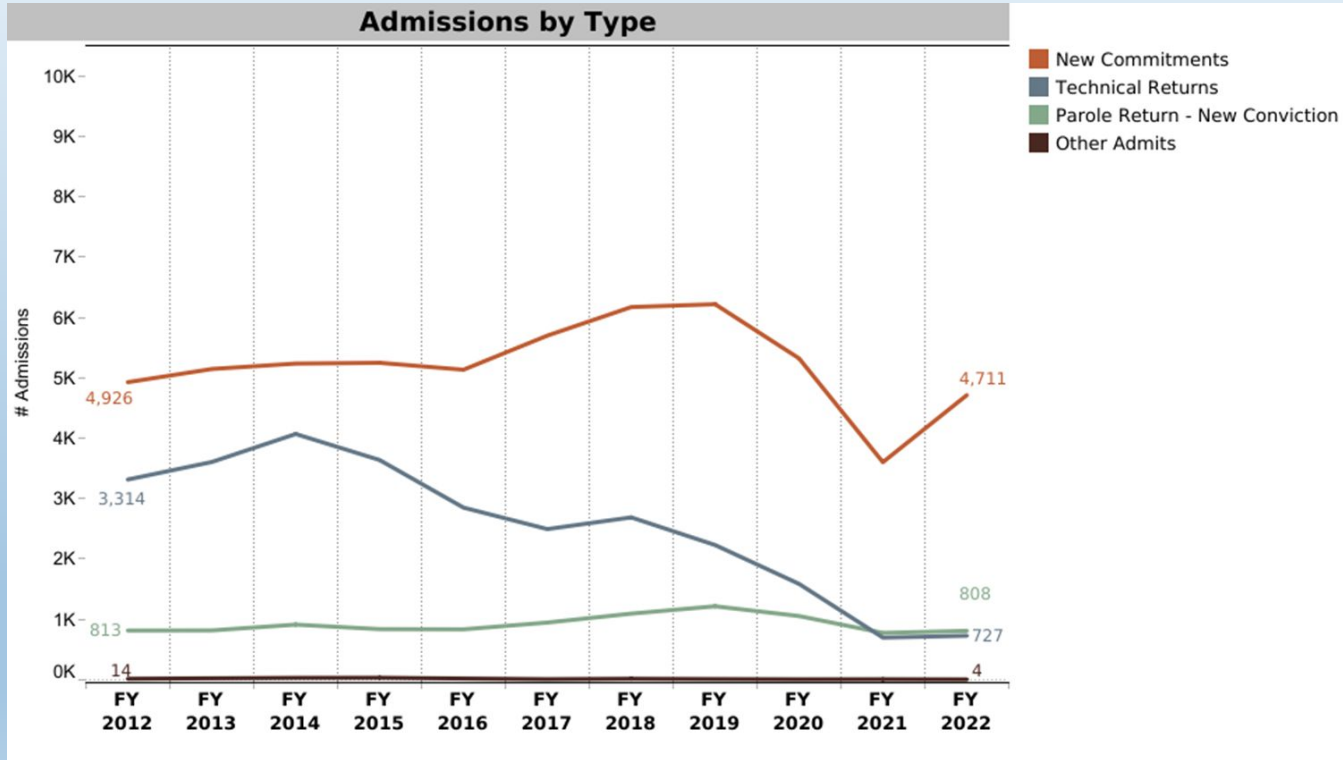- $0.8M General Fund and 3.7 FTE
- Pilot program for "hands-on" virtual learning in high-demand career fields such as manufacturing, auto, aviation, electrical, and other trade skills in 10 facilities
- Providing inmates with robust job training and upskilling while incarcerated promotes a higher likelihood of success when seeking gainful employment upon release from prison.

Parole

Technical Violations

Parole Returns vs. New Admission by Type

Admissions by Type

Legend:
- New Commitments
- Technical Returns
- Parole Return - New Conviction
- Other Admits

New Commitments: FY 2012 = 4,926; FY 2022 = 4,711
Technical Returns: FY 2012 = 3,314; FY 2022 = 727
Parole Return - New Conviction: FY 2012 = 813; FY 2022 = 808
Other Admits: FY 2012 = 14; FY 2022 = 4

Parole Outcomes

FY 2023	Early Parole Discharge	16.7%
	Return with New Crime	14.5%
	Successful Completions	52.6%
	Technical Return	13.4%
	Other	2.8%
FY 2022	Early Parole Discharge	16.5%
	Return with New Crime	12.4%
	Successful Completions	56.1%
	Technical Return	10.9%
	Other	4.1%
FY 2021	Early Parole Discharge	22.7%
	Return with New Crime	10.3%
	Successful Completions	54.7%
	Technical Return	8.8%
	Other	3.5%
FY 2020	Early Parole Discharge	18.0%
	Return with New Crime	13.1%
	Successful Completions	46.7%
	Technical Return	19.1%
	Other	3.1%

Parole Termination Type
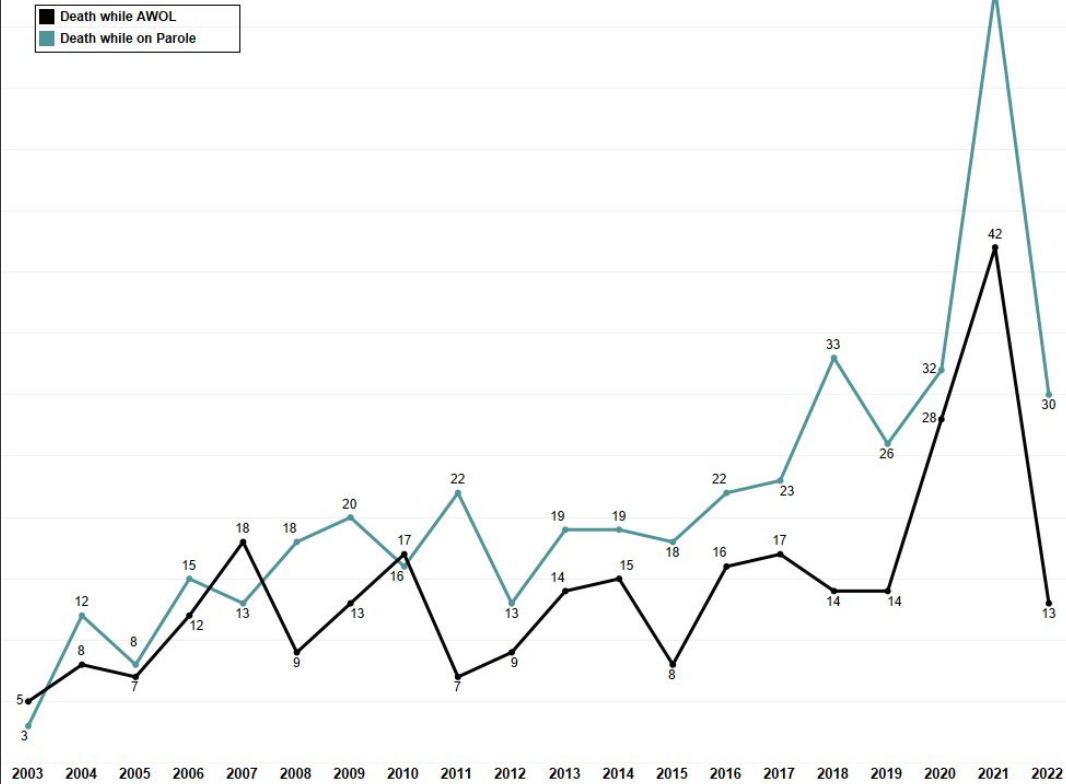- Early Parole Discharge
- Return with New Crime
- Successful Completions
- Technical Return
- Other

Parole Deaths

Staff are our greatest asset