



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

## Memorandum

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**TO:** Interested Persons

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**SUBJECT:** Community Corrections Response to COVID-19

### Summary

Coronavirus (COVID-19) has impacted almost every aspect of society, including the criminal justice system, leaving crowded courts, prisons and jails especially susceptible to the outbreak. This memorandum provides an overview of how Community Corrections is handling this public health emergency. Please note that the COVID-19 situation is rapidly changing, and staff will be monitoring changes and making updates.

### Community Corrections

Community corrections facilities operate on the local level, supported by private and nonprofit organizations in accordance with state standards developed by the Office of Community Corrections, which is part of the Division of Criminal Justice in the Department of Public Safety. These facilities offer a sentencing or placement alternative, in lieu of prison, for eligible felony offenders, where the offenders live under supervision, but are allowed to leave for work, treatment for mental health issues and/or substance abuse, and family and community visits.

Similar to jails and prisons, offenders in community corrections facilities live in close quarters, which has the potential to exacerbate the spread of COVID-19. Because of this, measures are being taken to stabilize or curb the number of participants. Executive Orders issued by Governor Polis have eased some regulations concerning community corrections. The Office of Community Corrections has also issued guiding principles, or suggestions, to local community corrections providers. These guidelines cover contracts and standards, including creative alternatives to standard practice in regard to pat searches, social distancing, and trainings; nonresidential movements and furloughs to lower the census in facilities; and financial considerations.

The following highlights some of the changes occurring in Community Corrections due to the coronavirus.

- **Intakes.** The Denver Department of Public Safety, which oversees eight halfway houses with a total of 600 residents, halted new intakes to Denver-based community corrections facilities.
- **Population.** The occupancy rate in community corrections facilities across the state decreased by 27 percent (from 1,244 to 906) since March 31, 2020. This is in part due to capacity issues, especially in Denver as described above, and the increasing use of Intensive Supervision Program-Inmate (ankle monitors, house arrest) as a sentencing or placement alternative due to public health issues.
- **Subsistence fee waiver.** The \$17 daily subsistence fee required from community corrections clients is suspended by [Executive Order D 2020 016](#). To make up for the loss in fees, the Department of Public Safety is granted budgetary flexibility to purchase hygiene products and other necessities related to food, rent, and staffing in the facilities.
- **Time credit deductions.** Community corrections administrators on the local level have been granted the discretion by [Executive Order D 2020 043](#) to make time credit deduction awards to reduce occupancy at community corrections facilities.