

## CHAPTER 350

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**CORRECTIONS**


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**HOUSE BILL 14-1355**

BY REPRESENTATIVE(S) Kagan and Gardner, Court, Fields, Hullinghorst, Kraft-Tharp, Labuda, Lee, May, McCann, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Wright, Young;  
 also SENATOR(S) Guzman and King, Aguilar, Crowder, Heath, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Newell, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Todd, Ulibarri, Carroll.

**AN ACT**

**CONCERNING DEPARTMENT OF CORRECTIONS REENTRY INITIATIVES FOR SUCCESSFUL REINTEGRATION OF ADULT OFFENDERS INTO THE COMMUNITY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, **amend** 17-33-101 as follows:

**17-33-101. Reentry planning and programs for adult parole - grant program - rules - reports - repeal.** (1) The department ~~of corrections~~ shall administer appropriate programs for offenders prior to and after release to assist offenders with reentry into society based upon the assessed need as determined by the EXECUTIVE director ~~of the department of corrections~~ and suitability of individual offenders for such services. The department ~~of corrections~~ shall administer the reentry programs in collaboration with the division of adult parole in the department ~~of corrections~~ and the youthful offender system in the department. ~~of corrections.~~

(2) The department ~~of corrections~~ shall design the reentry program to reduce the possibility of ~~the~~ EACH offender returning to prison, to assist ~~the~~ EACH offender in rehabilitation, and to provide ~~the~~ EACH offender with life management skills that allow him or her to function successfully in society.

(3) ON AND AFTER JULY 1, 2014, THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT INITIATIVES WITHIN THE DEPARTMENT SPECIFICALLY DESIGNED TO DECREASE RECIDIVISM, ENHANCE PUBLIC SAFETY, AND INCREASE EACH OFFENDER'S CHANCES OF ACHIEVING SUCCESS UPON HIS OR HER RELEASE TO THE COMMUNITY.

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

(4) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014, THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY DESIGNED TO ASSIST OFFENDERS IN A CORRECTIONAL FACILITY TO PREPARE FOR RELEASE TO THE COMMUNITY. AN INITIATIVE DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (4) MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

(a) ENHANCED CASE MANAGEMENT CAPABILITIES TO ALLOW CASE MANAGERS THE ABILITY TO CREATE INDIVIDUALIZED INSTITUTIONAL CASE PLANS THAT HELP ADDRESS THE OFFENDER'S ASSESSED RISKS AND NEEDS;

(b) PRE-RELEASE SPECIALISTS TO DEVELOP PRE-RELEASE PLANS AND PROGRAMS FOR OFFENDERS;

(c) THE ASSIGNMENT OF COMMUNITY PAROLE OFFICERS TO FACILITIES SO THAT EACH OFFENDER HAS AN UNDERSTANDING OF THE EXPECTATIONS OF COMMUNITY SUPERVISION, AVAILABLE SERVICES, AND PAROLE; AND

(d) TRANSPORTATION FOR HIGH-RISK AND HIGH-NEEDS OFFENDERS, AS DEFINED BY THE DEPARTMENT, WHO ARE BEING RELEASED FROM A CORRECTIONAL FACILITY TO A COMMUNITY PAROLE OFFICE, TO HELP PROVIDE EFFECTIVE SUPERVISION, ENHANCE PUBLIC SAFETY, AND EXPEDITE CRITICAL SERVICES.

(5) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014, THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY DESIGNED TO ASSIST EACH OFFENDER'S TRANSITION FROM A CORRECTIONAL FACILITY INTO THE COMMUNITY. AN INITIATIVE DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (5) MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

(a) AN EVIDENCE-BASED COGNITIVE BEHAVIORAL PROGRAM FOR OFFENDERS;

(b) COMMUNITY-BASED MENTAL HEALTH CONSULTANTS TO PROVIDE ASSISTANCE WITH CASE PLANNING AND TO CONSULT WITH AND TRAIN COMMUNITY PAROLE OFFICERS CONCERNING HOW TO SECURE APPROPRIATE AND AVAILABLE MENTAL HEALTH SERVICES FOR PAROLEES IN THE COMMUNITY;

(c) IN COLLABORATION WITH THE STATE DEPARTMENT OF LABOR AND EMPLOYMENT CREATED IN SECTION 24-1-121, C.R.S., OR ANY OTHER EMPLOYMENT OR JOB TRAINING PROGRAM WITHIN THE COMMUNITY, INITIATIVES TO HELP OFFENDERS IN THE COMMUNITY OBTAIN EMPLOYMENT, JOB PLACEMENT, OR TRAINING;

(d) REENTRY SPECIALISTS TO HELP OFFENDERS SUCCESSFULLY REENTER THE COMMUNITY;

(e) CONSOLIDATION AND EXPANSION OF EMERGENCY ASSISTANCE CONTRACT FUNDING TO EFFECTIVELY PROVIDE ASSISTANCE TO PAROLEES IN THE COMMUNITY; AND

(f) A PROGRAM TO PROVIDE MEDICATION-ASSISTED THERAPIES TO ELIGIBLE

OFFENDERS.

(6) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014, THE DEPARTMENT SHALL MAKE NECESSARY OPERATIONAL ENHANCEMENTS AND DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY DESIGNED TO ENSURE THAT THE DEPARTMENT HAS THE PROPER EQUIPMENT, TRAINING, AND PROGRAMS TO PROPERLY SUPERVISE OFFENDERS IN THE COMMUNITY TO ENHANCE PUBLIC SAFETY. AN INITIATIVE DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (6) MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

(a) A COMPREHENSIVE STAFF TRAINING PROGRAM THAT:

(I) IS CONSISTENT WITH RESEARCH AND EVIDENCE-BASED PRACTICES;

(II) ENHANCES BASIC TRAINING AND PROVIDES ANNUAL IN-SERVICE TRAINING FOR COMMUNITY PAROLE OFFICERS AND STAFF; AND

(III) CREATES STAFF DEVELOPMENT WITHIN THE DIVISION OF ADULT PAROLE SO THAT THE DIVISION WILL EFFECTIVELY SUPERVISE OFFENDERS THROUGH SUCCESSFUL REINTEGRATION;

(b) ACQUISITION OF EQUIPMENT AND RESOURCES THAT WILL EFFECTIVELY MONITOR AND RESPOND TO TAMPERING AND OTHER ALERTS RELEASED BY ELECTRONIC MONITORING UNITS;

(c) ESTABLISHMENT OF AN EQUIPMENT REPLACEMENT PLAN FOR ENHANCED COMMUNITY PAROLE OFFICER SAFETY; AND

(d) ENHANCEMENTS TO PAROLE INFORMATION TECHNOLOGY AND PAROLEE TRACKING SYSTEMS.

(7) (a) SUBJECT TO APPROPRIATIONS, ON AND AFTER JANUARY 1, 2015, THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A GRANT PROGRAM TO PROVIDE FUNDING TO ELIGIBLE COMMUNITY-BASED ORGANIZATIONS THAT PROVIDE REENTRY SERVICES TO OFFENDERS IN THE COMMUNITY. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN ACCORDANCE WITH POLICIES DEVELOPED BY THE EXECUTIVE DIRECTOR PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (7).

(b) ON OR BEFORE JANUARY 1, 2015, THE EXECUTIVE DIRECTOR SHALL DEVELOP POLICIES FOR THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

(I) A PROCESS FOR DETERMINING ELIGIBILITY CRITERIA FOR A COMMUNITY-BASED ORGANIZATION, INCLUDING BUT NOT LIMITED TO A COMMUNITY-BASED ORGANIZATION THAT SERVES AS AN INTERMEDIARY ON BEHALF OF A COLLABORATION OF ELIGIBLE COMMUNITY-BASED ORGANIZATIONS, TO RECEIVE A GRANT FROM THE GRANT PROGRAM;

(II) A PROCESS AND TIMELINE WHEREBY A COMMUNITY-BASED ORGANIZATION MAY APPLY FOR A GRANT FROM THE GRANT PROGRAM;

(III) A PROCESS FOR DETERMINING THE AMOUNT OF EACH GRANT THAT IS AWARDED TO AN ELIGIBLE COMMUNITY-BASED ORGANIZATION;

(IV) A PROCESS FOR ESTABLISHING DATA-REPORTING REQUIREMENTS FOR EACH ELIGIBLE COMMUNITY-BASED ORGANIZATION THAT RECEIVES A GRANT FROM THE GRANT PROGRAM; AND

(V) A PROCESS FOR DETERMINING THE MAXIMUM AMOUNT OF MONEYS THAT AN ELIGIBLE COMMUNITY-BASED ORGANIZATION MAY RECEIVE FROM THE GRANT PROGRAM IN A SINGLE FISCAL YEAR.

(c) IN DEVELOPING POLICIES FOR THE ADMINISTRATION OF THE GRANT PROGRAM PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (7), THE EXECUTIVE DIRECTOR MAY REQUIRE THAT STAFF MEMBERS OF AN ELIGIBLE COMMUNITY-BASED ORGANIZATION SEEKING FUNDING FROM THE GRANT PROGRAM MUST SUBMIT TO A CRIMINAL BACKGROUND CHECK BEFORE AN AWARD DECISION IS MADE. HOWEVER, THE EXECUTIVE DIRECTOR MAY NOT EXCLUDE A COMMUNITY-BASED ORGANIZATION FROM RECEIVING GRANT MONEYS SOLELY BECAUSE ONE OR MORE STAFF MEMBERS OF THE COMMUNITY-BASED ORGANIZATION HAS A CRIMINAL RECORD. IF THE EXECUTIVE DIRECTOR DETERMINES THAT ONE OR MORE STAFF MEMBERS OF AN APPLICANT ELIGIBLE COMMUNITY-BASED ORGANIZATION HAS A CRIMINAL RECORD, HE OR SHE SHALL CONSIDER THE FACTORS DESCRIBED IN SECTION 24-5-101 (4), C.R.S., BEFORE DECIDING WHETHER TO AWARD GRANT MONEYS TO THE COMMUNITY-BASED ORGANIZATION.

(d) THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, SHALL MAKE THE FINAL DECISION WHETHER TO AWARD OR DENY A GRANT FROM THE GRANT PROGRAM.

(e) IN AWARDING GRANTS FROM THE GRANT PROGRAM EACH FISCAL YEAR, THE DEPARTMENT SHALL NOT AWARD ANY GRANT MONEYS IN EXCESS OF THE AMOUNT APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION.

(f) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2018. BEFORE SUCH REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE GRANT PROGRAM PURSUANT TO SECTION 24-34-104 (49.5) (h), C.R.S.

(8) ON AND AFTER JANUARY 1, 2016, DURING ITS ANNUAL PRESENTATION BEFORE THE JOINT JUDICIARY COMMITTEE OF THE GENERAL ASSEMBLY, OR ANY SUCCESSOR JOINT COMMITTEE, PURSUANT TO SECTION 2-7-203, C.R.S., THE DEPARTMENT SHALL INCLUDE A STATUS REPORT REGARDING THE PROGRESS AND OUTCOMES OF THE INITIATIVES DEVELOPED AND IMPLEMENTED BY THE DEPARTMENT PURSUANT TO THIS SECTION DURING THE PRECEDING YEAR.

**SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add** (49.5) (h) as follows:

**24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.** (49.5) The following agencies, functions, or both, shall terminate on September 1, 2018:

(h) THE GRANT PROGRAM TO PROVIDE FUNDING TO ELIGIBLE COMMUNITY-BASED

ORGANIZATIONS THAT PROVIDE REENTRY SERVICES TO OFFENDERS IN THE COMMUNITY, DESCRIBED IN SECTION 17-33-101 (7), C.R.S.

**SECTION 3. Appropriation.** (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 corrections, for the fiscal year beginning July 1, 2014, the sum of \$7,953,877 and 71.9 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

- (a) \$418,420 to the executive director's office for health, life and dental;
- (b) \$7,981 to the executive director's office for short-term disability;
- (c) \$145,133 to the executive director's office for amortization equalization disbursement;
- (d) \$136,063 to the executive director's office for supplemental amortization equalization disbursement;
- (e) \$220,550 to the executive director's office for leased space;
- (f) \$1,961 to the inspector general subprogram for operating expenses;
- (g) \$109,330 to the superintendents subprogram for start-up costs;
- (h) \$1,443,860 and 26.9 FTE to the case management subprogram for personal services;
- (i) \$14,650 to the case management subprogram for operating expenses;
- (j) \$137,798 to the case management subprogram for start-up costs;
- (k) \$256,784 and 4.6 FTE to the mental health subprogram for personal services;
- (l) \$2,500 to the mental health subprogram for operating expenses;
- (m) \$24,115 to the mental health subprogram for start-up costs;
- (n) \$35,280 to the communications subprogram for operating expenses;
- (o) \$48,760 to the transportation subprogram for vehicle lease payments;
- (p) \$449,673 and 7.3 FTE to the training subprogram for personal services;
- (q) \$5,961 to the training subprogram for operating expenses;
- (r) \$37,624 to the training subprogram for start-up costs;
- (s) \$15,680 to the information systems subprogram for operating expenses;
- (t) \$1,616,545 and 27.6 FTE to the parole subprogram for personal services;

(u) \$890,712 to the parole subprogram for operating expenses;

(v) \$610,000 to the parole subprogram for contract services;

(w) \$500,000 to the parole subprogram for grants to community based organizations that provide parolee support services;

(x) \$387,954 to the parole subprogram for start-up costs;

(y) \$282,377 and 5.5 FTE to the community re-entry subprogram for personal services;

(z) \$23,000 to the community re-entry subprogram for operating expenses; and

(aa) \$131,166 to the community re-entry subprogram for start-up costs.

**SECTION 4. 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: June 6, 2014