



COLORADO

Department of Corrections

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**SB 16-180 STATUS REPORT
JUVENILE RE-INTEGRATION PROGRAM**

A STATUS REPORT SUBMITTED TO THE
JOINT JUDICIARY COMMITTEE
DUE JANUARY 1, 2019, PURSUANT TO C.R.S. 17-34-101

PREPARED BY
OFFICE OF PLANNING AND ANALYSIS
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TABLE OF CONTENTS

BACKGROUND 1

STATUS REPORT..... 2

BACKGROUND

The United States Supreme Court has held in several recent decisions regarding the criminal sentencing of juveniles that they are constitutionally different than adults for purposes of sentencing and should be given an opportunity for release based on demonstrated maturity and rehabilitation. Colorado Senate Bill (SB) 16-180, was signed in order to:

“implement a system that allows any offender who committed a serious crime as a juvenile, was treated as an adult by the criminal justice system, and has served more than twenty or twenty-five calendar years of a sentence to the department of corrections, during which he or she has exhibited growth and rehabilitation, the opportunity to further demonstrate

rehabilitation and earn early release in a specialized program in a less secure setting without compromising public safety.”

This report is developed pursuant to Section 17-34-102, C.R.S., which states:

“On and after January 1, 2018, 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 specialized program developed and implemented by the department pursuant to this section during the preceding year.”

STATUS REPORT

THE REPORT, AT A MINIMUM, SHALL INCLUDE:

(a) A DESCRIPTION OF THE SPECIALIZED PROGRAM, INCLUDING THE EVIDENCE-BASED AND PROMISING PRACTICES THAT ARE INCLUDED IN THE SPECIALIZED PROGRAM;

(a) During the 2016 legislative session SB 16-180 was passed, which addressed specialized programming for certain offenders who were convicted as adults for offenses they committed as juveniles. A key provision of this bill was to develop and establish specialized programs for any offender “who successfully meets the guidelines addressed in this bill.” As of October 10, 2017 specialized programming has been developed and implemented at Fremont Correctional Facility and La Vista Correctional Facility. The specialized Independent Living program will offer four phases of instruction. Phases of instruction will provide a mastery based instruction that covers the following topics: Healthy Living, Life Skills, Career Development, Technology, and Financial Literacy. The four phases will be taught through immersion based instruction by utilizing Chromebooks, virtual reality, instructor-lead, clinician-based, and work driven programming. The specialized programming was developed utilizing an evidence-based and best practice implementation that considered many factors

of life skills and criminogenic factors to create goals and curriculum to address offender needs in mental health, life skills, education, and work related topics. Curriculum was developed based on promising practices from similar programs. Policies, procedures, and application parameters have been developed and implemented through Administrative Regulation (AR) 650-08 and Posted Operational Rules (POR). A tracking system has been developed through the Office of Information Technology and in collaboration with the Office of Planning and Analysis, Education, and Clinical Services to determine measurement outcomes and program accountability. The specialized programming curriculum is technology-based learning that will create a community of learning and mentorship in the daily living skills such as health, relationship, money management, global awareness, career development, social skills, time management, managing a home, and self-awareness.

(b) THE POLICIES AND PROCEDURES DEVELOPED BY THE DEPARTMENT TO DETERMINE WHICH ELIGIBLE OFFENDERS MAY BE PLACED IN THE SPECIALIZED PROGRAM;

(b) Policies and procedures that were developed to determine eligible offenders that may be placed in the program are described in

Administrative Regulation 650-08. The eligibility criteria is as follows: Offenders must meet all criteria outlined in section 17-34-101, C.R.S. in order to petition for placement into the Juveniles Convicted as Adults Program (JCAP) to include but not limited to:

- Serving a minimum of twenty years of his or her sentence if the conviction was murder in the first degree as described in C.R.S. 18-3-102 (1) (b) or (1) (d), C.R.S.;
- Serving a minimum of twenty-five years of the sentence if the conviction was murder in the first degree as described in C.R.S. 18-3-102 but was not murder in the first degree as described in section 18-3-102 (1) (b) or (1) (d), C.R.S.;
- Has not previously been released on parole;
- Has not been convicted of unlawful sexual behavior as defined in 16-22-102(9), C.R.S.;
- Is not currently in a treatment program for a serious mental illness such as a residential treatment program;
- Has obtained his or her high school diploma or equivalency exam as defined in 22-33-102(8.5), C.R.S.;
- Has participated in required programs and is currently program compliant;
- Has demonstrated positive growth through maturity and sustained appropriate institutional behavior;

- Has accepted responsibility for the criminal behavior for which he or she was convicted;
- Has obtained approval through the director of prisons review process.

(c) THE POLICIES AND PROCEDURES DEVELOPED BY THE DEPARTMENT TO ADDRESS THE CONDUCT OF PARTICIPANTS IN THE SPECIALIZED PROGRAM;

(c) The policies and procedures developed by the department to address the conduct of participants are addressed in each facility's Posted Operational Rules (POR). Copies of the facility's POR's were provided to each offender for both the living unit as well as the classroom. The PORs outline facility expectations for offender behavior.

(d) THE LOCATION OF THE PROGRAM AND THE NUMBER OF BEDS AVAILABLE FOR SPECIALIZED PROGRAM PARTICIPANTS;

(d) The program is set up to house both male and female offenders. Fremont Correctional Facility (FCF) will house the male offenders and La Vista Correctional Facility (LVCF) will house the female offenders. FCF will place male offenders in Living Unit 8 which is the incentive unit and can hold up to 247 offenders. This living unit holds medium

custody offenders in one three-tier unit for the specialized program. LVCF is set to house female offenders in Living Unit 7. This is the re-entry unit which holds up to 96 offenders and consists of 4 pods with 24 offenders in each pod. It was decided that these living units would be most fitting for this program based on previously established amenities and resources.

(e) THE NUMBER OF OFFENDERS SELECTED TO PARTICIPATE IN THE SPECIALIZED PROGRAM; THE NUMBER OF OFFENDERS WHO WERE DENIED PLACEMENT IN THE SPECIALIZED PROGRAM, INCLUDING THE REASONS FOR SUCH DENIALS; AND THE NUMBER OF OFFENDERS WHO WERE REMOVED FROM THE SPECIALIZED PROGRAM AND REASONS FOR THEIR REMOVAL;

(e) The program is continuing to receive applications. Currently the program has received 32 applications. Of those applications, 11 male offenders and 2 female offenders were approved for the specialized programming. Nineteen of the remaining applications were denied. The denial reasons vary by offender; 1 offender was denied as they were in a treatment program for a serious mental illness, another offender was denied for not being a juvenile when the offense was committed, 4 applicants were denied due to time not served, and 13 applicants were denied

due to institutional behavior.

(f) A SUMMARY CONCERNING THE STAFFING OF THE SPECIALIZED PROGRAM;

(f) The program has three dedicated positions. The JCAP Administrator manages the applications and appointment of offenders to the program and assists with their Life Skills development. The State Teacher I and Social Worker collaboratively deliver the curriculum to ensure all aspects of the offender's mental health and educational needs are met.

(g) INFORMATION CONCERNING THE BEHAVIOR PATTERNS OF THE OFFENDERS IN THE SPECIALIZED PROGRAM;

(g) Since implementation of the program, there have been some criminogenic thinking patterns identified through the Texas Christian University (TCU) assessment. The measurement scales utilized to identify the criminogenic thinking patterns were the criminal thinking scale, engagement scale, psychological scale, and social scale. Offenders have been compliant in the program and there have not been any issues.

(h) THE NUMBER OF OFFENDERS WHO SUCCESSFULLY COMPLETED THE SPECIALIZED PROGRAM;

(h) As the program is still in its early phase, there have been no successful completions.

(i) THE NUMBER OF SPECIALIZED PROGRAM PARTICIPANTS WHO HAVE BEEN REFERRED TO THE PAROLE BOARD FOR EARLY PAROLE;

(i) As the program is still in its early phase, no participants have been referred to the parole board for early parole.

(j) THE NUMBER OF SPECIALIZED PROGRAM PARTICIPANTS WHO WERE GRANTED EARLY PAROLE BY THE GOVERNOR.

(j) As the program is still in its early phase, no participants have been granted early parole by the Governor.

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