

# **COLORADO DEPARTMENT OF CORRECTIONS**



**Budget Hearing  
January 6, 2015**

**RICK RAEMISCH  
EXECUTIVE DIRECTOR**

**DEPARTMENT OF CORRECTIONS  
FY 2015-16 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Monday, January 6, 2015  
1:30 pm – 4:00 pm**

**1:30-1:50     INTRODUCTIONS AND OPENING COMMENTS**

**1:50-2:10     QUESTIONS COMMON TO ALL DEPARTMENTS**

**(The following questions require both a written and verbal response.)**

1. SMART Government Act:

- a. Please describe how the SMART Government Act is being integrated into the department's existing processes (both in terms of service delivery and evaluating performance).
- b. How is the data that is gathered for the performance management system used?
- c. Please describe the value of the act in the department.

- (a) Please describe how the SMART Government Act is being integrated into the department's existing processes (both in terms of service delivery and evaluating performance).

*Answer: The implementation of the SMART Government Act has aided the Department of Corrections (DOC) in methodically assessing current operational processes within the DOC to increase efficiency, eliminate waste, and reduce costs. The DOC has chosen key performance goals and outcome measures with the expectation of becoming more efficient and effective in everyday operations. Executive management monitors the progress of each goal and measure to ensure continual process improvement in services to the DOC's stakeholders.*

- (b) How is the data that is gathered for the performance management system used?

*Answer: The data gathered by the DOC on performance goals and outcome measures is a quantifiable approach to determine what services or processes within the DOC are attaining success and what are in need of improvement. Where progress is not being detected, those goals or measures are analyzed to determine how to achieve success. Analyzing data is a key component to achieving process improvement.*

- (c) Please describe the value of the act in the department.

*Answer: The SMART Government Act defines a philosophy and process for the management for the Department of Corrections and serves as a tool which formally assists the Department in evaluating performance for targeted objectives while integrating such objectives into the agency's formal planning process.*

2. Do you have infrastructure needs (roads, real property, information technology) beyond the current infrastructure request? If so, how do these needs fit in with the department's overall infrastructure priorities that have been submitted to the Capital Construction Committee or Joint Technology Committee? If infrastructure should be a higher priority for the department, how should the department's list of overall priorities be adjusted to account for it?

*Answer: Yes. DOC has the duty to protect and preserve the substantial state assets in its care, which includes 475 state owned buildings totaling 6,378,748 square feet of building space (not including Correctional Industries cash funded buildings) and over 9,000 acres of land.*

*There are a growing number of significant infrastructure and maintenance repair and replacement projects that have been deferred because of other emergency projects needed to continue the safe and secure operation of the state's prisons. Many of the Department's major facility systems are aging, and maintenance staff continually makes repairs to facility equipment to keep it operational.*

*The DOC submits regular requests for capital construction, capital renewal, and controlled maintenance project funding, but funding is limited and only a small number of the Department's requests receive funding each year.*

*There are a growing number of maintenance projects in need of completion that have been set aside because of other emergency maintenance requirements that facilitate the safe and secure operation of prisons. DOC has thousands of building system components that incur wearing over time with use and the list of deferred maintenance continues to grow without adequate funding.*

*The building facility infrastructure needs far outweigh the needs that have been submitted. Due to the age of the facilities and controlled maintenance funding challenges over the last 10 years, the projects that are submitted are emergency, critical projects to simply avoid loss of use of the facilities.*

*Information Technology infrastructure needs have been addressed in capital requests the last two years: Phase I of the Offender Management System was approved last year, Phase II is requested this year, and the Kronos/timekeeping system is requested this year to assist the Department's ability to comply with timekeeping requirements in SB 13-210. The Department has submitted a FY 2015-16 budget request for implementation of a seven-year radio replacement plan for the Department's critical radio communication needs. Additionally, the department is in need of a regular and recurring desktop computer refresh.*

*The Department's priorities for infrastructure are reflected in the submitted budget request.*

3. Describe the Department's experience with the implementation of the new CORE accounting system.
  - a. Was the training adequate?
  - b. Has the transition gone smoothly?
  - c. How has the implementation of CORE affected staff workload during the transition?
  - d. Do you anticipate that CORE will increase the staff workload on an ongoing basis? If so, describe the nature of the workload increase and indicate whether the Department is requesting additional funding for FY 2015-16 to address it.

(a) Was the training adequate?

*Answer: The implementation of the new CORE system has been very challenging. Department staff attended a number of training courses but more training is needed. Limited availability prevented attendance for all users in the Department. Additional training is needed to pull the necessary information from the system to generate needed reports.*

(b) Has the transition gone smoothly?

*Answer:* As with any new system that differs so drastically from the previous system, the learning curve has been difficult. The CORE processes differ dramatically from COFRS, and adapting to these different processes has been a significant adjustment. The Department is experiencing extreme difficulty with the inventory module for the warehouse division. Since the module affects a small number of state agencies, the inventory module has not received priority for troubleshooting which seriously affects DOC's ability to have an accurate inventory system and appropriately bill expense budgets for accurate expense reporting. It continues to be extremely difficult to pull information and generate reports from the CORE system. System problems creating a delay in getting information into the system can seriously affect the Department's operations. It is hoped that continued improvements and troubleshooting will ease these concerns before year end.

(c) How has the implementation of CORE affected staff workload during the transition?

*Answer:* Staff workload increased during the transition. Staff were preparing for a major system transition while performing their day-to-day duties at the same time. Several Department staff were also part of the training teams across the state requiring additional time away from their normal work duties. It is estimated that CORE impacted employees and supervisors put in about 25% more hours to close the year end and open FY 2014-15.

(d) Do you anticipate that CORE will increase the staff workload on an ongoing basis? If so, describe the nature of the workload increase and indicate whether the department is requesting additional funding for FY 2015-16 to address it.

*Answer:* The Department recognizes that implementation of the new system created short-term issues that has driven additional workload. However, the Department does not anticipate that CORE will increase workload on an ongoing basis.

#### **2:10-2:45 DEPARTMENT OVERVIEW, FACTORS DRIVING THE BUDGET, AND GENERAL QUESTIONS**

4. The DOC is receiving funding for a new computerized Offender Management System. Will the new computer system allow DOC to run a more detailed analysis of who is coming into and going out of prison and better understand population trends? Will the new system enhance connectivity with the Judiciary and reduce errors such as that which occurred with Evan Ebel? Will it help to understand offender demographics at the county level and trends in the counties? Will the new system provide DOC with better information from jails and the judicial branch about arriving inmates?

*Answer:* A goal of the Offender Management System project is to provide more meaningful and detailed analysis of offender population trends. It is expected that these goals will be met. A Request for Proposal has been published, and vendor bids are due to the department by February 2015.

*It is a goal of the project to enhance connectivity to judicial, enforcement and external service providers. The extent of this connectivity is not known until a vendor solution has been selected. The error with Ebel was not in the connectivity of the systems or with Colorado's Integrated Criminal Justice Information System (CICJIS), but an error with the sentencing at the court level itself as the sentencing mittimus was silent on whether the sentence was to be served concurrently or consecutively.*

*Provided there is support from county stakeholders, it is anticipated that the system will be able to report on county crime convictions and sentences.*

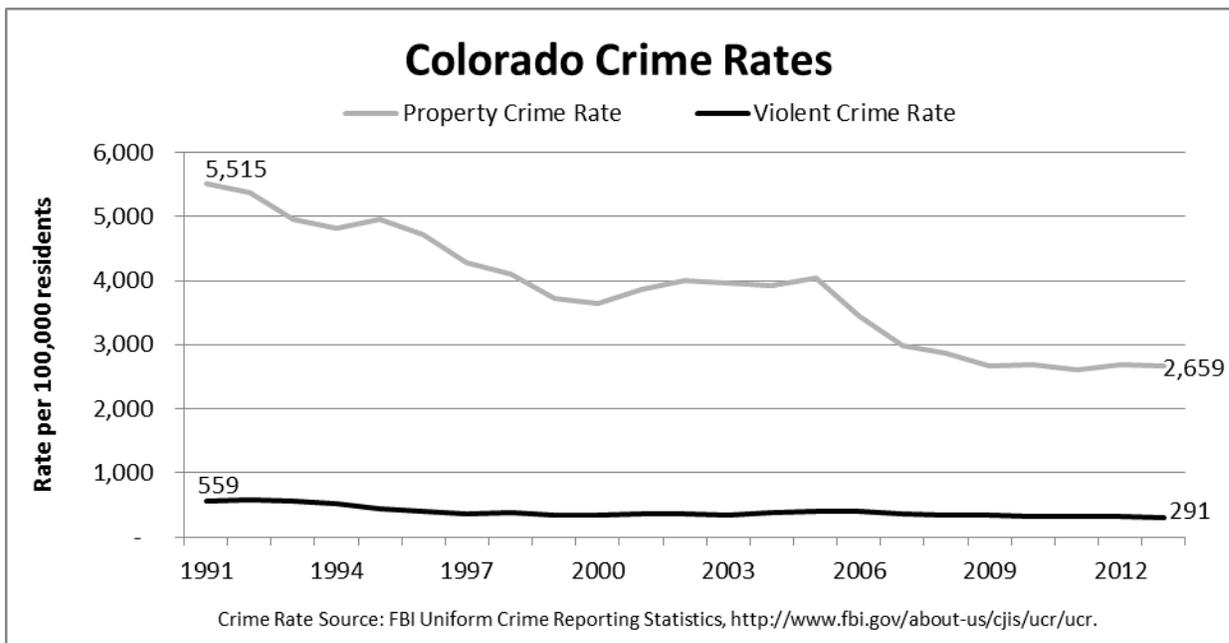
*A goal of the project is enhanced information sharing between agencies and the counties. While a vendor solution has not yet been selected, it is anticipated that data sharing will be enhanced.*

5. During the Judicial Branch hearing, Probation reported that it has reduced the number of probationers who end up in DOC from 1729 in 2005 to 585 in 2013 due to technical probation violations. Does DOC internal data confirm that the number of adults entering DOC due to technical probation violations is down?

*Answer: The DOC does not track this information as it is closely tracked by the Judicial Branch's Division of Probation and available on their annual recidivism study reports. The Department believes the data presented to the JBC by Probation is accurate.*

6. What do Colorado crime rates look like in comparison with the sentence and incarceration rates shown on page 13 of the briefing document? Why did the incarceration rate increase so significant in the 1980s and 1990s? How are these trends affected by the use of more effective DOC programming? Does the Department have any opinion on what these trends mean in relation to the programs that work?

*Answer: Colorado crime rates were high in the early 1990's compared to current 2013 rates. From 1991 to 2013 property crime rates have decreased 52% while violent crime rates have decreased 48% in Colorado. These high crime rates in the early 1990's can contribute to the steady increase in incarceration and sentence rates DOC experienced.*



*In a March 2009 report from The PEW Center of the States, titled "One in 31", Colorado ranked 18th in the increase in Adult Incarceration Rates from 1982-2007. During this time period Colorado had an overall growth in incarceration of 307%. Since the late 1970's through the 1990's, several key pieces of legislation were introduced which impacted incarceration trends. The collective impact of this legislation has contributed to the increase in the incarceration rate.*

*It is difficult to quantify the direct connection between offender incarceration/sentence rates to DOC's effective offender programming practice. One correlation between the three may be shown in*

recent recidivism rates. Colorado's incarceration rate peaked in 2006 as the sentence rate peaked in 2006/2007. Both rates have decreased since peaking. Since 2006 DOC's 3-year recidivism rate has decreased from 53.2% to 48.8% in 2010.

7. Which DOC programs will Results First examine?

*Answer:* While the Results First initiative is in its infancy, the Department has supplied all information that has been requested to date. The Results First team was hosted by the Department on a tour of Correctional Industries, Sex Offender programs, and Therapeutic Communities at the Canon City facilities in October of 2014. Programs that may be included in the Results First analysis are:

- 1) Correctional Industries in Prison
- 2) Correctional Education in Prison
- 3) Cognitive Behavior Therapy (Moderate/High Risk)
- 4) Inpatient/Intensive Outpatient (Incarceration)
- 5) Therapeutic Communities (Incarceration)
- 6) Sex Offender Treatment (Incarceration)
- 7) Domestic Violence Perpetrator Treatment Programs (Parole)
- 8) Sex Offender Treatment in the Community
- 9) Intensive Supervision (Surveillance and Treatment)
- 10) Case Management: Not Swift and Certain for Substance Abusing (Parole)
- 11) Electronic Monitoring (Parole)
- 12) Outpatient/Non-Intensive Drug Treatment (Community)

8. Does the Department agree with the staff position on the economics of closing pods (i.e., that it does not save money to close a DOC pod and place offenders in a private prison)?

*Answer:* Yes, it does not save the State money to close a DOC pod and place the offenders in private facilities. The closure of a pod typically only reduces a facility's staffing levels by the number of employees that directly serve the population in the pod. The main costs of operating a facility, such as utilities and maintenance, will not be reduced since the closed area will still require upkeep. This is illustrated by the recent reopening of 440 male beds at the Buena Vista, Sterling, and Trinidad Correctional Facilities in FY 2013-14. The cost of reopening the pods was \$16.83 per offender per day for the 440 beds. This cost was considerably less than housing the same offenders in a private prison at a cost of \$53.74 per day (FY 2013-14 private prison per diem rate).

9. What is the current excess capacity in the state's private prisons and where is that capacity located? Could the prison at Walsenberg be used?

*Answer:* The Department utilized 3,816 of 7,243 private prison beds as of November 30, 2014. The Idaho Department of Corrections utilized 228 private prison beds at this same point in time. Of the remaining 3,199 private beds, 1,975 are found in the two closed private prisons located at Walsenburg and Hudson. The companies that operate the closed prisons could be approached about reopening the facilities in the future if the Department's housing needs warrant the additional beds.

Private Correctional Facilities in Colorado			
Facility	Location	# General Population Beds	Colorado Nov 30, 2014 Population
Bent County	Las Animas	1,388	1,404
Crowley County	Olney Springs	1,616	1,439
Kit Carson*	Burlington	1,488	425
Cheyenne Mountain Re-entry Center	Colorado Springs	776	548
Huerfano County	Walsenburg	787	Closed
Hudson	Hudson	1,188	Closed
<b>Total Beds</b>		<b>7,243</b>	<b>3,816</b>

\*Kit Carson currently houses 228 Idaho DOC offenders.

10. The Prison Utilization study concluded that salaries in private prisons are a third lower than in public prisons and staffing levels are also low. Is the utilization-study salary finding accurate? Does the Department monitor salaries in private prisons? Do private prisons use lower staffing levels than comparable DOC facilities? Does the Department monitor staffing levels in private prisons?

The Prison Utilization study concluded that salaries in privates are a third lower than in public prisons and staffing levels are also low. Is the utilization-study salary finding accurate?

*Answer: The June 2013 Prison Utilization Study conducted by CNA Analysis & Solutions referenced a 1997 Nationwide Bureau of Justice Assistance (BJA) study which was conducted to make a direct comparison between state and privately operated facilities. Not all of the private facilities participated, with information gathered from only 49 out of 65 private state facilities.*

*In referencing the 1997 BJA study, the Prison Utilization Study reported the average salary for correctional officers ranged from \$14,824 to \$18,785. The starting salaries were not much lower (\$12,958 to \$16,640), suggesting that most of the private facility staff were new hires. By contrast, the average minimum starting salary in the public sector was \$20,888.*

Does the Department monitor salaries in private prisons?

*Answer: The DOC does not monitor the salaries in private prisons as this information is considered by the private vendor as proprietary information and is not shared with the DOC or made available to the public.*

Do private prisons use lower staffing levels than comparable DOC facilities?

*Answer: Staffing requirements are mandated by contract with each private prison provider. Each contract mandates minimum staffing levels but does not account for all positions required to operate the correctional facility. Staffing levels at each private prison facility are maintained in sufficient numbers and rank to maintain public safety, the safety of staff and offenders, security and order in the facility, and to adequately carry out the provisions of contract requirements.*

Does the Department monitor staffing levels in private prisons?

*Answer: Yes. The Private Prison Monitoring Unit (PPMU) serves as an oversight unit and liaison between the DOC and the private prison vendors operating within the State of Colorado. PPMU is tasked by statute to monitor contract compliance and activities of any private prison operating in*

*Colorado assuring against threats to the safety, health, or security of offenders, employees, or the public. PPMU monitors private prison staffing levels according to contract obligations on a monthly basis.*

11. How do levels of inmate-on-inmate violence and inmate-on-staff violence compare in Colorado's private and public facilities? How reliable is the DOC's violent incident data and how reliable are comparisons based on that data? How many offenders in private prisons versus public prisons have had charges filed against them by District Attorneys?

How do levels of inmate-on-inmate violence and inmate-on-staff violence compare in Colorado's private and public facilities?

*Answer: Due to the differences in the type of offenders being housed and managed in private facilities as compared to those in state facilities, it is very difficult to provide a true comparison of levels of inmate-on-inmate violence and inmate-on-staff violence between Colorado's private and public facilities.*

How reliable is the DOC's violent incident data and how reliable are comparisons based on that data?

*Answer: DOC believes that the information on Critical Incidents, to include incidents of violence, is very accurate, as there are several levels of review and oversight of each incident.*

How many offenders in private prisons versus public prisons have had charges filed against them by District Attorneys?

*Between July 1, 2013 through June 30, 2014 the DOC filed a total of 284 cases filed (against both offenders as well as staff) with local District Attorney Offices for all state operated facilities, as compared to 35 cases for the privately owned and operated facilities. However, there are differences in the type of offenders being housed and managed in private facilities as compared to those in state facilities. While private facilities house only Medium Custody and below offenders, state facilities house all offender classifications and status levels, to include those in Restrictive Housing, those with Serious Mental Illnesses housed within Residential Treatment Programs, and those classified as close custody as a result of their negative institutional behaviors. These populations of offenders typically pose a greater risk to the safety and security of the facility and are more difficult to manage. In an comparison of similar Level III (Medium Custody Facilities), Arkansas Valley Correctional Facility (state facility) with an average population of 1034 offenders and Crowley County Correctional Facility (private facility) with an average population of 1396 offenders: AVCF = 16 cases filed / CCCF = 17 cases filed.*

*Several factors support the differences in cases filed between state facilities and private facilities:*

- 1. There are 20 state facilities compared to only 4 private facilities.*
- 2. There are 13,991 offenders housed in state facilities as compared to 3,816 offenders in private facilities as of November 30, 2014.*
- 3. In many instances, lesser cases such as introduction of contraband and non-sexual misconduct cases result in staff resignations or being terminated from private prisons before an investigation can be completed and criminal charges filed.*

4. *Some judicial districts have given blanket statements on what types of cases they are willing to file on incarcerated offenders, (i.e. 13<sup>th</sup> Judicial District does not file possession of alcohol cases) as some may not have the resources to file these cases. In these circumstances, the completed case is not filed with the local DA's office.*

12. Please provide an update on the status of the Sex Offender Treatment Program at DOC, including statistics on the number of DOC inmates that completed Phase I and II of the sex offender treatment at DOC facilities in FY 2013-14 and are currently engaged in maintenance programming.

*Answer: Offenders in the Sex Offender Treatment Management Program (SOTMP) are now placed into treatment phases based on an initial static risk assessment. Static 99R assessments were completed on all offenders with sex offender codes of S3-5 in response to the program evaluation recommendations in January, 2013. There are four categories of risk: low, low/moderate, moderate/high, and high. It was determined that the majority of sex offenders in the DOC at that time were in the low, low/moderate risk range. Offenders in all risk categories participate in the new Phase I (Core) treatment; however, offenders are separated by risk during group participation. Additionally, all now have the opportunity to meet Sex Offender Management Board (SOMB) criteria in Phase I (Core) treatment. Only those offenders in the moderate/high and high risk categories progress to treatment in Phase II after completion of Phase I Core. Once treatment is completed in the applicable phases, offenders move into maintenance programs which are separated into specific focus areas based on a dynamic risk assessment.*

*Prior to the implementation of new Phase I Core groups, the SOTMP had to address the offenders who had completed the previous Phase I program and who were on the waitlist for Phase II to assess which of them would continue on to Phase II under the new criteria. Under the previous structure, these offenders had not had an opportunity to complete SOMB criteria. The SOTMP has had to transition these offenders through the development of "transition groups" to allow them an opportunity to meet criteria.*

*Prior to 2012, determinately sentenced offenders, which are offenders who have a mandatory release date and are not part of the lifetime supervision statute, were automatically placed at the bottom of the waitlist for treatment as a department policy. Many determinately sentenced offenders were discharged from their sentences without any treatment at all. After the Evaluation in 2012, the DOC incorporated the determinately sentenced offenders onto the treatment waitlist according to risk and Parole Eligibility Date (PED), so that treatment opportunities were able to be achieved.*

1. *Current backlog for phase I and II:*

*6/30/2013: total on waitlist: 1,737; Phase I 1,516; Phase II: 221*

*6/30/2014: total on waitlist: 1,871; Phase I 1,668; Phase II: 161*

*11/30/14: total on waitlist: 1,832; Phase I 1,667; Phase II: 98*

2. *Past PED: 303 Lifetime offenders and 867 determinately sentenced offenders\**

*a. 1 year: 313*

*b. 2 years: 255*

*c. 3 years: 170*

*d. 4 years: 105*

*\* Determinately sentenced offenders were just added to treatment options with the policy changes last year.*

*The number of offenders that are on the waitlist that are within four years of their PED is 662. Of those, 514 are determinately sentenced and 148 are Lifetime Supervision, indeterminately sentenced.*

3. *Successful completions in FY 2013-14:*

*Program Completions FY 2013-14*

*Phase I: 52 completions*

*Maintenance: Currently 106 in maintenance groups*

*SOMB Criteria: 152*

***Last 6 month completions: 7/1/14 – 12/30/14: 65***

13. How many offenders will complete Phase I and II of the Sex Offender Treatment Program in FY 2014-15 and FY 2015-16 and how many offenders will be moved into the maintenance program each fiscal year?

***Answer:***

*The current projection of SOTMP completions for FY 2014-15 = 200*

*Projection of offenders progressed to maintenance for FY 2014-15 = 70*

*Projection of SOTMP completions for FY 2015-16 = 250*

*Projection of offenders progressed to maintenance for FY 2015-16 = 88*

14. In June of 2013, the JBC asked DOC to evaluate the feasibility of implementing a sex offender treatment program at Cheyenne Mountain Re-Entry Center (CMRC). The Department responded by stating that “the best program to implement would be a pilot maintenance program for low and moderate risk offenders”. Please provide the JBC with an update regarding this issue.

*Answer: Numerous meetings have occurred between DOC and CMRC management staff to evaluate the feasibility of implementing a sex offender maintenance program at CMRC. The meetings have focused on the development of a maintenance program for offenders with low risk sex offense assessments, who have met Sex Offender Management Board (SOMB) treatment criteria through the Sex Offender Treatment Program within the DOC. It is envisioned that these offenders will transfer to CMRC to receive maintenance support by a Sex Offender clinician. The intended plan is for CMRC to provide housing for 80 initial offenders, increasing to 108 after an assessment period of 6-12 months. At this current time, CMRC has hired two Sex Offender Treatment Clinicians who will undergo training with the DOC Sex Offender Treatment Program staff for 30 days to learn to deliver the approved curriculums. Upon completion of that training, DOC intends to transfer low risk sex offenders, who are required to undergo maintenance monitoring until release from prison, to the Cheyenne Mountain Re-Entry Center. This program will be monitored by staff from the DOC Sex Offender Treatment Program Administrator’s office. The Department anticipates completing the training of Sex Offender clinicians and transfer of maintenance level offenders by the end of the third quarter in FY 2014-15. The implementation of this maintenance program will open treatment beds in facilities with treatment programs to assist in addressing the backlog for Sex Offenders awaiting treatment.*

15. Please provide more information on the DOC offender ID program. What portion of offenders releasing from the DOC possess ID's?

*Answer: From July 1, 2014 to November 30, 2014, there have been 4,061 releases with 2,724 of those offenders eligible for State ID’s. Approximately 1,144 of those eligible offenders released with ID’s which has resulted in a rate of 42% (1,144 of 2,724 eligible offenders) , as compared to 23% in*

FY 2012-13.

*In collaboration with the Department of Revenue (DOR), DOC has implemented a multi-pronged approach to obtaining state ID's for offenders. The various approaches used in the Offender ID program include on-line renewal, creation of mini drivers' license offices within two DOC facilities, transports to local drivers' license offices, and waiver issuances for discharged and parolees.*

*The first approach implemented August 1, 2012 uses the DOR, Division of Motor Vehicles online renewal site for all eligible incoming offenders at Denver Reception and Diagnostic Center (DRDC) and for all offenders prior to release. This has been the primary method pending the implementation of the drivers' license offices within facilities. Eligible offenders must meet online eligibility requirements, parole in-state and not have an immigration detainer or immigration hold issued through the office of Immigration & Customs Enforcement (ICE).*

*To assist with increasing the likelihood of obtaining those state IDs, HB 14-1336 provided DOR FTE and funding to DOC to implement on-site drivers' license offices. In collaboration with DOR, DOC launched two drivers' license offices; the DRDC office was officially opened on December 15, 2014 and the Colorado Territorial Correctional Facility office was opened on December 18, 2014. As of December 23, the DRDC office provided state ID's to 63 new intake offenders and CTCF office provided state ID's to 17 releasing offenders.*

*To assist with augmenting the issuance of state ID's while the facility-based drivers' license offices were under construction and for facilities in more remote locations, beginning in October 2014 the DOC Central Transport Unit has transported Level I and II offenders prior to release to local community based drivers' license offices in Trinidad, Pueblo, Canon, Salida, and Golden. This effort has netted 69 offenders with State ID's prior to their release.*

*In addition to assisting offenders with obtaining state ID's while incarcerated, the Department also has a memorandum of understanding with the Social Security Administration to provide social security cards for offenders who may not be eligible for a state ID or need the social security card to help provide identity in order to be eligible for a state ID.*

*For offenders who were unable to obtain a state ID prior to release, DOC can issue a fee waiver to offenders who may be discharging or on parole status in accordance to SB 10-006. The waiver allows for a waiver of costs associated with obtaining a state ID; however, the offender still must prove identity in accordance to the Real ID Act and DOR eligibility guidelines.*

16. Please provide a DOC PREA update. Is DOC in compliance with PREA? Does PREA require a change to staffing ratios in DOC? Is there any prospect of a request similar to that received from DYC? Will there be a need for increased PREA funding next year? What is the rate of substantiated rapes in DOC? How many has been prosecuted?

Is DOC in compliance with PREA?

**Answer:** *Yes, DOC is in compliance with PREA. In the fall of 2012, the federal PREA Commission released standards for Prisons, Jails and Youth Detention Centers. Prisons have 43 standards that they are responsible for meeting compliance. The Department participates in a national auditing consortium with several other states, using a three-year schedule for all Colorado prison facilities to complete the PREA audit. In 2014, nine audits of state and private facilities were completed, and all were found to be compliant. DOC exceeded several federal standards above compliance requirements.*

Does PREA require a change to staffing ratios in DOC?

*Answer: In FY 2014-15, the Department received 3.0 FTE and \$227,859 in General Fund to continue the grant-funded PREA program in the prisons. PREA compliance will not require any changes to staffing ratios in DOC.*

Is there any prospect of a request similar to that received from DYC?

*Answer: The DOC does not anticipate submission of any additional requests related to PREA implementation or compliance.*

Will there be a need for increased PREA funding next year?

*Answer: No, there will not be a need for increased PREA funding next year. The current federal PREA grant funding that the Department receives is set to expire in September 2015. PREA federal grant funding since 2004 (a total of almost \$1.5 million over 10 years) has allowed the Department to install additional cameras, create Tips and Crisis hotlines, and implement the other PREA requirements. The additional ongoing operating received for FY 2014-15 will assist the Department with the compliance audits required for each facility every three years.*

What is the rate of substantiated rapes in DOC? How many has been prosecuted?

*Answer: Since 2005, 10 substantiated rape cases had charges filed with 2 convictions. One was found not guilty, one is currently still in court, and six were dismissed with two cases pled down to lesser charges.*

**2:45-3:00      BREAK**

**3:00-3:30      DEPARTMENT BUDGET REQUESTS**

17. R1 (External Capacity). Please explain why it costs so much for 234 extra offenders. How was this request affected by S.B. 14-064 (Use of Isolated Confinement for Mental Illness)? Where is the capacity available for additional inmates? In which facilities?

Explain why it costs so much for 234 extra offenders.

*Answer: The reopening of 516 state prison beds (440 male, 76 female) in the spring of 2014 maximized all available beds in state facilities with the exception of the closed Boot Camp at Buena Vista Correctional Center and Centennial South facility. As a result, the Department is currently turning to private prison providers to house an increasing offender population and is paying a daily per diem of \$55.08 for each bed. As of November 30, 2014, the State is utilizing 3,816 private prison beds while the Idaho Department of Corrections is utilizing an additional 228 beds. Of the total 7,243 private prison beds located in Colorado, another 3,199 are available for housing growing offender populations.*

*The December 2014 prison population forecast prepared by the Division of Criminal Justice (DCJ) indicates an increasing offender population beyond the growth projected in the summer 2014 forecast.*

DCJ Prison Population Forecast Comparison						
End of Fiscal Year	Dec 2013 Forecast	ADP	Jul 2014 Forecast*	ADP	Dec 2014 Forecast*	ADP
2014	20,482		20,522		20,522	
2015	20,717	<b>20,600</b>	20,746	20,634	21,026	20,774
2016	20,897	20,807	20,921	<b>20,834</b>	21,478	<b>21,252</b>

\* 2014 number reflects June 30, 2014 actual

The Department uses an Average Daily Population (ADP) for estimating bed needs as it represents a midpoint of the projected population changes from year to year. The ADP is computed by taking the average between two years. For example, the FY 2014-15 ADP based on the December 2014 forecast is computed as:  $(20,522 + 21,026) / 2 = 20,774$ . The offender population in state prisons is then deducted from the ADP, and the remainder of the population is projected to be in private prisons. For this year's November 1 budget request, the bed need is 276 private prison beds and 56 jail beds. The private prison bed need is then multiplied x 365 days per year at \$55.08 per bed per day for a total need of \$5,548,759 with the jail bed need of  $56 \times \$52.74 \times 365$  days per year totaling \$1,078,006. The entire request is for \$6,626,765.

How was this request affected by S.B. 14-064 (Use of Isolated Confinement for Mental Illness)?

**Answer:** The external capacity decision item is related solely to the population forecast of increasing offender populations and is not related in any way to SB 14-064 Concerning Restricting the Use of Long-term Isolated Confinement for Inmates with Serious Mental Illness. The 24 positions that were requested and appropriated for SB 14-064 were directly relative to the Residential Treatment Program (RTP) at the Centennial Correctional Facility (CCF). The RTP is a specialized program which provides offenders with mental illness and/or intellectual and developmental disabilities the individual and group therapy, educational programs, recreational therapy, and recreational activities to promote their program success and successful transition into the community or into a general population setting. With the removal of all offenders with a serious mental illness diagnosis from Administrative Segregation, it was necessary to expand the RTP at the Centennial Correctional Facility. There also was a policy adoption as a result of a consultant recommendation to minimally offer RTP offenders out of cell opportunities of at least 10 hours therapeutic and at least 10 hours non-therapeutic/week. In order to add the additional offenders to CCF and meet the out of cell opportunities necessary to serve this population, it was necessary to add correctional staff and clinicians. A total of 17 correctional staff and 7 mental health positions were added to CCF as a result of SB 14-064. Prior to attaining these positions, CCF was not staffed to escort multiple offenders out of cell for groups consistent with the RTP. This additional staffing met the needs to move multiple offenders for groups and individual contacts.

Where is the capacity available for additional inmates? In which facilities?

**Answer:** The additional capacity is available in the private prison facilities within the state. Please see the answer to question 9 as to the number of beds available in each facility.

18. R3 (Transportation Operating Expenses). Why does DOC need a 52 percent increase? How long has this been going on and why was this request not submitted previously? Is this related to CNG vehicles costing more than regular gas vehicles? Has mileage increased over the last several years? Is it due to prisoner transfers? Due to DOC employees commuting to work in state vehicles? Give trends for the last two or three years.

*Answer: The Department's Transportation Operating request supports the Central Transportation Unit (CTU). The CTU is responsible for transporting offenders between facilities, as well as getting offenders to medical appointments and court appearances. CTU operates a fleet of 17 vans and 8 buses to facilitate offender movements. None of these vehicles are used for employee work commutes. All of these vehicles are fueled by gasoline and are not affected by CNG (natural gas) costs.*

*The 52 percent increase is driven by several factors. The Department has not received an adjustment to go along with variable mileage increases since 2008. Variable mileage charges (a rate determined by the Department of Personnel and Administration that is charged per driven mile to cover fuel and repair costs) are the single largest expenditure in this appropriation. Since 2008, the variable mileage charge for vans has increased 37.6 percent while bus charges have risen 21.4 percent. The estimated dollar impact of these increases is \$65,282. A second driver for the shortfall is the increased utilization of the Interstate Compact for Corrections (ICC) to transport offenders to other state's correctional facilities. While the Department has participated in ICC transports for several years, the number of offenders moved through this program has increased in recent years as has the reliance on commercial or state-owned aircraft for the transports rather than ground movements. The request seeks funding for out-of-state commercial travel expenses.*

*A third driver for this request is the cost of collision and comprehensive insurance for the leased buses. The insurance is required under the lease contract and is not part of the self-insurance program under Fleet Management. The Department did not receive funding for insurance costs when it transitioned to leasing buses rather than owning them. The final piece of the request concerns safety and communications equipment for transport staff and vehicles. The request would implement a replacement program for ballistic vests in light of the 5-year life span on the vests that are worn by CTU staff. The request also provides funding for the retrofit of new vehicles when brought into the CTU inventory. The modifications include such things as installing radios, offender restraints, and gun racks. The request will also replace safety equipment that ceases to function properly due to wear and tear while the vehicle is still in service. The safety and communications equipment represent an evolution over time in the methods used to keep staff and offenders safe during offender movements and were not previously included in the operating base for this program.*

*The Department has taken actions to live within budget constraints over the past several years (including conducting a LEAN event for offender transports), but is now unable to continue managing the Transportation Operating program at the same appropriation. The CTU was formed in the spirit of creating efficiencies in the transport of offenders by implementing the central scheduling of offender movements rather than leaving movement decisions to each facility. In recent years, CTU has continued to achieve efficiencies by increasing the utilization of vans over buses to combat the higher mileage costs of buses. Operational actions such as closing facilities, taking beds offline, population fluctuations, and housing policy changes are major factors in determining the number of offender movements from year to year and subsequent variable mileage charges. Since the Department has experienced major operational changes in recent years, the average mileage by vehicle class from FY 2007-08 to FY 2013-14 was used to project ongoing variable mileage costs:*

Vehicle Type	Average Miles Per Year (FY 08-14)
15-Passenger Van	174,288
25-Passenger Bus	210,300

19. R5 (Buena Vista Wastewater). Please provide a status update on aging DOC facilities and individual buildings that are near their end of life and should be demolished. Include all DOC buildings in your analysis, not just prison facilities.

*Answer: The Department has six non-essential support buildings at DOC facilities that have outlived their useful lives. These buildings are not utilized. Demolition of these buildings would require additional state funds as hazardous material abatement is required prior to demolition.*

*The Department evaluates the use of each building and its specific use in support of the Department's mission. Controlled Maintenance, Capitol Renewal and Capital Construction funding is typically not requested for buildings that require extensive renovation and/or have reached facility obsolescence.*

20. R7 (Maintenance Operating Increase). Please provide more detail on R7. Is the Department keeping up with necessary controlled maintenance?

*Answer: The Department is requesting \$700,000 for DOC operations and \$134,175 for the Colorado Mental Health Institute - Pueblo (CMHI-P) to assist in building repair and maintenance, equipment replacement, and variable mileage expense. The maintenance operating appropriation has not received an inflationary funding increase in over a decade. Currently the Department does not have the funding to adequately provide for needed goods, services, upkeep, repair, and preventative maintenance needs for 475 state-owned buildings funded by this appropriation. Compounding the strain on the maintenance operating budget is the aging of facilities. All facilities are over 13 years old; six are over 50 years old (and two over 100 years old) which requires substantial maintenance related expenses for basic upkeep, and replacement and/or repair of essential equipment.*

*In addition, the variable mileage rate for facility vehicles (perimeter and all maintenance related vehicles) has increased over the years. This cost is paid from maintenance operating funding and has served to further erode funds and places a significant strain on the operating budget reducing funds available for needed maintenance and repair projects.*

Is the Department keeping up with necessary controlled maintenance?

*Answer: No. There are a growing number of maintenance projects in need of completion that have been set aside because of other emergency maintenance requirements that facilitate the safe and secure operation of prisons.*

21. R7 (Maintenance Operating Increase). Please provide more detail on the CMHIP part of this request.

*Answer: DOC currently has an interagency service agreement with the Department of Human Services (DHS). In the agreement there are limited maintenance operating costs (\$40,000) included for San Carlos Correctional Facility and the Youthful Offender System facilities. The \$40,000 only includes services for trash pickup, pest control, and water and chemical treatment expenses. The funding under the agreement is not sufficient to cover additional maintenance for the facilities.*

*Since FY 2006-07 the maintenance funding in the agreement has only increased by \$3,426 and is seriously under-funded. Any additional maintenance and repair costs for the two facilities not covered by DHS must be covered by DOC's maintenance operating line. This further limits and reduces available funds for other department maintenance needs.*

22. R2 (Mental Health Staff). The Department of Human Services has recently made decisions to: (1) cease transfers of patients to DOC facilities; (2) transfer five patients who were previously transferred to the DOC back to the CMHIP; and (3) limit the number of inmates that are transferred from the DOC to CMHIP.
- Describe DOC's involvement in these decisions.
  - Describe the impact of these decisions on the number and types of inmates in each affected DOC facility.
  - Describe the impact of these decisions on the required staffing levels and resource needs for each affected DOC facility.
  - Have these decisions affected the safety of DOC staff or inmates in affected DOC facilities?
  - What is the difference of treatment provided at San Carlos and CMHIP?
  - How many DOC inmates are at CMHIP and why did they get placed there?

**Answer:**

- (a) Describe DOC's involvement in these decisions.

*Answer: The statutory authority to transfer these patients is authorized between the Executive Directors of DOC and DHS. It is a collaborative decision. The five patients that were managed for the Department of Human Services (DHS) at the San Carlos Correctional Facility (SCCF) by the Department of Corrections (DOC) were moved back to the DHS run state hospital on October 15, 2014.*

*The DOC worked with the DHS/CMHIP staff to modify their hospital rooms at the state hospital to safely house these patients within the hospital environment where the resources are available to address their severe disabilities and mental illnesses according to their court ordered sentences.*

- (b) Describe the impact of these decisions on the number and types of inmates in each affected DOC facility.

*Answer: Over the course of the last 10 years, there has been an average of 4 patients housed within the DOC that were deemed too dangerous to manage by DHS. The DOC housed and treated these patients as they did all the offender population at the San Carlos Correctional Facility.*

*The significant difference in the two populations is that the DOC offenders had not been granted Not Guilty by Reason of Insanity (NGRI) and/or were found to be competent to stand trial and were subsequently sentenced to the DOC to be managed as offenders. The patients that were coming to the DOC from DHS were found to either be incompetent to stand trial and/or NGRI. All of the patients that came to the DOC were of significant mental and functional disability that exceeded that of any DOC offender. These patients were often resistant to the structure of a prison setting; would not participate in group or individual contact settings without emotional outbursts or violent behaviors; and demonstrated serious aggression toward staff that could not otherwise be diverted.*

- (c) Describe the impact of these decisions on the required staffing levels and resource needs for each affected DOC facility.

*Answer: DOC has managed these patients as offenders. They occupy a treatment bed that would otherwise house an adjudicated DOC offender. The significant impact on the staffing levels is that these patients are severely mentally disabled and require much more attention to manage. They actually consume more resources than is available in the prison staffing pattern when compared to a hospital staffing pattern for patient care. When these five DHS patients were moved back to CMHIP, the DOC filled those same beds with DOC offenders with acute mental illness.*

(d) Have these decisions affected the safety of DOC staff or inmates in affected DOC facilities?

*Answer: In situations where patients put staff or others in danger, the DOC would utilize standard Use of Force continuum responses, mirroring those utilized for offenders sentenced to the DOC. This would include physical and chemical Use of Force techniques as well as restraint and seclusion. The Department of Corrections is not staffed for hospital intervention and as such, there were many instances where staff resources would be used to focus on the five state hospital patients, which then delayed or cancelled group escorts for the offender population needing treatment. This became an ethical challenge for the staff as they did not recognize the CMHIP patients to be acting on their own accord and required a hospital setting versus a prison setting where many appeared to demonstrate fear, and appropriate responses to that fear was geared at the DOC staff managing them.*

(e) What is the difference of treatment provided at San Carlos and CMHIP?

*Answer: San Carlos Correctional Facility is a prison mental health treatment facility with mental health staff on site from Monday through Friday, and on call providers available during the weekend to handle offender treatment needs. Security staffing (24/7) is based on prison needs and public safety. The CMHIP facility run by DHS is accredited by the Joint Commission: Accreditation, Healthcare, Certification (JCAHO<sup>1</sup>) for hospitals, and staffing levels are bound by ratios mandated for hospital mental health treatment with 24/7 coverage. The differences are that SCCF clients are offenders and CMHIP clients are patients (see answer to (b) above). The patients from CMHIP have never been convicted of a crime or adjudicated to the Department of Corrections.*

(f) How many DOC inmates are at CMHIP and why did they get placed there?

*Answer: There are no DOC offenders currently housed at CMHIP.*

23. R2 (Mental Health Staff). How does this request relate to the return to CMHIP of the five patients? Have there been savings to DOC as a result of sending these patients back to CMHIP? Why does DOC need *social workers*? Why is it costing so much?

How does this request relate to the return to CMHIP of the five patients?

*Answer: This request is totally unrelated to the CMHIP patients or their program. The Decision Item request R-2 for mental health in FY 2015-16 is intended to accommodate the Residential Treatment Programs (RTPs) at the Denver Women's Correctional Facility (DWCF) and the San Carlos Correctional Facility (SCCF). The additional positions at SCCF are being requested to increase the correctional staff, much like was done at CCF, to accommodate escorting the offenders to and from groups and individual contacts without interfering with the operations of the rest of the facility. Decision Item R-2 also includes a request for additional mental health staff to decrease the workload ratios for the more acutely ill population. At DWCF, the Department is only requesting additional mental health staff. At the current time, only 2 staff are assigned to the DWCF RTP unit that serves 48 female offenders with acute and chronic Mental Health needs. This ratio is not allowing the clinicians to meet the recommended at least 10 hours therapeutic and at least 10 hours non-therapeutic out of cell time per week for the female population.*

*The DOC feels that these additional staffing modifications to DWCF and SCCF will allow the*

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<sup>1</sup> [http://www.jointcommission.org/about\\_us/about\\_the\\_joint\\_commission\\_main.aspx](http://www.jointcommission.org/about_us/about_the_joint_commission_main.aspx)

*Department to provide adequate staffing to meet the policy initiatives that are in place for out of cell opportunities for the offenders within the three Residential Treatment Programs.*

Have there been savings to DOC as a result of sending these patients back to CMHIP?

*Answer: There are no savings associated with sending these patients back to CMHIP. The beds vacated by moving these patients to CMHIP were filled with DOC offenders with acute mental illness. SCCF is a treatment facility for DOC offenders, and is not meant to be a long-term housing unit. As offenders successfully progress in treatment, they are moved back into general population or to the Centennial Residential Treatment Program.*

Why does DOC need social workers?

*Answer: Social Workers are the state classification position that the Department uses to provide mental health treatment. Social workers serve in a therapist role and are directly involved in the delivery of treatment to offenders. Therapy can be delivered in both individual and group settings. Research shows group therapy's most powerful fundamental mechanism is for members to practice the skills they are learning. In addition to group therapy, individual therapy provides a confidential arena where the offender can discuss and work on vulnerable issues that may not be appropriate in a group setting. Offenders that are afforded both modalities of treatment have an increased chance for re-integration success.*

*The Department is requesting 10.0 new Social Work/Counselor III positions for the Denver Women's Correctional Facility and San Carlos Correctional Facility Residential Treatment Programs. They are needed in order to increase the number of therapeutic contact hours that offenders receive in mental health treatment, with the goal to increase therapeutic contact hours to 10 hours per week per offender. The requested expansion of SW III positions will result in a need for additional supervision. The Department is requesting 3.0 new Social Work/Counselor IV positions to review and supervise the therapists.*

Why is it costing so much?

*Answer: The request is strictly for staffing. Salaries were calculated using the FY 2014-15 Department of Personnel and Administration Compensation Plan. For the 12.0 Correctional Officer positions, the minimum pay was used. For the 12.0 Social Work/Counselor III and 3.0 Social Work/Counselor IV positions, midpoint salaries were used. The Department has implemented starting salaries near mid-range for these mental health professionals in order to address the historic recruiting and retention difficulties inherent with filling these positions due to competition from outside employers. Oftentimes, candidates either turn down a job offer from DOC due to the starting salary, or leave the Department within a short period of time because they found a better paying job elsewhere.*

24. R2 (Mental Health Staff). How do the recent decisions made by the Department of Human Services concerning these transfers relate to recent policy changes within the DOC concerning administrative segregation?

*Answer: There is no correlation between the DHS decision concerning these transfers and the recent policy changes within DOC for administrative segregation. Neither of these decisions has any correlation to the R2 decision item requesting additional mental health and security staff due to needs in the Residential Treatment Programs at Denver Women's Correctional Facility and San Carlos Correctional Facility.*

25. What factors have been considered in the past when determining that an inmate should be transferred to CMHIP pursuant to Section 17-23-101, C.R.S., and how long that inmate should remain at CMHIP? Describe the DOC's current position concerning which agency should be caring for the mentally ill individuals who are eligible for transfers pursuant to Section 17-23-101, C.R.S.

*Answer: In the past practice of transferring offenders to the Colorado Mental Health Institute - Pueblo, the Department of Corrections would conduct a staffing of offenders that were demonstrating psychotic behaviors that required more intensive treatment interventions with concentrated treatment personnel. There was an MOU in place between DOC and DHS that did not prescribe any length of treatment requirements. The length of treatment depended on the needs of the offender. Discharge planning between DOC and DHS was part of the transfer of offenders back to DOC custody to ensure that the continuity of care was maintained.*

*The movement of the CMHIP patients back to the state hospital was and is viewed as an ethical management of patients, not inmates or offenders, who are mentally disabled to a point that they were not deemed competent to stand trial. The Administration therefore believes that these patients should not be housed as inmates in a prison where the hospitalization that they were intended to receive, by the courts, could not be afforded. The practice of housing hospital patients in a prison environment is unprecedented in most other states and is not widely seen as an ethical solution to housing patients that are too dangerous to manage with an incompetency hearing intact or a judgment of Not Guilty by Reason of Insanity (NGRI).*

### **3:30-4:00 ISSUES**

#### Issue 1: The unexpected savings from H.B. 12-1223

26. What will the Department do with the money provided by H.B. 12-1223 if it is appropriated? Would using this money for education yield results? Would wrap-around services yield results? Is it proven that these programs will decrease recidivism? Is one option more effective than the other?

*Answer: The DOC Division of Education (DOE) requests to use savings from HB 12-1223 for the benefit of offenders in four primary categories:*

- The Department will contract with "College in Colorado" and various Colorado community colleges, technical colleges, state agencies, and trade organizations to bring some of the most current, industry approved training to designated facilities (\$700,000). These new programs would bring offerings such as renewable energy, industrial maintenance, mining technician, and pipe fitting, from industry experts to offenders.*
- The Department will use \$2,095,313 to modernize various Career and Technical Education programs throughout the state. These include Machining upgrades for antiquated equipment at BVCF and FCF, revamping the Custodial program statewide, Culinary improvements at DWCF, supplemental learning materials purchases for the DOL Apprenticeship program, and upgrades for equipment in DOE supported programs run by CI (Heavy Equipment, Transportation Technology, Wildland Firefighting).*
- The Department will invest heavily in technological advancements in Education programs. \$1,265,000 will go towards the purchase of: 1) an electronic Learning Management System for all DOC facilities and instructors; 2) dedicated system support for Education programs from*

OIT; 3) replacement of offender student computers statewide; 4) Upgraded system switches for security purposes as recommended by OIT; 5) electronic scanning of educational records; 6) pilot technology programs utilizing e-books, e-tablets, distance learning and other web-based programs.

The second portion of the savings will be used for Wraparound Services in the Division of Adult Parole:

- \$564,208 to expand substance abuse treatment programs statewide to help parolees beat addictions and maintain sobriety.
- \$400,000 to collaborate with the Colorado Department of Labor and Employment on a long term employment program for parolees. The funds will provide assessments, training, and placement services for high risk, high need offenders.

All of the above proposals are intended to reduce recidivism. Many studies have shown recidivism reduction by the implementation of increased educational and parole wraparound services.

27. Did earned time lead Evan Ebel to be released earlier than he would have otherwise been released? Was Ebel at his mandatory release date? Have any earned policies changed as a result of the Ebel experience?

Did earned time lead Evan Ebel to be released earlier than he would have otherwise been released?

*Answer:* The calculation of Ebel's mandatory release date (MRD) included the application of earned time he earned pursuant to Section 17-22.5-405, C.R.S. As Ebel began his sentence, he was eligible for a maximum of 10 days per month earned time. If he had earned the maximum amount of time for which he was eligible and had not been placed in administrative segregation, he would have reached his MRD by around May 2011. However, due to disciplinary infractions and placement on administrative segregation status, he earned far less earned time than he could have, and served until January 2013 on the sentence. Out of a possible 2 years maximum earned time eligibility, Ebel earned about 16% of that, an accumulated total of 3 months and 20 days.

Was Ebel at his mandatory release date?

*Answer:* Evan Ebel was released to parole on what was believed to be his mandatory parole date (also called mandatory release date or MRD), on January 28, 2013. However, due to miscommunications with the courts, there was no indication on his mittimus sentencing document that his sentences were to be served consecutively, rather than concurrently, as was interpreted by the DOC. As a result of this omission on the sentencing document, the General Assembly passed and the governor subsequently signed HB 13-1323, Requiring the Department of Corrections to Obtain Clarification if a Court-Issued Mittimus Omits Instruction Concerning Whether a Defendant's Sentences are to be Served Consecutively or Concurrently. The bill requires that the court confirm that the mittimus properly reflect the sentencing order of the court and includes all necessary information as to whether a sentence is to be served concurrently or consecutively. In addition, to ensure that accurate sentences were being served prior to the passage of HB 13-1323, the DOC retroactively reviewed a total of 8,607 cases in which the mittimus sentencing document was silent.

Based on the mittimus document that the DOC received from the court, DOC was not authorized to hold Ebel incarcerated any longer than January 28, 2013, and the Parole Board had ordered his release to occur on his MRD.

Have any earned policies changed as a result of the Ebel experience?

*Answer: DOC policies for administering earned time have been modified significantly over the past five years, in order to meet compliance with changes to the earned time statute. There have been no changes to this statute since the event in March 2013. However, DOC is currently working to modify policy in order to provide meaningful consequences for negative institutional behavior while remaining in compliance with statutory language.*

## Issue 2: Administrative Segregation and Maximum Security

28. Does Department policy prevent people from being paroled directly from Ad Seg?

*Answer: No, department policy does not prevent offenders from being paroled or released directly from Restrictive Housing – Maximum Security Status. However, releasing offenders directly to the community or directly into a general population facility, from administrative segregation environments, creates a significant public / officer safety concern and was one of the primary focuses of the recent administrative segregation reform efforts.*

*As a result of the recent administrative segregation reform efforts several policy driven safeguards have been developed and outlined with DOC Administrative Regulation 650-03 (Restrictive Housing), to address offenders being paroled or released directly from Restrictive Housing – Maximum Security Status, to include a progressive offender management step down process designed to address the re-socialization needs of this population.*

***As a result of the heightened focus and attention within this area, there have been no offenders released directly to the community from Restrictive Housing – Maximum Security Status since May 2014, as compared to 49 releases directly to the community between May 1, 2013 through April 30, 2014.***

29. What is the purpose of reducing ad seg down to the 2 percent level laid out in the SMART act goals?

*Answer: As a part of the Prison Utilization Study there were discussions to maintain administrative segregation population at or below 2.0 % of the total offender population, which was identified as the national average for administrative segregation populations.*

*While the Department's goal is to decrease the number of offenders housed in Administrative Segregation environments, DOC realizes and understands that there will always be a need for a prison within a prison for those offenders who have demonstrated, through their behavior, that they pose a significant risk to the safety and security of staff and other offenders, as well as to the safe and orderly operation of general population.*

*Unfortunately, Administrative Segregation or long term solitary confinement has been misused, overused, and utilized as a management rather than a safety and security tool and does not support the Department's Mission and Vision statements of creating a safer Colorado for today and tomorrow.*

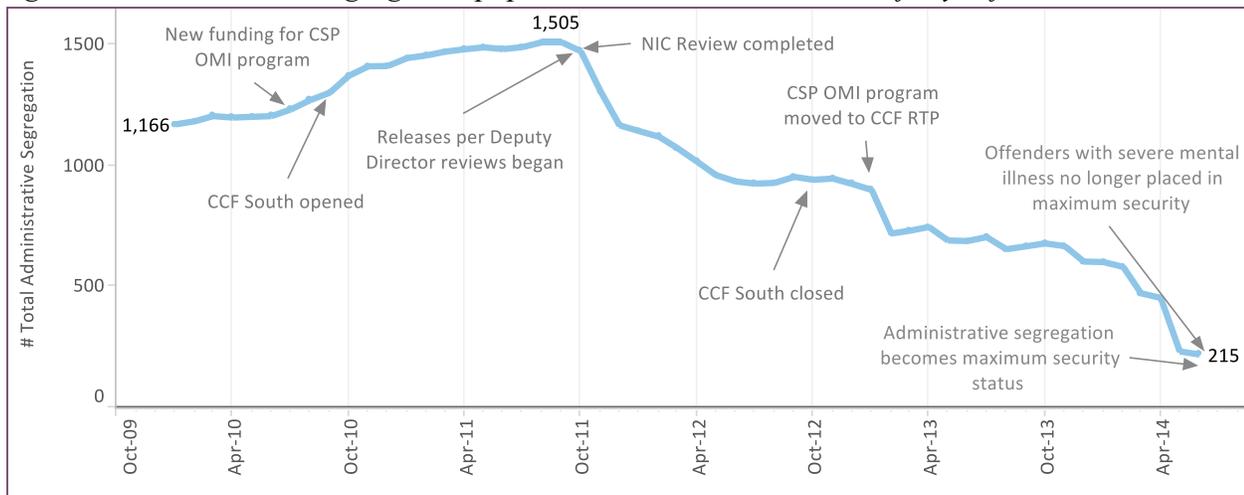
*The ultimate goal of DOC is to ensure long term public safety. The only way to do this is by preparing the 97% of offenders who will someday leave the Department's custody and care for successful community re-integration resulting in a reduced recidivism rate and fewer victims.*

*It is critically important for the Department to operate safe, secure, and humane institutions for both staff as well as the offender populations the DOC is entrusted to serve. Managing up to 2% of the offender population in restrictive housing environments assists the Department in meeting this very important goal.*

30. Where is the former ad seg population? Is it still in CSP and other former ad seg settings or has it migrated into the other facilities in the system? Provide an accounting of where the CSP inmates who are no longer classified as ad seg are now located.

**Answer:** *Following its peak in September 2011, Administrative segregation reform efforts have been underway and the DOC's Administrative Segregation population has been on a steady decline, stimulated by the passing of SB11-176 (Concerning Appropriate Use of Restrictive Confinement), House Bill 12-1336, (Authorization of a Prison Utilization Analysis), Senate Bill 14-064 (Concerning Restricting the Use of Long Term Isolated Confinement for Inmates with Serious Mental Illness), along with several internal policy changes stemming from an internal review by the National Institute of Corrections (NIC), and an independent offender classification system validation.*

**Figure 1. Administrative segregation population trends with timeline of key reform initiatives.**



*Within the past year continued focus and efforts to reduce the use of long-term solitary confinement, also referred to as administrative segregation, resulted in significant revisions to DOC's ARs 650-03 (Administrative Segregation) and to 600-09 (Management of Close Custody Offenders). These policies were revised to reflect the newly implemented American Correctional Association's (ACA) Restrictive Housing definition and related national standards for segregation environments. The revisions also reflect the Association of State Correctional Administrators' (ASCA) resolution for Restrictive Status Housing Policy Guidelines that provide a framework for each correctional agency to develop their own policies and practices consistent with the 13 ASCA guiding principles, and restrictive housing - maximum security status is reserved for those offenders who have proven, through their behavior, to be the most violent, dangerous, and disruptive inmates in the Department.*

*The newly revised and implemented policies were designed and implemented to address the significant public and offender safety concerns that are present when offenders are either released directly to the community or placed into a general population facility from administrative segregation environments.*

*As part of the most recent administrative segregation reform efforts, every offender who had been housed within administrative segregation for longer than 12-months was staffed and reviewed by a multi-discipline classification committee. The multi-disciplinary classification committee could recommend that offenders be progressed to newly created Close Custody Management Control Units (MCU), Close Custody – Protective Custody (MCU-PC), Close Custody Transition Units (CCTU), transfer directly to a general population facility based upon scored classification, or remain within administrative segregation.*

*Of the 468 administrative segregation/maximum offenders as of March 31, 2014;*

*58 Offenders remain under Restrictive Housing - Maximum Security Status*

*169 Offenders were transferred into Management Control Unit (MCU)*

*195 Offenders were transferred into Close Custody Transition Unit (CCTU)*

*25 Offenders were recommended to be moved to general population*

*11 Offenders were transferred into Protective Custody*

*10 Offenders were transferred into Residential Treatment Programs (RTP)*

Current Location of Offenders Previously Classified as Ad Segregation					
Facility:	Status				
	Management Control Unit (MCU)	Residential Treatment Program (RTP)	Close Custody Transition Unit (CCTU)	Protective Custody (PC)	General Population
Colorado State Penitentiary	98	1	195	3	8
Sterling Correctional Facility	69			6	2
Centennial Correctional Facility		7			
Denver Reception and Diagnostic Center	2			1	2
Arkansas Valley Correctional Facility				1	2
Fremont Correctional Facility					3
San Carlos Correctional Facility		2			
Bent County Correctional Facility					2
Denver Women's Correctional Facility					2
Buena Vista Correctional Facility					1
Kit Carson Correctional Center					1
Limon Correctional Facility					1
Parole					1
Total	169	10	195	11	25

Furthermore, in response to policy and SB 14-064, which prohibits offenders with a serious mental illness from being placed in long-term isolated confinement, offenders with serious mental illnesses who were previously housed at CSP within administrative segregation were reassigned to the Residential Treatment Program at Centennial Correctional Facility (CCF) or, if they were stable and didn't require intensive mental health treatment, transferred to a Management Control Unit.

31. How has the level of violent incidents in DOC facilities been affected by the reduction in the number of offenders in ad seg? Please provide system-wide information concerning inmate-on-inmate violence, inmate-on-staff violence, and incidents of self-harm. Is integration of former ad seg inmates into the general population causing more violence in other facilities? Please provide information on violence at specific institutions where the number of former ad seg offenders is greatest, such as CSP.

How has the level of violent incidents in DOC facilities been affected by the reduction in the number of offenders in ad seg?

*Answer:* There is no system information that would support a determination of an increase of violent incidents related to any placement of offenders in general population.

Please provide system-wide information concerning inmate-on-inmate violence, inmate-on-staff violence, and incidents of self-harm.

*Answer:* Please see information on the following tables:

Number of Inmate Assaults as of November 30, 2014				
Type	Facility Name	Fiscal Year		
		2013	2014	2015
Private	Bent County CF	39	67	26
	Cheyenne Mtn Reentry Ctr	38	51	29
	Crowley County CF	50	57	35
	Kit Carson CF	34	13	11
State	Arkansas Valley CF	54	45	18
	Arrowhead Corr Ctr	8	15	5
	Buena Vista CF	54	66	22
	Buena Vista Min Ctr	10	11	6
	Centennial CF	21	28	11
	Colo State Penitentiary	19	11	23
	Colo Territorial CF	95	103	25
	Colorado Corr Ctr	2	5	
	Delta Corr Ctr	6	1	
	Denver Reception & Diag Ctr	37	38	15
	Denver Womens CF	100	131	65
	Four Mile Corr Ctr	18	24	8
	Fremont CF	85	84	41
	La Vista CF	33	32	6
	Limon CF	66	104	38
	Rifle Corr Ctr	6	2	1
	San Carlos CF	23	34	22
	Skyline Corr Ctr	3	10	1
	Sterling CF	152	147	74
	Trinidad CF	12	13	6
YOS-PUEBLO	74	58	27	

Number of Assaults on Staff as of November 30, 2014				
Type	Facility Name	Fiscal Year		
		2013	2014	2015
Private	Bent County CF	3	5	
	Cheyenne Mtn Reentry Ctr	3	10	3
	Crowley County CF		1	
	Kit Carson CF	4	3	
State	Arkansas Valley CF	17	3	3
	Arrowhead Corr Ctr	1		
	Buena Vista CF	9	9	8
	Buena Vista Min Ctr		1	
	Centennial CF	22	52	9
	Colo State Penitentiary	50	52	11
	Colo Territorial CF	13	13	3
	Delta Corr Ctr	1		
	Denver Reception & Diag Ctr	5	14	6
	Denver Womens CF	4	33	14
	Four Mile Corr Ctr	1	1	
	Fremont CF	23	21	5
	La Vista CF		3	1
	Limon CF	20	12	2
	San Carlos CF	33	53	16
	Sterling CF	40	54	24
Trinidad CF		2		
YOS-PUEBLO	2	14	3	

Number of Self Inflicted Injuries as of November 30, 2014				
Type	Facility Name	Fiscal Year		
		2013	2014	2015
Private	Bent County CF	2	5	3
	Cheyenne Mtn Reentry Ctr	11	13	2
	Crowley County CF	8	6	2
	Kit Carson CF	2	3	
State	Arkansas Valley CF	6	6	3
	Arrowhead Corr Ctr	1	1	
	Buena Vista CF	8	5	4
	Buena Vista Min Ctr	1		
	Centennial CF	28	62	16
	Colo State Penitentiary	55	18	5
	Colo Territorial CF	20	28	5
	Denver Reception & Diag Ctr	11	20	11
	Denver Womens CF	89	97	40
	Four Mile Corr Ctr		1	
	Fremont CF	19	13	9
	La Vista CF	15	2	1
	Limon CF	7	14	6
	San Carlos CF	55	61	12
	Sterling CF	17	14	8
	Trinidad CF	2		1
	YOS-PUEBLO	5	11	1

Is integration of former ad seg inmates into the general population causing more violence in other facilities?

*Answer: There is no indication that integration into the general population is causing more violence.*

Please provide information on violence at specific institutions where the number of former ad seg offenders is greatest, such as CSP.

*Answer: The tables above delineate staff and offender assaults in all facilities within the system.*

32. Why did DOC change the way that violent incidents are measured on the DOC dashboard? Did this definitional change reduce the number of violent incidents that DOC reports?

*Answer: In July of FY 2012-2013 the DOC modified the reporting of staff assaults to be in line with Corrections departments across the country, using the Association of State Correctional Administrators (ASCA) performance-based measures, which has highly specific measures and counting rules. To that end, see the below definitions used in the CDOC enterprise reporting system. The definitional change did not reduce the number of violent incident reports. It did however allow for a more detailed reporting of the assaults on staff.*

*Definitions:*

1. **Staff Assault Resulting in Serious Injury** – Staff requires medical attention beyond routine first aid. Stitches, X-Rays, etc.
2. **Staff Assault Without Serious Injury** – Staff does not require any medical attention beyond first aid, or no attention at all.
3. **Hazardous Liquid Thrown** – Feces, urine, or any other hazardous material or liquid.
4. **Spitting** – self explanatory

5. **Incidental Contact** – Bumping or touching staff, to include the throwing of water or non-hazardous liquid or material
6. **Attempted Staff Assault** – Intent is present, but physical contact with staff is not made

33. What are the budget impacts of the switch away from ad seg to maximum security and close custody?

*Answer: There were no budgetary impacts of the switch from ad seg to maximum security and close custody. The same number of offenders must be supervised, albeit in different housing units or facilities. The new MCU and CCTU units require a shift in resources to new areas, including classroom supervision.*

34. Why isn't the DOC web site searchable by search engines?

*Answer: When the DOC website was created in May 2010, the contract firm that built the DOC website installed the Robots.txt file protocol which allowed internal searches while in the actual website but limited search capabilities from outside search engines. It is unclear why the site was set up that way. When the Department became aware of the search limitation issue at the JBC briefing in December, OIT staff were able to correct the issue in a very short time. External search engines can now produce results from the DOC website.*

35. At CSP is DOC using the existing exercise rooms (the ones with grated windows) to provide outdoor access for close custody offenders?

*Answer: Yes. Currently at CSP, offenders assigned to Close Custody Management Control Unit (MCU) are allowed to recreate in the dayhall four hours per day to include access to the existing exercise room in the dayhall.*

*Offenders assigned to Close Custody Transition Units (CCTU) are allowed to recreate in the dayhall six hours per day to include access to the existing exercise room in the dayhall. CCTU offenders are also allowed one hour per week to recreate in the CSP gymnasium and outdoor area adjacent to the gymnasium.*

*Upon completion of the proposed outdoor recreation yards at CSP, in addition to the above allowed recreation, offenders assigned to Close Custody Management Control Units (MCU) and Close Custody Transition Units (CCTU) will be allowed access to the outdoor recreation yards for at least one hour, 3 times a week, in groups of 8 to 16 offenders.*

36. How much of the recent reported reduction of the ad seg population came from relabeling ad seg offenders who previously had group-out-of-cell time as "close custody control" or "close custody high risk"?

*Answer: None, there was no re-labeling of offenders in an attempt to reduce the administrative segregation population.*

*As part of the most recent administrative segregation reform efforts, every offender who had been housed within administrative segregation for longer than 12 months was staffed and reviewed by a multi-discipline classification committee. The multi-disciplinary classification committee could recommend that offenders be progressed to newly created Close Custody Management Control Units (MCU), Close Custody – Protective Custody (MCU-PC), Close Custody Transition Units (CCTU), transfer directly to a general population facility based upon scored classification, or remain within administrative segregation, now referred to as Restrictive Housing – Maximum Security status.*

*The newly created Close Custody Management Control Units (MCU) are designed to be progressive and provide for re-socialization for offenders stepping down from maximum security status. Additionally, the newly created Close Custody Transition Units (CCTU) serve as temporary assignment (6-month) progressive placement for inmates who are progressing to general population.*

*While the newly created Close Custody Management Control and Transition units are more restrictive than the general population, they are far less restrictive than previous administrative segregation and the newly implemented restrictive housing maximum security status, which is reserved for those offenders who have proven, through their behavior, to be the most violent, dangerous, and disruptive inmates in the Department.*

37. How much additional programming and treatment are offenders in the "close custody control" and "close custody high risk" designations receiving as compared with those who were previously in the less restrictive ad seg categories?

***Answer:** In addition to the treatment and programming provided in previous administrative segregation, offenders in all three Management Control Units (MCU) now receive science and social studies classes delivered via television, in addition to the previous math classes. Offenders in the MCU – Protective Custody (MCU-PC) and Close Custody Transition Units (CCTU) receive ABE/GED education in classroom settings. CCTU offenders will begin a classroom Conflict Management class beginning January 2, 2015. MCU-PC offenders will also receive the following classes in a classroom setting: Thinking for a Change; Health; Parenting; and Pre-Release modules. Depending on the MCU classification, offenders may have limited class sizes or must meet other criteria prior to taking the additional classes. For instance, MCU-PC offenders must have a verified GED or high school diploma to participate in the Health or Parenting classes.*

38. Has there been an increase in contraband or in positive drug tests involving the new close custody populations?

***Answer:** While there has been contraband discovered within several of the newly created Close Custody Management Control Units (MCU) and Close Custody Transition Units (CCTU), this is directly correlated to the fact that these are newly implemented units housing high risk populations of offenders who were previously locked down for 23 hours per day. Now that these offenders are allowed out of the cell for several hours per day, and allowed to interact with other offenders in areas that were previously off limits, they are challenging the Department's systems, and items of contraband have been discovered.*

*Fortunately, there has not been an increase in positive drug tests for offenders in these units. Historically the DOC Inmate Drug Reduction Program (IDRP) has maintained a less than 1% overall positive random drug testing rate with offenders in both state and private prisons housing DOC offenders.*

### Issue 3: Offender Population Projections

39. Why does DCJ forecast population so many years into the future? What does the department think about the rate of increase in the DCJ forecast? Where will the new beds be found?

***Answer:** According to the research director of Division of Criminal Justice in the Department of Public Safety, forecasts traditionally go out 5-7 years; DCJ adjusts the winter forecast every summer. DOC's Office of Planning and Analysis collaborates with DCJ regarding the data required*

for the forecast. DOC relies on the DCJ projection analysis for budgeting and planning purposes, and measures the projections against actual population changes. The Department is experiencing the increase that DCJ is projecting. Consistent with practice since the Department began using private prisons in 1993 to handle population overflow, the population fluctuations up or down are handled through the private prison beds.

40. What factors are considered in formulating a forecast?

*Answer:* Many factors are considered in the forecast, including arrest and filing rates, the size of the at-risk population (from the State Demographer's Office), technical violations, new legislation, etc. The model is described here: [https://cdpsdocs.state.co.us/ors/data/PPP/2014\\_PPP.pdf](https://cdpsdocs.state.co.us/ors/data/PPP/2014_PPP.pdf).

41. Why did the inmate population decline and then start going back up?

*Answer:* Felony filings were on the decline since 2010 and have begun to increase. Technical violations/return to prison have increased. This means more commitments to prison. Yet parole releases, after increasing for several years, have declined. Also, the at-risk population in the state is forecast to grow starting next year. More information on this will be available when DCJ's full report is released at the end of January.

#### **4:00-5:00 PAROLE BOARD PRESENTATION**

##### **ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED**

1. Provide a list of any legislation that the Department has: (a) not implemented or (b) partially implemented. Explain why the Department has not implement or has partially implemented the legislation on this list.

(a) Legislation not implemented:

*Answer:* There is no legislation that meets this description.

(b) Legislation partially implemented:

*Answer:* SB 13-210, Concerning Employment Conditions for Correctional Officers was introduced and subsequently signed into law by Governor Hickenlooper on May 24, 2013. In summary, the legislation requires the Department to establish staffing levels at each correctional facility and private prison by security level; develop a criteria when a corrections officer works two consecutive shifts and to pay overtime; and establish a new work period for staff subject to Fair Labor Standards Act (FLSA) section 29 U.S. C 207 (k) referred to as the 7(k) or "tour of duty". The Department is in compliance with these provisions of the Act. Additionally, the Department is required to provide all Department employees with a pay stub that clearly and accurately reflects all hours worked, among other requirements. The Department is currently collaborating with the Department of Personnel and Administration (DPA) and the Governor's Office of Information Technology (OIT) on their efforts to modernize the state's personnel timekeeping systems. This modernized system will include the issuance of a pay stub that clearly and accurately reflects all hours worked, standard rate of pay, rate of overtime pay, accrual of any paid leave and compensatory time, remaining paid leave and compensatory time balances, as required by SB 13-210.

HB 14-1355, Concerning Reentry Planning and Programs for Adult Parole was introduced and subsequently signed into law by Governor Hickenlooper on June 6, 2014. In summary, the bill

requires that the Department develop and implement initiatives specifically designed to assist offenders in a correctional facility to prepare for release to the community; develop and implement initiatives to assist each offender's transition from a correctional facility into the community; and make necessary operational enhancements to ensure that the department has the appropriate equipment, training, and programs to properly supervise offenders in the community to enhance public safety. The Department is in full compliance with these provisions of the Act and continues to enhance reentry initiatives by assigning parole officers to the facilities, training efforts, connecting with work force centers, providing employment and job training assistance to parolees, coordinating behavior health specialist, and enhancing supervision and community safety through a 24 hour command post, among other priorities. Additionally, the bill requires that on or after January 1, 2015, the Department develop and implement a grant program to provide funding to eligible community-based organizations that provide reentry services to offenders in the community. While the Department has yet to fully implement the grant program, an intermediary has been selected for the administration of this program and the Department is on track to meet the January 1, 2015 statutory deadline.

2. What is the turnover rate for staff in the department? Please provide a breakdown by office and/or division, and program.

**Answer:** The Department's annual turnover rate for 2013/2014 was 11%: total employee count (excluding Correctional Industries) 6,554

The top five classes utilized by the department turnover is as follows

Correctional Security Officer I	employees in class 2,553 (381)	14.9%
Correctional Security Officer II	employees in class 764 (51)	6.7%
Correctional Trades Supervisor I	employees in class 543 (59)	10.9%
Nurse I	employees in class 175 (29)	16.6%
Community Parole Officer	employees in class 235 (21)	8.9%

3. Please identify the following:

- The department's most effective program;
- The department's least effective program (in the context of management and budget);
- Please provide recommendations on what will make this program (2.b.) more effective based on the department's performance measures.

**Answer:**

- (a) The department's most effective program;

**Answer:** In 2003, the Federal government enacted the Prison Rape Elimination Act. The Colorado Department of Corrections embraced the requirements of the Act and developed policy, practice, security monitoring and security audit tool, reporting and investigating processes that well prepared the Department for the delivery of the finalized standards that came to all state agencies in August of 2012. The standards for prisons require that the Department meet 42 standards and a thorough audit of facility and investigative practices. The Department has completed nine audits over the course of the calendar year for 2014 and been found compliant and also noted to exceed some of the standards in all nine audits. The Department continues to appropriately investigate all allegations of sexual misconduct, harassment, and assault and refer appropriately to local jurisdiction for prosecution. This has attributed to the facilities within the Colorado Department of Corrections

*being safer working and living environments for the sexual safety of Department staff and the offender population.*

(b) The department's least effective program (in the context of management and budget);

*Answer: In January of 2014 a new GED assessment was introduced by the national GED Testing Service. The new test, which had not been revised since 2002, is based on Common Core principles and emphasizes critical thinking skills. Due to this conversion GED testing scores in the department have decreased significantly, mirroring similar results throughout the state and nationwide as well. The 2002 testing changeover resulted in a similar trend and scores did not reach comparable levels for approximately two years.*

(c) Please provide recommendations on what will make this program (2.b.) more effective based on the department's performance measures.

*Answer: The Department is looking into all available resources, such as increased teacher training, updated GED software, and more stringent pre-testing procedures to improve GED testing scores during this challenging transitional period.*

4. How much capital outlay was expended using either operating funds or capital funds in FY 2013-14? Please break it down between the amount expended from operating and the amount expended from capital.

*Answer: The Department of Corrections uses Capital Construction and Controlled Maintenance (CC/CM) funding for the specifically appropriated project only. There were no capital outlay expenses expended from capital funds. Likewise, the DOC does not use regular operating funds towards Capital Construction and Controlled Maintenance projects. All CC/CM project expenditures are reported to the Office of the State Architect.*

*Occasionally, the DOC has the need for small construction projects and minor renovations, where operating funds are used. During FY 2013-14, some of those projects were:*

*YOS Entry Expansion: \$42,103*

*YOS Generator Replacement: \$95,670*

*The Department had some minor construction and renovation needs in leased office space in FY 2013-14. Leased space funding (not regular operating funds) was used to enhance security and renovate offices at the DOC Headquarters building. The Colorado Springs Parole office moved locations which required some interior tenant improvement work to adapt the interior layout to the Department's needs.*

*FY 2013-14 Leased Space renovation expenditures:*

*HQ Building: \$74,093*

*Colorado Springs Parole Office: \$37,327*

5. Does Department have any outstanding high priority recommendations as identified in the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office on June 30, 2014? What is the department doing to resolve the outstanding high priority recommendations?

*Answer: The Department of Corrections has been notified by the State Auditor's Office that there are no annual financial audit findings for FY 2013-14. Per the Annual Report of Audit Recommendations Not Fully Implemented as of June 30, 2014, section II-1 for Department of Corrections: "The Department agreed or partially agreed to implement nine audit recommendations between July 1, 2008 and June 30, 2013. Of these nine recommendations, two (22 percent) were from financial audit reports, and seven (78 percent) were from performance and/or information technology (IT) audit reports. All of these recommendations have been fully implemented. In our 2013 Annual Report of Audit Recommendations Not Fully Implemented, the Department had no outstanding audit recommendations."*

[http://www.leg.state.co.us/OSA/coauditor1.nsf/All/1FE335CE3162803F87257D7E00550568/\\$FILE/1422S%20%20ANNUAL%20REPORT%20OF%20AUDIT%20RECOMMENDATIONS%20NOT%20FULLY%20IMPLEMENTED%20AS%20OF%20JUNE%2030,%202014.pdf](http://www.leg.state.co.us/OSA/coauditor1.nsf/All/1FE335CE3162803F87257D7E00550568/$FILE/1422S%20%20ANNUAL%20REPORT%20OF%20AUDIT%20RECOMMENDATIONS%20NOT%20FULLY%20IMPLEMENTED%20AS%20OF%20JUNE%2030,%202014.pdf)

**DEPARTMENT OF CORRECTIONS AND PAROLE BOARD  
FY 2015-16 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Tuesday, January 6, 2015  
1:30 pm – 5:00 pm**

**1:30-1:50 INTRODUCTION AND OPENING COMMENTS**

**1:50-2:10 QUESTIONS COMMON TO ALL DEPARTMENTS**

**(The following questions require both a written and verbal response.)**

1. SMART Government Act:
  - a. Please describe how the SMART Government Act is being integrated into the Department's existing processes (both in terms of service delivery and evaluating performance).
  - b. How is the data that is gathered for the performance management system used?
  - c. Please describe the value of the act in the Department.
2. Do you have infrastructure needs (roads, real property, information technology) beyond the current infrastructure request? If so, how do these needs fit in with the Department's overall infrastructure priorities that have been submitted to the Capital Development Committee or Joint Technology Committee? If infrastructure should be a higher priority for the Department, how should the Department's list of overall priorities be adjusted to account for it?
3. Describe the Department's experience with the implementation of the new CORE accounting system.
  - a. Was the training adequate?
  - b. Has the transition gone smoothly?
  - c. How has the implementation of CORE affected staff workload during the transition?
  - d. Do you anticipate that CORE will increase the staff workload on an ongoing basis? If so, describe the nature of the workload increase and indicate whether the Department is requesting additional funding for FY 2015-16 to address it.

**2:10-2:45 DEPARTMENT OVERVIEW, FACTORS DRIVING THE BUDGET, AND GENERAL QUESTIONS**

4. The DOC is receiving funding for a new computerized Offender Management System. Will the new computer system allow DOC to run a more detailed analysis of who is coming into and going out of prison and better understand population trends? Will the new system enhance

connectivity with the Judiciary and reduce errors such as that which occurred with Evan Ebel? Will it help to understand offender demographics at the county level and trends in the counties? Will the new system provide DOC with better information from jails and the judicial branch about arriving inmates?

5. During the Judicial Branch hearing, Probation reported that it has reduced the number of probationers who end up in DOC from 1729 in 2005 to 585 in 2013 due to technical probation violations. Does DOC internal data confirm that the number of adults entering DOC due to technical probation violations is down?
6. What do Colorado crime rates look like in comparison with the sentence and incarceration rates shown on page 13 of the briefing document? Why did the incarceration rate increase so significant in the 1980s and 1990s? How are these trends affected by the use of more effective DOC programming? Does the Department have any opinion on what these trends mean in relation to the programs that work?
7. Which DOC programs will Results First examine?
8. Does the Department agree with the staff position on the economics of closing pods (i.e., that it does not save money to close a DOC pod and place offenders in a private prison)?
9. What is the current excess capacity in the state's private prisons and where is that capacity located? Could the prison at Walsenberg be used?
10. The Prison Utilization study concluded that salaries in private prisons are a third lower than in public prisons and staffing levels are also low. Is the utilization-study salary finding accurate? Does the Department monitor salaries in private prisons? Do private prisons use lower staffing levels than comparable DOC facilities? Does the Department monitor staffing levels in private prisons?
11. How do levels of inmate-on-inmate violence and inmate-on-staff violence compare in Colorado's private and public facilities? How reliable is the DOC's violent incident data and how reliable are comparisons based on that data? How many offenders in private prisons versus public prisons have had charges filed against them by District Attorneys?
12. Please provide an update on the status of the Sex Offender Treatment Program at DOC, including statistics on the number of DOC inmates that completed Phase I and II of the sex offender treatment at DOC facilities in FY 2013-14 and are currently engaged in maintenance programming.

13. How many offenders will complete Phase I and II of the Sex Offender Treatment Program in FY 2014-15 and FY 2015-16 and how many offenders will be moved into the maintenance program each fiscal year?
14. In June of 2013, the JBC asked DOC to evaluate the feasibility of implementing a sex offender treatment program at Cheyenne Mountain Re-Entry Center (CMRC). The Department responded by stating that "the best program to implement would be a pilot maintenance program for low and moderate risk offenders." Please provide the JBC with an update regarding this issue.
15. Please provide more information on the DOC offender ID program. What portion of offenders releasing from the DOC possess ID's?
16. Please provide a DOC PREA update. Is DOC in compliance with PREA? Does PREA require a change to staffing ratios in DOC? Is there any prospect of a request similar to that received from DYC? Will there be a need for increased PREA funding next year? What is the rate of substantiated rapes in DOC? How many has been prosecuted?

**2:45-3:00      BREAK**

**3:00-3:30      DEPARTMENT BUDGET REQUESTS**

17. R1 (External Capacity). Please explain why it costs so much for 234 extra offenders. How was this request affected by S.B. 14-064 (Use of Isolated Confinement for Mental Illness)? Where is the capacity available for additional inmates? In which facilities?
18. R3 (Transportation Operating Expenses). Why does DOC need a 52 percent increase? How long has this been going on and why was this request not submitted previously? Is this related to CNG vehicles costing more than regular gas vehicles? Has mileage increased over the last several years? Is it due to prisoner transfers? Due to DOC employees commuting to work in state vehicles? Give trends for the last two or three years.
19. R5 (Buena Vista Wastewater). Please provide a status update on aging DOC facilities and individual buildings that are near their end of life and should be demolished. Include all DOC buildings in your analysis, not just prison facilities.
20. R7 (Maintenance Operating Increase). Please provide more detail on R7. Is the Department keeping up with necessary controlled maintenance?
21. R7 (Maintenance Operating Increase). Please provide more detail on the CMHIP part of this request.

22. R2 (Mental Health Staff). The Department of Human Services has recently made decisions to: (1) cease transfers of patients to DOC facilities; (2) transfer five patients who were previously transferred to the DOC back to the CMHIP; and (3) limit the number of inmates that are transferred from the DOC to CMHIP.
- Describe DOC's involvement in these decisions.
  - Describe the impact of these decisions on the number and types of inmates in each affected DOC facility.
  - Describe the impact of these decisions on the required staffing levels and resource needs for each affected DOC facility.
  - Have these decisions affected the safety of DOC staff or inmates in affected DOC facilities?
  - What is the difference of treatment provided at San Carlos and CMHIP?
  - How many DOC inmates are at CMHIP and why did they get placed there?
23. R2 (Mental Health Staff). How does this request relate to the return to CMHIP of the five patients? Have there been savings to DOC as a result of sending these patients back to CMHIP? Why does DOC need *social workers*? Why is it costing so much?
24. R2 (Mental Health Staff). How do the recent decisions made by the Department of Human Services concerning these transfers relate to recent policy changes within the DOC concerning administrative segregation?
25. What factors have been considered in the past when determining that an inmate should be transferred to CMHIP pursuant to Section 17-23-101, C.R.S., and how long that inmate should remain at CMHIP? Describe the DOC's current position concerning which agency should be caring for the mentally ill individuals who are eligible for transfers pursuant to Section 17-23-101, C.R.S.

**3:30-4:00 ISSUES**

Issue 1: The unexpected savings from H.B. 12-1223

26. What will the Department do with the money provided by H.B. 12-1223 if it is appropriated? Would using this money for education yield results? Would wrap-around services yield results? Is it proven that these programs will decrease recidivism? Is one option more effective than the other?

27. Sen. Steadman] Did earned time lead Evan Ebel to be released earlier than he would have otherwise been released? Was Ebel at his mandatory release date? Have any earned policies changed as a result of the Ebel experience?

Issue 2: Administrative Segregation and Maximum Security

28. Does Department policy prevent people from being paroled directly from Ad Seg?
29. What is the purpose of reducing ad seg down to the 2 percent level laid out in the SMART act goals?
30. Where is the former ad seg population? Is it still in CSP and other former ad seg settings or has it migrated into the other facilities in the system? Provide an accounting of where the CSP inmates who are no longer classified as ad seg are now located.
31. How has the level of violent incidents in DOC facilities been affected by the reduction in the number of offenders in ad seg? Please provide system-wide information concerning inmate-on-inmate violence, inmate-on-staff violence, and incidents of self-harm. Is integration of former ad seg inmates into the general population causing more violence in other facilities? Please provide information on violence at specific institutions where the number of former ad seg offenders is greatest, such as CSP.
32. Why did DOC change the way that violent incidents are measured on the DOC dashboard? Did this definitional change reduce the number of violent incidents that DOC reports?
33. What are the budget impacts of the switch away from ad seg to maximum security and close custody?
34. Why isn't the DOC web site searchable by search engines?
35. At CSP is DOC using the existing exercise rooms (the ones with grated windows) to provide outdoor access for close custody offenders?
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37. How much additional programming and treatment are offenders in the "close custody control" and "close custody high risk" designations receiving as compared with those who were previously in the less restrictive ad seg categories?

38. Has there been an increase in contraband or in positive drug tests involving the new close custody populations?

Issue 3: Offender Population Projections

39. Why does DCJ forecast population so many years into the future? What does the department think about the rate of increase in the DCJ forecast? Where will the new beds be found?

40. What factors are considered in formulating a forecast?

41. Why did the inmate population decline and then start going back up?

**4:00-5:00 PAROLE BOARD PRESENTATION**

**ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED**

1. Provide a list of any legislation that the Department has: (a) not implemented or (b) partially implemented. Explain why the Department has not implement or has partially implemented the legislation on this list.
2. What is the turnover rate for staff in the department? Please provide a breakdown by office and/or division, and program.
3. Please identify the following:
  - a. The department's most effective program;
  - b. The department's least effective program (in the context of management and budget);
  - c. Please provide recommendations on what will make this program (2.b.) more effective based on the department's performance measures.
4. How much capital outlay was expended using either operating funds or capital funds in FY 2013-14? Please break it down between the amount expended from operating and the amount expended from capital.
5. Does Department have any outstanding high priority recommendations as identified in the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office on June 30, 2014? What is the department doing to resolve the outstanding high priority recommendations?  
[http://www.leg.state.co.us/OSA/coauditor1.nsf/All/1FE335CE3162803F87257D7E00550568/\\$FILE/1422S%20-%20ANNUAL%20REPORT%20OF%20AUDIT%20RECOMMENDATIONS%20NOT%20FULLY%20IMPLEMENTED%20AS%20OF%20JUNE%2030,%202014.pdf](http://www.leg.state.co.us/OSA/coauditor1.nsf/All/1FE335CE3162803F87257D7E00550568/$FILE/1422S%20-%20ANNUAL%20REPORT%20OF%20AUDIT%20RECOMMENDATIONS%20NOT%20FULLY%20IMPLEMENTED%20AS%20OF%20JUNE%2030,%202014.pdf)

**Brandon Shaffer, Chairperson**

Rebecca Oakes, Vice-Chairperson  
Denise Balazic  
Dr. Marjorie Lewis  
Joe Morales  
John O'Dell  
Alfredo Pena



**Colorado Board of Parole**

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**MEMORANDUM**

Date: January 6, 2015  
To: Members of the Joint Budget Committee  
From: Brandon Shaffer, Colorado Board of Parole, Chairperson  
Subj.: Colorado Board of Parole Annual Report to the Joint Budget Committee

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**I. Introduction:**

This memorandum is presented to the Joint Budget Committee of the Colorado General Assembly. The memorandum is divided into three parts: (1) Parole Board Operations, (2) Parole Board 2015-16 Budget Request, and (3) 2014 Performance Measures.

**II. Parole Board Operations**

**Parole Board.** The Colorado Board of Parole ("Parole Board" or "Board") consists of seven members who are appointed by the Governor and confirmed by the Senate. Board members serve three-year terms at the will of the Governor. Board members may be re-appointed for more than one term.

**Chairperson/Vice-Chairperson.** The Chairperson is the administrative head of the Parole Board. It is his or her responsibility to enforce the rules and regulations of the Board, and to assure that parole hearings are scheduled and conducted properly. The Vice-Chairperson assumes these responsibilities in the absence of the Chairperson. Brandon Shaffer was designated Chairperson on July 15, 2013. Rebecca Oakes was designated Vice-Chairperson on the same day.

**Mission.** The mission of the Parole Board is to increase public safety by critical evaluation, through the utilization of evidence-based practices, of inmate potential for successful reintegration to society. The Board determines parole suitability through the process of setting conditions of parole and assists the parolee by helping to create an atmosphere for a successful reintegration and return to the community. (Colorado Board of Parole Strategic Plan, 2013-2015; created in accordance with the SMART Government Act, section 2-7-201, C.R.S. (2014))

**Office.** The Parole Board office is located at 1600 W. 24<sup>th</sup> Street, Building 54, Pueblo, Colorado. Remote offices are also provided for Board members at the Division of Adult Parole located at 940 Broadway Street, Denver, Colorado.

**Staffing.** The Parole Board is supported by 11 full-time FTE. The Board support staff is structured as follows:

- Parole Board Administrator, Pueblo (1 FTE)
- Office Manager, Denver (1 FTE)
- Parole Board Data Analyst, Colorado Springs (1 FTE)
- Revocation Unit, Pueblo (3 FTE)
- Application Unit, Pueblo (2 FTE)
- Admin, Pueblo (1 FTE)
- Scheduler/Admin, Denver (2 FTE)

During 2014, the Board also utilized several contract employees, including: (a) two Administrative Hearing Officers to conduct revocation hearings pursuant to 17-2-202.5, C.R.S. (2014); (b) a defense attorney to represent parolees who are not competent to represent themselves during revocation hearings; (c) a Release Hearing Officer to conduct application interviews pursuant to section 17-2-202.5, C.R.S. (2014); and (d) two temp-workers in Pueblo to help scan files for the Board’s automation project.

**Budget.** The following illustrates appropriations made to the Board of Parole from FY 2010-11 through FY 2014-15.

	2010-11	2011-12	2012-13	2013-14	2014-15
<b>Personal Services</b>	\$1,348,408 (17.5 FTE)	\$1,197,526 (12.5 FTE)	\$1,197,526 (13.5 FTE)	\$1,197,526 (13.5 FTE)	\$1,376,891 (16.2 FTE)
<b>Operating Expenses</b>	\$101,545	\$99,545	\$104,890	\$104,890	\$106,390
<b>Contract Services</b>	\$152,000	\$228,637	\$288,437	\$272,437	\$272,437
<b>Start-Up Costs</b>	0	0	0	0	\$14,109
<b>Total</b>	\$1,601,953	\$1,525,708	\$1,590,853	\$1,574,853	\$1,769,827

**II. Parole Board Budget Request 2015-16**

The Board of Parole was able to stay within its budget appropriations during FY 2013-14. In doing so, the Board also hosted an international conference sponsored by the Association of Paroling Authorities International (APAI) that was attended by paroling authorities from 31 different states and 13 different countries. It also upgraded approximately 80% of the computer equipment for Board members and replace dilapidated items of furniture.

The Board received an increase to its Personal Services line during FY 2014-15 in order to hire additional support staff. With standard adjustments for inflation and cost-of-living increases, the Board anticipates being able to maintain its level of operations under the same appropriations it received during FY 2014-15.

### III. Performance Measures

#### 1. What types of hearings are conducted by the Parole Board?

**Answer:** The Parole Board conducts a wide variety of hearings: (1) parole application interviews, (2) full board reviews, (3) parole rescission hearings, (4) parole revocation hearings, (5) early release reviews, (6) special needs parole hearings, (7) interstate parole probable cause hearings, (8) sexually violent predator designation reviews, and (9) reduction of sex offender supervision level requests.

**Statistics:** From December, 2013 – November, 2014, the Parole Board conducted:

- 16,747 Application interviews
- 1,904 Full Board reviews
- 668 Rescission hearings
- 8,551 Revocation hearings
- 365 Early Release reviews
- 43 Special Needs Parole hearings
- 48 Interstate Parole Probable Cause hearings
- 340 Sexually Violent Predator Designation hearings
- 38 Sex Offender Supervision Level Reduction requests

**Total: 28,704 hearings**

The Parole Board also:

- Issued 2,243 arrest warrants
- Granted 773 waivers
- Conducted 1,104 File Reviews in lieu of hearings.

**2. What are the trends in Parole from 2010-2014?**

**Answer:** The following tables provide an indication of the number of hearings, releases, revocations, and parole absconders that occurred from 2010 through 2014. In addition, **Exhibit A** attached to this report is a flow chart indicating approximate time-periods for which parolees were revoked in 2013 and 2014 (i.e., 90 days, 180 days, etc.).

	<b>Avg. Prison Population</b>	<b>Parole Applications</b>	<b>Disc. Release</b>		<b>Mandatory Release</b>	
<b>2014</b> December 2013- November 2014	20,640	18,651	2,817*	15%	5,291	28%
<b>2013</b> December 2012- November 2013	20,482	19,129	3,582	19%	4,906	26%
<b>2012</b> December 2011- November 2012	21,261	20,669	3,663	18%	5,436	26%
<b>2011</b> December 2010- November 2011	22,747	20,706	2,475	12%	6,155	30%
<b>2010</b> December 2009- November 2010	23,038	21,541	2,551	12%	6,336	29%

\*An additional 1,247 offenders have been granted discretionary parole under Community Corrections Track Presumptive Parole("CCTPP") established by DOC on June 6, 2013 (AR 250-74). These offenders are required to successfully complete a community corrections program prior to transitioning to parole and have parole release dates in 2015. If these additional offenders are included in the total number of Discretionary Releases in 2014, the release-rate increases to **22%**.

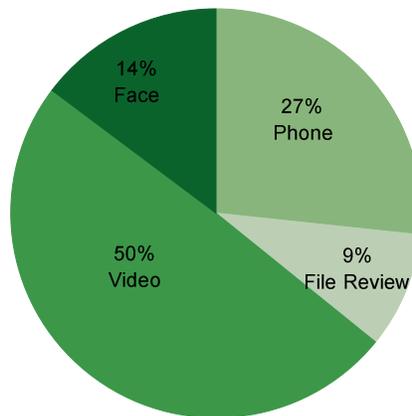
	<b>Avg. Parole Population</b>	<b>Revoked (New Crime)</b>		<b>Revoked (Technical)</b>	
<b>2014</b> December 2013- November 2014	10,521	849	8%	3,977	38%
<b>2013</b> December 2012- November 2013	11,323	919	8%	3,694	33%
<b>2012</b> December 2011- November 2012	11,039	814	7%	3,427	31%
<b>2011</b> December 2010- November 2011	10,804	892	8%	3,350	31%
<b>2010</b> December 2010- November 2011	11312	1,067	9%	4,067	36%

	<b>Avg. Parole Population</b>	<b>Monthly Avg. Parole Absconders</b>	<b>Avg. Parole Absconders Apprehended Per Month</b>	<b>Avg. % Parole Absconders Apprehended</b>
<b>2014</b> December 2013- November 2014	10,521	540	178	33%
<b>2013</b> December 2012- November 2013	11,323	658	195	30%
<b>2012</b> December 2011- November 2012	11,039	646	151	23%
<b>2011</b> December 2010- November 2011	10,804	630	150	24%
<b>2010</b> December 2010- November 2011	11,312	714	162	23%

### 3. How are hearings conducted?

**Answer:** The Board conducts the majority of its hearings by video conferencing. It also conducts hearings by telephone and face-to-face. Most of the video conferencing occurs with the larger correctional institutions (i.e., Colorado State Penitentiary, Sterling Correctional Facility, Limon Correctional Facility, etc.). Telephone hearings are generally used to reach smaller facilities in rural parts of the state. Face-to-face hearings generally occur in and around the metro area at parole offices and local jails.

**Statistics:** Percentage of hearings conducted by hearing method from December, 2013 – November, 2014: video 50%, phone 27%, face 14%, and 9% by file review.

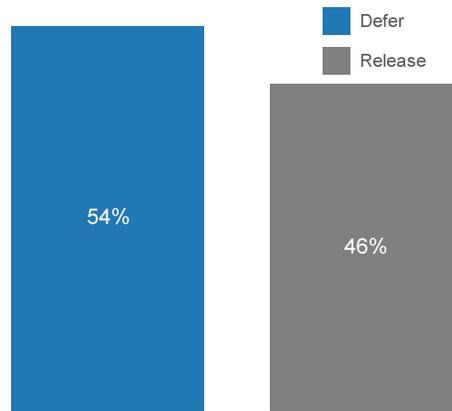


### 4. Is there a different procedure for violent offenders versus non-violent offenders?

**Answer:** Yes. Individual Board members do not have the authority to parole offenders convicted of a violent crime. Instead, if a Board member believes an offender is a good candidate for parole, the member refers the offender to the entire Parole Board for consideration. The Board sits as a “Full Board” at least once a week and votes on parole applications for violent offenders. An offender needs at least 4 affirmative votes to be released on discretionary parole. In contrast, individual members retain the authority to make final discretionary release decisions for non-violent offenders.

**Statistics:** In the past 12 months, 1,904 offenders were considered by the Full Board. Forty-six percent (46%) of those seen were released, and fifty-four percent (54%) were denied parole. The recidivism rate after the first year on parole for offenders considered and released by the Full Board is just over twelve percent (12.2%).

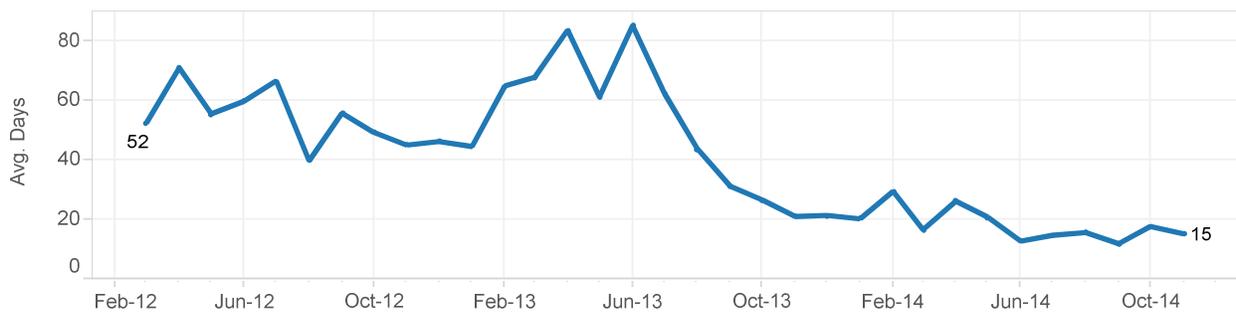
### Full Board Release Decisions



#### 5. How long does it take for the Full Board to consider offenders?

**Answer:** The Board has made a concerted effort to shorten the time from the initial application interview to the final Full Board review. Increased response times from the Board add certainty and predictability to the process. Currently, the response window for most reviews is approximately 2 weeks from the time an offender receives an application interview to the time he/she receives a response from the Full Board.

**Statistics:** The following graph compares the average review times from initial application interview to Full Board review in 2012 and 2014.



#### 6. What is the Parole Board Release Guideline Instrument ("PBRGI")?

**Answer:** As per 17-22.5-404(6)(a) and 17-22.5-107(1) C.R.S. (2014), the PBRGI was developed by the Division of Criminal Justice and the Board of Parole and offers an advisory release decision recommendation for parole applicants who are not sex offenders. "The goal of

the parole release guideline is to provide a consistent framework for the Board to evaluate and weigh specific release decision factors and, based on a structured decision matrix, to offer an advisory release decision recommendation for parole applicants who are not identified as sex offenders.” (Overview: Colorado State Board of Parole Administrative Release Guideline Instrument, published by DCJ, November 1, 2014.) The Board considers all the factors specified in section 17-22.5-404, C.R.S. (2014) in making parole decisions; however, it pays particular attention to the PBRGI, which incorporates the Colorado Actuarial Risk Assessment Scale.

**Statistics:** The Parole Board followed the PBRGI recommendation 67% of the time. When the PBRGI recommended release, the Board agreed 43% of the time; when the PBRGI recommended defer, the Board agreed 93% of the time.

**Overall counts and percentages of Parole Board release and defer decisions by PBRGI release and defer recommendations.**

Parole Board Decision		PBRGI		Total
		Decision Recommendation		
		Defer	Release	
Defer	Count	2,758	1,600	4,358
	Percent	29.0%	16.8%	45.8%
Defer (“Release”) to Mandatory Release Date	Count	1,506	1,208	2,714
	Percent	15.8%	12.7%	28.5%
Release Discretionary	Count	300	2,152	2,452
	Percent	3.1%	22.6%	25.7%
Total	Count	4,564	4,960	9,524
	Percent	47.9%	52.1%	100.0%

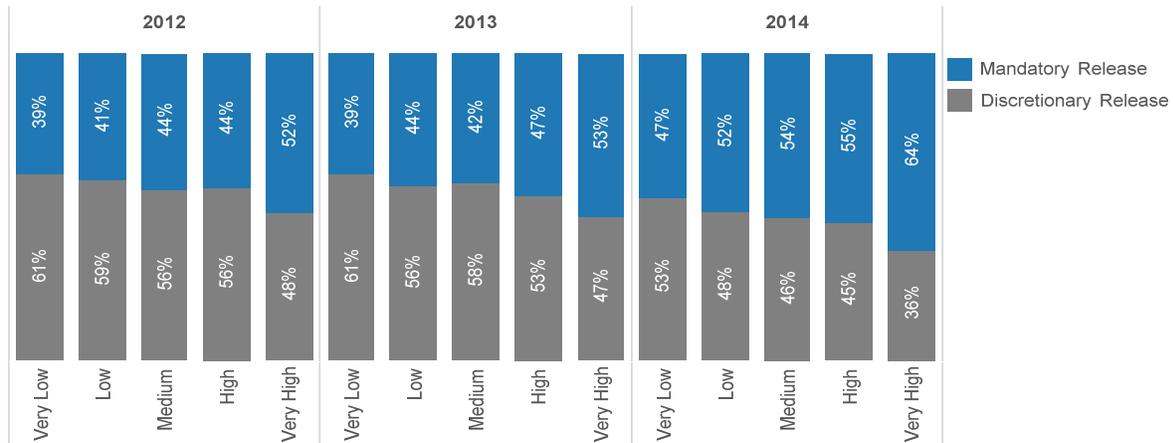
**7. What is the difference in release-rates between discretionary and mandatory paroles?**

**Answer:** The Parole Board releases significantly fewer offenders on discretionary parole than on mandatory parole.

**Statistics:** From December, 2013 - November, 2014, the Parole Board released 2,817 (35%) of offenders on discretionary parole and 5,291 (65%) on mandatory parole. The average risk assessment for offenders who were granted discretionary parole in 2014 was 33 (Medium

\* Dec. 2013 to Nov. 2014 sample of hearings with non-sex-offenders whose hearing was finalized. Deferrals due to non-appearance/absence and MRPs are excluded.

Risk). The following graph breaks down mandatory/discretionary release percentages by risk assessment scores.



**8. How often do you revoke an offender’s parole?**

**Answer:** The Parole Revocation process is governed by section 17-2-103, C.R.S. (2014). Each hearing is an independent event. The Parole Board member conducting the hearing is an objective hearing officer and accepts testimony and evidence from the Parole Officer and Offender. After the reviewing all pertinent information, the Board member determines if parole should be revoked. For “new law violations,” the Board member has the discretion to revoke an offender back to DOC for the remainder of his or her sentence. For most “technical violations,” the Board member has the discretion to continue an individual on parole with prescribed treatment, or revoke back to DOC or a Community Return to Custody Facility (CRCF) for up to 180 days.

**Statistics:** From December, 2013 – November, 2014, the total number of revocation hearings continued on parole were 591 (12%), and the total number revoked back to a DOC facility or CRCF was 3,757 (87%). During the same period of time, the total number of returns with a new felony conviction was 849 (17%), and the total number of returns with a technical violation was 3,976 (83%).

**9. What are the 6-month and 12-month recidivism rates for the Parole Board?**

**Answer:** The 6-month recidivism rate for all offenders released on parole, both mandatory and discretionary, is 18%; the 12-month recidivism rate is 30%. The 6-month average recidivism rate for discretionary releases is approximately 12%; the average recidivism rate after 12 months is approximately 24%. Comparatively, the 6-month revocation rate of mandatory releases is approximately 25% and the 12-month rate is approximately 38%.



In 2013, 30% of the offenders who returned to DOC after committing a new crime were given a discretionary release. In 2014, only 25% of offenders who returned after committing a new crime were released on discretionary parole.

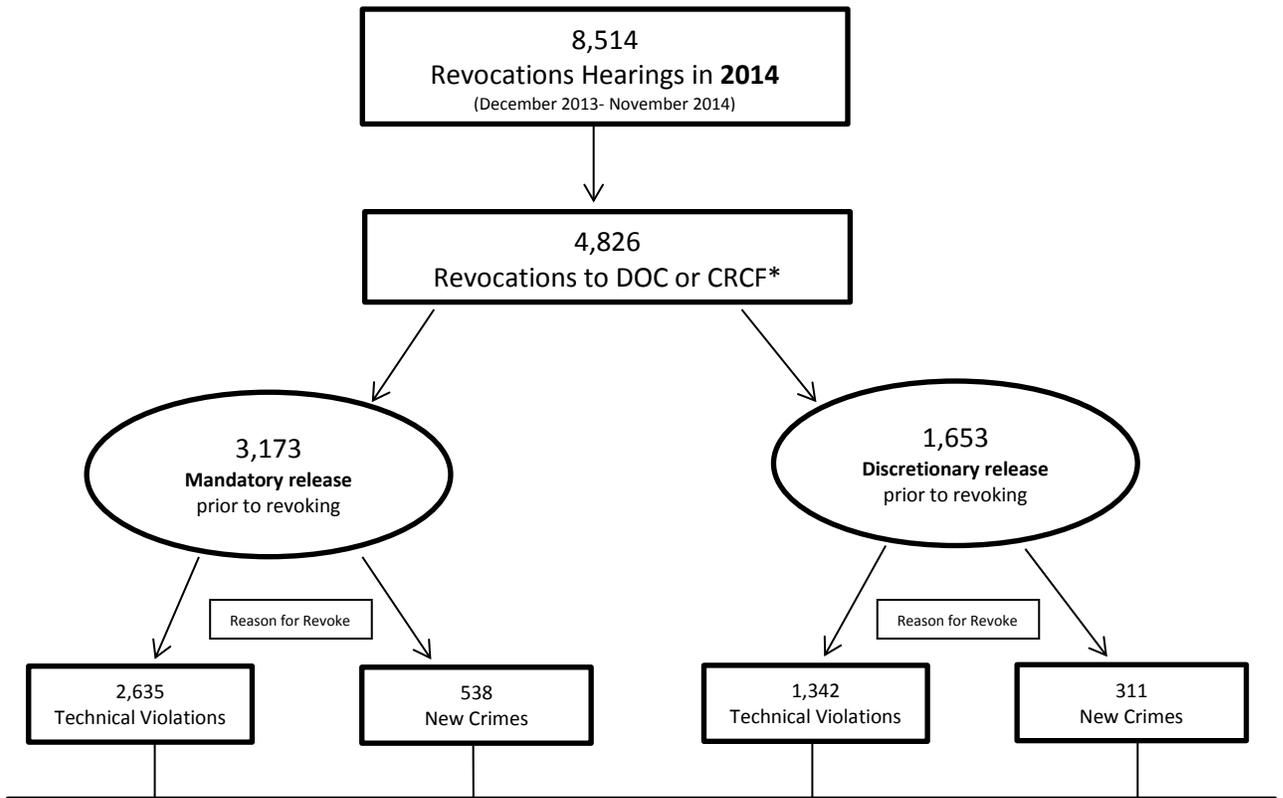


**10. What types of crimes are being committed by parolees?**

**Answer:** The following graph provides a breakdown of the types of crimes committed by parolees.



**EXHIBIT A**

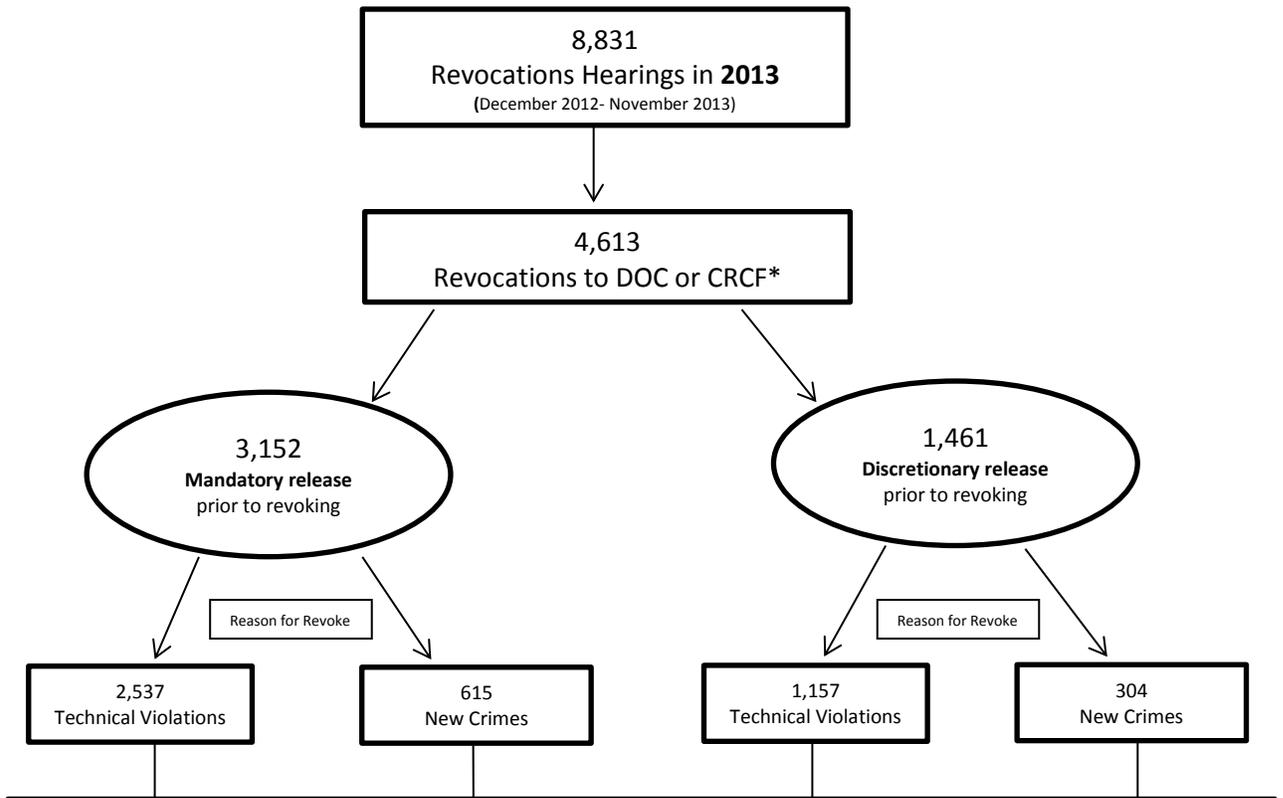


Please note: Currently, the amount of time that an offender is revoked back to DOC/Jail can only be assessed by calculating the difference between an offender's revocation date and release date (Days Revoked). An offender can be given earned time or credit for day(s) spent in jail or a DOC facility prior to the revocation date. Therefore, the calculation of Days Revoked is not a true reflection of the revocation period.

	CRCF	Return to DOC/Jail/Prison	CRCF	Return to DOC/Jail/Prison
Days Revoked				
≤ 90 days	220 4.6%	527 10.9%	0 0%	9 0.2%
< 90 ≥ 180 days	341 7.1%	511 10.6%	1 0.02%	10 0.2%
>180 days	59 1.2%	71 1.5%	1 0.02%	32 0.7%
Still in Facility/ Custody	361 7.5%	545 11.3%	23 0.5%	462 9.6%

	CRCF	Return to DOC/Jail/Prison	CRCF	Return to DOC/Jail/Prison
Days Revoked				
≤ 90 days	92 1.9%	309 6.4%	0 0%	3 0.1%
< 90 ≥ 180 days	159 3.3%	273 5.7%	0 0%	11 0.2%
>180 days	30 0.6%	38 0.8%	1 0.02%	18 0.4%
Still in Facility/ Custody	113 2.3%	327 6.8%	10 0.2%	268 5.6%

\*Note: total includes unique revocations, not offenders; offenders can be revoked more than once within the calendar year.



Please note: Currently, the amount of time that an offender is revoked back to DOC/Jail can only be assessed by calculating the difference between an offender's revocation date and release date (Days Revoked). An offender can be given earned time or credit for day(s) spent in jail or a DOC facility prior to the revocation date. Therefore, the calculation of Days Revoked is not a true reflection of the revocation period.

	CRCF	Return to DOC/Jail/Prison	CRCF	Return to DOC/Jail/Prison
Days Revoked				
≤ 90 days	242 5.2%	496 10.8%	0 0%	10 0.2%
< 90 ≥ 180 days	476 10.3%	702 15.2%	0 0%	20 0.4%
>180 days	119 2.6%	356 7.7%	16 0.3%	169 3.7%
Still in Facility/ Custody	18 0.4%	128 2.8%	40 0.9%	360 7.8%

	CRCF	Return to DOC/Jail/Prison	CRCF	Return to DOC/Jail/Prison
Days Revoked				
≤ 90 days	96 2.1%	258 5.6%	0 0%	5 0.1%
< 90 ≥ 180 days	219 4.7%	304 6.6%	0 0%	7 0.2%
>180 days	52 1.1%	146 3.2%	9 0.2%	79 1.7%
Still in Facility/ Custody	12 0.3%	70 1.5%	23 0.5%	181 3.9%

\*Note: total includes unique revocations, not offenders; offenders can be revoked more than once within the calendar year