

Colorado Community Corrections Annual Report: FY22

Pursuant to House Bill 2018-1251

Prepared for the Colorado General Assembly

February 2023

Colorado Department of Public Safety
Stan Hilkey, Executive Director

Division of Criminal Justice
Joe Thome, Director

Office of Community Corrections
Katie Ruske, Manager



Colorado Community Corrections Annual Report: FY22

Pursuant to House Bill 2018-1251

Prepared by

Chrystal Owin

Colorado Department of Public Safety
Stan Hilkey, Executive Director

Division of Criminal Justice
Joe Thome, Director

Office of Community Corrections
Katie Ruske, Manager



Executive Summary

This report summarizes efforts underway to address the mandates associated with H.B.18-1251. Subsequent to the passage of the bill, the Office of Community Corrections (OCC) within the Division of Criminal Justice (DCJ), the Department of Corrections (DOC), and community corrections boards and programs, increased collaborative efforts to improve the referral process associated with individuals transitioning from the DOC to a community based residential program. In FY22, community corrections boards continued to increase the consistency of use of their structured decision-making tool and several had begun to collect data on the congruency of their SDM tool guidance with the referral screening outcome. The OCC provided Unconscious Bias in Decision-Making training in several jurisdictions, and continued to make available online and virtually other training opportunities for DOC staff and community corrections boards and providers. Approximately 43% of Transition referrals were accepted statewide in FY22. Throughout FY22, the lasting impacts of COVID-19 on the judicial system and sentencing, and staffing impacted residential placements and provider vacancy rates.

Purpose of this report

The Colorado General Assembly passed House Bill 1251 in 2018. The bill mandates DCJ prepare an annual report of community corrections activities as they pertain to the transition of offenders from DOC. Specifically, the bill requires DCJ to report on the following:

- Key trends related to community corrections service providers and boards,
- Referral trends,
- Acceptance rates, and
- Progress on the implementation of structured decision-making by community corrections boards.

This report provides a brief overview of community corrections; identifies key trends within the community corrections field; updates the status of the implementation of structured decision-making; identifies training provided by DCJ; and highlights additional efforts underway pertaining to HB 1251.

Overview of Colorado community corrections

Community corrections in Colorado is a system of approximately 30 “halfway houses”, that provides a sentencing alternative for judges to divert individuals from prison (diversion community corrections) and a residential community placement for individuals referred from the prison system (transition community corrections). Eligibility for community corrections is defined in statute. Individuals participating in community corrections are expected to engage in services to address criminogenic needs and risks, and through FY22 were required to pay for services plus up to \$17/day per diem. Referrals to community corrections programs are screened by the local community corrections board and the program’s administration. When individuals are accepted by both the local board and the program director, they are placed in the program as beds become available.

Key trends

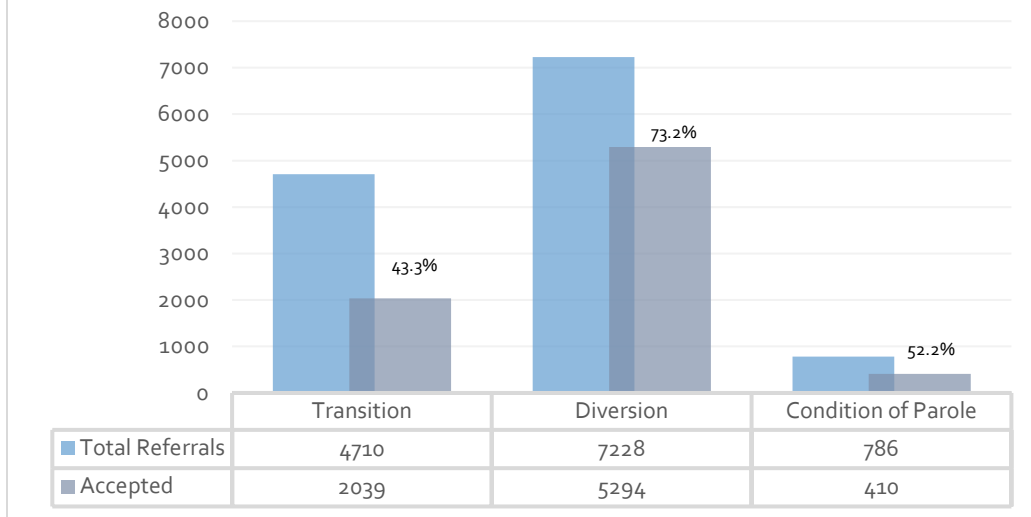
Community corrections boards, in cooperation with the Colorado Association of Community Corrections Boards and the Colorado Community Corrections Coalition, developed a survey to capture the number of referrals, board denials, and provider denials for each jurisdiction. Boards that oversee residential facilities within their jurisdiction were surveyed in order to capture bed capacity. See the *Referral and acceptance rates* section and Appendix A for details.

Referral and acceptance rates

On a quarterly basis, boards reported the number of each referral type denied by the board and those denied by the local community corrections programs.

For information about all community corrections referrals submitted to each Judicial District (JD) and the number of those referrals that were denied or accepted, please see *Appendix A Community Corrections Referral Reporting*.

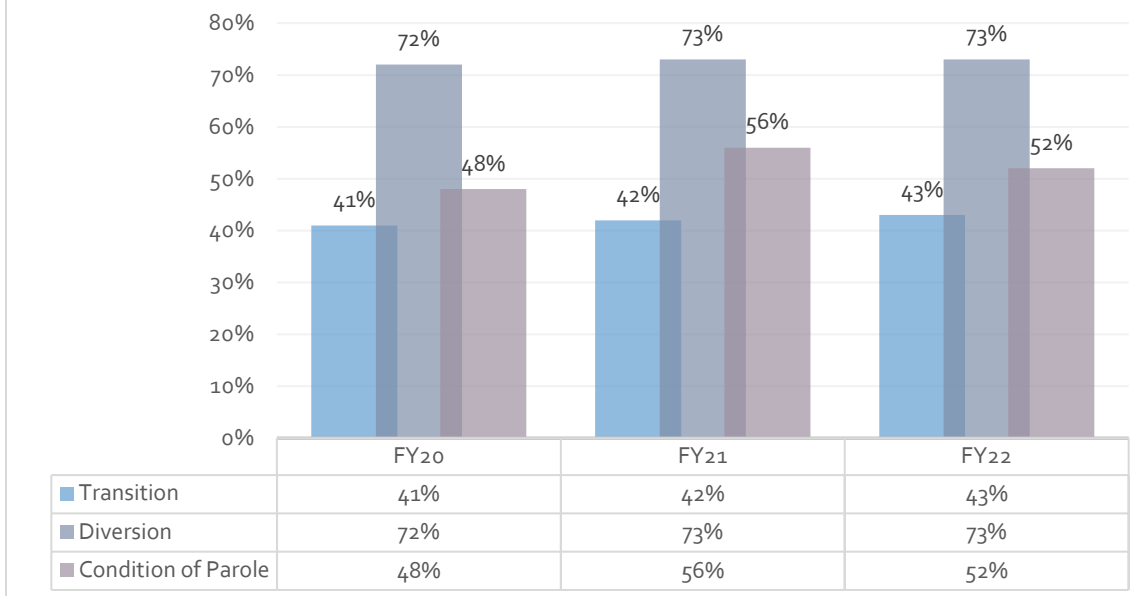
Table 1: FY22 Referral Acceptance Rates



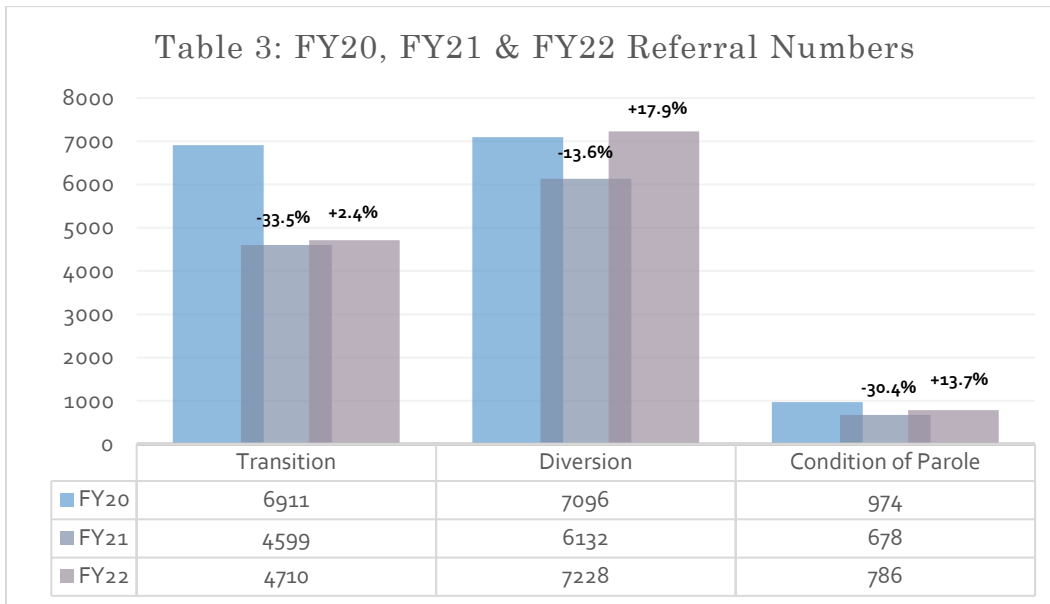
As detailed in Appendix A and summarized in Table 1 (above), diversion and transition referral acceptance rates vary considerably across judicial districts, and over time. In general, diversion and condition of parole referrals were approved at higher rates than transition referrals. Cases with a sex offense conviction were frequently denied; in some judicial districts, these cases are automatically excluded from consideration.

Since collecting referral and acceptance data from all judicial districts with a community corrections program, the average acceptance rates for Transition and Diversion have remained fairly static, while Condition of Parole has fluctuated. Acceptance rates for FY20, FY21 and FY22 are summarized in Table 2 (below).

Table 2: FY20, FY21 & FY22 Referral Acceptance Rates



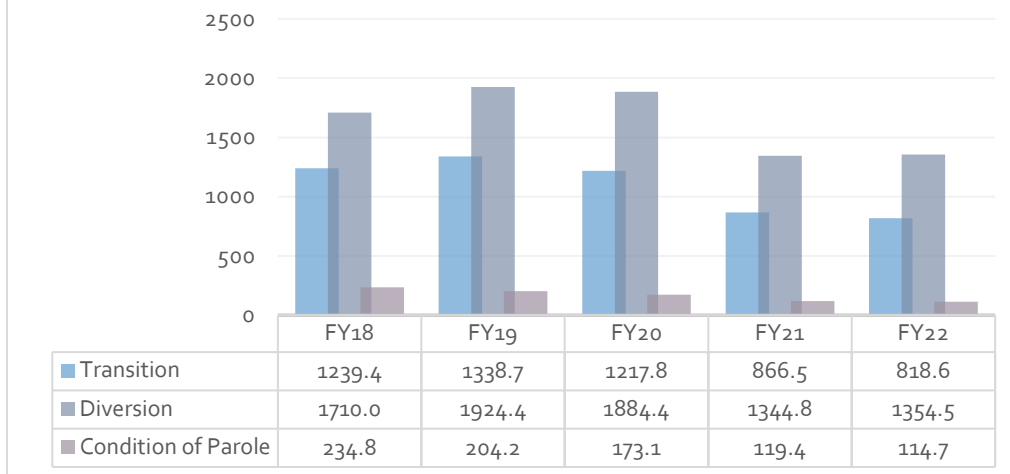
Fiscal year 2022 saw an increase in referrals compared to FY21, with only Diversion exceeding the number of referrals in FY20 (see Table 3 below). Just 3 of the 22 jurisdictions' utilization rates surpassed their bed allocation, a much lower proportion when compared to FY20 and lower than 4 jurisdictions surpassing their allocation in FY21. For a comparison of the total residential community corrections beds allocated to each JD and the average daily residential population paid for by each JD, please see *Appendix B Allocation and Utilization Data*.



Average daily population

FY22, compared to prior fiscal years (see Table 4 below), continued to see a decrease in the overall average daily population (ADP) as a result of the lasting impacts of the COVID-19 pandemic, overall referral numbers remaining lower than pre-pandemic, as well as program closures and staffing shortages. With requirements for minimum staffing patterns and maximum caseload sizes outlined in the Colorado Community Corrections Standards, several programs had bed vacancies due to staffing shortages, which was a significant factor in the decreased ADP.

Table 4: Average Daily Population
FY18 through FY22



NOTE: Diversion ADP includes Condition of Probation placements

Structured decision-making process

HB 18-1251 states that community corrections boards shall develop and use a structured, research-based decision-making process that combines professional judgment and actuarial risk and needs assessment tools. All of the 16 community corrections boards with a residential community corrections program in their jurisdiction had developed a structured decision-making (SDM) tool by the end of FY21. When surveyed on their achievements in FY22, 38% of boards had at least one member attend an Implicit Bias training delivered by the Office of Community Corrections, 38% had developed SDM tools for other referral types or client populations, 31% reported achieving consistent SDM tool use, and 31% collected data on SDM tool congruency (the frequency at which the screening outcome aligned with the SDM tool’s guidance or recommendation). Other milestones reported include: increasing decision-making reliance on the SDM tool’s guidance, developing software for electronic reviews, and hiring a consultant. For FY23, several boards reported their goals for their SDM process include collecting and analyzing congruency data, evaluating their tool for revisions, and attending an Implicit Bias training.

Community corrections training

HB 18-1251 requires that DCJ provide annual training to DOC staff involved in making community corrections transition placement referrals and ongoing annual training to community corrections boards on structured decision-making and/or other relevant issues. In FY22, OCC delivered 6 sessions of Implicit Bias in Decision-Making throughout the state, which were attended by community corrections program staff, board staff, board members and partner agencies’ staff. In addition, there were 8 sessions conducted for community corrections boards and program staff on: structured decision-making, the referral process, and data trends. These include 4 presentations for the Colorado Association of Community Corrections Boards (CACCB), 2 presentations to individual boards, and 2 board member orientations. Three in-reaches were conducted by DCJ, community corrections programs and community corrections boards staff, which involved opportunities to meet with DOC case managers to discuss the community corrections referral and transition process, and meet with DOC clients to educate on community corrections and receive education on DOC programming. DCJ, with community

corrections board and program staff, also continued to attend regularly scheduled DOC supervisor meetings to facilitate discussions or provide updates on community corrections topics. In addition, eLearning videos on community corrections specialized treatment programs were developed for DOC staff and clients by community corrections program staff: Mesa County Community Corrections on Residential Dual Diagnosis Treatment (RDDT); Intervention Community Corrections Services on Sex Offender Supervision and Treatment in Community Corrections (SOSTCC); Larimer County Community Corrections on Intensive Residential Treatment (IRT).

Ongoing COVID-19 Impact

The COVID-19 epidemic continued to shape the entire community corrections field. Adjusted business practices within the OCC, community corrections boards and providers remained in effect for most of the year, which included many boards conducting referral screenings on virtual platforms and conference calls, the OCC maintaining virtual communication with stakeholders and training delivery via a virtual modality and eLearning.

DOC referrals to and residential placements in community corrections remained much lower compared to pre-pandemic numbers. The residential programs continued to work with their local health departments and Colorado Department of Public Health and Environment (CDPHE) for quarantine and/or isolation procedures, testing practices, outbreak designation responses and vaccination resources.

Ongoing efforts

The implementation of HB 18-1251 is precipitating additional accomplishments, many of which focus on increased communication and collaboration between OCC, community corrections boards, providers, and DOC case managers. Examples in FY22 include the following:

- Communication and collaboration continued between DOC and community corrections boards and programs, which included the development of standardized reporting and information sharing.
- The computer system in which the reasons that transition referrals are denied by community corrections boards and programs was updated to include a greater selection and more opportunity to provide individualized feedback to DOC for the case manager and client.
- Community corrections boards continued to submit their SDM tools and formal screening procedures and acceptance criteria to DOC as revisions were made.

Appendix A

Community Corrections Referral Reporting Quarters 1, 2, 3 and 4, FY22

Background. HB 18-1251 requires the Division of Criminal Justice to publish an annual report that includes case referral and acceptance trends. This appendix provides the number of referrals submitted to each judicial district and the percent of community corrections referrals that are accepted within a judicial district by quarter for FY22.

Data source. Several local community corrections boards, in cooperation with the Colorado Association of Community Corrections Boards and Community Corrections Coalition, developed a survey that captures the number of referrals, board denials, and provider denials for each jurisdiction. Recognizing that there are different screening processes in each jurisdiction, only the final approved/denied decision denied is recorded and presented here. All boards with a residential program participated in the survey/data collection process in FY22.

Transition referrals. The transition referrals, approvals, and denials include all transition referrals screened by each judicial district, including primary, secondary and tertiary. A transition primary referral is a referral that is sent to the jurisdiction that an inmate is planning to parole to. Secondary and tertiary referrals are those that have been denied by the primary jurisdiction and sent to alternate jurisdictions for screening. In some jurisdictions, the number of secondary and tertiary transition referrals exceed the number of primary referrals received.

Summary of findings. Diversion and Transition referral rates vary considerably across judicial districts, and also vary over time. In general, Diversion and Condition of Parole referrals were approved at higher rates than Transition referrals. Cases with a sex offense conviction were frequently denied; in some judicial districts, these cases are automatically excluded from consideration. The judicial districts with the highest Transition acceptance rate (with an acceptance rate above 60%) in FY22 were the 2nd and 4th. The judicial districts with the highest Diversion acceptance rates (with rates above 80%) were the 2nd, 10th, 18th and 20th. The judicial districts with the highest Condition of Parole acceptance rates (with rates above 80%) were the 6th, 9th, 15th and 18th.

Appendix A
Residential Community Corrections Referral Reporting
Quarter 1, FY22

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	115	30	70	13%	180	9	31	78%	36	0	21	42%
2 nd	161	36	15	68%	75	7	3	87%	21	0	14	33%
4 th	210	50	9	72%	290	76	21	67%	38	3	2	87%
6 th	17	13	1	18%	40	14	0	65%	5	0	0	100%
7 th	33	31	0	6%	83	31	0	63%	12	3	0	75%
8 th	51	4	22	49%	146	0	25	83%	10	1	4	50%
9 th	41	20	11	24%	39	30	0	23%	2	0	0	100%
10 th	0	0	0	-	49	3	18	57%	11	0	6	45%
12 th	10	3	2	50%	122	18	15	73%	12	1	1	83%
13 th	15	9	0	40%	28	9	0	68%	12	1	0	92%
15 th	13	11	0	15%	32	12	0	63%	3	0	0	100%
17 th *	188	100	0	47%	372	86	0	77%	12	6	0	50%
18 th	109	35	10	59%	98	14	0	86%	7	0	0	100%
19 th	75	9	30	48%	115	22	12	70%	13	1	6	46%
20 th	63	10	41	19%	37	3	0	92%	9	0	5	44%
21 st *	51	45	0	12%	98	25	0	74%	19	7	0	63%
Totals	1152	406	211	46%	1804	359	125	73%	222	23	59	63%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

Appendix A
Residential Community Corrections Referral Reporting
Quarter 2, FY22

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	120	18	85	14%	141	10	30	72%	20	0	12	40%
2 nd	143	27	30	60%	80	7	1	90%	0	0	0	-
4 th	176	54	1	69%	272	65	7	74%	23	8	0	65%
6 th	22	18	2	9%	33	9	0	73%	3	0	0	100%
7 th	32	27	0	16%	74	29	0	61%	6	2	0	67%
8 th	58	7	35	28%	142	3	24	81%	19	1	11	37%
9 th	39	33	6	0%	30	23	0	23%	7	2	0	71%
10 th	126	19	44	50%	48	1	5	88%	7	0	2	71%
12 th	7	2	1	57%	111	14	13	76%	11	3	2	55%
13 th	16	14	0	13%	32	10	0	69%	11	3	2	55%
15 th	7	6	0	14%	24	12	0	50%	2	0	0	100%
17 th *	161	96	0	40%	319	81	0	75%	35	18	0	49%
18 th	83	37	0	55%	96	11	0	89%	1	0	0	100%
19 th	44	11	16	39%	117	21	20	65%	15	0	6	60%
20 th	58	7	41	17%	44	8	0	82%	13	0	7	46%
21 st *	60	49	0	18%	91	24	0	74%	14	7	0	50%
Totals	1152	425	261	40%	1654	328	100	74%	187	44	42	54%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

Appendix A
Residential Community Corrections Referral Reporting
Quarter 3, FY22

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	110	26	63	19%	184	10	22	83%	48	2	15	65%
2 nd	148	26	25	66%	73	9	6	79%	2	1	0	50%
4 th	176	60	1	65%	276	73	19	67%	23	9	2	52%
6 th	25	16	1	32%	39	11	2	67%	3	2	0	33%
7 th	40	35	0	13%	71	24	0	66%	8	5	0	38%
8 th	100	19	34	47%	152	13	28	73%	14	0	5	64%
9 th	46	11	25	22%	27	16	0	41%	4	0	0	100%
10 th	53	13	10	57%	71	3	3	92%	6	0	2	67%
12 th	11	3	3	45%	110	20	18	65%	8	3	1	50%
13 th	14	7	0	50%	34	13	0	62%	6	2	0	67%
15 th	29	24	0	17%	22	5	0	77%	1	0	0	100%
17 th *	146	84	0	42%	388	97	0	75%	21	13	0	38%
18 th	109	30	21	53%	130	9	0	93%	7	0	0	100%
19 th	44	9	21	32%	105	22	9	70%	20	1	9	50%
20 th	47	14	26	15%	41	8	0	80%	6	1	5	0%
21 st *	58	52	0	10%	114	39	0	66%	12	5	0	58%
Totals	1156	429	230	43%	1837	372	107	74%	189	44	39	56%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

Appendix A
Residential Community Corrections Referral Reporting
Quarter 4, FY22

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	120	35	68	14%	184	31	24	70%	12	0	6	50%
2 nd	153	41	23	58%	103	9	1	90%	0	0	0	-
4 th	238	53	1	77%	284	74	17	68%	37	13	3	57%
6 th	21	7	2	57%	59	6	1	88%	1	0	0	100%
7 th	45	39	0	13%	70	22	0	69%	5	0	0	100%
8 th	86	6	41	45%	172	7	33	77%	23	0	16	30%
9 th	47	16	24	15%	34	30	0	12%	11	2	0	82%
10 th	64	26	18	31%	58	6	5	81%	4	0	3	25%
12 th	6	2	1	50%	112	27	23	55%	15	5	3	47%
13 th	7	5	0	29%	45	17	0	62%	11	2	0	82%
15 th	34	27	0	21%	36	6	0	83%	0	0	0	-
17 th *	165	98	0	41%	357	95	0	73%	18	13	0	28%
18 th	101	31	27	43%	139	20	0	86%	3	0	0	100%
19 th	59	8	23	47%	124	30	8	69%	19	2	14	16%
20 th	68	10	49	13%	52	15	1	69%	17	3	11	18%
21 st *	61	53	0	13%	104	35	0	66%	12	5	0	58%
Totals	1275	457	277	42%	1933	430	113	72%	188	45	56	46%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

Appendix A
Residential Community Corrections Referral Reporting
FY22

Judicial District	Transition Referrals	Transition Referrals Denied by Board	Transition Referrals Denied by Facility	% of Transition Referrals Approved	Diversion Referrals	Diversion Referrals Denied by Board	Diversion Referrals Denied by Facility	% of Diversion Referrals Approved	Condition of Parole Referrals	Condition of Parole Referrals Denied by Board	Condition of Parole Referrals Denied by Facility	% of Condition of Parole Referrals Approved
1 st	465	109	286	15%	689	60	107	76%	116	2	54	52%
2 nd	605	130	93	63%	331	32	11	87%	23	1	14	35%
4 th	800	217	12	71%	1122	288	64	69%	121	33	7	67%
6 th	85	54	6	29%	171	40	3	75%	12	2	0	83%
7 th	150	132	0	12%	298	106	0	64%	31	10	0	68%
8 th	295	36	132	43%	612	23	110	78%	66	2	36	42%
9 th	173	80	66	16%	130	99	0	24%	24	4	0	83%
10 th	243	58	72	47%	226	13	31	81%	28	0	13	54%
12 th	34	10	7	50%	455	79	69	67%	46	12	7	59%
13 th	52	35	0	33%	139	49	0	65%	40	8	2	75%
15 th	83	68	0	18%	114	35	0	69%	6	0	0	100%
17 th *	660	378	0	43%	1436	359	0	75%	86	50	0	42%
18 th	402	133	58	52%	463	54	0	88%	18	0	0	100%
19 th	222	37	90	43%	461	95	49	69%	67	4	35	42%
20 th	236	41	157	16%	174	34	1	80%	45	4	28	29%
21 st *	230	199	0	13%	407	123	0	70%	57	24	0	58%
Totals	4735	1717	979	43%	7228	1489	445	73%	786	156	196	55%

*Due to the 17th JD's and 21st JD's screening processes, this is the inclusive number for both the board and facility denials. The facility and screening committee review the criteria cases at the same time.

Appendix B

Community Corrections Allocation and Utilization: FY22

Judicial District	Total Bed Allocation ¹	Average Daily Population ²
1	235	141.96
2	505	254.59
3 ³	5	5.80
4	500	411.90
5 ³	18	14.22
6	36	43.28
7	60	62.36
8	279	237.16
9	35	31.80
10	100	72.50
11 ³	8	9.49
12	91	58.44
13	99	96.31
14	15	11.13
15	33	32.34
16 ³	14	13.39
17	387	236.18
18	337	191.23
19	157	152.53
20	71	50.06
21	178	132.37
22 ³	10	7.25
Total	3173	2266.31

¹ The number of state funded residential beds per contract per judicial district

² The Average Daily Population of occupied beds paid for by the judicial district. These beds may be within the judicial district or may be in a residential program in a different judicial district

³ These judicial districts do not have a residential program; these jurisdictions use the allocation to purchase diversion programming from providers in other jurisdictions