



# 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, 2022, PURSUANT TO C.R.S. 17-34-103(9)

PREPARED BY  
OFFICE OF PLANNING AND ANALYSIS  
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## TABLE OF CONTENTS

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BACKGROUND .....	1
STATUS REPORT .....	2
Policies and Procedures for Placement .....	2
Program Conduct Policies and Procedures.....	3
Program Location and Bed Availability.....	3
Program Participation, Denials, and Removals .....	3
Program Updates.....	5
<i>Start Now</i> Curriculum .....	5
Program Staff.....	6
Program Participant Behavior Patterns .....	6
Completions .....	6
Parole Board Referrals .....	6
Early Parole Grants .....	6

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## BACKGROUND

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The United States Supreme Court has held in several recent decisions that juveniles 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.

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## STATUS REPORT

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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, the Colorado Department of Corrections (CDOC) developed and implemented specialized programming for juveniles at Fremont Correctional Facility and La Vista Correctional Facility. The specialized Independent Living program offers three phases of instruction; these phases are detailed more below (page 5). 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 CDOC developed specialized programming 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.

The CDOC developed policies, procedures, and application parameters implemented through Administrative Regulation (AR) 650-08 Juveniles Convicted as Adults Program (JCAP) and posted operational rules. A tracking system has been developed through the Office of Information Technology (OIT) and in collaboration with the Colorado Department of Corrections’ 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 creates 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

The CDOC established policies and procedures to identify 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 their 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 their 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 they were convicted;
- Has obtained approval through the director of prisons review process.

## PROGRAM CONDUCT POLICIES AND PROCEDURES

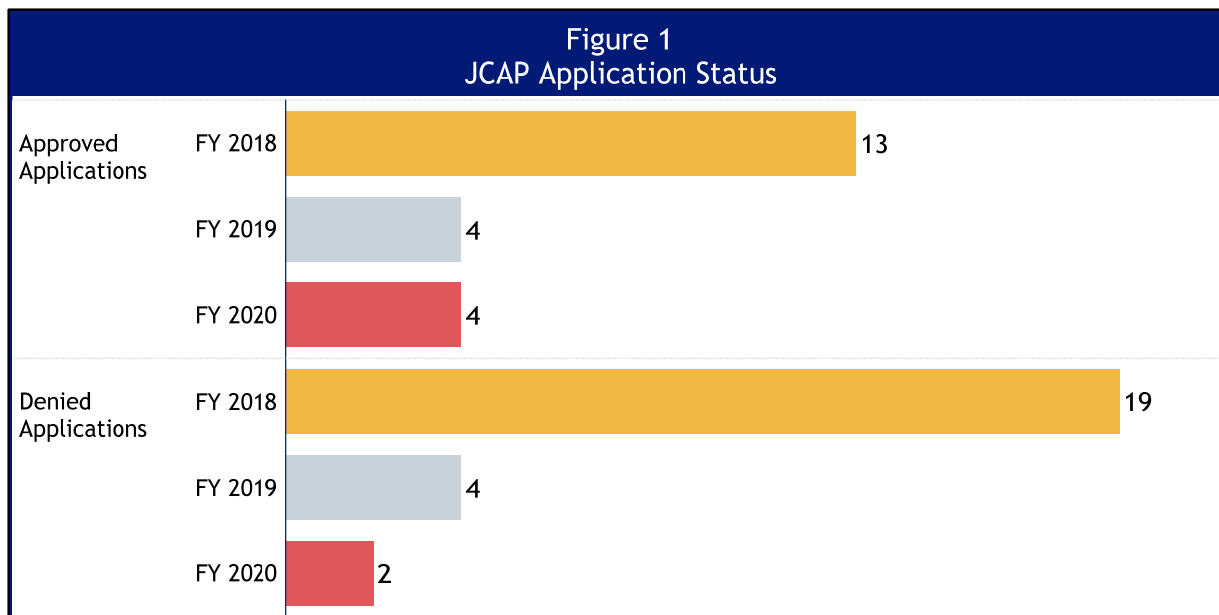
The policies and procedures developed by the department to address the conduct of participants are addressed in each facility's posted operational rules (POR). Copies of the facility's POR are provided to each inmate and outline facility expectations for inmate behavior in the living unit and in the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

## PROGRAM LOCATION AND BED AVAILABILITY

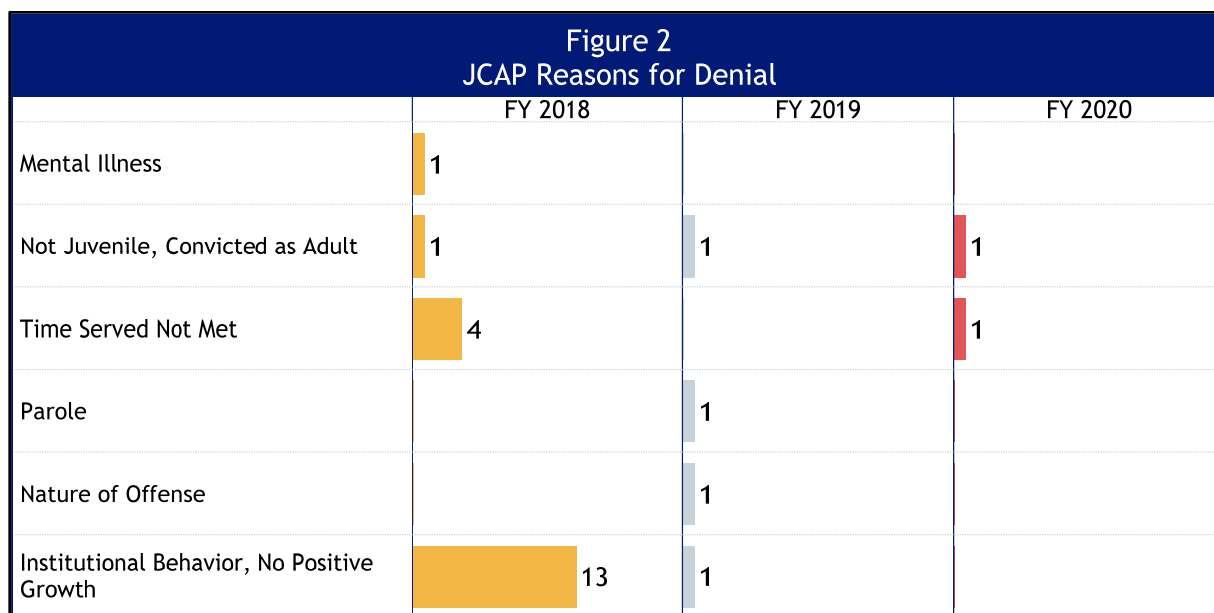
The program is designed to house both male and female inmates. Fremont Correctional Facility houses male inmates in an incentive living unit for medium custody inmates. Male participants can progress to Canon Minimum Centers during Phase III of the program. La Vista Correctional Facility houses female 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, the CDOC reviewed 46 applications; of these, the CDOC approved 21 and denied 25 (Figure 1).



The denial reasons and count are as follows: in a treatment program for a serious mental illness (1); not a juvenile when the offense was committed (3); insufficient time served (5); on parole (1); nature of the offense (1); and institutional behavior exhibiting no positive growth (14) (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 needs 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.

## START NOW CURRICULUM

*Start Now* incorporates cognitive behavioral therapy, motivational interviewing, neurocognitive modifications, trauma-sensitive care, gender-specific guidance, focusing skills and functional analysis in a highly structured, nonjudgmental approach to social skills building.

Originally developed for correctional environments, it has been adapted for use in other settings that face similar resource constraints and extensive need for effective, reliable, manual-guided treatment for individuals living with impairments of impulse control, emotion regulation and management of interpersonal relationships.

Given this integration of approaches, the overall *START NOW* approach includes the following points, which are reinforced throughout the treatment protocol: 1) Reinforce personal

responsibility for behavior; 2) Look for multiple opportunities to teach the connections between thoughts, feelings, and behavior, including the following key points: 2a) “ Slow down and think before acting”; 2b) “ No one makes you feel a certain way- it’s how you look at things”; 2c) “Your feelings don’t make you act a certain way- you choose how you respond to situations”; 3) Identify strengths & build on them; and 4) Appreciate and respect individual differences, capabilities and limitations.

## 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 III 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

There have been 9 Juveniles Convicted as Adults Program completions prior to June 30, 2021.

## PAROLE BOARD REFERRALS

There have been 9 Applications for Early Release through the Juveniles Convicted as Adults Program referred to the State Parole Board prior to June 30, 2021.

## EARLY PAROLE GRANTS

There have been 9 Juveniles Convicted as Adults Program participants who have been recommended for early parole and approved by the Governor.



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