

Department of Corrections

SB 21-205

Long Bill Footnotes and Request for Information Report 2021-22

Footnote # Statement

- 3 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners – The Department of Corrections is authorized to transfer up to 5.0 percent of the total appropriation for the external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails and private prison providers. **The Department complies with this footnote request and provides the following summary information of transfers made within the line items of the External Capacity Subprogram, Payments to House State Prisoners appropriation during FY 2020-21:**

<u>Transferred Line Item</u>	<u>Amount</u>
Payments to Local Jails	\$3,848,888
Payments to In-State Private Prisons	<u>(\$3,848,888)</u>
Total amount transferred within the External Capacity Subprogram funding lines	\$3,848,888
Total amount of the External Capacity Subprogram, Payments to House State Prisoners Appropriation	\$76,977,755
5.0% Transfer Authority	\$3,848,888
Amount Transferred in FY 2017-18	\$3,848,888
Percent of Amount Transferred to Total	5.0%

- 4 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to in-state private prisons at a rate of \$58.79 per inmate per day – It is the General Assembly’s intention that in-state private prisons use funds provided through this appropriation to provide levels of staffing and services similar to comparable state prisons to the extent possible. **The in-state private prisons used the funds appropriated as stated in this footnote request.**
- 5 Department of Corrections, Institutions, Housing and Security Subprogram, Personal Services – The amount appropriated in this line item does not include the \$591,630 of FY 2021-22 General Fund appropriations for the Department of Corrections set forth in sections 123 through 126 of Title 17, Article 18, C.R.S. In calculating the amount appropriated in this line item, it is assumed that these statutory appropriations will be used for the same line item. **The Department utilized the funds as stated in this footnote request.**

Request for Information # Statement

Requests Affecting Multiple Departments:

RFI #1

All Departments -- Based on the Department's most recent available record, what is the FTE vacancy and turnover rate: (1) by department; (2) by division; (3) by program for programs with at least 20 FTE; and (4) by occupational class for classes that are located within a larger occupational group containing at least 20 FTE. To what does the Department attribute this turnover/vacancy experience? Do the statewide compensation policies or practices administered by the Department of Personnel help or hinder the department in addressing vacancy or turnover issues? **The Department had 6,085 active employees and 1,051 separations for a total 17% turnover rate in FY 2020-21. Although division and program level data are unavailable at this time, the following turnover data is provided for eight key classes:**

FY 2020-21 Turnover Rates by Select Class			
Class Title	Total Active Employees	Separations	Turnover Rate
Correctional Officer I	2,175	465	21%
Correctional Officer II	692	101	15%
Correctional Officer III	308	27	9%
Correctional Support Trades Supervisor I	488	80	16%
Community Parole Officer	204	26	13%
Health Professional II	97	17	18%
Nurse I	144	51	35%
Social Worker III	48	16	33%
Agency Total	6,085	1,051	17%

FTE Vacancy by Select Class as of October 22, 2021	
Class Title	Total Vacancies
Correctional Officer I	197
Correctional Officer II	41
Correctional Officer III	18
Correctional Support Trades Supervisor I	27
Community Parole Officer	0
Health Professional II	44
Nurse I	38
Social Worker III	49
Subtotal for the Above Select Classes	414
Agency Total	712

The Department was not immune from the high turnover rates experienced across the country during the COVID-19 pandemic. Throughout FY 2020-21, DOC had extended periods of staff and offender outbreaks, and conducted modified operations at various locations in order to mitigate the spread of the virus. This challenging operating environment contributed to staff burnout and ultimately higher resignations. The following were the top reasons provided by departing staff for their separations:

- Accepted New Job Outside State System – 213
- Full Service Retirement – 193
- Personal Reasons – 197

DOC agrees with the salary structure recommendations discussed in the Department of Personnel's FY 2022-23 Annual Compensation Report. In particular, DOC has experienced salary compression issues due to employees not moving through the pay ranges. In addition, there is a need to review individual job classifications within occupational groups to reset salary ranges that are misaligned with the market. Finally, DOC agrees with separating salary base adjustments with salary structure increases to ensure the structure moves in tandem with the market. Including these recommendations with statewide compensation decisions are expected to help state agencies remain competitive in attracting talent and reducing turnover.

RFI #2

Department of Corrections; Department of Human Services; Judicial Department; Department of Public Safety; and Department of Transportation -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from: the Alcohol and Drug Driving Safety Program Fund, the Law Enforcement Assistance Fund, the Offender Identification Fund, the Persistent Drunk Driver Cash Fund, and the Sex Offender Surcharge Fund, among other programs. **The Sex Offender Surcharge Funds and Correctional Treatment Funds are tracked by the Judicial Department. The Department reports the total Colorado Mental Health Institute at Pueblo (CMHIP) expenditures for Youthful Offender System (YOS), San Carlos Correctional Facility (SCCF), and La Vista Correctional Facility (LVCF) in its November 1 budget submission.**

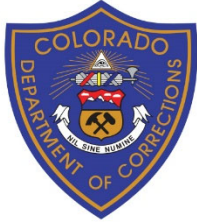
Department of Corrections

RFI # 1 Department of Corrections, Institutions, Mental Health Subprogram – It is requested that the Department submit a report to the House Judiciary Committee and the Senate Judiciary Committee by January 31, 2022, detailing the progress related to the mental health unit at Centennial Correctional Facility. **The Department will comply with this request**

for information and will provide the requested report to the House and Senate Judiciary Committees by January 31, 2022.

RFI # 2 Department of Corrections, Community Services, Community Reentry Subprogram, Work Release Program – It is requested that the Department of Corrections submit a report to the Joint Budget Committee by November 1 of each year detailing progress related to the transitional work program. In 2021, the report should include desired outcomes and include, if available, data related to those outcomes. In 2022, the report should also include, to the extent possible:

- Data on program participants, including prior offense type, custody level, recidivism risk, earnings through wages, general fund tax contributions, and the state cost per participant.
- Data comparing recidivism outcomes between program participants and a non-participant comparison group. The report shall also identify the criteria used to select the non-participant comparison group.
- Impact of the program on recidivism in relation to other variables, such as prior offense type, prior offense history, level of education, prior work history, arrest rate in county or city of residence, sentence rate in judicial district of residence, or any other variable that the Department thinks could impact recidivism rates. **The Department will comply with this request for information and will provide the requested report to the Joint Budget Committee by November 1, 2021.**



COLORADO

Department of Corrections

DEAN WILLIAMS
EXECUTIVE DIRECTOR

WORK RELEASE PROGRAM ANNUAL REPORT

A REPORT SUBMITTED TO THE
JOINT BUDGET COMMITTEE
DUE NOVEMBER 1, 2021, IN RESPONSE TO
DEPARTMENT OF CORRECTIONS FY 2021-2022 RFI #2

PREPARED BY
THE OFFICE OF PLANNING AND ANALYSIS
NOVEMBER 2021

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INTRODUCTION

The intent of the Work Release program, also known as the Take TWO (Transitional Work Opportunity) Re-entry program, is to provide eligible inmates with the opportunity to obtain gainful employment, earn prevailing wages, and develop work skills. These programs provide an opportunity for inmates to work and interact with private citizen co-workers to aid in reintegration. These employment opportunities benefit participants by allowing for the procurement of income to secure housing and other needs upon release, as well as teaching valuable job skills that can transfer to gainful employment post-incarceration. The combination of these benefits is intended to increase the likelihood that inmates will successfully reintegrate into society upon release, thus reducing the rate of return to prison.

The Colorado Department of Corrections (CDOC) has engaged with both internal and external stakeholders to ensure the development of specific programs that meet the overall intention of Take TWO Re-entry programs within the boundaries of current statute.

WORK RELEASE PARTICIPATION

Since the Take TWO Re-entry program began in May 2019, the program has been implemented in six prisons: Sterling Correctional Facility (SCF), Buena Vista Correctional Complex (BVCC), Denver Women’s Correctional Facility (DWCF), Colorado Correctional Center (CCC), Four Mile Correctional Center (FMCC), and Rifle Correctional Center (RCC). The CDOC has established collaborations and partnerships with 18 employers since inception of the program, including three partnerships with Colorado Correctional Industries (CCi) programs: Water Buffalo Dairy at FMCC, Culinary Arts at RCC, and Auto Body/Collision Repair at CCC.

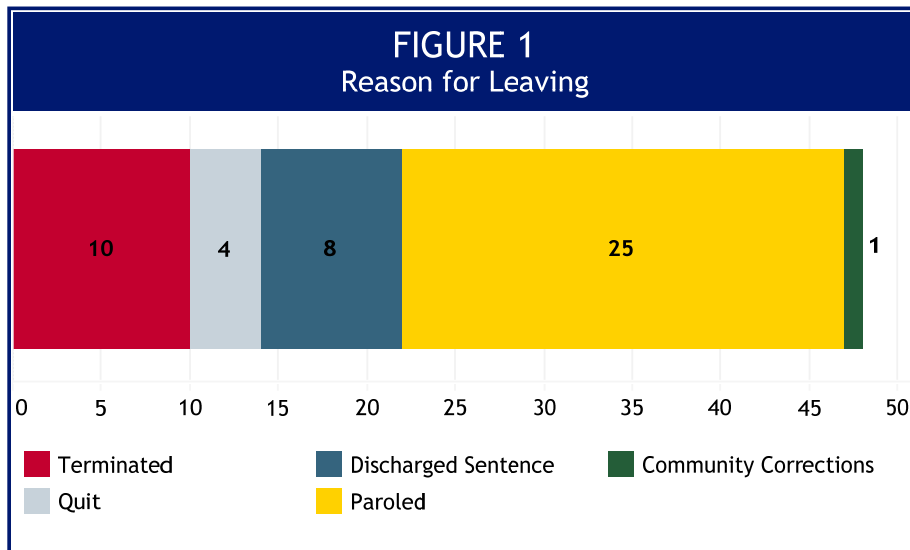
CCi partners with the Take TWO Re-entry program by paying incarcerated individuals a minimum wage and helps create a connection to the community. For example, there are 10 incarcerated kitchen workers at RCC making meals for Garfield County community corrections. Eight of those workers earn CCi wages, and two workers are Take TWO participants who earn minimum wage. The Take TWO workers have more responsibilities and higher wages than their CCi counterparts, and the goal is to transition them out into the community to be employed in Rifle. The remaining CCi kitchen workers have the opportunity to be promoted to the Take TWO positions and eventually move out to the community as well.

During fiscal year (FY) 2021, 53 participants entered the Take TWO Re-entry program. Participants include all inmates who were hired by a community employer and earned money by working for at least one day. Available jobs included positions in the manufacturing, construction, automotive, and restaurant industries, where participants earned prevailing wages. **Table 1** shows the hourly wages earned by participants at each facility.

TABLE 1 FY 2021 Hourly Wages by Facility			
Facility	Hourly Wage		
BVCC	\$12.00	-	\$16.00
CCC	\$14.88	-	\$15.00
DWCF	\$12.85	-	\$15.00
SCF	\$16.00		
CCi: CCC	\$12.32		
CCi: FMCC	\$12.32		
CCi: RCC	\$12.32		

Note: All participants worked for the same employer at SCF. Participants at BVCC, CCC, and DWCF worked for multiple employers who paid a range of hourly wages. All CCi partnership participants earn the same wage.

During FY 2021, 48 participants left the Take TWO program. The majority (34) of these participants left the program because they were released to parole or community corrections, or they discharged their sentence, while other participants (14) quit the program or were terminated. **Figure 1** shows the reasons for leaving among the participants who left the program.



The CDOC defines recidivism as a return to prison or offender status in Colorado within 3 years of release. Although this report is based on fiscal year, the CDOC reports recidivism rates on a calendar year (CY) basis to be consistent with the Correctional Leaders Association (CLA). Because the Take TWO Re-entry program began in 2019, less than 3 calendar years ago, recidivism rates are not yet available. Only three inmates paroled or released from the Take TWO Re-entry program during CY 2019, so a one-year return rate is not reported due to the small number of participants. One-year and two-year return rates and three-year recidivism rates can be reported in the future as more participants are released from the program.

COVID-19 IMPACT

The SARS-CoV-2 (COVID-19) pandemic impacted the correctional operations at all Take TWO Re-entry program facilities. During this crisis, DWCF and SCF did not have the infrastructure to separate Take TWO participants who work in the community from the general population. Take TWO participants at DWCF were placed on Intensive Supervision Program-Inmate (ISP-I) status and are living in the Denver area working for a Denver employer.

SCF was placed on Phase III operations in early April 2020 due to positive COVID-19 cases in the facility, which meant that inmates remained in their cells under quarantine or isolated with the exception for opportunities to shower. Therefore, the SCF Take TWO participants were unable to leave the facility to work for the employer and were placed on a hold status until facility operations changed. All hold status inmates at SCF have been paroled or had their sentences discharged.

BVCC Take TWO participants live in the Transitional Work Center (TWC), which is a separate building designated to only house Take TWO participants. As a result, BVCC Take TWO participants were separated from the BVCC general population, and participants were able to continue to work in the community. All participants were instructed to take COVID-19 precautions such as wearing a facial covering and social distancing while in the community, as well as regularly testing for COVID-19. In July 2020, the following changes to operations had been made in the TWC:

- Staff and inmates were issued personal protective equipment (PPE), including KN95 masks. Inmates were instructed to practice social distancing, practice good hygiene/cleaning procedures, and wear their masks when outside of their rooms (including during their job duties and while being transported to and from their jobs). Staff wore masks at all times while on duty.
- Weight room use and seating in common areas in the TWC were restricted.
- Inmates received weekly COVID-19 tests and staff received biweekly tests.
- Temperature checks were taken when inmates were transported to and from work.
- The TWC was cleaned and sanitized multiple times throughout the day.

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