

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB23-067 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** 17-33-103 as
4 follows:

5 **17-33-103. Development of a pre-release and reentry program**
6 **- report - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8 (a) "FACILITY" MEANS THE STERLING CORRECTIONAL FACILITY.

9 (b) "PROGRAM" MEANS A PRE-RELEASE AND REENTRY PROGRAM
10 DEVELOPED IN CONSULTATION WITH RESIDENTS PURSUANT TO THIS
11 SECTION.

12 (c) "PROGRAM DEVELOPER" MEANS THE PERSON DESCRIBED IN
13 SUBSECTION (2)(b) OF THIS SECTION ASSIGNED TO DEVELOP AND STUDY
14 STRATEGIES TO IMPLEMENT THE PROGRAM.

15 (d) "PROGRAM REPORT" MEANS THE REPORT ISSUED BY THE
16 DEPARTMENT PURSUANT TO SUBSECTION (4) OF THIS SECTION.

17 (e) "RESIDENT" MEANS A PERSON SERVING A TERM OF
18 IMPRISONMENT AT THE FACILITY.

19 (2) (a) THE DEPARTMENT SHALL CONTRACT WITH THE
20 DEPARTMENT OF HUMAN SERVICES CREATED IN SECTION 24-1-120 TO
21 DEVELOP AND STUDY STRATEGIES FOR IMPLEMENTING A PRE-RELEASE AND
22 REENTRY PROGRAM THAT IS DESIGNED IN CONSULTATION WITH RESIDENTS.
23 THE GOAL OF THE PROGRAM IS TO BENEFIT PROGRAM PARTICIPANTS, THE
24 FACILITY, AND THE DEPARTMENT BY PROVIDING PROGRAM PARTICIPANTS
25 WITH RESOURCES TO SUPPORT THEIR REHABILITATION AND TO REDUCE
26 RECIDIVISM UPON THEIR RELEASE FROM THE FACILITY.

27 (b) (I) ON OR BEFORE AUGUST 1, 2023, THE DEPARTMENT SHALL
28 ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF HUMAN SERVICES
29 TO ASSIGN AN INDIVIDUAL EMPLOYED BY THE DEPARTMENT OF HUMAN
30 SERVICES TO SERVE AS THE PROGRAM DEVELOPER AND CARRY OUT THE
31 DUTIES DESCRIBED IN THIS SECTION. THE PROGRAM DEVELOPER MUST
32 HAVE EXPERIENCE IN MENTAL AND BEHAVIORAL HEALTH, CULTURAL
33 COMPETENCY, AND THE REHABILITATION AND RECIDIVISM OF
34 JUSTICE-INVOLVED INDIVIDUALS.

35 (II) THE DEPARTMENT SHALL ALLOW THE PROGRAM DEVELOPER TO
36 WORK IN THE FACILITY WITH RESIDENTS AND MAY REQUIRE THE PROGRAM
37 DEVELOPER TO MEET THE SAME QUALIFICATIONS AS A PERSON WHO
38 SERVES AS A CORRECTIONAL OFFICER AT THE FACILITY. THE DEPARTMENT
39 MAY PROVIDE AND REQUIRE THE PROGRAM DEVELOPER TO COMPLETE
40 TRAINING NECESSARY FOR THE PROGRAM DEVELOPER TO WORK IN THE
41 FACILITY WITH RESIDENTS.

1 (III) THE PROGRAM DEVELOPER'S ONLY DUTIES ARE THOSE
2 DESCRIBED IN THIS SECTION RELATED TO DEVELOPING THE PROGRAM,
3 STUDYING IMPLEMENTATION STRATEGIES, AND PREPARING THE PROGRAM
4 REPORT, INCLUDING CONSULTING WITH RESIDENTS TO DESIGN THE
5 PROGRAM AND CONDUCTING THE RESEARCH AND ANALYZING DATA
6 NECESSARY TO PREPARE THE PROGRAM REPORT. THE PROGRAM
7 DEVELOPER SHALL SPEND THE MAJORITY OF THE PROGRAM DEVELOPER'S
8 TIME CONSULTING WITH RESIDENTS TO DESIGN AND STUDY
9 IMPLEMENTATION STRATEGIES FOR THE PROGRAM.

10 (IV) IN ORDER FOR THE PROGRAM DEVELOPER TO HAVE SUFFICIENT
11 TIME TO DEVELOP THE PROGRAM, STUDY IMPLEMENTATION STRATEGIES,
12 AND PREPARE THE PROGRAM REPORT, THE PROGRAM DEVELOPER SHALL
13 BEGIN WORK NO LATER THAN AUGUST 15, 2023.

14 (c) THE PROGRAM DEVELOPMENT AND THE IMPLEMENTATION
15 STUDY MUST BE CONDUCTED IN COMPLIANCE WITH ALL DEPARTMENT AND
16 FACILITY RULES, AND THE DEPARTMENT SHALL PRIORITIZE PROGRAM
17 DEVELOPMENT AND THE IMPLEMENTATION STUDY. THE DEPARTMENT
18 SHALL PROVIDE ASSISTANCE TO THE PROGRAM DEVELOPER, INCLUDING
19 ENSURING ACCESS TO AS MANY RESIDENTS AS POSSIBLE.

20 (3) (a) THE PROGRAM DEVELOPER SHALL CONSULT WITH
21 RESIDENTS TO DESIGN THE PROGRAM, INCLUDING DEVELOPING PROGRAM
22 CURRICULUM AND METRICS TO MEASURE PROGRAM SUCCESS. THE
23 PROGRAM DEVELOPER SHALL ALSO CONDUCT ANY RESEARCH NECESSARY
24 TO COMPLETE THE PROGRAM REPORT.

25 (b) THE PROGRAM MUST PROVIDE PARTICIPANTS WITH TRAINING
26 IN SKILLED OR PROFESSIONAL TRADES AND OTHER EMPLOYMENT-FOCUSED
27 ACTIVITIES, EDUCATION IN SKILLS BENEFICIAL TO A PARTICIPANT
28 FOLLOWING RELEASE FROM CONFINEMENT, AND MENTAL AND BEHAVIORAL
29 HEALTH COUNSELING SESSIONS. ADDITIONALLY, THE PROGRAM MUST:

30 (I) BE DESIGNED IN CONSULTATION WITH RESIDENTS;

31 (II) INCLUDE A PROCESS FOR DETERMINING ELIGIBILITY FOR
32 RESIDENTS TO PARTICIPATE IN THE PROGRAM;

33 (III) INCLUDE, AT A MINIMUM, SESSIONS OR INSTRUCTION IN THE
34 FOLLOWING AREAS: GENERAL POSTSECONDARY EDUCATION, ADDICTION
35 RECOVERY, VICTIM AWARENESS, TIME MANAGEMENT, DOMESTIC VIOLENCE
36 PREVENTION, PERSONAL FINANCE, LEADERSHIP, STRATEGIES FOR COPING
37 WITH DIFFICULT SITUATIONS, FAMILY REUNIFICATION UPON RELEASE,
38 FORGIVENESS, AND ALTERNATIVES TO VIOLENCE. THE PROGRAM MUST
39 HAVE CUSTOMIZED CURRICULUM THAT EMPHASIZES DIFFERENT AREAS OF
40 STUDY FOR PARTICIPANTS WHO ARE SCHEDULED FOR RELEASE FROM THE
41 FACILITY WITHIN ONE YEAR AND FOR PARTICIPANTS WHO ARE SCHEDULED
42 FOR RELEASE FROM THE FACILITY IN MORE THAN ONE YEAR.

43 (IV) WORK WITH PROFESSIONALS FROM OUTSIDE OF THE FACILITY,
44 WHO MAY INCLUDE COLLEGE AND UNIVERSITY PROFESSORS, MENTAL AND

1 BEHAVIORAL HEALTH PROFESSIONALS, SUBSTANCE USE DISORDER
2 PROFESSIONALS, AND SOCIOLOGISTS; AND

3 (V) PERMIT PROFESSIONALS FROM OUTSIDE THE FACILITY TO VISIT
4 AND WORK WITH PROGRAM PARTICIPANTS IN PERSON AT THE FACILITY.

5 (c) AS PART OF THE IMPLEMENTATION STUDY, THE PROGRAM
6 DEVELOPER SHALL EVALUATE THE COSTS, CHALLENGES, AND BENEFITS OF:

7 (I) PROVIDING PROGRAM PARTICIPANTS WITH THE TECHNOLOGY
8 AND TOOLS NECESSARY TO WORK REMOTELY WITH PROFESSIONALS FROM
9 OUTSIDE THE FACILITY;

10 (II) PRIORITIZING OPERATING THE PROGRAM AND PROGRAM
11 ACTIVITIES WHILE COMPLYING WITH DEPARTMENT AND FACILITY RULES;

12 (III) PROVIDING FINANCIAL ASSISTANCE TO PROGRAM
13 PARTICIPANTS RELEASED FROM THE FACILITY; AND

14 (IV) INCENTIVIZING EMPLOYERS WHO EMPLOY PROGRAM
15 PARTICIPANTS UPON RELEASE FROM THE FACILITY.

16 (4) (a) ON OR BEFORE DECEMBER 31, 2023, THE PROGRAM
17 DEVELOPER SHALL REPORT TO THE HOUSE OF REPRESENTATIVES JUDICIARY
18 COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
19 SUCCESSOR COMMITTEES, ABOUT THE DEVELOPMENT OF THE PROGRAM.

20 (b) THE REPORT MUST MAKE RECOMMENDATIONS FOR
21 IMPLEMENTING AND OPERATING THE PROGRAM AT THE FACILITY,
22 INCLUDING:

23 (I) STATUTORY CHANGES NECESSARY TO OPERATE THE PROGRAM;

24 (II) STRATEGIES FOR HIRING AND RETAINING QUALIFIED PROGRAM
25 STAFF;

26 (III) FUNDING REQUIRED FOR THE PROGRAM; AND

27 (IV) METHODS TO EVALUATE THE SUCCESS OF THE PROGRAM,
28 INCLUDING THE TYPES OF QUANTITATIVE AND QUALITATIVE DATA THAT
29 SHOULD BE COLLECTED ABOUT THE PROGRAM AND PROGRAM
30 PARTICIPANTS, INCLUDING CAPTURING NARRATIVE EXPERIENCES FROM
31 PARTICIPANTS ABOUT SUBJECTS THAT ARE SUPPORTIVE OF PARTICIPANTS'
32 SOCIAL AND EMOTIONAL HEALTH, SUCH AS LEADERSHIP SKILLS,
33 CONFIDENCE, FEELING OF BELONGING, FEELING OF PURPOSE,
34 COMMUNICATION SKILLS, AND BETTERING INTERPERSONAL
35 RELATIONSHIPS. THE REPORT MUST INCLUDE A RECOMMENDATION FOR
36 THE LENGTH OF A LONGITUDINAL STUDY NECESSARY TO EVALUATE THE
37 BENEFITS TO PROGRAM PARTICIPANTS.

38 (c) THE REPORT MUST ALSO INCLUDE THE FOLLOWING
39 INFORMATION:

40 (I) DISAGGREGATED DEMOGRAPHIC INFORMATION ABOUT THE
41 RESIDENTS WHOM THE PROGRAM DEVELOPER CONSULTED WITH DURING
42 DEVELOPMENT OF THE PROGRAM AND INFORMATION ABOUT THE
43 RESIDENTS' SENTENCES TO THE DEPARTMENT, INCLUDING THE OFFENSES
44 FOR WHICH THE RESIDENTS WERE CONVICTED, THE LENGTH OF SENTENCE

1 TO INCARCERATION, THE TIME SERVED, AND THE RESIDENTS' CUSTODY
2 LEVEL;

3 (II) THE AMOUNT OF TIME THE PROGRAM DEVELOPER SPENT
4 CONSULTING WITH RESIDENTS, ORGANIZED BY THE DEMOGRAPHIC
5 INFORMATION OF THE RESIDENTS WITH WHOM THE PROGRAM DEVELOPER
6 CONSULTED;

7 (III) THE PERCENTAGE OF RESIDENTS EXPECTED TO BE ELIGIBLE
8 FOR PARTICIPATION IN THE PROGRAM;

9 (IV) DETAILED INFORMATION ABOUT THE ANTICIPATED PROGRAM
10 SCHEDULE, INCLUDING THE AMOUNT OF TIME ALLOTTED EACH DAY FOR
11 PROGRAM ACTIVITIES AND HOW OFTEN A PARTICIPANT MUST PARTICIPATE
12 IN PROGRAM ACTIVITIES TO ACHIEVE THE INTENDED BENEFITS OF THE
13 PROGRAM;

14 (V) THE ANTICIPATED BENEFITS FROM THE PROGRAM FOR
15 PARTICIPANTS, INCLUDING BENEFITS TO PARTICIPANTS FOLLOWING
16 RELEASE FROM THE FACILITY, PARTICIPANTS NEARING RELEASE FROM THE
17 FACILITY, AND PARTICIPANTS WHO ARE SERVING AS MENTORS IN THE
18 PROGRAM; AND

19 (VI) RECOMMENDATIONS FOR ANY OTHER POLICY CHANGES BASED
20 ON INFORMATION LEARNED FROM DEVELOPING THE PROGRAM AND
21 IMPLEMENTATION STUDY.

22 (d) THE REPORT MAY INCLUDE RECOMMENDATIONS FOR
23 OPERATING THE PROGRAM IN OTHER CORRECTIONAL FACILITIES.

24 (5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

25 **SECTION 2.** In Colorado Revised Statutes, 26-1-105, **add** (5) as
26 follows:

27 **26-1-105. Department of human services created - executive**
28 **director - powers, duties, and functions - repeal.** (5) (a) ON OR BEFORE
29 AUGUST 1, 2023, THE DEPARTMENT OF HUMAN SERVICES SHALL ENTER
30 INTO AN AGREEMENT WITH THE DEPARTMENT OF CORRECTIONS TO ASSIGN
31 AN INDIVIDUAL EMPLOYED BY THE DEPARTMENT OF HUMAN SERVICES TO
32 DEVELOP, AND STUDY STRATEGIES FOR IMPLEMENTING, A PRE-RELEASE
33 AND REENTRY PROGRAM, AS DESCRIBED IN SECTION 17-33-103. THE
34 DEPARTMENT OF HUMAN SERVICES MAY HIRE A NEW EMPLOYEE OR ASSIGN
35 AN EXISTING EMPLOYEE TO THE POSITION. THE PERSON MUST HAVE
36 EXPERIENCE IN MENTAL AND BEHAVIORAL HEALTH, CULTURAL
37 COMPETENCY, AND THE REHABILITATION AND RECIDIVISM OF
38 JUSTICE-INVOLVED INDIVIDUALS.

39 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JUNE 30, 2024.

40 **SECTION 3. Safety clause.** The general assembly hereby finds,
41 determines, and declares that this act is necessary for the immediate
42 preservation of the public peace, health, or safety."

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