



## **SB 23-067**

### **Colorado Department of Corrections**

#### **Analysis of Report: Peer-Facilitated Pre-Release and Reentry Program at Sterling Correctional Facility**

#### **Executive Summary**

Senate Bill SB23-067 mandated the Colorado Department of Corrections (CDOC) to initiate a Peer-Led Pre-Release and Reentry program, initially centered on Sterling Correctional Facility (SCF) and potentially extending to other facilities. Kings and Priests secured the project, delivering their final report. CDOC applauds the report's positive intent and emphasis on the transformative power of lived incarceration experiences, spotlighting the invaluable role of peer leaders who have triumphed over adversity. The report recognized that substantial investments have been channeled into training via Mental Health America and Certified Peer Specialist programs, reinforcing the essence of peer-led communities. The report recognizes the core of program success is collaborative endeavors between staff and incarcerated individuals.

The department concurs with the spirit of the recommendations but differs on our ability to implement the specifics of some of the following recommendations:

1. One of the challenges of this proposal is focusing on one peer-led group when SCF has 12 active and unique peer groups and limited staff resources to support all programming. SCF grapples with significant staffing challenges impacting all programs, necessitating the need for equitable allocation of resources. Recruitment complexities may impact the department's ability to fill four Teacher positions, and the program should lean on shared resources utilizing current in-house programs as well as college programs and other training classes alongside the general population.
2. Recommendations to replicate housing units similar to sober living arrangements do not align with federal standards and custody considerations. Equitable housing alternatives must be considered.
3. The request to increase Peer Advocate pay structures would require a budgetary adjustment to the long bill, creating disparities between other peer advocates statewide. This may violate Equal Pay for Equal Work.
4. As a future consideration, the program evaluator recommends enhanced financial support for program participants upon release, which will require a Statutory change.

CDOC supports many of the program evaluators' recommendations and is working to find ways to safeguard equitable resource allocation, which lies at the heart of realizing the Peer-Led Pre-Release and Reentry program's triumph at SCF. Pioneering flexible methodologies will be pursued to optimize resource allocation, uphold safety and security, and preserve equity in program execution.

**Background:**

Through funding provided through SB23-067, CDOC contracted the Kings and Priests organization to research current peer-led programming at the Sterling Correctional Facility and to propose a pilot project with a budget request through a report to the Colorado Legislature. Upon reviewing the report, CDOC acknowledges the dedicated and well-balanced approach taken in writing the report and would like to recognize the commendable effort and positive intentions behind the report and the presentation of the Reentry Empowerment Group (R.E.G) program. The report provides valuable insights into the outstanding work currently underway within peer-led programs.

In the report's Executive Summary, there is a notable statement that highlights the power of lived experiences of incarceration. The report draws profound insights from interviews, emphasizing the importance of peer leaders who have faced similar challenges and conquered their struggles, emerging as mentors and leaders for others. As one staff member aptly said, "The communities they've built within the programs have fostered mutual accountability and raised their own standards." This report reaffirms the crucial role of existing peer-led communities in instilling a sense of positive accountability among residents. Lastly, it underscores the importance of collaborative efforts between staff and incarcerated individuals, particularly in providing instructional expertise, resource coordination, and effective technology utilization. Together, incarcerated and staff have undertaken training in Mental Health America courses, Certified Peer Specialist programs, and self-improvement programs such as 7-Habits, all highlighting the mutual goal of reducing recidivism and working together to improve lives. While it is acknowledged that the R.E.G. program embodies an "ideal" scenario, practical and policy concerns, equity issues, and budgetary constraints limit the department's ability to implement all of the recommendations as presented. Upon examining the recommendations outlined in this report, the department aims to strike a balance by addressing these concerns and also endorsing concepts that have the potential to foster long-term, sustainable progress.

In support of the recommendations, the department agrees that planning for release starts upon entry into the department and focuses on case planning and evaluating risk factors to help guide incarcerated individuals through their sentences. The department believes in and is invested in all programming, from mental health services to higher education and trade development to life skills/employability and re-entry. To date, the department has progressively implemented RESTORE (Reformative, Engaging Systems of Transitional Opportunities for Re-Entry) in 18 of 19 facilities across the state with the aim of providing individual and intentional release planning to address each individual's specific needs. Release Case Managers work with incarcerated individuals to develop housing, employment, training, treatment, and community support plans specific to the individual. Release Case Managers also work closely with community partners across the state, connecting incarcerated individuals to community support systems upon release. Community partners can assist with housing, employment, treatment, transportation, and community connections. Part of the RESTORE program includes in-reach events within the facilities that

community partners are invited to attend to foster connections with incarcerated individuals before their release.

The CDOC Prison Programs Department is actively collaborating with various college providers to expand Second Chance Pell Programs and engage with innovative training and Virtual Reality providers. Additionally, we are committed to further developing and expanding our peer-led programs. In the past year, we have made significant strides through training and support programs such as VERA Restoring Promise Housing Unit, Mental Health America Peer Specialist Training, Certified Peer Educator Training, Adult Basic Education Authorization Training, Choices Peer Specialist Training, and Recovery Coach Training. Furthermore, we have facilitated numerous other training sessions, including those leading to professional certifications through Colorado Peer and Family Certification.

CDOC is dedicated to providing comprehensive support for incarcerated individuals, which includes interview and resume preparation assistance. We have established partnerships with community and employment partners like CDLE to create direct connections and employment opportunities before release. Additionally, we have invested in developing and presenting specialized workshops based on employer feedback, including resume building and interviewing.

### **Current State of Peer Programming**

Currently, 12 unique peer-driven programs are in place to support residents at SCF. Our dedicated staff members are deeply committed to supporting these peer programming initiatives. However, ongoing staffing challenges have limited our ability to support these groups consistently. This situation has, unfortunately, hindered residents' access to classroom space, technology, and essential resources.

The department is currently involved in a robust recruitment and retention campaign to effectively resolve our staffing challenges while ensuring unwavering support for all programs. Our foremost commitment is to uphold equity among all peer-led initiatives and safeguard resources for each of these valuable endeavors. Concentrating resources on a single group could create imbalances among programs and diminish the support available for all peer programs.

Furthermore, allocating a significant staff contingent, including four teachers, a program advisor, and an analyst, exclusively to one group of incarcerated individuals carries inherent safety concerns. It potentially endangers the well-being of both staff members and residents. Our paramount concern remains maintaining a secure and conducive environment for all parties involved.

In the event of persistent staffing shortages, there could be instances where these dedicated staff members may be temporarily called upon to assist with the custody and control needs of the facility; not allowing this will lead to exacerbating frustrations related to program availability. The department cannot commit these staff members solely to one group by sacrificing opportunities for other educators to deliver programming. In that case, the department may encounter morale issues and potentially witness significant staff turnover, leading to a less collaborative working environment.

Moreover, the utilization of case managers to guide the application and selection process may also be impacted, as staff members are frequently required to undertake tasks beyond their usual duties, potentially causing delays in identifying program participants.

### **Program Participant, Mentor, and Leader Acceptance and Expectations**

The program report has indicated that staff and peer advocate leaders will have the authority to vote on whether to retain or remove an individual from the program. However, this recommendation does not align with our established policy, which prioritizes the safety and security of all participants. As such, while incarcerated committee members can provide input, they will not have the final say in these decisions.

**The department recommends** developing and utilizing a rubric to review applicants and make decisions for acceptance to the program. A rubric would allow for the creation of a waitlist that would afford hope to those who may not have been initially accepted, provide a defensible process for acceptance, and maintain objectivity.

The report currently states that Code of Penal Discipline (COPD) convictions are a qualifying factor for participation. Reentry is something needed by all releasing incarcerated and even more so by those who may have struggled with rules to ensure a more equitable and nuanced evaluation process and to maintain the integrity and effectiveness of the program, the CDOC would recommend a change

**The department recommends** that criteria be modified to consider Class I violations rather than all COPD convictions and that these be looked at on an individual basis rather than as a blanket disqualifier to the program.

The report recommends that Peer Advocate Leaders' qualifications include: "Experience in leading a Sterling Correctional Facility, DOC-approved peer programming may substitute these requirements, with the expectation to complete the training within three months of selection."

**CDOC recommendation** is that Peer Advocate Leader criteria be expanded to include experience leading any DOC-approved peer program to include at other facilities. Limiting to only SCF has the potential to exclude potentially valuable contributors to the program and limits the versatility by limiting the experience. The department also recommends replacing the verbiage "write up" with "conviction." Furthermore, the department would eliminate the statement "Any disrespect to staff" as it is a subjective criterion. These revisions will help ensure a more inclusive and objective evaluation process for Peer Advocate Leaders and Peer Mentors.

### **Participants will continue participating in CDOC activities and jobs while in the R.E.G. program and dedicated space/time slots.**

The report's authors express their support for continued participation by incarcerated individuals in facility jobs and programs. However, this stance raises several significant questions and concerns regarding scheduling. SCF currently faces staffing level challenges that prohibit programming after 6 PM. The R.E.G. program recommends up to 4 hours of daily programming and allocating extra space and time for a Discovery group, an hour per week per group. The report also requests the appointment of five peer

advocate leaders and ten mentors for each side of the facility, totaling 30 individuals. This plan may lead to conflicts with other programs or job participation. It could interfere with a participant's ability to engage in programs such as career training, Post-Secondary education, and mandatory Clinical and Mental Health programming.

It is crucial to understand that spaces and times must be shared and scheduled, and programs must be adaptable to accommodate these changes (including unplanned events causing prolonged operational disruptions). While every effort is made to establish stability around time and space, we cannot guarantee a specific time and space to any particular group. The department recommends the R.E.G. program support staff coordinate with the Program Advisor to determine and set schedules within the constraint of facility availability to resources.

Our current classroom sizes can accommodate 15-20 students, depending on the room. To program 100 participants for 4 hours per day, four days a week, including additional space and time for Discovery groups (potentially even virtual ones), significantly strains the available space.

**The department recommends** allocating alternative programming times. This adjustment necessitates an overall improvement in staffing levels throughout the facility. SCF shuts down areas in the evening to reallocate staff to critical security areas to ensure safety. Balancing the need for expanded programming with staffing constraints and security considerations is a complex challenge requiring careful planning, scheduling, and resource allocation.

### **Staff Requests**

The program aims to serve 100 participants and requests funding for four full-time Teacher I positions, a program advisor, and an analyst position, resulting in six additional positions dedicated to a maximum of 100 participants. The request for four Teacher I positions appears excessive, given that this is a peer-led program, and the staff's primary role is to guide and mentor the peer advocates. Therefore, the department recommends that these positions be flexible in classification based on the specific needs of the program. Additionally, it is recommended to consider creating at least two of these positions as Liaisons, as much of the interaction with peer advocates will involve coordination, mentoring, and facilitating communication rather than traditional teaching of approved education programs.

It is worth noting that the curriculum in question is not designed to provide college credit but rather to be peer-led. The mention of "college credit classes" is unclear and may not align with the program's objectives. College credit-bearing classes typically require instructors with specific qualifications relevant to the subject matter, which may not be applicable in this context.

Furthermore, SCF currently faces challenges in filling teaching positions, with nine Teacher I vacancies and five positions converted to trainees due to difficulty finding qualified candidates. These positions have remained vacant despite months of recruitment efforts. Therefore, filling four additional Teacher I positions for this program could be particularly challenging and negatively impact current educational programs.

If program participants are expected to maintain job and program assignments, they should have access to programming and Pell classes, like the rest of the facility. Current programming for CDOC is typically based on individual needs and time to release. Host colleges usually accept Pell participants as regular students.

**The department recommends** flexibility in designating a specific number for each side of the facility. Staffing could be reduced to two positions, including a designated Teacher I, and three support positions with classifications to be determined based on the program's specific needs. Alternative scheduling options, such as swing shift scheduling, may also help accommodate participants in the education programming available to the general population.

These adjustments should help optimize resource allocation and align with the program's objectives and staffing challenges.

### **Cost**

The program report request for one Chromebook per participant seems to imply that the intention is to issue Chromebooks to each participant individually. However, it is recommended not to mandate one device per participant but instead to provide the opportunity for shared resources. The technology needs of participants may vary, and having a flexible approach to sharing resources can assist the department in addressing ongoing bandwidth issues. By doing so, the cost of Chromebooks for 50 participants could be reduced to \$23,850, resulting in significant cost savings for the proposed program.

**The department recommends** reconsidering the one-device-per-participant approach for Chromebooks in favor of shared resources, which can lead to substantial cost savings.

## **Future Considerations**

### *Housing Considerations:*

The report recommends that participants have the option to live in the same unit to replicate the environment of a supportive sober living home with 24/7 accountability and mentorship. However, it is essential to note that implementing such a suggestion may not be realistic and could compromise the safety and security of the correctional facility.

Federal standards, PREA Regulations, Classification procedures, and other custody concerns impose certain limitations on housing arrangements within a prison setting. Adopting the suggested approach has the potential to reduce access to the program, deny individuals who would benefit from it, and create an inequitable and unstable environment within the facility.

To ensure fairness and consistency, participants, like all other incarcerated individuals, should have the opportunity to apply to live in specific units or housing arrangements. This aligns with the principle of providing equitable opportunities to all incarcerated individuals and upholding safety and security standards.

**The department recommends** revising this recommendation to align with federal regulations and departmental policy. Specifically, housing arrangements should meet federal PREA regulations, Departmental Policy, and custody concerns to maintain a safe and equitable environment within the correctional facility.

#### *Peer Advocate Pay*

The report recommends further consideration of future pay adjustments. Presently, the incarcerated pay allocation is insufficient to meet the recommended pay levels. Consequently, the department must request an additional increase in the incarcerated pay allocation beyond its initial submission. Specifically, an incarcerated pay line increase of at least \$12,500 would be necessary to accommodate Peer Advocate pay for the R.E.G program at SCF. This payment structure also results in disparities among Peer Advocates department-wide, creating significant discrepancies in compensation between facilities, mentors, and other peer advocates and leaders. This disparity seems unwarranted and could potentially lead to conflicts within the program.

**The department recommends** that the budget be reevaluated to incorporate Peer Advocate pay and address the compensation disparities between mentor and advocate leaders. The adjustment is essential to ensure fairness and the program's overall effectiveness.

#### *Incorporating R.E.G. into other Peer Advocate Groups*

The R.E.G. program is proposed to complement and integrate with existing peer programming, serving as a guiding framework for residents nearing release. The department endorses these concepts and will actively encourage other peer groups to explore the strategies and support offered by this program. However, it will not mandate that other peer groups adopt these strategies.

Historically, the department has advocated for a singular strategy or peer group structure, which has led to considerable frustration among long-established peer groups with dedicated volunteer support. Our department is committed to ensuring that all incarcerated individuals feel supported and free to express themselves and learn according to their interests, needs, and preferences, promoting equitable practices. We acknowledge that our population has unique needs and experiences, necessitating flexibility in expressing and sharing their experiences.

**The department recommends** that all established policies provide guidelines and required training in accordance with industry standards while recognizing the importance of accommodating the diverse experiences of our incarcerated population. It is strongly felt that encouraging diversity will accommodate more individuals and encourage fuller participation than taking a singular approach.

#### *Statutory Changes Necessary to Operate the Program*

The report author recommends the department consider allocating resources for individuals participating in this program. The increased gate money would require a statutory change to C.R.S. 17-22.5.202.

**The department recommends** that any consideration of increased gate money amount be provided to any inmate leaving CDOC, not just inmates who complete the program developed pursuant to this legislation.