

DEPARTMENT OF CORRECTIONS
FY 2024-25 JOINT BUDGET COMMITTEE HEARING AGENDA

Thursday, December 14, 2023
9:00 am – 11:00 am

9:00-9:10 INTRODUCTIONS AND OPENING COMMENTS

Presenter: Andre Stancil, Executive Director
 Ashley Clark, Director of Finance and Administration

9:10-9:20 COMMON QUESTIONS

Main Presenters:

- Ashley Clark, Director of Finance and Administration

Topics:

- Question 1: Page 1, Question 1 in the packet, Slide 7
- Question 2: Page 1, Question 2 in the packet, Slide 8
- Question 3: Page 2, Question 3 in the packet

9:20-10:00 DOC STAFFING AND CASELOAD

Main Presenters:

- Ashley Clark, Director of Finance and Administration

Supporting Presenters:

- Matt Hansen, Deputy Executive Director of Prisons
- Leigh Burrows, Assistant Director of Prison Programs
- Michele Cottingham, Director of Human Resources
- Mitch Karstens, Deputy Director of Finance and Administration

Topics:

- General Staffing Questions: Page 2, Questions 4-8 in the packet, Slides 10-13
- Rehabilitative Staffing: Page 11, Questions 9-11 in the packet, Slide 14
- R6 Workforce Housing: Page 13, Questions 12-20 in the packet, Slides 15
- Caseload: Page 16, Questions 21 & 22 in the packet, Slide 16

10:00-11:00 BUDGET REQUESTS

Main Presenters:

- Ashley Clark, Director of Finance and Administration
- Adrienne Sanchez, Director of Policy and Legislative Affairs
- Michele Cottingham, Director of Human Resources

Supporting Presenters:

- Lacy Monday, Director of Clinical Services

Topics:

- R2 Medical Caseload: Page 17, Questions 23-25 in the packet, Slide 18
- R3 Critical Staff Retention: Page 21, Question 26 in the packet, Slide 19
- R4 Transgender Units and Healthcare: Page 21, Questions 27-30 in the packet, Slide 20
- R5 Broadband: Page 23, Questions 31-33 in the packet, Slide 21
- R7 ADA Compliance: Page 24, Questions 34 & 35 in the packet, Slide 22
- R9 Maintenance: Page 26, Question 36 in the packet, Slide 23
- R11 Inmate Pay: Page 27, Question 37 in the packet, Slide 23
- R12 Victims Service: Page 27, Questions 38-42 in the packet, Slide 24
- R14 Provider Rates: Page 31, Question 43 in the packet

DEPARTMENT OF CORRECTIONS
FY 2024-25 JOINT BUDGET COMMITTEE HEARING

Thursday, December 14, 2023
9:00 am – 11:00 am

COMMON QUESTIONS FOR DISCUSSION AT DEPARTMENT HEARINGS

1. Please describe one-time state and federal stimulus funds that have been allocated to the Department but are not expended as of September, 30, 2023, by bill, budget action, executive action, or other source that allocated funds. The description should include but is not limited to funds that originate from one-time or term-limited General Fund or federal funds originating from the American Rescue Plan Act (ARPA)/State and Local Fiscal Recovery Funds/Revenue Loss Restoration Cash Fund. Please describe the Department's plan to obligate or expend all allocated funds that originate from ARPA by December 2024.

Response: The Department of Corrections (DOC) received \$3,000,000 in State and Local Recovery Funds (SLFRF) funds from the Behavioral and Mental Health Cash Fund via SB 22-196 to create the infrastructure needed in multiple facilities to house and deliver medication-assisted treatment (MAT) programs. The Department's Facility Management Services (FMS) has drawn up the renovation plans for Arrowhead Correctional Center, Arkansas Valley Correctional Facility, Buena Vista Correctional Complex, Denver Women's Correctional Facility, Denver Reception & Diagnostic Center, Fremont Correctional Facility, LaVista Correctional Facility, Limon Correctional Facility, and three locations within Sterling Correctional Facility. Project directives are in process for Arrowhead, Arkansas Valley, Fremont, Limon, LaVista, and all three locations at Sterling. Clinical has purchased equipment that includes Methasoft software, secure medication distribution windows, security cameras, computers, printers, packaging equipment, dispensing equipment and narcotic lock boxes with a traceable audit trail. The Department intends to have the MAT rooms built and furnished with the proper equipment before December 2024. The Department has been able to leverage these infrastructure funds to secure funds for programming.

DOC received \$2,300,000 in SLFRF funds through the Colorado Office of Information Technology's Colorado Broadband Office via Grant Award Agreement FR99597 to increase broadband connectivity for telehealth services to the persons residing in Department of Corrections facilities. Contracts for fiber site surveys at Centennial Correctional Facility, Colorado State Penitentiary, and La Vista Correctional Facility are already in place, and the project will move forward after the surveys are completed. Installation is expected to occur in 2024. The Department anticipates expending all the funds by Fall 2024.

2. Please provide a description, calculation, and the assumptions for the fiscal impact of implementing compensation provisions of the Partnership Agreement, as well as a qualitative description of any changes to paid annual, medical, holiday or family leave as a result of the Agreement. Please describe any compensation and leave changes for employees exempt from the Agreement if applicable.

Response: The Department has worked very closely with our partners at the Governor's Office and the Department of Personnel Administration (DPA) on assessing the fiscal impact of implementing the Partnership Agreement. Many components of the Partnership Agreement, such as salary surveys, adjusted ranges, minimum wages, and STEPS, were included in the total compensation package put forward by DPA. Included in the salary survey is a 3.2% temporary pay for our critical needs staffing enumerated in section 31.7 of the Partnership Agreement.

The Department is requesting funds to help implement section 11 of the Department's side agreement, on uniform purchases. This can be found in R-03 Critical Staff Retention and Dedicated Talent Acquisition Unit.

The Department is assessing the impact of other non-financial incentives on prison operations. Additional holidays, annual leave benefits, work breaks, training, and other time off benefits may impact the Department's relief factor, which allows for adequate staff coverage at facilities for mandatory posts throughout the agency. The Department will keep the Committee informed of these impacts on staffing patterns as they develop.

3. Provide a prioritized list of budget reductions the Department would propose if 10.0 percent General Fund appropriation reductions were required of every Department.

Response: We appreciate the question and the desire to partner with the Department on identifying reductions. On November 1st, the Governor submitted a balanced budget that provided decision items for increases and reductions that we spent over a half a year to identify and prioritize across the entire Executive Branch. The proposed budget is balanced, maintains a reserve of 15%, and does not require a 10.0 percent reduction in the General Fund to balance. If the economic conditions change the Governor will take actions to propose reduced expenditures and submit a plan to address the shortfall to the General Assembly. If the Joint Budget Committee wants feedback on specific reduction proposals, we welcome the opportunity to work with JBC staff on estimating the impacts and tradeoffs of those proposals.

DOC STAFFING & CASELOAD

GENERAL STAFFING QUESTIONS

4. [Sen. Gonzales] Please provide a breakdown by job type and outline how the staffing challenges are playing out across all of the Department's facilities. Also, please provide job vacancy information for private facilities.

Response:
State Facilities

<i>Vacancy and Turnover Rate for Classes ≥ 20 FTE 07/01-12/08/2023</i>					
<i>Class Title</i>	<i>Current % Vacant</i>	<i>Total Active Employees</i>	<i>Separations</i>	<i>Turnover rate</i>	<i>FY 22-23 Turnover Rate</i>
<i>CORRECTIONS CASE MGR I</i>	<i>3.4%</i>	<i>230</i>	<i>4</i>	<i>1.7%</i>	<i>8.0%</i>
<i>CORR/YTH/CLIN SEC OFF I</i>	<i>10.9%</i>	<i>2207</i>	<i>195</i>	<i>8.8%</i>	<i>28.6%</i>
<i>CORR/YTH/CLIN SEC OFF II</i>	<i>17.1%</i>	<i>630</i>	<i>31</i>	<i>4.9%</i>	<i>16.7%</i>
<i>CORR/YTH/CLN SEC SPEC III</i>	<i>11.9%</i>	<i>89</i>	<i>1</i>	<i>1.1%</i>	<i>5.7%</i>
<i>CORR/YTH/CLN SEC SUPV III</i>	<i>8.9%</i>	<i>224</i>	<i>7</i>	<i>3.1%</i>	<i>8.3%</i>
<i>CORR/YTH SEC OFF IV</i>	<i>8.8%</i>	<i>102</i>	<i>4</i>	<i>3.9%</i>	<i>13.0%</i>
<i>CORR SUP LIC TRDE SUP II</i>	<i>6.3%</i>	<i>30</i>	<i>0</i>	<i>0.0%</i>	<i>22.2%</i>
<i>CORR SUPP TRADES SUPV I</i>	<i>19.8%</i>	<i>425</i>	<i>14</i>	<i>3.3%</i>	<i>16.6%</i>
<i>CORR SUPP TRADES SUPV II</i>	<i>10.4%</i>	<i>103</i>	<i>2</i>	<i>1.9%</i>	<i>6.8%</i>
<i>CORR SUPP TRADES SUPV III</i>	<i>9.5%</i>	<i>38</i>	<i>1</i>	<i>2.6%</i>	<i>5.0%</i>
<i>CRIMINAL INVESTIGATOR II</i>	<i>2.9%</i>	<i>34</i>	<i>0</i>	<i>0.0%</i>	<i>6.3%</i>
<i>COMMUNITY PAROLE OFF</i>	<i>21.6%</i>	<i>160</i>	<i>9</i>	<i>5.6%</i>	<i>14.8%</i>
<i>COMMUNITY PAROLE TEAM LDR</i>	<i>8.0%</i>	<i>23</i>	<i>1</i>	<i>4.3%</i>	<i>9.1%</i>
<i>COMMUNITY PAROLE SUPV</i>	<i>11.1%</i>	<i>24</i>	<i>0</i>	<i>0.0%</i>	<i>4.0%</i>
<i>SOCIAL WORK/COUNSELOR III</i>	<i>61.2%</i>	<i>33</i>	<i>3</i>	<i>9.1%</i>	<i>25.0%</i>
<i>SOCIAL WORK/COUNSELOR IV</i>	<i>32.4%</i>	<i>25</i>	<i>1</i>	<i>4.0%</i>	<i>30.4%</i>
<i>NURSE I</i>	<i>29.2%</i>	<i>126</i>	<i>11</i>	<i>8.7%</i>	<i>26.9%</i>
<i>NURSE III</i>	<i>28.1%</i>	<i>23</i>	<i>1</i>	<i>4.3%</i>	<i>35.0%</i>
<i>MID-LEVEL PROVIDER</i>	<i>26.2%</i>	<i>31</i>	<i>1</i>	<i>3.2%</i>	<i>15.4%</i>
<i>HEALTH PROFESSIONAL II</i>	<i>49.6%</i>	<i>64</i>	<i>6</i>	<i>9.4%</i>	<i>19.4%</i>
<i>ADMIN ASSISTANT III</i>	<i>13.1%</i>	<i>172</i>	<i>7</i>	<i>4.1%</i>	<i>18.9%</i>
<i>PROGRAM MANAGEMENT I</i>	<i>10.1%</i>	<i>62</i>	<i>2</i>	<i>3.2%</i>	<i>13.3%</i>
<i>PROGRAM MANAGEMENT III</i>	<i>17.9%</i>	<i>23</i>	<i>1</i>	<i>4.3%</i>	<i>17.4%</i>
<i>COMMUNITY PROG SPEC III</i>	<i>23.9%</i>	<i>35</i>	<i>0</i>	<i>0.0%</i>	<i>17.6%</i>

HUMAN RESOURCES SPEC III	13.0%	20	3	15.0%	11.0%
TECHNICIAN III	12.8%	82	5	6.1%	13.0%
TECHNICIAN IV	13.9%	31	3	9.7%	11.1%
PROGRAM ASSISTANT I	16.0%	42	0	0.0%	11.4%
MANAGEMENT	9.7%	28	1	3.6%	13.8%
STATE TEACHER I	51.0%	96	3	3.1%	25.8%
ACCOUNTING TECHNICIAN III	24.2%	25	1	4.0%	13.6%

*Note: this chart is for only the top 33 classifications for turnover that have 20 or more FTE. The Department has 154 job classifications.

The impact of a correctional officer shortage in Colorado has been significant and has affected all aspects of the Department. Some impacts include:

1. *Increased Staff Stress and Burnout: With fewer correctional officers available, those on duty must work longer hours and cover more shifts, leading to increased stress and burnout. This creates reduced staff morale and potentially compromises their ability to perform their duties effectively.*
2. *Inmate and Staff Safety Concerns: A shortage of correctional officers may lead to a less secure environment within correctional facilities. Lower staffing levels increase the risk of violence among inmates and against staff. Insufficient staffing makes maintaining order and promptly responding to emergencies more difficult.*
3. *Impact on Rehabilitation/Education Programs: Staff shortages limit the availability of educational and rehabilitative programs for inmates. These programs are essential for reducing recidivism and helping inmates reintegrate into society upon release.*
4. *Increased Overtime Costs: The Department relies on overtime for existing staff to compensate for the shortage, leading to increased labor costs.*
5. *Recruitment and Retention Challenges: A persistent shortage of correctional officers makes it challenging to attract and retain qualified personnel, further exacerbating the problem.*
6. *Decreased Accountability: Understaffing can make it difficult to conduct thorough inmate supervision, resulting in contraband entering facilities and acts of violence.*
7. *Legal and Liability Concerns: Shortages may lead to legal and liability issues for the Department with an increase in the incidents of violence, a reduction in out-cell time, and required programming.*
8. *Reduced Case Management services: Officer shortages have required the Department to post Case Management staff in security roles, which greatly impacts reentry planning, Colorado Transition Accountability Plan (CTAP), Assessment and Case Planning, Parole Board Planning, and inmate classifications.*

Private Facilities

The vacancy information for the two private facilities, Bent County Correctional Facility and Crowley County Correctional Facility, can be found in the charts below for correctional officers:

<i>Bent County Correctional Facility 2023</i>		
	<i>Vacancies</i>	<i>Vacancy %</i>
<i>June</i>	2	2%
<i>July</i>	6	5%
<i>August</i>	12	10%
<i>September</i>	10	8%
<i>October</i>	9	7%
<i>November</i>	8	7%
<i>December</i>	3	2%

<i>Crowley County Correctional Facility 2023</i>		
	<i>Vacancies</i>	<i>Vacancy %</i>
<i>June</i>	32	21%
<i>July</i>	26	17%
<i>August</i>	21	14%
<i>September</i>	15	10%
<i>October</i>	25	17%
<i>November</i>	18	12%

December	11	7%
----------	----	----

5. [Rep. Bird] Please discuss the changes that the Department has underway to expand the pool of applicants. For example, there were presumably policy justifications for a 21 year starting age, training requirements, and off-duty marijuana use. What is the impact of changing these policies?

Response:

18-Year-Olds

The Department has been hiring 18-year-olds since August 4th, 2021. The initial hiring plan for those 18-20 years of age was an apprenticeship program piloted at the Buena Vista Correctional Complex (BVCC). That facility was experiencing significant staff shortage issues. The apprenticeship program was developed to broaden our applicant pool, creating a long-term training program with a specific staff mentor. The program initially started with four interns hired to start in the 8/4/21 Training Academy conducted at BVCC. The internship program lasted until January 2022. At this time, the department changed hiring practices and transitioned from an apprenticeship program to a full hiring plan, allowing 18 to 20-year-olds to be employed at all facilities within DOC. With the new hiring practice, BVCC's remaining interns went from intern status to full-time employees. 18-year-olds are not able to work in armed transport roles due to legislative restrictions passed in FY 23.

The Department is not the only state to drop the age requirement for correctional officers from 21 to 18. Other states, including South Carolina, Florida, Tennessee, Texas, Kansas, New Mexico and Arizona, have lowered their corrections requirements to age 18. Other states are continuing to explore the idea. A proposal to drop the age requirement was presented in Ohio and Alaska this year.¹

Since implementation there have been 197 hires under the age of 21, 144 of which remain employed with the Department, with a 73% retention rate. This is in line with Departmental average rates.

It is important to note that 18-year-olds play an important role in our society. At 18, we allow individuals to fight on behalf of our country, vote in our elections, and run for public office. At 18, an individual can also be sentenced to many years within our correctional system.

Training Academy

During June 2022, the Department started overlapping academies and reduced the training academy to 14 business days. This was due to the severe staffing shortage and the need for coverage in facilities. Based on feedback from staff and successful hiring strategies, the Department revised the training curriculum. Starting August 2023, the Department increased the training academy back to 20 days, or 4 weeks, to improve training for all staff. Once a new hire is working at the facility, the staff will have a minimum of 40 hours of new employee orientation and is partnered with a field training staff. The Department is always evaluating its current practices, including training, and will incorporate ongoing feedback from staff as well as best practices from other States to determine the appropriate length and curriculum.

Marijuana Usage:

The Department changed its marijuana policy in the summer of 2022 to align with the Governor's Executive Order D 2022 034. In December 2022, the Department removed the following language from job postings: "No one who

¹ Terri Richardson. "Hiring 18-year-olds at Horry jail fixing staff shortage. SC not the only state doing it." Myrtle Beach Online. October 15, 2023 <https://www.myrtlebeachonline.com/news/local/article280422049.html> accessed 12/8/2023

lawfully consumes, possesses, cultivates or processes marijuana pursuant to Colorado law should be subject to professional sanctions or denied a professional license in Colorado." The Department has not seen adverse impacts due to this change. There have only been two terminations due to marijuana usage.

6. [Rep. Bird] Are other states around the country facing the same kind of turnover, and what are those states doing to address those concerns? Are there best practices that Colorado can take advantage of? How has the Department structured its incentives relative to other states?

Response: Public employers across the U.S. have faced similar struggles with high vacancies and large turnover rates. Nowhere is this more acute than in correctional settings. A survey of 249 state and local government human resource managers, conducted by Mission Square Research Institute, showed 77% of respondents listed correctional officers as one of the hardest-to-fill positions.²

Correctional officer shortages have been a national issue since before the pandemic, but was exacerbated due to COVID-19. In 2022, at least 12 states had officer vacancies of 20 percent or more, and Mississippi and Alabama had 50 and 58 percent of correctional officer positions empty.³ In Georgia, vacancies within the state's Department of Corrections also reached 50%.⁴ Kansas reported a vacancy rate of 23%, Florida had a vacancy rate of 24%, and Texas had a vacancy rate of 33%.⁵ Staffing shortages are also happening at the Federal level; 21% of the 20,446 positions for corrections officers funded by Congress to work in Federal institutions remain unfulfilled.⁶ The overall employment of correctional staff is projected to decline by 7% from 2020 to 2030. On average, an estimated 35,700 openings for correctional officers are expected each year because of high staff turnover, shifting to other industries, and retirement. High staff turnover and understaffing in corrections can lead to lockdowns of correctional facilities.

The Federal Bureau of Prison (FBOP) recently offered 25% retention bonuses for officers working in specified facilities.⁷ Almost all states have had to implement hiring strategies such as increased wages, retention bonuses, housing, and affordable daycare. The American Federation of Government Employees published an article in the Federal News Network that "In the last seven years, FBOP staffing levels have dropped more than 20%, bottoming out at a current 40% shortage of correctional officers, according to AFGGE. Correctional officers now face a growing use of overtime, workforce fatigue and burnout, and threats to safety and security for staff and inmates."

Correctional officers are confronted with various work-related, institution-related, and psychosocial dangers and adverse outcomes. This can result in diminished work performance, burnout, and absenteeism, leading to workforce shortage and reduced security levels within entire correction facilities. Because of these myriad problems and other job-related factors, the staff shortage of corrections professionals has worsened over time.

² Geral Young, "State and Local Workforce: 2023 Survey Findings." Mission Square Research Institute. June 2023 <https://research.missionsq.org/resources/state-and-local-government-workforce-survey-2023>

³ <https://www.urban.org/urban-wire/why-does-no-one-want-be-correctional-officer>

⁴ <https://fortune.com/2023/07/28/public-sector-staff-shortages-in-hard-jobs-are-sparking-a-wage-war-as-taxpayers-feel-the-consequences-of-empty-positions/>

⁵ <https://stateline.org/2022/09/26/prison-staff-shortages-take-toll-on-guards-incarcerated-people/>

⁶ Department of Justice, March 2023. "Capstone Review of the Federal Bureau of Prisons' Response to the Coronavirus Disease 2019 Pandemic" <https://oig.justice.gov/sites/default/files/reports/23-054.pdf> Accessed 12/8/2023

⁷ Friedman, Drew. "New 25% retention bonuses at Bureau of Prisons only a 'Band-Aid' for larger staffing issues." *Federal News Network* October 4, 2023

<https://federalnewsnetwork.com/pay/2023/10/new-25-retention-bonuses-at-bureau-of-prisons-only-a-band-aid-for-larger-staffing-issues/> Accessed 12/8/23

The Department has implemented the following changes to streamline the hiring process:

- *Health Screenings - Previously new candidates incurred costs for pre-employment physicals. Human Resources developed a system to conduct all initial health screenings at no cost to the candidate.*
- *Remote onboarding, as needed*
- *Lowered the hiring age to 18 years of age for Correctional Officers, Licensed Practical Nurse, Certified Nurses Assistant and Medical Records Technician I.*
- *Eliminated the restriction of personal marijuana use for all classifications except Peace Officer Standards and Training (POST) certified employees. Health care professionals must check their licensing requirements regarding marijuana use.*
- *Robust Marketing Initiatives - Working with a vendor to improve and enhance digital marketing, social media presence, commercials, improve website, and create videos (TikTok and YouTube)*
- *Statewide Fast Track Hiring Events*
- *Housing Incentives for Limon, Sterling, Buena Vista (and Denver through December)*

Many states have taken approaches similar to the State of Colorado in terms of addressing the correctional officer shortage. Like Colorado, many states, including Florida, West Virginia, California, Missouri, Georgia, Nebraska, and Minnesota, have all increased their base pay for correctional officers. In addition, many states have offered hiring bonuses for correctional officers, such as Arizona (\$5,000),⁸ Minnesota (\$10,000),⁹ Maryland (\$10,000),¹⁰ Washington-Clark County (\$25,000),¹¹ California (\$10,000),¹² Nebraska (\$10,000),¹³ Florida (\$10,000),¹⁴ and Delaware (\$10,000),¹⁵ just to name a few. Florence Correctional Complex, a Federal facility in Colorado, offered hiring bonuses of \$16,000.¹⁶ It is important to note that the Department has not been able to offer hiring bonuses for Correctional Officers since July 1, 2023. The Department only offered the incentives outlined in the Joint Budget Committee briefing document from September 2022 through June 30, 2023. During that period, hiring bonuses were \$4,500 for correctional officers. Hiring bonuses were similarly structured in so far as most states paid hiring bonuses after set time periods with the departments.

As mentioned above, other states have also begun examining non-pay-related methods for hiring and retaining staff. South Carolina, Florida, Tennessee, Texas, Kansas, New Mexico and Arizona, have lowered their corrections requirements to age 18. State legislatures are continuing to explore the idea. A proposal to drop the age requirement was presented in Ohio and Alaska. Utah and Maine have reduced their ages to 19.¹⁷ Some states are also looking at

⁸ <https://corrections.az.gov/correctional-officer-careers>

⁹ <https://www.kare11.com/article/money/departments-of-corrections-to-offer-bonus-for-new-officers/89-62cb135d-5d01-4555-81c9-6bf197e696e3>

¹⁰ <https://washcosheriff.com/now-hiring-correctional-deputies-10000-new-hire-bonus/>

¹¹ <https://clark.wa.gov/sheriff/county-offers-sign-bonuses-corrections-deputy-new-and-lateral-hires>

¹² <https://www.corrections1.com/cdcr/articles/calif-cos-to-get-raises-10k-retention-bonuses-for-work-at-hard-to-keep-hard-to-fill-prisons-zGCeDaxBKPC8BNGi/>

¹³ <https://corrections.nebraska.gov/10000-hiring-bonus-corporals-four-nebraska-facilities>

¹⁴ <https://www.corrections1.com/recruitment/articles/fla-sheriffs-office-offering-10k-signing-bonus-to-cos-5k-for-911-dispatchers-4mn5AXEbruu4FMcd/>

¹⁵ <https://www.delawarepublic.org/politics-government/2022-10-04/delaware-dept-of-correction-increases-hiring-bonus-for-corrections-officers-to-10-000>

¹⁶ <https://coloradonewsline.com/2023/09/26/supermax-prison-staff-in-colorado-get-bigger-retention-bonus-following-high-turnover/>

¹⁷ <https://www.kuer.org/politics-government/2022-02-24/utah-eases-correction-officer-age-limit-to-19-to-tackle-labor-shortage>

innovative solutions. Missouri, for example, is proposing childcare for correctional officers.¹⁸ In Ohio, a facility changed rules to allow tattoos—as long as they're not on the face or neck—and beards. According to an article from Route Fifty, "(t)here are also multiple ongoing efforts to make the job itself more attractive, with greater emphasis on professional development, and efforts to pay attention to personal needs, work-life balance and family life. For example, one small county recently began landscaping the area outside its jail with barbecue grills and playground equipment to encourage visits from employee spouses and children during work breaks."¹⁹

Many jails and prisons are now providing fiscal assistance for tuition, paying for correction academy training and equipment, and providing help for employees with wellness and mental health issues.²⁰

The Colorado Department of Corrections employs all of these efforts and is either pursuing or researching the more innovative solutions, such as workforce housing and childcare provision.

Unfortunately, there are no silver bullets to our vacancy and turnover issues. This will be an ongoing, multi-year effort that will involve the Department continually looking at the impact of employed solutions.

7. [Rep. Bird] With the turnover issues that the Department is having, is the Department doing exit interviews? What is the Department hearing in those discussions? What is that telling us about changes that the State could make to improve recruiting and retention?

Response: The Department's current turnover rate for the Department is 6.2%. The Department has been conducting exit surveys since December 2021. A review of the responses indicates that 70% of those leaving are taking new positions with higher pay, and 40% of respondents indicated that a stressful work environment contributed to their decision to leave the Department. This is indicative of the challenges faced working in a correctional environment.

The following are measures the Department has implemented to mitigate the stressful work environment associated with working in a correctional environment:

- *Formation of the Wellness Team in November 2022. Wellness Concierges and Occupational Health nurses offer a 24/7 support line, 365-day coverage, and a comprehensive range of services where staff can call, chat, or email our team. The program supports staff across the eight interconnected dimensions of wellness: emotional, physical, occupational, social, spiritual, intellectual, environmental, and financial. Recognizing that a challenge in any one area can affect overall well-being, we ensure comprehensive support to foster complete health and balance.*
- *Partner in the National Corrections Wellness Consortium. We meet monthly with Correctional Wellness professionals across the country to better understand what they are seeing in their individual departments and strategize efforts to mitigate the impacts.*
- *Correctional Fatigue to Fulfillment training to enhance staff resilience educates corrections professionals on the nature of Corrections Fatigue, helps to connect them to their purpose, and presents foundational strategies for boosting staff well-being and professional growth.*
- *Partnership with CSEAP for mental health support and employee growth, including health and wellness fairs, in-person and streamed professional coaching, and paired initiatives such as our yearly*

¹⁸ <https://apnews.com/article/state-job-vacancies-pay-raises-wage-war-74d1689d573e298bc32f3848fcc88f46>

¹⁹ <https://www.route-fifty.com/workforce/2023/07/solving-problem-understaffed-jails-and-prisons/388128/>

²⁰ *ibid*

mental health provider training for our Peer Support team and the 988 Suicide and Crisis Lifeline mirror decals for all staff restrooms.

- *Development and rollout of the CORDICO app in September 2023 for staff, their families, and our retirees providing single-click access to peer and mental health support and a variety of self-assessments the individual can use to help guide them to their next steps. Additionally, the app provides a directory of our chaplains, along with a wealth of support resources to help each person support their eight dimensions of wellness. In the first three months of service, staff utilized over 5,200 hours and individual support for 459 staff, retirees, and family members.*
- *Wellness Partnership with Monument, which provides free/ low-cost access to anonymous alcohol and substance users.*
- *Development of a Health Screening program for new staff was implemented in October 2022, and saves each new staff member significant time and on average, over \$100 per exam.*
- *Additionally, the Department established a work group dedicated to the retention of staff.*

We have received an overwhelmingly positive response from our staff that has contributed to increased staff retention. In addition to approaching this issue through the eight dimensions of wellness, we utilize the following efforts to engage and connect with staff and minimize barriers to resilience:

- *Development of mentorship programs to include hiring Retention Coaches;*
- *Leadership training for our management teams; and*
- *Succession Planning*

In an effort to address staff retention issues, a Retention Engagement & Leadership Advocacy (REAL) workgroup was established in July of 2023. This group, along with HR staff and executive leadership, has visited nearly every facility 2-3 times for a total of 41 visits in the past five months. This includes surveying staff in person, as well as giving them anonymity. Staff have been candid and provided valuable feedback, which has resulted in several recommendations, including

- *Implementing leadership training programs.*
- *Implement training for middle management on effective coaching techniques to enhance staff performance.*
- *Establishing clear expectations for job roles and responsibilities, fostering a sense of accountability.*
- *Introducing non-monetary recognition programs and incentives to motivate teams and acknowledge positive behavior.*
- *Promote open forums, such as town halls and team-building activities, to encourage dialogue between line-level staff and management.*
- *Facilitate mentorship programs to bridge the gap and enhance understanding between different levels of staff.*

It should also be noted that the Department has 1,124 staff eligible for retirement in the next five years, making the REAL group an integral part of staff retention.

8. [Rep. Taggart] Is the Department utilizing outside expertise to come up with a longer-term strategy to address these ongoing issues?

Response: The Department continues to monitor trends and successes with recruiting in a correctional environment. This includes fostering a partnership with other correctional entities to discuss best recruitment practices. For example, our Executive Director Mr. Stancil is part of the "Workforce Committee" in the Correctional Leaders Association. The Department is committed to researching what is working, and not working, for other states and municipalities, and these are constant ongoing conversations with our partners. Additionally, Human Resources has hired a Director with expertise in correctional recruiting. The Talent Acquisition Group has coordinated and implemented "Life Inside" videos to prepare applicants for the challenging, rewarding correctional work environment.

REHABILITATIVE STAFFING

9. [Sen. Gonzales] Please outline the impact of the staffing challenges on rehabilitative programming. How many of these vacancies are in positions that are in those rehabilitative and educational roles? How is that affecting services?

Response: Currently, there are 130 State Teacher I positions statewide, and unfortunately, 32 of these positions are currently vacant across all subjects. Furthermore, there are 18 State Service Professional Trainee Teacher positions statewide, and we have 4 vacancies in this category. Additionally, there are 31 Library Tech III positions statewide, and 3 of these positions remain vacant.

The ongoing issue of instructor vacancies has a direct impact on our ability to provide programming that is crucial for incarcerated individuals looking to reintegrate into society. This includes industry-recognized job certifications and essential life skills. Addressing these vacancies is essential to ensure the successful re-entry of individuals into society.

Due to the significant number of teacher vacancies, we are currently experiencing a loss of approximately 2000 hours of programming opportunity every day. In addition, with the number of vacant liaison positions, students experience an additional estimated 83 hours per day of loss to virtual programs and learning lab resources. Teachers often cancel their classes to facilitate essential programs such as Post-Secondary, OSHA, flagging certification, and virtual education classes. Although most facilities have implemented a rotational coverage system to minimize disruptions, it still translates to a significant delay in completing a Career and Technical Certificate, potentially extending the time required by up to 2 months.

In facilities where the Custody and Control patterns continue to pull educators out of the classroom, students may receive as little as 2 to 4 hours of instruction per week. This situation has profoundly impacted the quality and availability of our services. One of the most concerning consequences of these staffing challenges is the unprecedentedly low number of GED and CTE completions. The shortage of qualified educators and the resulting reduced access to instruction directly affect our students' educational outcomes, hindering their ability to complete these vital programs successfully.

10. [Rep. Sirota] Are non-correctional officer staff (e.g. teachers, social workers, or case managers) still performing the duties of correctional officers? If so, which positions, how often, and at which facilities? How has this changed compared to last year?

Response: Currently, most facilities use case managers on a volunteer or as-needed basis to cover security posts. Only five facilities - Sterling Correctional Facility (SCF), Denver Complex (Denver Womens and Denver Reception and

Diagnostic Center), Colorado State Penitentiary (CSP), and Centennial Correctional Facility (CCF) - still have case management covering 2 to 5 mandatory security posts per month due to staffing challenges. This is a significant reduction in coverage from 12 months ago, when 90% of facilities used case managers to cover mandatory security posts. At that time, case management was being utilized for up to 8 posts per month, depending on the staffing at that particular facility. Education positions at Arkansas Valley Correctional Facility, Fremont Correctional Facility, Sterling Correctional Facility, Colorado State Penitentiary, Buena Vista Correctional Complex, and Denver Women Correctional Facility were posted 100% of their assigned shift. However, additional shifts may have been required if daily staffing fluctuations necessitated utilizing other available resources.

Education became fully operational at Limon Correctional Facility in April 2023. Education has been fully operational since August 2023 at Canon Minimum Center, Skyline, Trinidad Correctional Facility, Territorial Correctional Facility, Buena Vista Correctional Complex, and Arkansas Valley Correctional Facility. Fremont Correctional Facility became fully operational in November 2023.

However, if daily staffing fluctuations necessitate utilizing other available resources, education staff are relied upon to assist with coverage. In facilities such as Fremont Correctional Facility, Denver Women Correctional Facility, Centennial Correctional Facility, and Colorado State Penitentiary, where emergency transports are common or the facilities are more likely to drop below minimum staffing due to issues, education staff is often requested to shut down a class to assist with the required coverage.

The Department is committed to returning all non-correctional staff - such as teachers, case managers, and social workers - to rehabilitation support for those in our care. Rehabilitative services provide incarcerated individuals with the necessary skills to enter society successfully.

11. [Rep. Bird] What initiatives does the Department have underway to address specific challenges related to social workers and health professionals?

Response: The Department is currently working with the Department of Personnel and Administration (DPA) on minimum qualifications for Health Professional/Social Workers to obtain more candidates and also has a Clinical residency waiver in place for Social Workers, allowing the Department to hire from out of state.

In October, Human Resources contacted the Colorado Department of Regulatory Agencies (DORA) who has oversight of licensing and registration for multiple professions, including Social Worker and Health Professionals. This partnership allowed us to send an email to all of his 240,000 registrants and immediately following that we saw an uptick of 90 additional applications in Clinical Services applications.

The Talent Acquisition Group actively participates in Clinical and Behavioral Health events and conferences, ensuring our recruitment strategies align with the latest standards. Recent events have included:

- *Annual Research and Treatment conference in Denver;*
- *Annual Sex Offender Management conference in Breckenridge;*
- *Behavioral Health Workforce Development Summit, and*
- *Several college/ university career fairs with an emphasis on Behavioral Health.*

The Talent Acquisition Group has honed its knowledge in this area and has established talking points to attract top talent in these disciplines. The Talent Acquisition Group also plans to attend the Rocky Mountain Dental Convention in January 2024, as well as the Winter Symposium on Addiction and Mental Health. This team is committed to attending every mental and behavioral health event available.

The Department has also tried to address shortages in our social workers and health professionals through negotiations with our partners at COWINS. In the [Partnership Agreement](#), the Department and the State successfully added non-base building temporary pay differentials for Nurses, State Teachers, Social Workers, Client Care Aides, Health Professionals, and Health Care Technicians, as seen in Section 31.7 of the agreement.

In the Department's side agreement, the Department negotiated paying an incentive to employees working in Clinical Services who cover gifts for Sex Offender Treatment Program (SOTMP), Residential Treatment Program (RTP), and Substance Use Disorder Program (SUD). In addition, the Department added to the agreement additional pay for staff to cover group curriculum, a full behavioral health shift in SOTMP, RTP, SUD at their own or an alternate facility in place of their own assignment, a nursing shift at their own or an alternate facility beyond, and in addition to their own regular assignment (positions eligible are Nurse I, Nurse II, and Healthcare Tech I (LPN), and a Mid-Level Provider shift at their own or an alternate facility beyond, and in addition to their own regular assignment. The side agreement also includes the following signing bonuses for clinical staff: Nurse I, II - \$1000, Healthcare Technician I/ (LPN)- \$1000, Mid-Level Provider- \$2,500; and \$2,500 for the following Behavioral Health classifications: Healthcare Services Trainee II & III, Clinical Therapist II, Health Professional II, Social Worker/ Counselor III, Psychologist Candidate and Psychologist I & II.

The Department also tried to expand its telehealth and telebehavioral health capacities in order to hire more remote health professionals. However, limited connectivity has been an issue in expanding this program. Clinical services is continuing to work on this initiative.

R6 WORKFORCE HOUSING

12. [Sen. Zenzinger] Is this workforce housing initiative ongoing and permanent? Is this part of the new normal? How should we think about these requests in terms of the “new normal?”

Response: The workforce housing request will be a one-time request for permanent housing supply for our workforce at DOC. The request comes at a time when it has become more taxing on staff to live and work in the same community due to the rising housing costs. Colorado's median home price is now in excess of \$555,540, which is an increase of 90% since March 2021. Six out of 10 Colorado households are unable to afford the average-priced home, and our rising mortgage rates contribute to pricing individuals out of the market. This is DOC's effort to mitigate some of the strain we continue to see in the market by providing attainable workforce housing for our staff by utilizing State land to help with the development of housing in Colorado.

The Department does not have to look far for examples of workforce housing for correctional staff. Bent County Correctional Facility, a private facility that works with the Department, offers relocation incentives and housing to its staff members. The incentives include \$1,500 cash, a U-Haul rental, and up to \$1,000 payment for hotel expenses. If the staff member is military, they are eligible for a higher relocation reimbursement of \$3,000. Bent County

Correctional Facility has also partnered with local hotels to offer long-term rentals for up to 9 months, and a \$1,000 incentive covers the first month's rent.

Bent County Correctional Facility also offers temporary housing to its staff members for a maximum of six months. If they need to extend their stay, they can request it for about \$270 monthly. The private rooms in this housing come with private bathrooms, mini-fridges, TV and internet. The shared common area is equipped with a washer, dryer, full-size dishwasher, stove, and microwave.

Moreover, Bent County Correctional Facility has partnered with local businesses to offer leases on new duplexes to its staff members at a reduced monthly rent of \$200, which brings down the total rent to \$1150 per month. With these incentives, BCCF has told the Department they have seen a reduction in vacancies.

13. [Sen. Zenzinger] Once the housing is built, what happens? Is the Department in the business of property management? Are these state assets? Is the Department/State the landlord? Are we going to need a new division of housing under the Department? What does it mean for the State and the budget if this actually goes forward?

Response: The Department is not in the business of development, so the Department would work with the State's Public-Private Partnership Unit, established in 2494-103 C.R.S. to help with the solicitation of a qualified developer to build the housing and maintain the site. In the contract, DOC is able to put in deed restrictions that can allow for certain area-median incomes (AMI) to be attained through the development, but the details of that would need to run through the CDC for approval of the repurposing of the land for housing. The financial pro forma is dependent on what developer we would be able to bring in to support the project. This would also run through the CDC for approval as the P3 Unit must request approval from the CDC for all projects at the State level. DOC will work with the State P3 Office to create a design, build and maintain contract for the housing that is built. This means that DOC will own the property, but the contractor will build, maintain, and lease the units to DOC staff. DOC does not intend to run the day-to-day operations or maintenance of the building. This follows similar models of other state departments, such as the Colorado Department of Transportation (CDOT). Once built, there are no anticipated state funds that will be needed. The Department will look to see if this model is successful before considering other locations or needs.

14. [Rep. Bird] Can the State use Proposition 123 money instead of General Fund for this since it is workforce housing?

Response: The Department is unable to use Proposition 123 money, as this project is ineligible due to the parameters of the ballot measure. The Affordable Housing Support Fund, which is administered by DOLA must be used a) for homeownership opportunities, b) to support homelessness prevention and permanent supportive housing and c) to provide technical assistance to local governments for planning capacity. The Department will not be offering homeownership opportunities, and therefore cannot apply for the funding.

15. [Rep. Bird] If DOC employees living in these housing units terminate employment with the Department, what happens then?

Response: Housing units will be for active DOC employees. If an employee separates or is terminated from DOC, DOC will work with the contractor as the employee to set a reasonable timeline to leave the units. As mentioned above, the Department is able to put deed restrictions, ensuring those in the housing units are current DOC employees. The Department is working with the P3 office on the design of a lottery system for the housing in order to comply with fair housing laws for the pool of tenants that can live within the site.

16. [Rep. Bird] The request appears to assume that people will be rooming together. Is this true? What about employees with families?

Response: The current modeling is that employees would be sharing units and bedrooms to maximize the opportunity. We anticipate that those wanting to have private rooms could do so for an additional cost. Based on the model employed by CDOT, families may be able to have their own unit. In this model, the Department owns the units, but families are kept separate to give the feeling of actual home settings.

17. [Rep. Bird] Why is the per unit cost for Denver less than Sterling?

Response: Cost estimates are based on a number of factors. The largest factor is available construction resources, contractors and travel to the site. Along with this, the construction in Sterling would require additional utilities, infrastructure, and planning than the Denver site currently identified.

18. [Sen. Kirkmeyer] Is this informed by some kind of evidence? Are there valid models in other states? What is the overarching strategic plan?

Response: Other areas across the country are looking at workforce housing, such as Austin, Texas, which has utilized school district land and assets to repurpose for housing for their employees. There are many examples, such as the Steamboat Springs Housing project that is being worked on now for CDOT employees and a partnership with the City and the County to create affordable options for staff in partnership with a child care center on the first floor that is 11k sq. ft. and 36 units of workforce housing on the floors above. In addition, there are other states, such as Virginia, that have looked at different ways to provide housing for people who are making more than what would qualify as affordable housing or LIHTC programs. Virginia has started a workforce dwelling unit homebuyer program that allows for homebuyers making between 70-120% AMI to purchase a home at below-market rate prices near employment centers that are close to transportation options. Virginia Beach, VA, just approved a project called the Silo that will have 53 units of the 176-unit development for workforce housing. The Department intends to conduct a feasibility study in order to better determine the exact number of units needed.

CDOT has partnered with the Town of Frisco, breaking ground in May 2023 on an employee housing development. 22 units will be exclusively made available to Summit County employees and CDOT maintainers. CDOT also plans to construct 14-16 homes and townhomes on a single acre of land that houses an old CDOT maintenance building. Once built, CDOT will offer this housing instead of the stipends some of their employees receive now for working in hard-to-staff areas. Residents will pay a couple hundred dollars a month to cover property management.

In conversations with our partners at the Federal Bureau of Prisons, they have also stated that they provide workforce housing at some locations.

The Department's overarching goal is to provide long term, stable, affordable housing for its employees in those areas that are most difficult to hire and retain employees. The Department plans to accomplish this by relying on other entities' expertise, specifically the Public Private Partnership division and a private entity. The Department hopes to leverage State land assets to become an employer of choice and achieve low vacancy rates, such as those seen at Bent Crowley Correctional Facility.

19. [Sen. Gonzales] Is this housing request informed by line staff? How are front-line staff informing this request? Exit interviews? Employee demand?

Response: The housing request is both informed by staff and through data collected by the Department. The Department hosts regular town hall meetings and open listening sessions with staff. Housing and affordability have continued to be topics of discussion. The need has been mostly directly demonstrated at the Buena Vista Correctional Complex (BVCC). Currently, over 40 staff live on the campus in housing that the Department provides.

Staff working in Denver and Buena Vista face substantial cost-of-living challenges. The salary for a Correctional Officer in DOC begins at \$4,560 per month. The U.S. Department of Housing defines households as “cost burdened” if they spend more than 30% of gross income on housing, including rent or mortgage costs, homeowners association fees, and utilities. Households are defined as “severely cost-burdened” if they spend more than 50% of gross income on these costs. Based on the starting Correctional Officer I salary, to avoid being cost-burdened, staff in this class should spend around \$1,368 monthly on housing. The average rental costs in Denver, Buena Vista, and Sterling are \$2,200, \$2,400, and \$750, respectively.

Staff at the Denver Complex and Sterling are more likely to live nearby the facilities than at the other hard-to-fill locations. As seen in the chart below, 66% of staff at the Denver complex and 75% of staff at Sterling live within 20 miles of the Facility.

Housing Stipend Commuters							
updated: 11.15.2023 OHR CJL							
Facility	<20 miles	Percent	20 - 50 miles	Percent	>50 miles	Percent	Total Staff
BVCC	166	58.66%	77	27.21%	40	14.13%	283
Denver Complex	390	66.10%	158	26.78%	42	7.12%	590
LCF	93	33.10%	37	13.17%	151	53.74%	281
SCF	448	74.79%	107	17.86%	44	7.35%	599

One-way driving distance between home address and facility address calculated by Google Maps.

As mentioned in an answer to a previous question above, workforce housing has also provided benefits to our private partners within Colorado, as well as other municipalities and areas.

20. [Rep. Taggart] Please have the Department discuss its interaction with employees regarding interest in actually living on the campus. Do employees want to live there? What is the demand?

Response: None of the housing would be on DOC campuses. The Sterling Correctional Facility proposal is for land adjacent to the Facility, whereas the Denver complex proposal is for land from another State agency located in Denver. The ongoing housing for Buena Vista is on land provided by a private entity and will not be co-located or on the Facility campus. Please see the previous question about demand.

CASELOAD

21. [Sen. Zenzinger] What is an honor unit and how do washers and dryers fit in?

Response: The Colorado Department of Corrections (DOC) utilizes bed placement to reward positive program participation and behavior through quality-of-life privileges and responsibilities. The DOC provides honor housing as a transition living program that is goal-oriented and based on incentives to provide successful reintegration into society.

Participation in the Honor House Program is generally a voluntary assignment. As part of the quality of life and responsibility, washers and dryers enhance their opportunity to develop self-sustaining skills before release. The Department is deeply committed to reducing trauma in prisons, improving the overall culture, and creating a safer environment. Our department actively endeavors to align our operations with societal norms to promote this culture change, fostering relationship building, effective communication, and engagement among peer groups, staff, and the incarcerated population. Honor Units represent a shift toward normalizing the culture within the correctional environment. This cultural shift allows us to create a more compassionate atmosphere, enabling the implementation of tangible items, supportive processes, programs, and events.

The Department will utilize these closed beds when or if needed. We have no plans to keep these units at reduced bed capacity if those beds are needed for population increase and placement.

22. Please quantify the number of bed reductions, by facility, that have occurred to accommodate honor units or any other policy or operational change initiated within the Executive Branch since 2020. Please explain the reasons for the changes.

Response: In October 2020, three single-bed cells were taken offline at Delta Correctional Facility to convert to laundry rooms for the newly formed honor house. This reduced Delta's capacity by three beds.

In August 2021, La Vista Correctional Facility (LVCF) took 4 double occupancy cells offline for the purpose of converting them to laundry rooms and their newly formed honor house. This reduced LVCF's overall capacity by 8 beds.

The intent of the laundry rooms is to enhance the self-sufficiency of the inmate population and was a step toward helping with life skills and normalization behaviors.

BUDGET REQUESTS

R2 MEDICAL CASELOAD

23. Please provide an update about the long-term compassionate care decision item that was approved for the FY 2022-23 budget. Has the Department been able to secure beds in privately-run nursing facilities for elderly and indigent parolees?

Response: The effort by DOC to improve access to Long-Term Care (LTC) services for justice-involved individuals with complex care needs began in June 2020. The process began by researching care solutions in other states to identify best practices. This action included conversations with a justice-involved care facility in CT to explore replicating this model. DOC also submitted an RFI for care solutions to the community, which closed in 2021.

DOC has been meeting monthly with Health Care Policy and Finance (HCPF) to identify the best approaches to serve hard-to-serve individuals under DOC supervision who require LTC. The Department of Public Health and Environment (CDPHE) was included in many of these meetings due to their expertise in providing oversight to the delivery of LTC services in a skilled nursing facility (SNF).

A highlight of action items covered in these meetings includes:

- *Identifying how many people within DOC would benefit from LTC services delivered in a SNF*
- *Meeting with the Attorney General's office to discuss the need for a Memorandum of Understanding*

- *Identifying criteria of LTC candidates who cannot be safely served in a SNF with the current Medicaid reimbursement rate*
- *Discussion of delivery of services including admission screening and authorization of payment*
- *Conversations with SNF providers in the community to identify barriers to care from a provider perspective and gather feedback on appropriate reimbursement*

Through these conversations it was determined DOC and HCPF will adopt a Money Follows the Person (MFP) model of funding. MFP is a current Medicaid best practice to support successful transitions from institutional settings to less restrictive community-based settings. MFP is a person-centered approach to care and has the advantage of increased flexibility with service delivery. Instead of contracting with specific SNFs, the individual is approved for access to increased funding. This funding can be awarded to any accepting SNF, and transfer between SNFs if the person moves.

DOC and HCPF examined the criteria that typically make someone hard to place in a SNF and developed a two-tiered system of reimbursement. Individuals with a lower level of care needs, yet still cannot find SNF care using existing Medicaid dollars, are approved at the lower tier one funding rate. Tier two is reserved for individuals with exceptionally complex medical and/or behavioral needs in addition to being under DOC supervision at the time of placement.

A request to utilize funds to supplement Medicaid was submitted by HCPF to the Centers for Medicare and Medicaid Services (CMS), the federal agency that oversees Medicare and Medicaid. Although funds were available to DOC, the partnering SNFs expressed concern at the potential for delayed or denied funding and chose not to accept complex cases until the final approval was made by CMS.

HCPF received approval in November 2023 and relayed this information to DOC. DOC is now in the process of identifying current complex care cases who meet criteria and referring them to SNFs for possible admission.

The following process is in place with DOC and HCPF for placement and payment of justice-involved individuals from DOC into LTC:

Referral Process

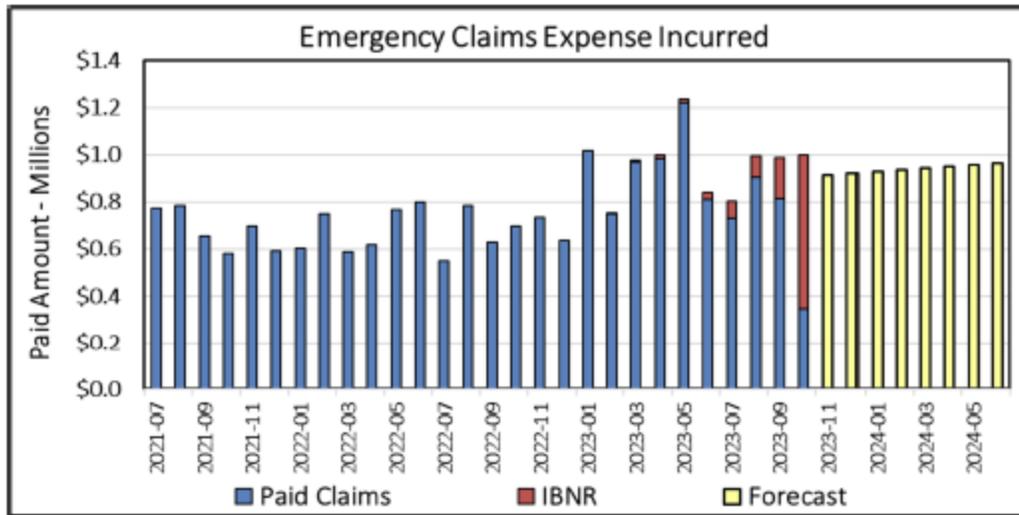
- *A Prior Authorization Request (PAR) is created by HCPF and shared with DOC for evaluating parolee tier level for placement*
- *DOC identifies parolees in need of placement*
- *DOC fills out PAR form to determine level of placement and signs*
- *DOC sends the form to HCPF for approval*
- *HCPF approves level and discharge from DOC*
- *Parolee is transferred to (or released for placement in) placed in the facility as negotiated and selected by DOC. The facility must be a private-owned facility, not a public-owned or state-owned facility.*

Payment Process

- *For the first quarter of payment, the facility will notify HCPF of patient days at each level and HCPF verifies PAR in place*
- *Special Financing will review, approve, and pay the facility for payment based on information sent about patient days*
- *After the 1st quarter, Special Financing will use the claims system to reconcile past payments and pay for members at the appropriate tiering level*
- *Finance will track against budget to ensure adequate funds available*

24. [Sen. Gonzales] Please discuss the potential role of a lack of staff for ongoing regular medical care (specifically mental and behavioral health), and whether/how that could be contributing to the need for additional emergency care.

Response: The Department contracts with Correctional Health Partners (CHP), who tracks the number of ER visits (encounters) per inmate, per year. The number of inmates receiving emergency room care has not increased at a rate disproportionate to the increase in the DOC population. The most recent data regarding ER visits as obtained from CHP is shown below:



However, the vacancies among clinical staff have impacted the amount the Department spends for outside agencies.

25. [Sen. Gonzales] Please discuss medications that inmates are currently having to pay for through the canteen rather than receiving through medical care. How many medications are inmates purchasing through the canteen? What are those medications? Please discuss whether the additional funding for medication requested through R2 would address or ameliorate those costs.

Inmates must only pay for over-the-counter medication through Canteen. All prescribed medications that require a doctor's referral are paid through the Department of Corrections. If inmates do not have the funds to purchase over-the-counter medications that are prescribed by clinical staff, such as pain relievers like Ibuprofen or acetaminophen, those medications are given to the inmate. R-02 Medical caseload goes to funding the necessary, needed prescriptions for life-saving care. While R-02 does not directly cover the cost of the over-the-counter medication, it will allow the Department to continue to cover over-the-counter medication as part of the current policy.

Canteen Services OTC FY2022-23 Sales	
Item	Sales
Breathe Right Strips	105
Cream Absorbace*	417
Clear Zit Acne Medication*	610
Cough Drop	7696

Medicated Hair and Scalp Conditioner	340
Sunscreen SPF 30	659
Antacid Max*	424
Muscle Rub	1537
Medicated Shampoo	464
HypoAllergenic Bar Soap	6523
Toothpaste Sensitive plus Whitening	3062
Medicated Chest Rub	1193
Debrox*	50
Medicated Pads, Hemorrhoidal/Vaginal	1446
Artificial Tears*	1735
Saline Nasal Spray*	1224
Hemorrhoid Ointment	503
Powdered Fiber	717
Milk of Magnesia*	1110
Biotene	378
Asprin Low Dose*	3662
Acetaminophen Tylenol*	11687
Ibuprofen*	22468
Hydrocortisone Cream*	945
Bacitracin*	1324
Miconazole Cream*	579
Tineacide	119
Simethicone Gas Relief*	327
Chewable Antacid*	5033
Allergy Tab Loratidine*	3634
Naproxen Sodium*	4887
Clotrimazole*	302
Lactase*	138
Beano	230
Prilosec*	770
Mucus Relief*	827
Band-aids	2173
Pharmaceutical Grade Fish Oil	3068
Acidophilus	1033
Advanced Ultrex Plus Vitamins	3774
Mega Max Vitamins	2480
Mega C*	2028
Mega Mineral	1632
Vitamin E*	1193
Calcium*	465
B-100	2106
Vitamin D-3 *	1344
Glucosamine	2509
Milk Thistle Complex	464
Vitamin A*	135
Zinc	1866
Melatonin	6251

* Medications have been prescribed by a provider

R3 CRITICAL STAFF RETENTION AND TALENT ACQUISITION

26. [Sen. Kirkmeyer] Please provide estimated expenditures for the current fiscal year on overtime, incentives, etc., and the vacancy savings that the Department expects to be available for the current year.

Response: For the FY, the Department is projecting Overtime expenses of \$40,293,491 and Incentive expenses of \$17,605,726. The Department expects no remaining vacancy savings and is carefully tracking current projections of personal services obligations through the end of the fiscal year.

R4 TRANSGENDER UNITS AND HEALTHCARE

27. [Rep. Bird] Is there a census of the number of inmates that would be affected by this request? How is the Department forecasting its capacity to house these inmates?

Response: The consent decree applies only to transgender women housed in the Department of Corrections. The number of class members identified under this decree is 216. Throughout the course of negotiations, and on an ongoing basis, plaintiff's counsel interviews class members to determine the number of class members who would be interested in this specialized housing. Based on these ongoing interviews, plaintiff's counsel believes that the majority of the transgender women would want to be placed in the new units. The expert consultant regarding transgender and non-binary individuals assigned to the case agrees with this assessment. The Department has utilized these interviews to forecast the capacity needs for these units.

28. [Sen. Zenzinger] How is the Department planning to fold this new, and very specific, population within the existing caseload forecasting methodology? How does this fit with the existing methodology? How will this affect the alignment of capacity with need?

Response: The Department plans to treat these as specialty beds in accordance with Department methodology. The Department requests talking with the Joint Budget Committee members about this issue during the Executive Session.

29. [Sen. Gonzales] How does request R4 comport with request R6 (Workforce Housing). If these two facilities are the ones with the highest needs for staff housing, why are they proposing to add this amount of capacity at those specific facilities? And how does the Department expect to be able to staff such specialized facilities?

Response: The Department is aware of the staffing challenges at both of the chosen facilities. Recently, the Department moved our close custody population from Sterling to Colorado State Penitentiary in order to alleviate some of the staffing pressures associated with the management of a close custody population and to accommodate the need for the specialty unit at Sterling, given the staffing levels. Secondly, the consent decree includes a provision that allows the Department to request a modification to the consent decree to collapse the unit due to demand, staffing levels, and budgetary constraints. We are happy to elaborate on this provision in an executive session discussion.

The Department chose Sterling Correctional Facility and Denver Women's Correctional Facility based on the following:

- 1) *Denver Women's Correctional Facility already houses a number of transgender women and is a logical place to expand to a living unit for transgender women based on its ability to house individuals of all custody levels. The Denver Complex also has a prison infirmary and the location of DWCF in proximity to both departmental and outside medical service makes it the best choice of the women's facilities.*
- 2) *Sterling Correctional Facility is large enough to permit a unit to be designated as a speciality unit and is also a logical place to create a speciality unit based on its ability to house individuals of all custody levels.*

The Department remains committed to pursuing long-term solutions to its staffing issues, including those issues at Sterling and Denver. In addition, the Department is committed to the success of these two units and the safety of this population, which is another reason it is pursuing these long-term solutions around staffing.

30. [Sen. Zenzinger] Are other states already doing a similar practice? What can we learn from those efforts to improve the situation in Colorado?

Response: CDOC's pre-Consent Decree housing policies align with most of the states we surveyed and place Colorado in the middle of the policy spectrum. Among the states we surveyed, three assign based on sex assigned at birth (Alaska, Idaho, and Nebraska); five states plus the District of Columbia, assign based on gender identity, subject to management and safety concerns (California, District of Columbia, Florida, Massachusetts, New Jersey, and New York); and at least 12 have policies similar to Colorado's (Connecticut, Illinois, Iowa, Maryland, Michigan, Minnesota, New Hampshire, New Mexico, Pennsylvania, Rhode Island, Washington, and Wisconsin); further, Wisconsin requires inmates who completed sex reassignment surgery to be placed in a facility consistent with the reassignment. With that said, it is per-se unconstitutional to refuse to house transgender women with cisgender women, so the vast majority of states are approaching housing on a case-by-case approach regarding placing transgender women with cisgender women.

Looking at those states that house offenders based on expressed gender identity, reveals flaws in the approach. New Jersey (pursuant to a settlement agreement) and Illinois (under a certified class action), are moving far larger numbers of transgender women to women's prisons using a presumption that transgender women should be placed in female prisons. In California and Florida, the approach is similar. In addition to housing transgender women in women's prisons, California has created voluntary transgender "Hubs" for housing with some transgender programming and specialized care but the units are not specialized for transgender women. Florida takes a similarly unique approach by housing transgender inmates at pre-identified facilities where ongoing treatment and accommodations for Gender Dysphoria are available. The pitfall with this approach is that there is no bridge, meaning there are no waiting periods, integration programs, or time during which the prison can monitor and evaluate whether the person is appropriate for placement in a women's prison.

In this consent decree, Colorado is taking into consideration the experiences of these states and creating a unique and thoughtful approach to this issue. Using an expert in transgender and non-binary care, we have created units that are meant to provide safety, wellness, and solidarity but, more importantly, create a bridge that can go both ways (both into the units and back out), for DOC to allow transgender women to engage in programs and demonstrate that they should be housed with cisgender women.

31. [Rep. Bird] Why do we need to use General Fund for this request? Why can't we use the federal broadband dollars?

Response: The Department of Corrections has been working since at least 2021 to secure funding for broadband for our facilities. In July 2021, the Department requested ARPA funds from the Governor's office for broadband dollars. The Governor's office recommended that the Department wait to apply for anticipated federal funding allocated to broadband in particular. In December 2021, the Department began work with OEDIT to identify federal funding for DOC broadband needs.

In January 2022, the Department reached out to the Colorado Department of Transportation (CDOT) to discuss its broadband efforts. CDOT determined that our needs for broadband did not overlap with their project, as their project was for broadband outside of facilities and would only help the Department connect to the facility perimeter. At that time, and still, 18 of 19 DOC facilities have a connection to broadband at the facility perimeter; what the Department lacks is infrastructure within the facility to utilize the broadband. The final facility, Rifle Correctional Center, was already in a project with a private provider, Lumen, to connect the facility walls to broadband. Unfortunately, due to delays with the private provider, including issues with boring and receiving permits from Federal lands, Rifle Correctional Center still does not have broadband connectivity to the facility perimeter.

In February 2022, the Department applied for funding for broadband from the Colorado Office of Information Technology's Colorado Broadband Office (CBO). The Department's initial request for all facilities was cut down to \$2,300,000 for La Vista Correctional Facility, Centennial Correctional Facility, and Colorado State Penitentiary, and formally approved in June 2023. The initial request would have supported facilities in Chaffee, Crowley, Delta, Denver, Fremont, Garfield, Las Animas, Lincoln, Logan, and Pueblo counties. This decrease in award from the request was due to changes in allocated funding to CBO for the HB21-1289 Project Broadband Grant.

In the spring of 2023, the Department prepared to apply for Capital Project Funds (CPF) from the Colorado Broadband Office, another source of Federal funding. In July 2023, the Colorado Broadband Office told the Department of Corrections they were ineligible for CPF funds as "(e)ligible applicants do not include state agencies. Eligible applicants include private entities, municipal governments, county governments, tribal governments, co-operatives, and multiparty entities comprised of a combination of public entity members or private entity members, including public-private partnerships."²¹ The Department subsequently reached out to the Colorado Broadband Office and expressed concern about this revision. The Colorado Broadband Office explained that the ineligibility of the Department was due to advisement by the Department of Treasury last year to use the program for last mile and not for community anchor institutions. At that time, the Colorado Broadband Office encouraged the Department to wait for more guidance on Broadband Equity Access and Deployment Program (BEAD) funding.

In March 2023, the Department formally requested Congressionally Directed Spending from both Senator John Hickenlooper and Senator Michael Bennet. They both accepted our requests for Congressional Directed Spending at Limon Correctional Facility. Unfortunately, the Department was informed by the Senator's offices that neither of those requests made it out of the congressional committee.

²¹ See FAQs <https://drive.google.com/file/d/1hdQYosVg9vzR28JLNTiAHjy3cTdk4RG-/view>

In April 2023, the Department reached out to the Denver Foundation, who had expressed interest in helping the Department of Corrections secure broadband capabilities at some of our locations. In August 2023, the Denver Foundation awarded the Department with funding for broadband installation at Limon Correctional Facility and Sterling Correctional Facility.

In August 2023, the Department was informed by the Colorado Broadband Office that Broadband Equity, Access and Deployment (BEAD) Funding prioritizes fiber to the premise last mile connections to broadband serviceable locations and cannot be used to directly fund state agencies to connect facilities. Given these funding priorities, it is unlikely the Department will receive BEAD funding.

32. [Sen. Kirkmeyer] How is the Department coordinating with other departments (e.g. CDOT) and other entities (e.g., local governments) to maximize the efficiency of its use of resources to improve broadband access?

Response: As seen in the timeline and question above, the Department has engaged a variety of stakeholders, including other Departments, private foundations, and federal delegates, to maximize the efficiency of resources and improve broadband access. What is important to note here is the specific needs of the Department. Most DOC facilities have single-mode fiber outside the perimeter, which delivers the high-fidelity signal to the perimeter fence. Many community programs and funding opportunities are for connectivity to the perimeter of the facility. Eighteen of the 19 DOC facilities have a fiber connection to outside the perimeter. Rifle Correctional Center does not have any broadband capabilities to the facility.

What the Department does not have is the capability to access that connection within the perimeter. Eight facilities lack single-mode fiber inside and throughout the facility, while others have single-mode fiber in some but not all places. Additionally, 18 of 19 facilities do not have wireless networking technology to interface with the internet via WiFi. Because of this limitation, when single-mode fiber exists, it is often prioritized only to be used for fire suppression systems and door controls. Staff and inmates in these facilities can only access the internet through network hard-wiring, limiting where telehealth, education, and virtual court hearings can be accessed within each facility. At some DOC facilities, the warden's offices facilitate inmate court hearings because they are the only locations with sufficient broadband capabilities to host a virtual meeting.

33. [Sen. Kirkmeyer] DOC need to transition to broadband because a new VOIP provider was selected? How is the transition going with the new phone service provider?

Response: No. The Department is pursuing broadband access for a variety of reasons, and started this pursuit prior to the decision to switch service providers, as seen in the timeline above. Expanding DOC's broadband capabilities will increase safety and security, improve healthcare, facilitate virtual legal environments, attract and retain staff, make critical educational opportunities widely accessible, and decrease long-term costs.

R7 DISABILITIES ACT COMPLIANCE

34. [Rep. Bird] What is the potential liability with regards to the ADA compliance project backlog?

Response: For the purposes of inmate population, the Colorado Department of Corrections is a Title II entity under the Americans with Disabilities Act (ADA). Under Title II, the Department has an obligation to its inmate

population and to the public to ensure equal access to its programs, benefits, and services and to provide reasonable accommodation where necessary to ensure that access. Many of our buildings pre-date the inception of the Americans with Disabilities Act, and as a result, they were not constructed with access in mind. Construction that pre-dates the ADA is not required to update to meet these requirements, except that any new construction must meet the requirements of the ADA. However, inmates are moved throughout the Department and we must be able to house inmates in all of our facilities in order to safely and efficiently manage the population.

In order to accommodate the needs of our growing population of inmates with disabilities, large physical plant improvements are needed for things like elevators and increased ADA-accessible cells. It's not entirely accurate to assume that the Department is "not compliant" with the ADA as a result of these projects not being funded or completed. What the lack of funding does is create difficulties in placement and increase accommodation costs. For example, if there is a facility where the library is upstairs and doesn't have an elevator to access that library, then individuals who use wheelchairs full time are not ideally placed in that facility because they do not have access to the library. However, we can place a wheelchair user in that facility by providing some accommodation to afford them equal alternative access to the library through a cart service or specialized alternative access. Other access issues are not as easily remedied.

In either case, as our population of inmates who are aging and have disabilities grows, our need for greater physical plant accessibility is growing, and eventually our ability to accommodate inaccessible facilities will be surpassed by the need to place individuals in facilities regardless of the physical plant features. With this increased need for accessible space, the potential for liability under the ADA for physical plant limitations will increase. The most likely result would be class action litigation and the litigation costs there would far exceed the costs of the physical plant improvement projects, in part, because with litigation, the required improvement would likely not be able to be prioritized over time but would be required to be implemented quickly.

35. [Rep. Taggart] Are the blind/visually impaired and deaf/hard of hearing inmates in the right locations? Is this the right location for folks with this type of impairment? How many of these inmates are there and how many are currently eligible for parole? Could they be moved?

Response: The Department of Corrections currently accommodates 1,226 incarcerated individuals with disabilities and 493 community corrections placements or parolees with disabilities. Individuals with disabilities commit the same crimes as any other individual and are sentenced in accordance with those crimes just as any other individual. Individuals with all types of disabilities ranging from vision and hearing to mobility and many other significant disabilities are appropriately housed in prisons everyday. It is important to note that this is just the number of individuals who have active accommodations in our accommodation tracking system. Many individuals with disabilities do not require accommodations, for example, diabetes is a covered disability under the ADA, and if a diabetic does not have other complications (such as mobility or vision issues caused by their diabetes), they may never need an accommodation. Individuals with leg length discrepancies may access programs, benefits, and services just fine with a lift in their shoes and may not need additional accommodation. Individuals with hearing aids may not need additional accommodation as long as they have a functioning hearing aid. The total number of individuals with disabilities within the Department of Corrections system is roughly 15-20% of the total population. This is attributable to the fact that many individuals who are justice-system involved tend to lack adequate health care prior to entering the system and often have led less healthful lifestyles and engaged in more dangerous activities resulting in injury and health issues prior to incarceration.

We have 164 individuals across the incarceration, community, and parole categories who self-identify as having a vision disability, and of those, 3 are fully blind. To those 164 individuals with a vision disability, we provide 552 accommodations. We have 268 individuals across the incarceration, community, and parole categories that self-identify

as having a hearing disability, and of those, 13 are completely deaf and require the use of sign language for communication. To those 268 individuals with hearing disabilities, we provide 1,822 accommodations. This is all done with a team of two people.

Of the 3 fully blind individuals, all three have paroled and returned. Of the 13 currently incarcerated Deaf individuals, many have paroled and returned and several are Sex Offender Lifetime Supervision Act (SOLSA) sentenced individuals.

The Department has a comprehensive inmate and public access ADA program and we are frequently asked by other states to assist in setting up their inmate ADA systems. Implementing ADA in old facilities is incredibly challenging. The fact that DOC has had litigation in this area is not unusual and is not indicative of a poorly functioning system; corrections environments are unique and present challenges that aren't faced by other public entities.

The Department often has to consider technological and security issues that other public entities do not have to. This leaves the Department using an accommodation technique that is effective but that may be somewhat outdated and that can often in and of itself lead to litigation. For example, on the "outside" a person who uses sign language can utilize various applications on a cell phone to communicate with hearing individuals. In prison, cell phones are contraband and other electronic technology is difficult to implement due to our limited broadband/wifi capabilities. As a consequence, the Department ends up relying on written communication in many cases. Written communication is not the preferred or even necessarily the most effective form of communication for many Deaf individuals, as such, our limited technological capacity in this area has led to litigation and our current consent decree for Deaf and hard of hearing individuals.

R9 MAINTENANCE

36. [Rep. Sirota] Given the needs that we are hearing from every department, how is the need here different from other departments?

Response: The Department of Corrections 19 facilities and 607 buildings are utilized 365 days a year, 24/7 resulting in accelerated physical deterioration and increased maintenance needs relative to other state agencies. Public safety is paramount and the inmates housed in the facilities cannot be relocated into a public environment. The average DOC facility is 51 years old, requiring the Department to perform consistent, ongoing maintenance to maintain operational functionality. These maintenance tasks include physical plant management of essential building services and uninterrupted life-sustaining services with security systems such as environmental conditioning, power, lighting, security hardware, and roofing to reduce water infiltration damage and alarms. The magnitude and importance of these tasks cannot be overstated, given the volume, age, and usage of the Department's facilities.

The Department operates and maintains the oldest collection of buildings in the state that is also the largest square footage of state buildings, maintains the buildings for 24/7 use, and oversees the welfare and safety of over 15,000 inmates who cannot be relocated without great risk, expense, and time. The requested funding is necessary to keep pace with the increasing magnitude of deferred maintenance, ensure security, and deliver uninterrupted life-sustaining operations. If significant systems fail, loss of use of a portion or all of the correctional facility will trigger an emergency condition, closure of the facility and relocation of the inmates.

The Department's Facility Condition Index (FCI) scores relative to OSA's averages for the other state agencies have approximately one-quarter of their buildings in the lower half (poor and poor-to-fair conditions) with almost half of DOC's buildings score in these lower percentiles. Compared to state-wide averages in the poor-to-fair category, DOC

doubles the average. DOC trails other agencies, with only 3% of its buildings qualifying as Good, which is one-sixth the state-wide average. DOC's unfavorable FCI scores and significant maintenance challenges combined with continuous operations in which safety and security are ever-present concerns, provide clear and compelling evidence that additional funding is necessary and urgent.

For years, the Department has experienced a rising maintenance backlog driven by several factors. The staffing shortage often requires emergency maintenance to shift to external contractors, driving up maintenance costs. Life-sustaining operations are in jeopardy at multiple locations due to underfunding that results in unavoidable maintenance neglect. When maintenance actions are limited to only the highest priorities and the emergent, interruptions, including those related to boilers, kitchens, safety systems, and water supply, should be expected. These interruptions result in modified operations that risk safety and deny inmates the high-value programming that educates, upsells, and prepares them to reenter society successfully.

The Department is responsible for providing life-sustaining operations to inmates in its facilities. DOC inmates are disproportionately members of underserved demographics, meaning that strains on the living conditions within DOC facilities create disproportionate impacts on these same demographics. Because of the age of its buildings and infrastructure and inadequate historical funding to keep pace with the physical deterioration of facilities that support continuous operations and associated wear and tear, the Department's ability to protect its inmate populations from the impacts of infrastructure decay is limited. Additionally, the Department's job skills and educational programming are often interrupted due to infrastructure problems, causing active harm to inmates who rely on these programs to prepare for return to outside life. If approved, inmates in DOC custody will live in safer facilities and experience fewer interruptions to valuable programming and operations.

R11 INMATE PAY

37. [Sen. Gonzalez] How is the 3.0 percent inflation rate translating into canteen items that inmates can then purchase?

Response: Over the last year and a half, Canteen Services has seen a minimum of 9%+ inflation for the products that are sold to the inmate population. While inflation has increased the costs of goods, inmate pay has stagnated, resulting in inmates relying on family members and friends for additional funds. Building in a 3% inflation rate over the next seven years, inmate pay rates will increase to offset new inflationary price increases for canteen products.

R12 VICTIM SERVICES UNIT

38. [Rep. Bird and Sen. Kirkmeyer] Is the Department looking at any external sources for this purpose? Are there other cost-effective opportunities available that they could leverage (outside of DOC staff and resources)?

Response: The department has previously reviewed other options and has found that no cost-effective vendors exist to provide the same level of service. DOC has an effective, comprehensive notification program that provides victims with every critical stage notification, whether it be movement or participation in parole hearings. This program has been in use since 1993 with modification as needed to accommodate statutory changes. We have dedicated staff who assist victims personally through the post-conviction process, rather than an answering service. For CY2018 (prior to HB19-1064) The Department's Victims Services Unit (VSU) had 7,185 opted-in victims and sent approximately 40,094 notifications. Currently, VSU has 32,799 enrolled victims and has sent (YTD) 193,132 notifications. There are no cost-effective outside opportunities that would provide the same level of service or notifications that CDOC currently provides.

39. [Sen. Kirkmeyer] Does the DOC use the state VINE system? If not, why not?

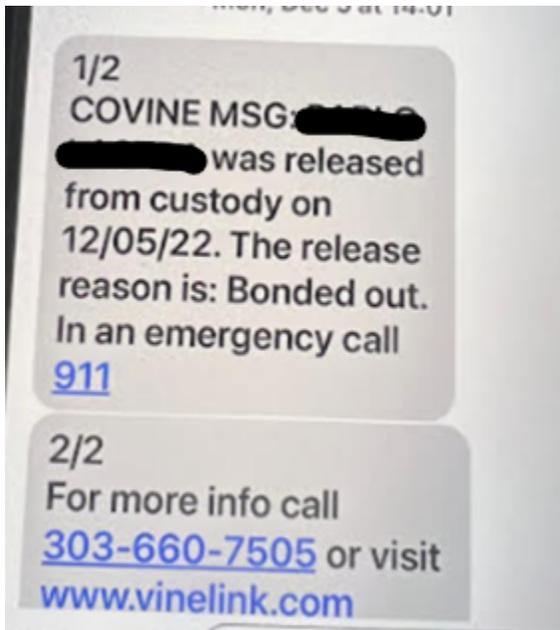
Response: DOC does not currently utilize the VINE system for many reasons.

The off-the-shelf VINE system, which is advertised as free, is neither free nor suitable for DOC Notifications in part because of the sheer volume and type of notices that DOC is required to provide. Colorado has one of the most comprehensive VRA in the nation. Notice is required at every critical stage, not just for movement. This amounts to DOC's Victim Services Unit and our Victim Notification System having to generate over 80 different types of notifications. The VINE system would need to be significantly customized to fit DOC's unique needs. Customizations are considered enhancements, which cost money. The average cost of using customized VINE notifications in other states (per year) was approximately \$420,000, which is subject to a 3% increase every year. In addition to this, there would be a cost to build the data bridging necessary to provide the data from DOC databases into the VINE system in order to provide the necessary information for notices to be sent from the VINE system. In summary, the VINE system would not be free, it would cost significantly more.

Personalized Touch

The system currently in place for DOC allows immediate customization of all notifications. DOC's VSU can create a new notification and deploy it within a matter of minutes. We utilize custom notifications for unique circumstances that may occur - for example, we modified notices when we moved inmates out of Delta during flooding and we modified notices due to SB23-193 to provide additional information to victims regarding early parole discharge and obtaining protection orders.

Example of a VINE Notice



RE: [REDACTED] DOC# [REDACTED]
Current Location: West Denver Office
Parole Eligibility Date: PAST
Next Parole Hearing Date:
Actual Parole Date: 11/16/2023

Dear [REDACTED]:

The Victim Services Unit (VSU) has been informed that the above offender has been released on Parole. During the period of parole supervision, the parolee will report to a Community Parole Officer (CPO).

Standard conditions of parole include the following: parolee must report to their parole office upon release; establish a residence of record; obey all State/Federal laws and Municipal ordinances; follow directives of the CPO; report to CPO in person as required; permit visits of place of residence as required; may be required to submit to urinalysis or other tests for narcotics or chemical agents (and required to pay for all tests); permit search of person, residence, premises, or vehicle; shall not own, possess, nor have under control or custody of firearms or other deadly weapons; shall seek and obtain employment or participate in full time education or vocational program unless waived; shall not abuse alcoholic beverages, or possess and/or use illegal drugs; shall comply with any court or administrative order to pay child support; shall comply with any court order to pay restitution; may be required to pay supervision fees. Other conditions may be discretionarily placed upon the parolee by the Colorado Board of Parole.

Please remember to keep us informed of any changes in your personal contact information to ensure you receive all future notifications.

Contact the VSU if you have any questions at (719) 226-4709 or by email at doc_vsus@state.co.us.

Sincerely,
Victim Service Unit-HO

Example of a DOC Notice

Open System vs Closed System

VINE is an open system meaning anyone can register to receive notifications on VINE, not just victims. At DOC, the Victim Services Unit only enrolls victims that meet that statutory definition of Victim. DOC does not want to operate in an open system due to security concerns. For example, DOC wouldn't want individuals involved in gang activity to register on an inmate who was in an opposing gang.

Ownership of victim data

Equifax acquired Appriss/VINE in 2022. Equifax is a data-mining company. Equifax's contract specifically states that they do not sell the data contained in their systems, but they sell access to the data. If DOC utilized VINE, DOC wouldn't own the data, or the program - rather it would be leased from Equifax. Our in-house system ensures victim and offender confidentiality. The VRA specifically states that the Department of Corrections has a duty to keep victim information confidential. If DOC transfers our data to VINE, we can no longer ensure the confidentiality of victims. Many states that previously used VINE are now leaving VINE as a result of this issue.

In states that have recently left VINE due to Equifax acquiring VINE, victims have complained that their data was sold, which tied their name directly to the inmate's information. VINE states that you can search any inmate as an anonymous party. However, in order to ensure that victims are being notified of the correct offender, by verifying their DOC number and Date of Birth - you must create an account, which then now victim data is saved (and possibly sold).

States who have left VINE: Indiana, Pennsylvania, South Dakota, Texas, Virginia, Maine, California, Minnesota, and Oregon

States in the process of leaving VINE: Washington, Mississippi, Nevada. These states have developed their own notification programs.

40. [Sen. Kirkmeyer] Is the DOC's victim notification system interoperable with the State VINE system? If not, why not?

Response: DOC's victim notification system is not per se "interoperable" with the state VINE system but, the state of Colorado is one of the only states in the nation whose victim notice provisions, by statute, require that all victims be registered to receive notice and may "Opt-Out" of receiving those notices (HB19-1064). This means that victims are **automatically** enrolled in DOC's notification program after a defendant is sentenced. The VINE system provides victims with notice prior to sentencing and the DOC system provides notice post-sentencing. Due to the statutorily mandated opt-in provisions, this means that victims can be assured that after sentencing, they will be automatically enrolled in DOC's notice system and will continue to receive all movement and critical stage updates without having to re-enroll in a new or separate notification system. While VINE is utilized in other state DOCs, it is typically used just for movement notifications and victims are still required to register for a separate notification system to receive critical stage notification.

41. [Sen. Kirkmeyer] What is the total cost of DOC's system now?

Response: The Victim Notification system itself is part of one module of our internal electronic Offender Management Information System(eOMIS) data system. The total monthly maintenance fee for the entire eOMIS system is currently \$58,324. The VSU module is one small portion of that entire amount. The maintenance and upkeep of the VSU module of eOMIS is included in the annual OIT Common Policy billing. These costs cannot be offboarded because the

VSU module is only one small part of a larger module and that module would remain even without the VSU component, meaning that even if we outsourced to VINE, we would still pay for this module. The other costs, such as those reflected in this DI, are related to staffing of the Victim Services Unit, necessary postage and supplies, and for access to services like the Citizen and Law Enforcement Analysis and Reporting Database (CLEAR). CLEAR is an interactive data dashboard and clearinghouse that our victim services unit utilizes to verify and update addresses, phone numbers and email addresses of victims in order to immediately register them in our system and keep their information updated without them needing to contact DOC.

42. [Sen. Kirkmeyer] What is the overall cost of sending notifications via mail, and the consistency and accuracy of those notifications being sent in a timely manner compared to the cost of it? Lastly, how much time and effort does staff have to go through looking into returned mail? And what does the department do about returned mail?

Response: The majority of our registered victims prefer to receive notices via US mail. Many of the victims have been registered for decades on cases and keep paper records. For them, adding the mailed notice to their file is part of keeping track of the case. We continue to provide the US mail option for their convenience and peace of mind.

The annual VSU postage costs are \$40,574 for FY22, \$39,447 for FY23, and \$11,468 for FY24 (to date), which translates to an average monthly postage cost of \$3,200.

In CY2022, VSU had 6,529 pieces of return mail. To date in CY2023, VSU has had 4,959 pieces of return mail. When VSU receives return mail, our staff attempts to contact registered victims to update their information with our office to continue to receive notifications. We utilize any phone numbers on file, as well as the CLEAR database to update. If we receive two pieces of return mail, we opt that victim out of notifications. VSU physically files all return mail and keeps a record of it in the event there was a discrepancy that a notification was not sent. VSU has one dedicated administrative assistant who sends out all outgoing mail. Notifications that are generated are printed out and mailed the same day. For any safety-sensitive notifications, such as an Escape or Abscond from Parole, registered victims also receive a phone call to advise.

FY 2021-2022

Notification Type	Registered Victim Usage		Quantity	Cost
US Mail	27,594	71.6%	76,554	\$40,574
Email	10,965	28.4%	30,365	N/A
Other*	-	-	29,728	N/A
Total	38,559	100%	136,647	\$40,574

The Department has been able to minimize the amount of returned mail through the current usage of CLEAR. Before CLEAR, if VSU received return mail with no updated mailing information from the Postal Office, the Department would attempt phone call(s). If mail and phone communications were unsuccessful, VSU would opt the individual out of notifications. Now, by using CLEAR, the VSU team can do more research on the victims and find more accurate information the first time. As a result, the number of opt-out totals have decreased from 2,289 per year to 956 per year.

R14 COMMUNITY PROVIDER RATE

43. [Rep. Bird] How has the 2.0 percent common policy increase been stakeholdered? How are providers responding to that proposal?

Response: Each year, the Executive Branch's provider rate request is determined through consideration of both increasing costs on partners and the balancing pressures on the state budget. The Governor's office set that amount in order to help providers keep up with the cost of inflation while balancing other needs from the State budget. DOC has not heard any specific feedback about the provider rate increase from any stakeholders since the publication of the November 1st budget.



Joint Budget Committee FY 2024-2025 Budget Hearing

Colorado Department of Corrections
Andre Stancil, Executive Director

December 14, 2023

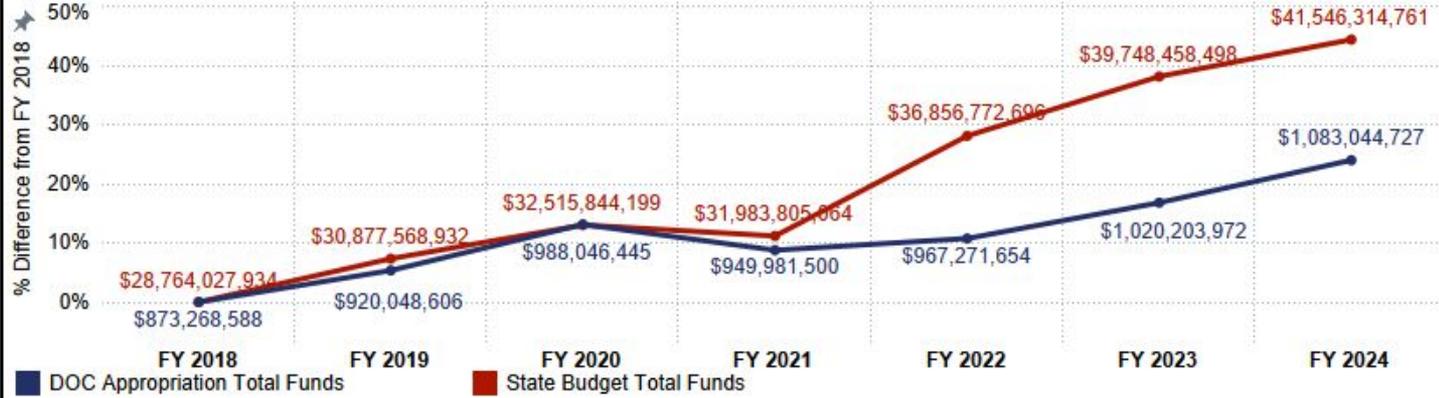


The Current State

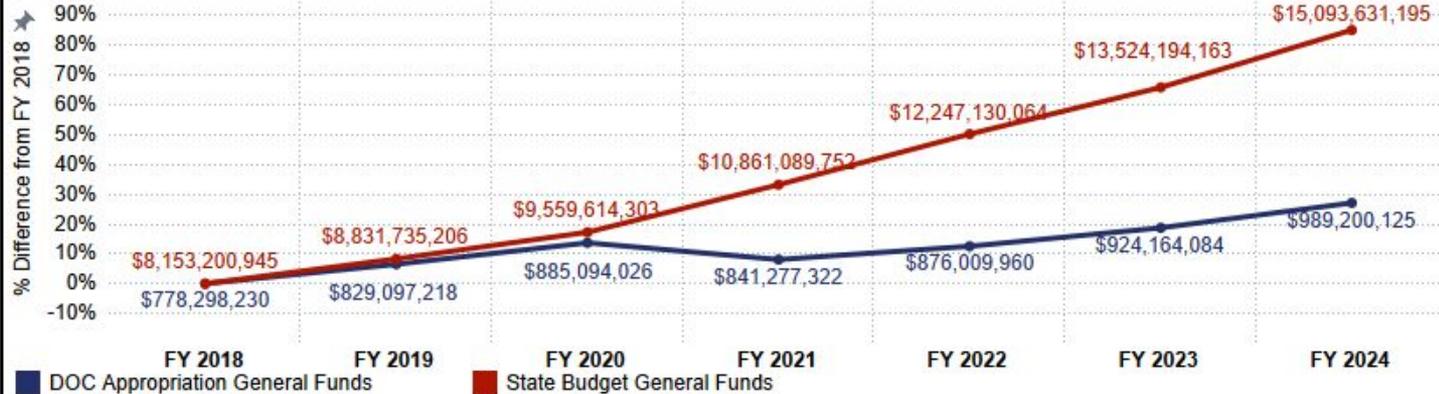
A Department at a crossroads



TOTAL BUDGET COMPARISON

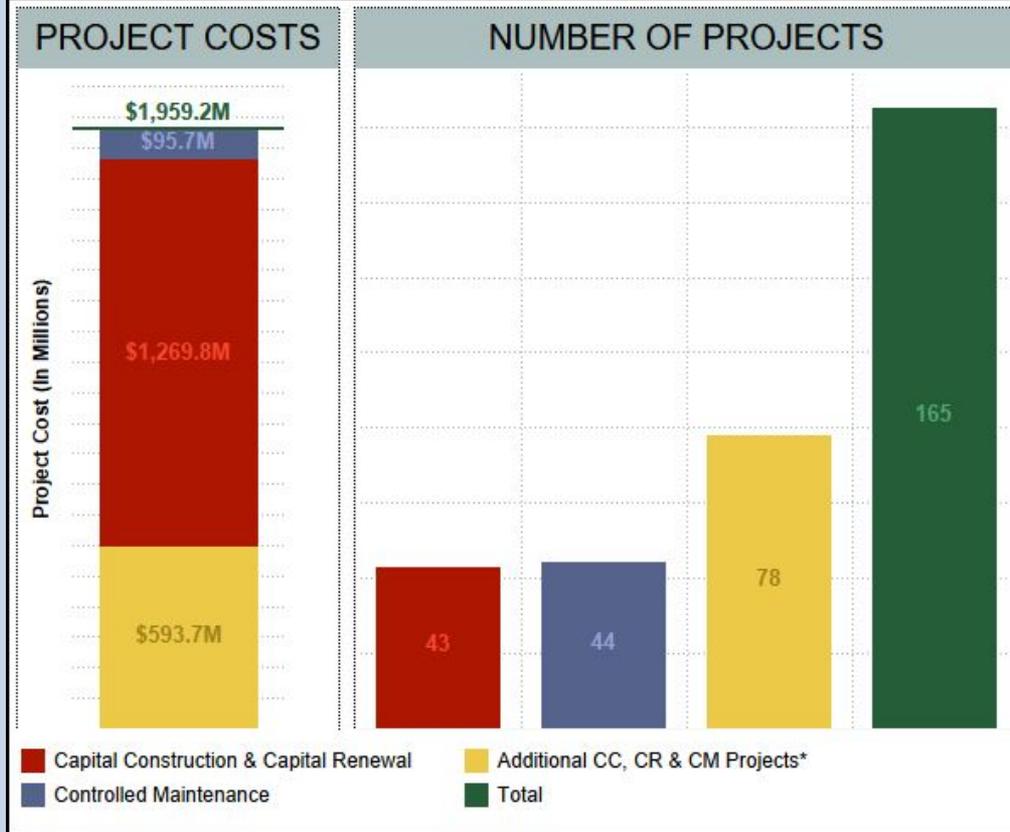


GENERAL BUDGET COMPARISON





DOC HAS ONE OF THE LARGEST DEFERRED MAINTENANCE AND CAPITAL NEEDS



*Does not include deferred maintenance below \$500k



Staffing



Becoming an employer of choice

- R-03 Critical Staffing and TAG
- R-05 Broadband
- R-06 Workforce Housing

Infrastructure



Addressing long-term infrastructure needs

- R-05 Broadband
- R-09 Maintenance
- R-10 Cameras

Care



Improving outcomes for inmates and the community

- R-01 Caseload, R-02 Medical Caseload
- R-04 Transgender Unit
- R-07 ADA
- R-08 Transportation
- R-11 Inmate pay
- R-12 VSU



Common Questions



Stimulus Fund Implementation



\$3M for Medicated
Assisted Treatment
infrastructure



\$2.3M for Broadband in La
Vista Correctional Facility,
Centennial Correctional
Facility and Colorado State
Penitentiary



Partnership Agreement

- Mostly covered in the total compensation package
- Department is requesting funds for our side agreement implementation in R-03
- Department is monitoring impact of non financial incentives on relief factor



DOC Staffing and Caseload

Positive trends but ongoing needs



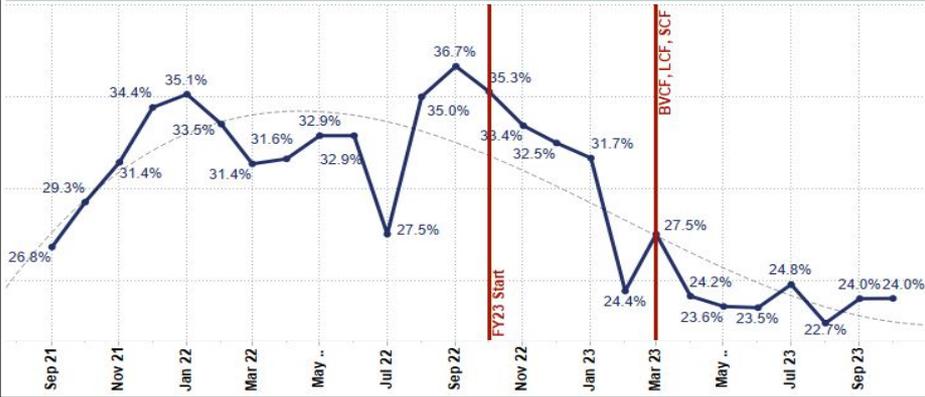
The FY 23 Incentives helped reduce staff vacancies



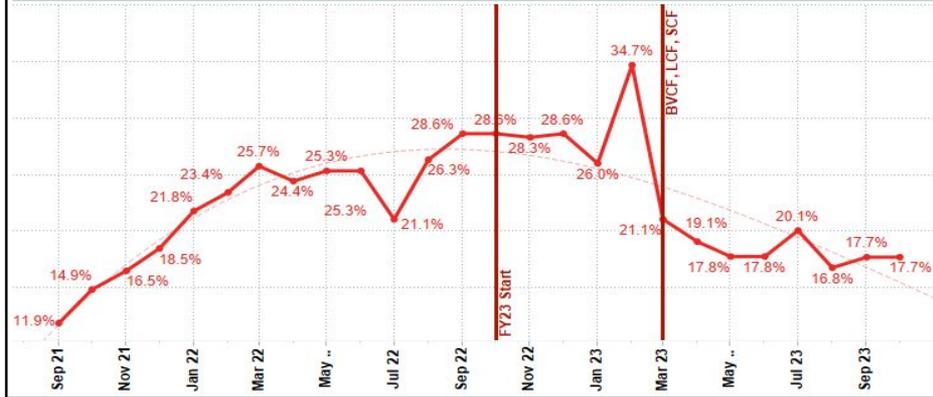


The Housing Incentives helped at the hard to fill locations

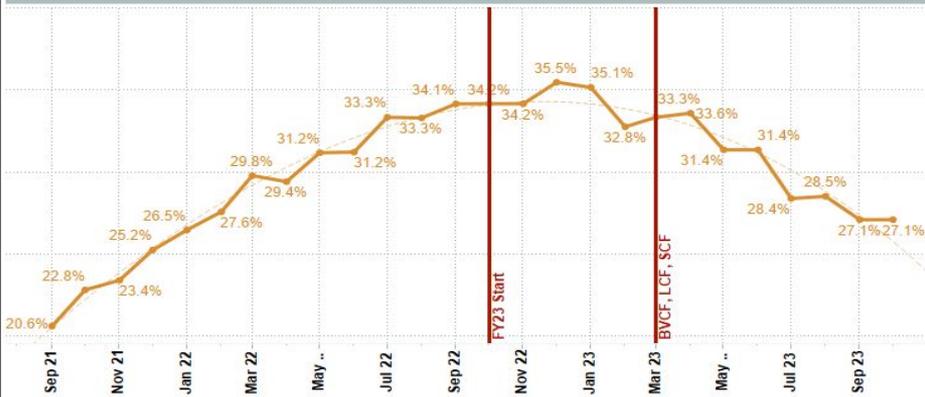
BVCC STAFF VACANCY PERCENT



LCF STAFF VACANCY PERCENT



SCF STAFF VACANCY PERCENT

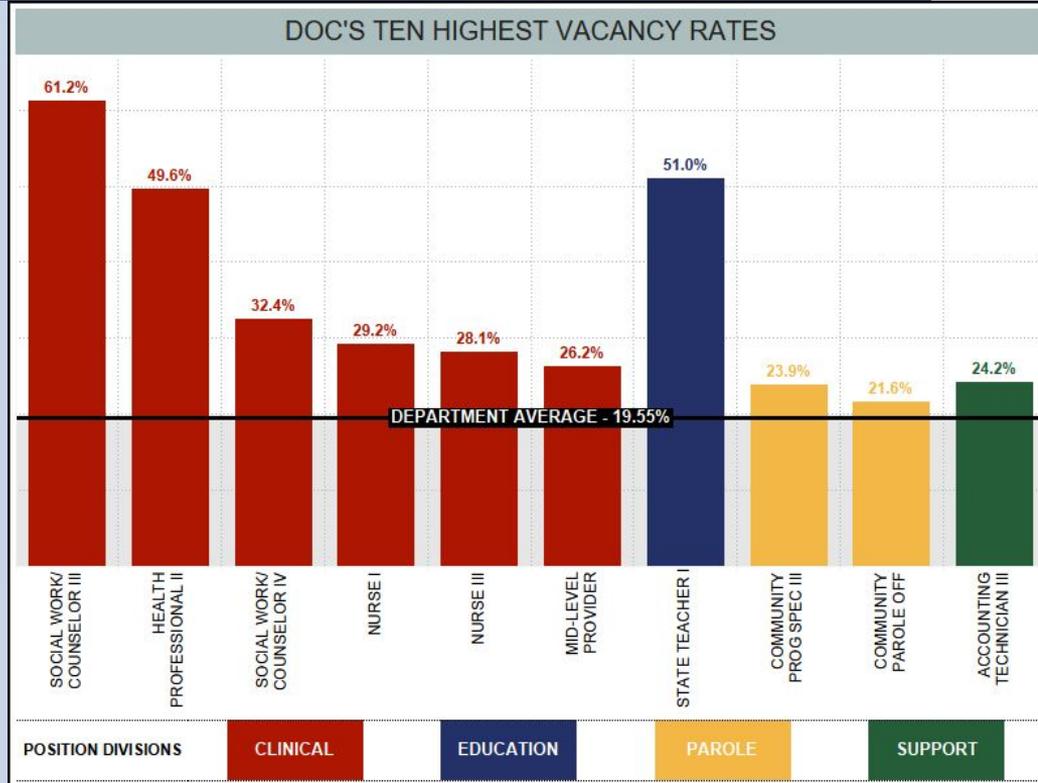


NON-INCENTIVE FACILITIES STAFF VACANCY PERCENT





Current Staffing Challenges





Rehabilitative Staffing



- State Teacher I vacancy rate is 24%, and State Service Professional Trainee Teacher is 22%
- Vacancies among educational staff have led to a decrease in the hours of programming offered, and delays in the completion of Career and Technical Certificates
- Currently, 15 of 19 facilities utilizing education staff on a volunteer or as-needed basis for security posts
- 4 of 19 facilities (Sterling, Denver, CSP, CCF) have mandatory daily security posts, down from 17 facilities in 2022



REAL ESTATE

Frisco and CDOT to break ground on affordable housing complex for employees, residents

The complex will serve as housing for CDOT employees who work near the I-70 corridor, in hopes of helping with recruiting and retention.

Author: Kirin Pandit

Published: 9:20 PM MDT May 15, 2023

Updated: 10:09 PM MDT May 15, 2023

NEWS

VB approves apartment project that'll include 'workforce housing,' near municipal center

by: [Brett Hall](#)

Posted: Oct 20, 2023 / 05:25 PM EDT

Updated: Oct 20, 2023 / 05:2

The Marin County Board of Supervisors has backed a plan to build approximately 250 new homes for public school employees and county workers on a vacant 8.5-acre site near San Quentin State Prison.

NORTH BAY BUSINESS JOURNAL

November 10, 2022



Honor Units and Caseload

- Honor units located in Delta Correctional Facility (DCC), Trinidad Correctional Facility (TCF), Sterling Correctional Facility (SCF) and La Vista Correctional Facility (LVCF)
- The Department has reduced the bed capacity by 11 beds since 2020 to encourage normalization efforts within honor units

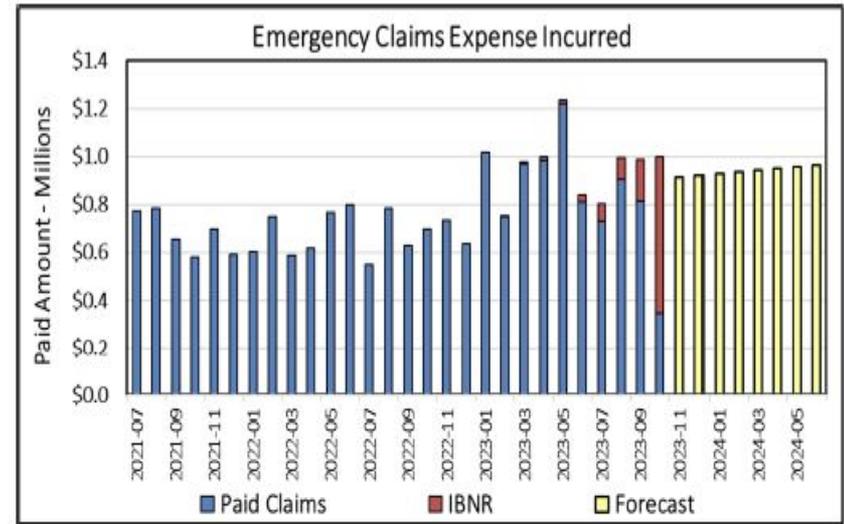




FY 2024-25 Requests

R-02 Medical Caseload

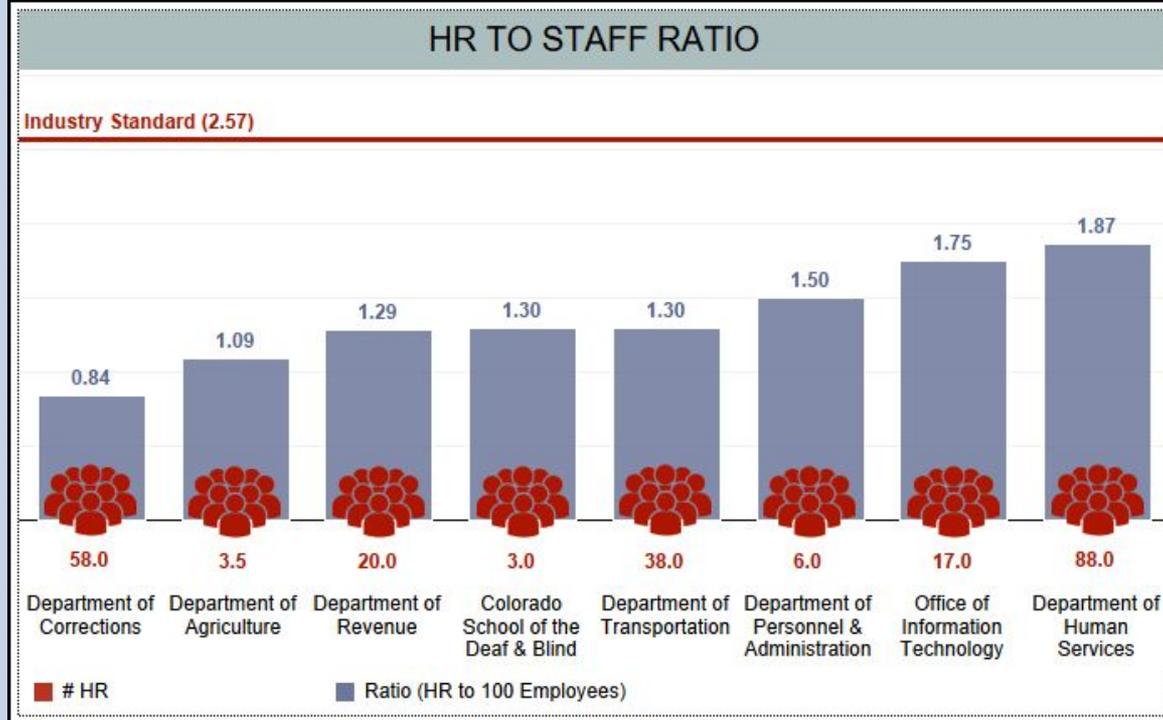
- Clinical vacancies impact spending for agency staff.
- The number of incarcerated individuals receiving emergency room care has not increased at a rate disproportionate to the increase in the DOC population.
- Incarcerated individuals are provided needed medications regardless of ability to pay.





R-03 Critical Staff Retention

DOC HAS THE LOWEST HR TO STAFF RATIO IN THE STATE





R-04 Transgender Units and Healthcare

The Department is committed to providing equal access and a safe living environment for all of those within our care, including those in the transgender community. Details will be covered during an Executive Session.





R-05 Broadband

2021

July through November: Department requests ARPA funds for telehealth and broadband. Department advised to apply for anticipated federal funding for broadband.

December: Department begins work with OEDIT to find federal funding.

2022

January: Department connects with CDOT to determine eligibility for their broadband funding and efforts. CDOT informs the Department they are ineligible.

2022

February: Department applies for funding for broadband from the Colorado Office of Information Technology's Colorado Broadband Office. Funding decision is made in June 2023, and only includes three facilities.

2023

Spring: Department prepares to apply for Capital Project Funds (CPF) from Colorado Broadband Office.

July: Department is notified that it is no longer eligible for CPF funds.

August: Department is notified that it is unlikely to receive BEAD funding.

2023

January through March: Department requests Congressionally Directed Spending (CDS) from both CO Senators. Both accept our requests for Limon Correctional Facility.

Spring: Department is informed neither request made it out of congressional committee.

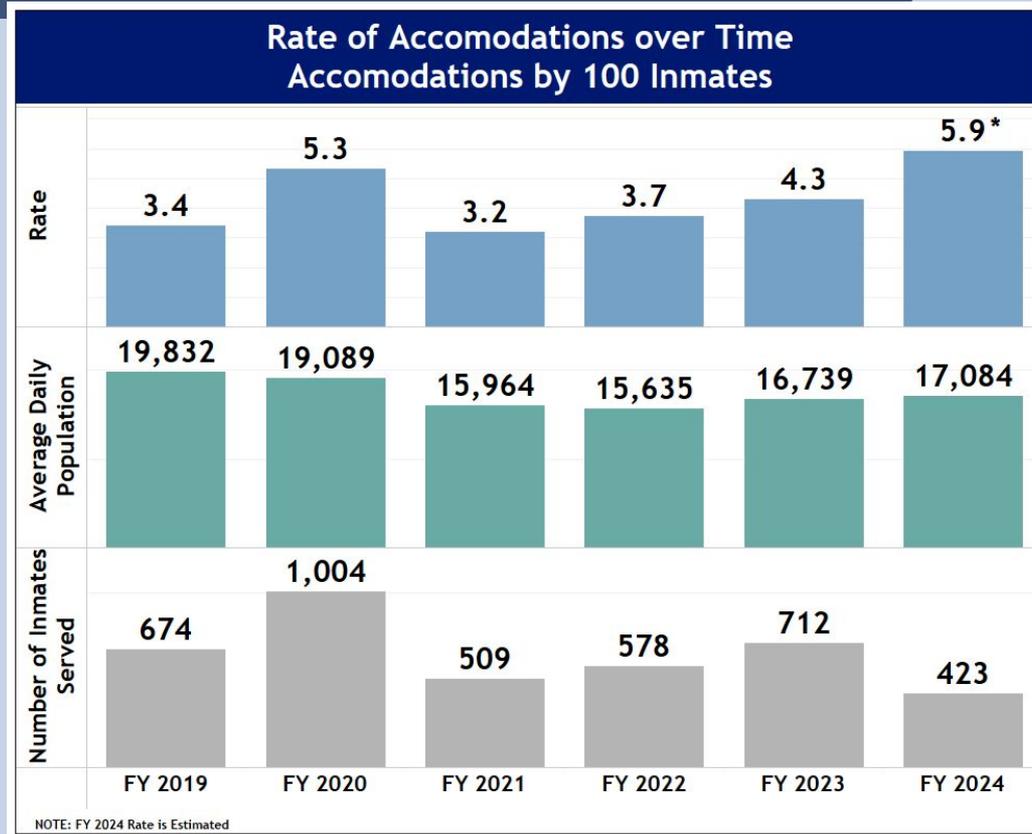
2023

April: Department reaches out to the Denver Foundation, a private funder.

August: The Denver Foundation awards the Department with funding for broadband installation at Limon Correctional Facility and Sterling Correctional Facility.



R-07 ADA Compliance





R-09 Maintenance

- The Department operates and maintains the oldest collection of buildings- 19 facilities, 607 buildings utilized 365 days a year, 24/7
- The average DOC facility is 51 years old
- Compared to OSA's statewide average for Facility Condition Index (FCI) scores
 - DOC **doubles** the average in the poor-to-fair category.
 - **Only 3% of our buildings qualify as good**, which is one-sixth the statewide average.

DOC Maintenance Subprogram vs Inflation





R-011 Inmate Pay

LONG BILL INMATE PAY APPROPRIATION





R-12 Victims Services Unit

- Proven track record
- Personalized touch
- Automated with victim specialists review
- Closed system
- Enhanced data security
- Victim's data is never sold





R-13 FAU and Transparency





Staff are our greatest asset

Appendix



Housing Incentives have helped at the Denver Complex

