

CHAPTER 243

CORRECTIONS

SENATE BILL 08-007

BY SENATOR(S) Windels, Boyd, Bacon, Groff, Keller, Sandoval, Schwartz, Shaffer, Tochtrop, and Williams;
also REPRESENTATIVE(S) Stafford, Solano, Carroll T., Frangas, Jahn, Kefalas, Labuda, McFadyen, McGihon, Rice, and Todd.

AN ACT

CONCERNING ASSISTANCE TO INMATES PRIOR TO RELEASE FROM COUNTYJAILS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part 1 of article 26 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

17-26-138. Benefits assistance - legislative declaration - demonstration grant program - repeal. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) MANY PERSONS TRANSITIONING FROM JAILS HAVE A DIFFICULT TIME ACCESSING HEALTH CARE, HOUSING, AND EMPLOYMENT BENEFITS THAT ARE IMPORTANT IF THE PERSONS ARE TO AVOID REENTRY INTO THE CRIMINAL JUSTICE SYSTEM.

(b) MANY PERSONS BEING RELEASED FROM JAIL:

(I) MAY HAVE DIFFICULTY ACCESSING MENTAL HEALTH TREATMENTS BECAUSE OF LACK OF BENEFITS OR THE INABILITY TO MAKE CONNECTIONS FOR AVAILABLE TREATMENT OPTIONS;

(II) MAY BE ENTITLED TO AND MAY BENEFIT FROM THE RECEIPT OF PUBLIC BENEFITS, INCLUDING BUT NOT LIMITED TO MENTAL HEALTH TREATMENT; AND

(III) MAY NOT KNOW THAT THEY ARE ENTITLED TO PUBLIC BENEFITS OR MAY NOT KNOW HOW TO APPLY FOR OR ACCESS PUBLIC BENEFITS.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(c) COUNTIES WOULD BENEFIT FROM PERSONS ACCESSING HEALTH CARE, HOUSING, AND EMPLOYMENT BENEFITS PROMPTLY AFTER RELEASE FROM JAIL BECAUSE THE PERSONS WITH SUPPORT AFTER RELEASE ARE LESS LIKELY TO REOFFEND AND REQUIRE ADDITIONAL INCARCERATION.

(2) COUNTIES, THROUGH APPROPRIATE PERSONNEL, ARE ENCOURAGED TO DEVELOP RELATIONSHIPS, PARTNERSHIPS, AND PRERELEASE AGREEMENTS WITH OTHERS INVOLVED IN HEALTH CARE, HOUSING, AND EMPLOYMENT BENEFITS INCLUDING FEDERAL SOCIAL SECURITY ADMINISTRATION OFFICES, COUNTY DEPARTMENTS OF SOCIAL SERVICES, THE DEPARTMENT OF HUMAN SERVICES, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, AND COMMUNITY MENTAL HEALTH CENTERS. COUNTIES ARE ENCOURAGED TO ASSIST INMATES PRIOR TO RELEASE IN ACCESSING BENEFITS FOR WHICH THE INMATES MAY BE ELIGIBLE.

(3) THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL PROVIDE TRAINING TO APPROPRIATE PERSONNEL TO ASSIST INMATES IN APPLYING FOR PUBLIC BENEFITS PRIOR TO RELEASE.

(4)(a) THERE IS HEREBY CREATED IN THE DEPARTMENT OF HUMAN SERVICES THE INMATE ASSISTANCE DEMONSTRATION GRANT PROGRAM, REFERRED TO IN THIS SUBSECTION (4) AS THE "DEMONSTRATION PROGRAM", TO PROVIDE GRANTS TO COUNTIES OR GROUPS OF COUNTIES DESIGNED TO ASSIST INMATES IN COUNTY JAILS IN ACCESSING HEALTH CARE, HOUSING, AND EMPLOYMENT BENEFITS.

(b) ON OR BEFORE AUGUST 15, 2008, THE DEPARTMENT OF HUMAN SERVICES SHALL DEVELOP AND ISSUE A REQUEST FOR PROPOSALS TO CONDUCT TWO-YEAR DEMONSTRATION PROGRAMS COMMENCING JANUARY 1, 2009, THAT:

(I) PROVIDE FOR COLLABORATION BETWEEN JAIL PERSONNEL, PERSONNEL FROM THE COUNTY DEPARTMENT OF SOCIAL SERVICES AND COMMUNITY MENTAL HEALTH CENTERS, AND OTHER INTERESTED PARTIES; AND

(II) PROVIDE FOR THE MONITORING OF THE RECEIPT OF ANY HEALTH CARE, HOUSING, AND EMPLOYMENT BENEFITS TO WHICH AN INMATE MAY BE ENTITLED AND THE RECIDIVISM RATES OF INMATES WHO RECEIVED ASSISTANCE IN APPLYING FOR PUBLIC BENEFITS.

(c) ON OR BEFORE OCTOBER 1, 2008, A COUNTY OR GROUP OF COUNTIES MAY SUBMIT A RESPONSE TO THE REQUEST FOR PROPOSALS THAT INCLUDES, AT A MINIMUM:

(I) IDENTIFICATION OF KEY STAKEHOLDERS WILLING TO COLLABORATE ON THE DEMONSTRATION PROGRAM;

(II) IDENTIFICATION OF THE USES OF MONEYS PROPOSED TO BE RECEIVED FROM THE DEMONSTRATION PROGRAM AND THE SOURCES AND USES OF ADDITIONAL MONEYS PROPOSED TO BE USED; AND

(III) A DESCRIPTION OF THE METHOD TO BE USED TO EVALUATE THE DEMONSTRATION PROGRAM.

(d) ON OR BEFORE NOVEMBER 15, 2008, THE DEPARTMENT OF HUMAN SERVICES SHALL AWARD GRANTS TO COUNTIES OR GROUPS OF COUNTIES. IN MAKING THE AWARDS, THE DEPARTMENT OF HUMAN SERVICES SHALL ATTEMPT TO AWARD GRANTS TO BOTH URBAN AND RURAL COUNTIES AND TO COUNTIES IN DIVERSE GEOGRAPHIC AREAS OF THE STATE.

(e) ON OR BEFORE JULY 1, 2011, THE DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT TO THE JUDICIARY COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A REPORT DESCRIBING THE DEMONSTRATION PROGRAMS AND EVALUATING THE SUCCESS OF EACH DEMONSTRATION PROGRAM.

(f) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 2. Appropriation - adjustments to the 2008 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2008, the sum of two hundred seventy-nine thousand dollars (\$279,000), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2008, the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, for the implementation of this act. Of said sum, one thousand dollars (\$1,000) shall be from the general fund, and one thousand dollars (\$1,000) shall be from federal funds.

(3) For the implementation of this act, the general fund appropriation to the controlled maintenance trust fund made in section 23 of the annual general appropriation act, for the fiscal year beginning July 1, 2008, shall be decreased by two hundred eighty thousand dollars (\$280,000).

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

Approved: May 20, 2008