



**COLORADO**  
Department of Corrections  
Office of the Executive Director

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September 17, 2014

Colorado Judiciary Committees  
House of Representative and Senate  
Legislative Services Building  
200 East 14th Avenue, 3rd Floor  
Denver, CO 80203

Dear Chairwoman Lucia Guzman and Chairman Daniel Kagan:

This report provides information on the implementation of policies pursuant to the federal Prison Rape Elimination Act (PREA) of 2003, ensuring compliance with the provisions thereof relating to youthful inmates.

The Department is requested to submit a report to the Judiciary Committees of the House of Representatives and Senate on or before October 1st each year concerning the implementation of policies as they relate to the federal Prison Rape Elimination Act of 2003, to ensure compliance with the provisions thereof relating to youthful inmates, as codified at 28 CFR 115.14. The report is requested to outline policies implemented to ensure compliance of this specific PREA federal standard.

For questions regarding this report, please contact Mike Romero, Youthful Offender System Warden for the Colorado Department of Corrections, via e-mail at [mike.romero@state.co.us](mailto:mike.romero@state.co.us). He will be able to answer questions regarding the content of the report or refer you to the appropriate personnel if you need additional information.

Respectfully submitted,

Rick Raemisch  
Executive Director  
Colorado Department of Corrections





**COLORADO**

Department of Corrections

## SB13-216 - Concerning Youthful Offenders within the State Department of Corrections

A Report Submitted to the  
Judiciary Committees of the  
House of Representatives and Senate  
due October 1, 2014, in response to  
SB13-216 – Section 2

Prepared by

Mike Romero, Warden  
Youthful Offender System  
October 2014

John W. Hickenlooper, Governor | Rick Raemisch, Executive Director



## **SB13-216 - Concerning Youthful Offenders within the State Department of Corrections - Section 2 - In Colorado Revised Statutes, add 17-1-115.7 as follows:**

17-1-115.7 - Prevention of sexual assaults on youthful inmates - compliance with federal law - report - definitions. (1) On or before August 20, 2013, the Department shall implement policies pursuant to the federal "Prison Rape Elimination Act of 2003", 42 U.S.C. 15601 Et SEQ., to ensure compliance with the provisions thereof relating to youthful inmates, as codified at 28 CFR 115.14.

(2) On or before October 1, 2013, and on or before each October 1 thereafter, the Department shall report to the Judiciary Committees of the House of Representatives and Senate or any successor committees, concerning the implementation of the policies described in subsection (1) of this section within the Youthful Offender System described in section 18-1.3-407.5, C.R.S.

(3) As used in this section, "Youthful Inmate" means any person less than eighteen years of age who is under adult court supervision and incarcerated or detained in a correctional facility.

### **Policies Implemented**

The Youthful Offender System (YOS) implemented policies and procedures to ensure compliance with PREA Standard 115.14 which deals with youthful inmates who are under the age of 18.

1. Implementation Adjustment (IA) 100-40, Prison Rape Elimination Procedure, implemented on February 8, 2013. This Policy was reviewed and updated on April 23, 2013, November 8, 2013, May 12, 2014 and September 11, 2014. The most current policy is attached.
2. Staff Post Orders for supervision of youthful inmates were implemented on February 11, 2013 and reviewed/updated on February 20, 2014 and September 3, 2014.
3. Offender Posted Operational Rules for youthful inmates was implemented on March 18, 2013 and reviewed/updated on November 3, 2013, February 20, 2014 and September 9, 2014.
4. PREA training is on-going at YOS. This includes mandatory Roll Call training for all YOS staff conducted during the month of October 2013; PREA Refresher Training during YOS Annual Block Training January and February 2014; PREA Refresher On-Line Computer Training 2013 and 2014.
5. PREA training for Department of Human Services staff who work within YOS is on-going to include classes conducted during 2013 and 2014.
6. Since August 20, 2013, there were five offenders admitted to YOS who were under the age of 18. Of those five, three are still under the age of 18 (17 years old).

ADMINISTRATIVE REGULATION  
IMPLEMENTATION/ADJUSTMENTS

AR FORM 100-1A (04/15/08)

CHAPTER	SUBJECT	AR #	EFFECTIVE
Administration/Organization	Prison Rape Elimination Procedure	100-40	3/15/14

**YOUTHFUL OFFENDER SYSTEM (YOS)** WILL ACCEPT AND IMPLEMENT THE PROVISIONS OF THE ABOVE ADMINISTRATIVE REGULATION:

AS WRITTEN     NOT APPLICABLE     WITH THE FOLLOWING PROCEDURES TO ACCOMPLISH THE INTENT OF THE AR

Related ACA Standards:    4-4281-1 through 4-4281-8, & 4-4406

III. DEFINITIONS

- D. Facility PREA Coordinator: YOS designates the Intel Officer as the facility PREA Coordinator.
- X. PREA Incident Audit Team: The YOS PREA Incident Audit Team will consist of the Warden/designee, Administrative Services Manager, Operations Manager, Facility PREA Coordinator, Phase I/II Supervisor, IOD Supervisor, Mental Health Supervisor, Facility Investigator, and if available, the Health Services Administrator.

IV. PROCEDURES

- A. 5. At the beginning of each shift, the following announcement will be made in the living units via PA system and documented in the shift log.  
  

"Attention all offenders: Opposite gender staff may be in the unit/area at any given time. Offenders shall conduct themselves accordingly."

If a tour group is scheduled to visit offender living unit, staff will ensure an announcement is made in the affected area(s).
- C. 2. CDOC employees at the rank of lieutenant and above, OIG Investigators, and selected Clinical Services staff are required to complete annual PREA First Responder training.
- D. Offender Screening and Placement
  - 1. d. During the reception process, DOC employees will advise all offenders of the CDOC policy and procedures relating to administrative regulation 100-40, Prison Rape Elimination Procedure.
  - e. ***Along with the receipt of AR Form 100-40A, Facts You Should Know form, each offender will be provided the opportunity to view the PREA video. [4-4281-1]***
  - f. Each offender will be required to sign an Acknowledgment of Receipt of PREA Information/Rights, YOS Form 100-40F. Signed form will be scanned into the offender's electronic working file. ***YOS assessment DOC employees will complete the CDOC screening, along with YOS Form 100-40E, for potential risk of sexual vulnerability or potential risk of sexually aggressive behavior. [4-4281-2]***
- 3. Offender Placement
  - d. Audits will be conducted by IDO staff of all offenders assigned to IDO with SAB/SVR levels to ensure appropriate housing assignments for these offenders.
  - e. To ensure strict compliance with PREA Standard 115.14 specific to youthful inmates (those under the age of 18), Youthful Offender System (YOS) shall ensure for the following:



CHAPTER	SUBJECT	AR #	Page 2 of 3
Administration/Organization	Prison Rape Elimination Procedure	100-40	EFFECTIVE 3/15/14

- 3) Housing:
- a) Youthful inmates who are sentenced to YOS will initially be housed in the Intake/Diagnostic/Orientation (IDO) unit. Males will be assigned their own cell in C Pod. Female youthful inmates will be assigned their own cell in D Pod. Any time a youthful inmate is outside their assigned IDO cell, they shall be under the direct visual supervision of DOC employees.
  - b) Once a youthful inmate progresses to Phase I, they will be housed together in a designated Lower West room located closest to the DOC employee workstation. The door to this room will be equipped with a locking mechanism, with only the assigned youthful inmates and DOC employees possessing a key to open the door; thus, preventing offenders over the age of 18 from entering the room.
  - c) The Special Housing Review Committee and the Internal Classification Committee (Job Board) will utilize the SAB/SVR report to assist in determining the offenders housing placement and work assignment against other current YOS offenders SAB/SVR levels to ensure proper housing placement. Audits will be conducted by the Special Housing Review Committee of all Phase I/II offenders at YOS with SAB/SVR levels to ensure appropriate housing assignments for these offenders.
- 4) Dayhall Time: Dayhall time for youthful inmates will be scheduled from 10:30 am until 12:45 pm on a daily basis in the Lower West quiet room. Dayhall time for female youthful inmates will be scheduled in the dayhall area in Building 26 Lower. Both the quiet room and Building 26 dayhall have a physical barrier which ensures separation of youthful inmates and those over the age of 18. Based upon behavior, a TV will be available to youthful inmates for use within their designated room.
- 5) Showers: To ensure for the sight, sound and physical separation shower times for youthful inmates shall be scheduled daily from 9:00 pm to 9:30 pm while all offenders over the age of 18 are locked down.
- 6) Dress Code: To ensure for quick identification, the dress code for both male and female youthful inmates will be khaki shirt and green pants. The khaki shirt does not have to be tucked into the pants. Youthful inmates will also be issued green sweat pants which may be worn instead of the grey sweat pants worn by offenders over the age of 18. Youthful inmates in IDO or those placed on Disciplinary Level (DL) will be required to wear a green jumpsuit.
- 7) Dining Hall: Youthful inmates will be escorted directly to and from the dining hall for all meals by an assigned DOC employee. While in the dining hall, youthful inmates will be seated together and will remain under the direct visual supervision of a DOC employee. Female youthful inmates will eat their meals in the designated dining area in Building 26 under the direct visual supervision of an assigned DOC employee.
- 8) Library: Youthful inmates will be provided appropriate library services at scheduled times per the monthly YOS library schedule. Youthful inmates will be escorted directly to and from the library by a DOC employee. While in the library, they will be under the direct visual supervision of a DOC employee.
- 9) Med Line: Youthful inmates, who require medications, will be escorted directly to and from med line by a DOC employee and will remain under direct visual supervision. Medication will be delivered to female youthful inmates housed in Building 26 under the direct supervision of a DOC employee.
- 10) Recreation: Youthful inmates will be allowed equal recreation opportunities. During recreation times, youthful inmates will be under direct visual supervision of DOC employees.

CHAPTER	SUBJECT	AR #	Page 3 of 3
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- 11) Visiting: Youthful inmates will be allowed visiting privileges as outlined in AR/IA 300-1, Offender Visiting Program. Visiting will be conducted under direct visual supervision of DOC employees in the Visiting Room.
- 12) Offender Movement: Youthful inmates will be under direct visual supervision by DOC employees during all movement times.
- 13) During times youthful inmates are out of their assigned room, they will be under direct visual supervision of assigned DOC employees. This includes, but is not limited to, education, job assignments, recreation, visiting, religious programs, etc.
- 14) Shift Commanders will designate a DOC employee to directly oversee and supervise the youthful inmate population on each shift.

I. Immediate Response Procedures:

11. a. The Facility PREA Coordinator will ensure the facility PREA Response Plan is placed on the Q: drive shared directory. A PREA facility reference manual will be maintained in the YOS Shift Commander's Office.

VI. RESPONSIBILITY

- C. It is the responsibility of the Administrative Services Manager to review this Implementation Adjustment (IA) Form annually and update when necessary.

VII. HISTORY

07/01/06, 06/06/07, 10/10/07, 05/29/08, 06/11/09, 06/23/10, 06/30/11, 07/05/12, 02/08/13, 04/23/13, 11/08/13. 05/12/14.

ATTACHMENTS:

- E. YOS Form 100-40E, Intake Screening Form
- F. YOS Form 100-40F, Acknowledgment of Receipt of P.R.E.A. Information/Rights Form

(SIGNED)

  
Administrative Head

(DATE) September 11, 2014

### INTAKE SCREENING FORM

Offender's Name: \_\_\_\_\_ DOC # \_\_\_\_\_

Offense: \_\_\_\_\_ DOB \_\_\_\_\_

Date of Arrival: \_\_\_\_\_

Sexual Violence:             Yes         No

Sexual Victimization:     Yes         No

Assaultive Behavior:      Yes         No

**BASED UPON ABOVE RESPONSES:**

Was Mental Health Referral Submitted:     Yes         No

Is Housing Assignment Appropriate:         Yes         No

Comments:

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Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_



**COLORADO**  
Department of Corrections  
Youthful Offender System

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### ACKNOWLEDGMENT OF RECEIPT OF PREA INFORMATION / RIGHTS

I have been informed that the Colorado Department of Corrections has a "Zero Tolerance" policy regarding Sexual Assault/Rape/Misconduct pursuant to Administrative Regulation (AR) 100-40 Prison Rape Elimination Procedure.

I have been provided with AR Form 100-40A, Facts You Should Know form.

The information regarding Sexual Assault/Rape/Misconduct was given to me during the orientation process. I understand that it is my responsibility to become familiar with the procedures outlined in this policy.

I understand that any inappropriate sexual behavior while housed in a CDOC facility may result in Code of Penal Discipline (COPD) charges and/or criminal charges being filed by the District Attorney.

Offender Printed Name \_\_\_\_\_ DOC # \_\_\_\_\_

Offender Signature \_\_\_\_\_ Date \_\_\_\_\_

DOC Employee Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

