



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
JANUARY 1, 2021, PURSUANT TO C.R.S. 17-34-103(9)

PREPARED BY
OFFICE OF PLANNING AND ANALYSIS
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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 inmate 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 C.R.S. 17-34-102(9), 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 C.R.S. 2-7-203, 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

During the 2016 legislative session, SB 16-180 was passed. SB 16-180 addressed specialized programming for certain inmates 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 inmate, "...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 offers three phases of instruction. Phases of instruction provide a mastery-based instruction that covers the following topics: healthy living, life skills, career development, technology, and financial literacy. The three phases are taught through immersion-based instruction utilizing laptops, virtual reality, and instructor-lead, clinician-based, 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 inmate 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 Juveniles Convicted as Adults Program and posted operational rules. A tracking system has been developed through the Office of Information Technology (OIT) and in collaboration with the Office of Planning and Analysis (OPA), 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.

POLICIES AND PROCEDURES FOR PLACEMENT

Policies and procedures that were developed to determine eligible inmates that may be placed in the program are described in Administrative Regulation 650-08. The eligibility criteria are as follows:

Inmates must meet all criteria outlined in C.R.S. 17-34-101 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);

- 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 C.R.S. 18-3-102 (1)(b) or (1)(d);
- Has not previously been released on parole;
- Has not been convicted of unlawful sexual behavior as defined in C.R.S. 16-22-102(9);
- 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 C.R.S. 22-33-102(8.5);
- 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.

PROGRAM CONDUCT POLICIES AND PROCEDURES

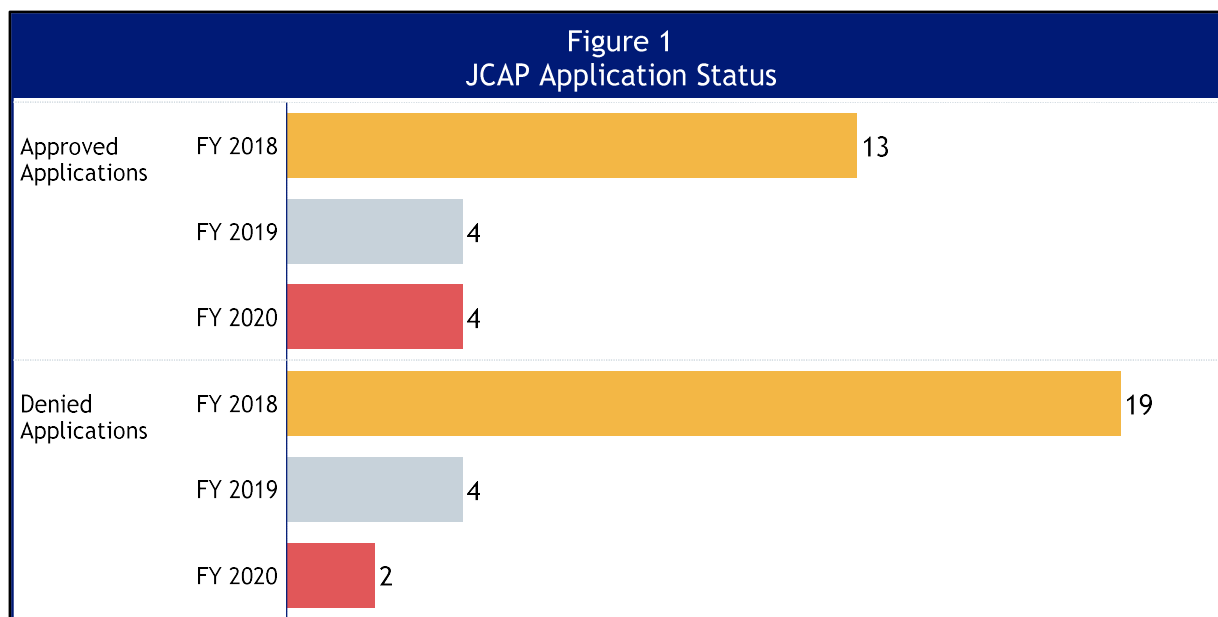
The policies and procedures developed by the department to address the conduct of participants are addressed in each facility's posted operational rules (POR). Copies of the facility's POR were provided to each inmate and outline facility expectations for inmate behavior in the living unit and in the classroom.

PROGRAM LOCATION AND BED AVAILABILITY

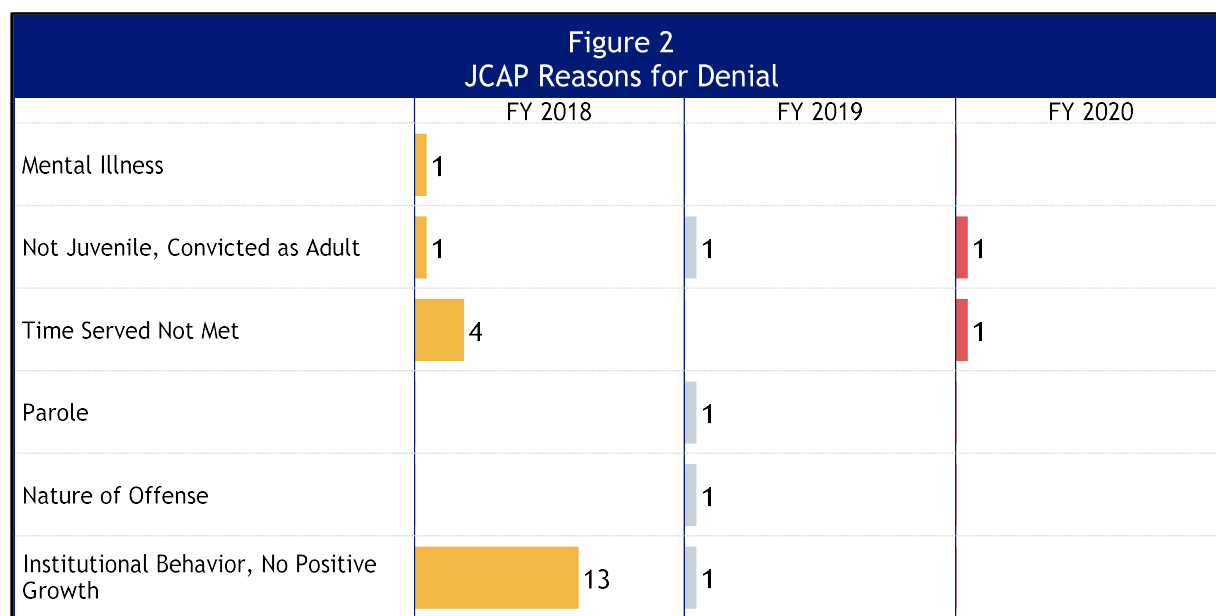
The program is designed to house both male and female inmates. Fremont Correctional Facility houses male inmates in an incentive living unit for medium custody inmates. Male participants can progress to Canon Minimum Centers during Phase III of the program. La Vista Correctional Facility houses female inmates in a reentry unit which consists of four pods with 24 inmates in each pod. It was decided that these living units are the most fitting for this program based on previously established amenities and resources.

PROGRAM PARTICIPATION, DENIALS, AND REMOVALS

The program is continuing to receive applications. Between July 1, 2017 and June 30, 2020, 46 applications were reviewed. Of these, 21 were approved and 25 were denied (**Figure 1**).



The denial reasons were as follows: 1 applicant was denied as they were in a treatment program for a serious mental illness; 3 were denied for not being a juvenile when the offense was committed; 5 were denied due to insufficient time served; 1 was on parole; 1 was denied due to the nature of the offense; and 14 were denied due to institutional behavior exhibiting no positive growth (**Figure 2**).



PROGRAM UPDATES

The program is implemented in a series of three phases. Phase I is structured around a combination of classroom and employment opportunities. In the classroom the standards aligned curriculum consists of foundations of independent living and provides education in career development, financial literacy, healthy living, technology, and life skills. Colorado Correctional Industries provides hands-on job experience in either fiberglass, furniture shop, 3D printing, or welding, depending on the inmate's experience.

Phase II expands and focuses on advanced independent living skills. At this time the program assists inmates in developing and identifying short and long-term goals. Inmates continue to build experience and understanding of the outside world through the utilization of virtual reality and a driving simulator. Also, the inmates are introduced to basic life skills in areas of food, nutrition, and health in the JCAP kitchen. The kitchen curriculum is delivered through lecture and hands on experience.

In Phase III, the schedule involves strong case planning. If the inmate has additional programming that needs to occur according to the reentry tool (RT) assessment, the programming will occur in this phase. Career Technical Education (CTE) classes, apprenticeship programs, and industry-recognized certifications identified in the inmate's long-term goals in Phase II, will be implemented. This certification earned through CTE courses will provide the inmates with college credit and industry-recognized certifications rendering them job ready upon release. In addition, Phase III includes progression to a lower custody facility to provide more independence in daily living and opportunities, such as job assignments inside and outside the facility. During FY 2020, nine JCAP inmates were moved to Canon Minimum Centers (CMC).

The JCAP social worker III enhances the curriculum by identifying the mindsets and behavioral patterns that may hinder self-sufficient development in the classroom setting and conducts individual sessions, journaling, and the *Start Now* curriculum.

PROGRAM STAFF

The program has three dedicated positions. The JCAP administrator manages the applications and appointment of inmates to the program and assists with their life skills development. The state teacher I and social worker collaboratively deliver the curriculum to ensure that all aspects of the inmate's mental health and educational needs are met.

PROGRAM PARTICIPANT BEHAVIOR PATTERNS

Since the implementation of the program, criminogenic thinking patterns have been identified using the Texas Christian University (TCU) assessments, specifically the criminal thinking scale, engagement scale, psychological scale, and social scale. Additional measuring tools, including the generalized anxiety scale (GAD-7) to measure anxiety and depression, and the patient

health questionnaire (PHQ-9), are completed by each participant to fully assess behavior treatment needs and to facilitate focused treatment for each inmate. Compliance with appropriate treatment plans is required for successful completion of JCAP.

COMPLETIONS

As the program is still in its early phases, there have been no successful completions yet.

PAROLE BOARD REFERRALS

As the program is still in its early phases, no participants have been referred to the parole board for early parole.

EARLY PAROLE GRANTS

As the program is still in its early phases, no participants have been granted early parole by the Governor.

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