

Colorado Community Corrections Annual Report: FY23

Pursuant to House Bill 2018-1251

Prepared for the Colorado General Assembly

February 2024

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Division of Criminal Justice
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COLORADO
Division of Criminal Justice
Department of Public Safety

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Prepared by

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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 FY23, many boards focused on collecting and evaluating congruency data between their structured decision-making (SDM) tools and referral screening outcomes for tool revisions and other innovations in their screening process or procedures. The OCC, including partnering with boards and providers, facilitated several training sessions to educate a variety of stakeholders on Unconscious Bias in Decision-Making, community corrections programming, the referral process, and outcome data, as well as continued to make available online and virtually other training opportunities. Approximately 37% of Transition referrals were accepted statewide in FY23. Although there was a slight increase in the overall average daily residential population in FY23, Transition and Condition of Parole placements continued to decrease compared to previous years.

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. 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

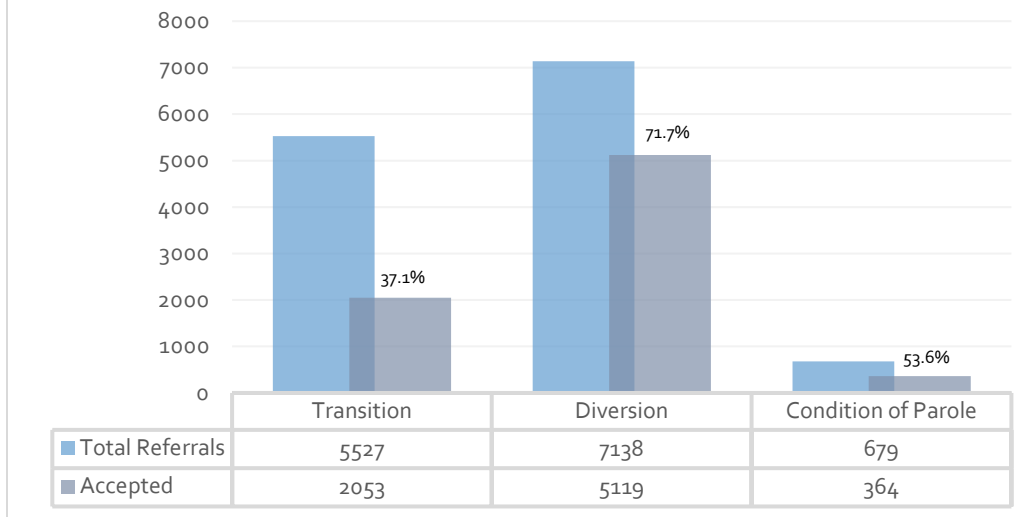
Community corrections boards, in cooperation with the Colorado Association of Community Corrections Boards and the Colorado Community Corrections Coalition, developed a survey to capture the number of referrals, board denials, and provider denials for each jurisdiction. Boards that oversee residential 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*.

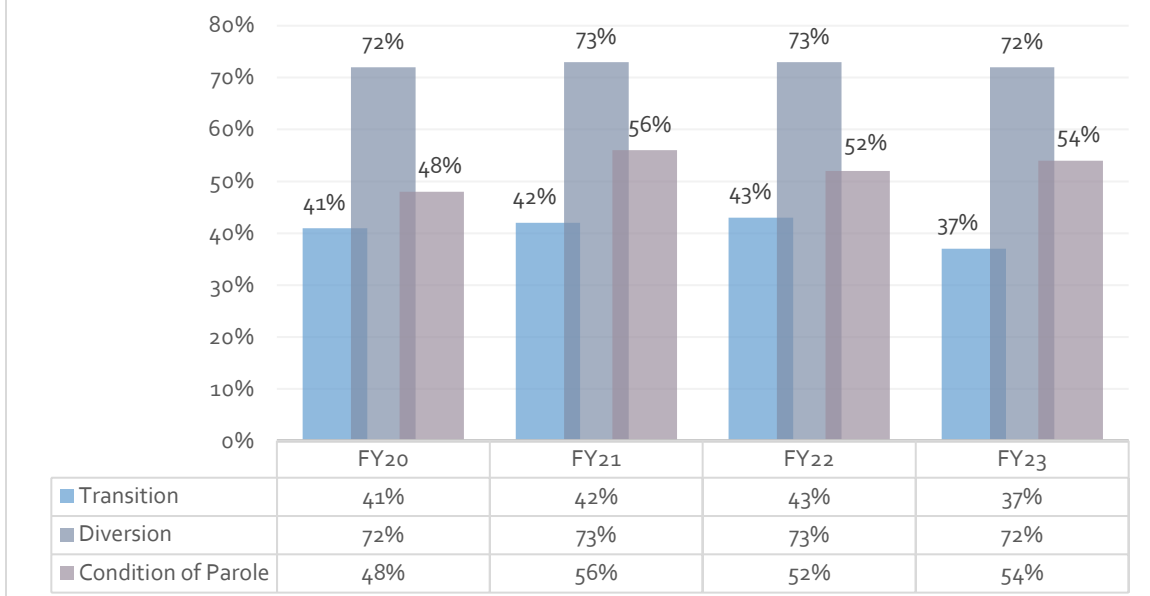
Table 1: FY23 Referral Acceptance Rates



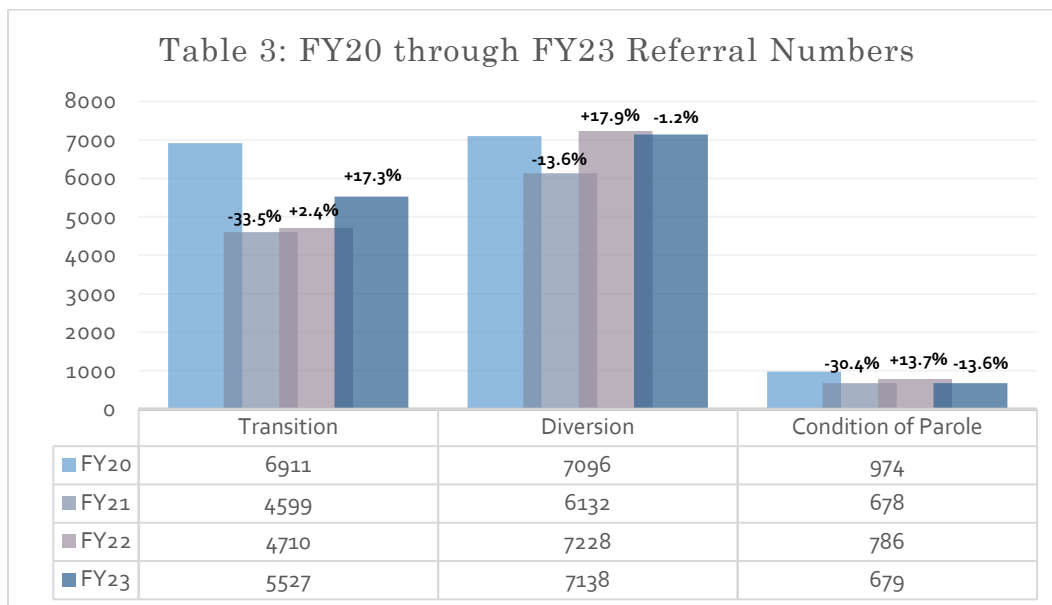
As detailed in Appendix A and summarized in Table 1 (above), Diversion and Transition referral acceptance rates vary considerably across judicial districts, and over time. In general, Diversion and Condition of Parole referrals were approved at higher rates than Transition referrals. Cases with a sex 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 Diversion have remained fairly static, Transition showed a decrease in FY23 from previous years, and Condition of Parole fluctuates slightly. Acceptance rates for FY20, FY21, FY22 and FY23 are summarized in Table 2 (below).

Table 2: FY20 through FY23 Referral Acceptance Rates



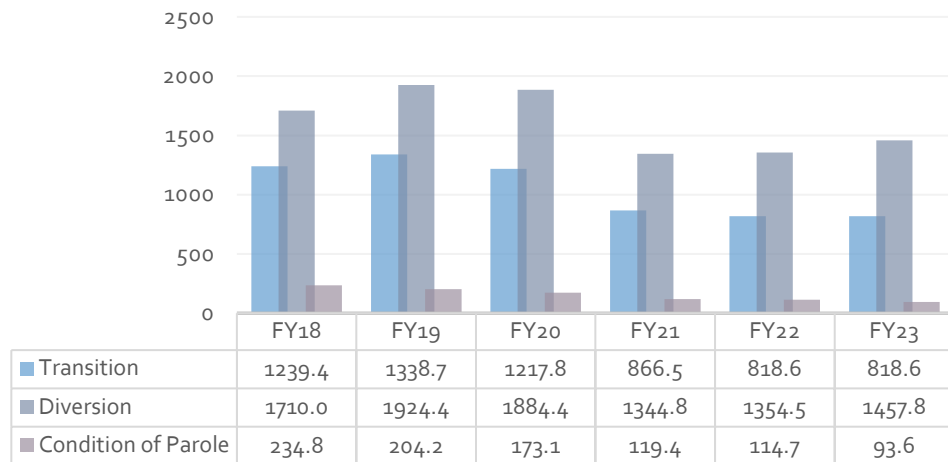
Fiscal year 2023 saw a significant increase in Transition referrals compared to FY20 and FY21, while Diversion and Condition of Parole referrals decreased from the previous fiscal year.



Average daily population

FY23, compared to prior fiscal years (see Table 4 below), saw an increase in Diversion residential placements over the previous two fiscal years, Transition placements remained unchanged from FY22 and Condition of Parole placements slightly decreased, all still remaining considerably lower than pre-pandemic years. 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 remained a factor in the decreased ADP.

Table 4: Average Daily Population
FY18 through FY23



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. By the end of FY23, all 16 boards with a residential community corrections program had been using a structured decision-making (SDM) tool for at least 2 years, many for several years. When surveyed on innovations or advancements during FY23, many reported collecting and evaluating data on SDM tool congruency (the frequency at which the screening outcome aligned with the SDM tool's guidance or recommendation) and revising their tool(s) or in preparation for future revisions. Some boards updated their screening processes for greater efficiency; including such things as: creating screening tools for other client populations, adding remote screening capabilities, expanding screening membership, expanding auto-accept criteria, and interviewing transition clients referred prior to board screening.

As a key trend in FY23, 14 of the 16 JDs saw an increase in Transition referrals over FY22, many significantly, ranging from 4% to 71%. Other factors positively impacting services or operations included: 2 community corrections programs opening in Denver, facility renovation for capacity and service expansion in Larimer County, internal and community treatment expansion in Mesa County, and reduced program waitlists in some JDs. Other trends reported include declining acceptance rates of Transition clients in some JDs, difficulty hiring clinical staff temporarily impacting treatment service capacity, a community treatment agency closing, and ongoing program staffing challenges.

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 FY23, OCC delivered 4 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 6 sessions conducted for community corrections boards and program staff on: structured decision-making, the referral process, and data trends. These include 1

presentation for the Colorado Association of Community Corrections Boards (CACCB), 4 presentations to individual boards at their board retreat, and 1 board member orientation. One in-reach was 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 and DOC case management staff, conducted training on community corrections and the referral process to DOC supervisors, as well as continued to attend regularly scheduled DOC supervisor meetings to facilitate discussions or provide updates on community corrections topics.

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 FY23 include the following:

- Increased outreach and information sharing between boards and providers with DOC staff regarding Transition referrals.
- DOC sought board and provider input for functionality development and testing of the referral process in DOC's data system to prepare for August 2023 go-live.
- Increased engagement in opportunities and venues to increase exposure to and knowledge of their partner agencies and processes, e.g. boards and providers participating in DOC facility tours and attending DOC's Case Manager Supervisor meetings, and DOC Case Managers attending board referral screenings.

Appendix A

Community Corrections Referral Reporting Quarters 1, 2, 3 and 4, FY23

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 FY23.

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 is recorded and presented here. All boards with a residential program participated in the survey/data collection process in FY23.

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 exceeds 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 district with the highest Transition acceptance rate (with an acceptance rate above 60%) in FY23 was the 2nd. The judicial districts with the highest Diversion acceptance rates (with rates above 80%) were the 2nd, 18th and 20th. The judicial districts with the highest Condition of Parole acceptance rates (with rates above 80%) were the 15th and 18th.

Appendix A
Residential Community Corrections Referral Reporting
Quarter 1, FY23

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	128	31	79	14%	184	16	23	79%	8	0	5	38%
2 nd	130	34	27	53%	84	8	1	89%	1	0	0	100%
4 th	229	42	58	56%	217	62	7	68%	22	4	5	59%
6 th	21	14	2	24%	37	10	0	73%	4	0	0	100%
7 th	66	54	0	18%	76	24	0	68%	4	0	0	100%
8 th	76	5	46	33%	155	10	43	66%	7	1	1	71%
9 th	51	24	19	16%	54	34	11	17%	5	3	0	40%
10 th	84	23	27	40%	45	5	9	69%	3	3	0	0%
12 th	13	4	2	54%	90	22	20	53%	16	4	3	56%
13 th	10	7	0	30%	28	9	0	68%	5	2	1	40%
15 th	50	39	0	22%	16	4	0	75%	0	0	0	-
17 th *	171	106	0	38%	313	92	0	71%	15	9	0	40%
18 th	133	28	26	59%	160	27	1	83%	3	0	0	100%
19 th	56	4	27	45%	114	31	14	61%	8	0	5	38%
20 th	67	9	52	9%	52	11	0	79%	2	1	1	0%
21 st *	65	59	0	9%	112	36	0	68%	6	3	0	50%
Totals	1350	483	365	37%	1737	401	129	69%	109	30	21	53%

*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, FY23

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	107	20	79	7%	155	18	19	76%	6	0	3	50%
2 nd	127	22	29	60%	69	4	1	93%	2	0	0	100%
4 th	265	45	90	49%	237	49	14	73%	58	5	20	57%
6 th	19	13	5	5%	45	16	0	64%	5	4	0	20%
7 th	58	51	0	12%	62	19	0	69%	9	5	0	44%
8 th	86	6	41	45%	171	7	31	78%	23	16	0	30%
9 th	42	18	19	12%	26	17	4	19%	4	1	0	75%
10 th	88	17	34	42%	60	9	10	68%	8	1	3	50%
12 th	5	1	2	40%	98	23	10	66%	13	2	5	46%
13 th	15	11	0	27%	28	10	0	64%	5	0	0	100%
15 th	37	36	0	3%	23	9	0	61%	0	0	0	-
17 th *	123	63	0	49%	297	71	0	76%	10	3	0	70%
18 th	132	61	24	36%	111	23	0	79%	2	0	0	100%
19 th	62	12	30	32%	125	22	12	73%	8	2	2	50%
20 th	61	12	44	8%	41	8	0	80%	10	0	7	30%
21 st *	59	50	0	15%	98	46	0	53%	22	9	0	59%
Totals	1286	438	397	35%	1646	351	101	73%	185	48	40	52%

*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, FY23

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	126	26	84	13%	209	19	33	75%	10	1	4	50%
2 nd	118	16	27	64%	162	6	3	94%	1	0	1	0%
4 th	226	57	86	37%	258	66	16	68%	65	2	15	74%
6 th	31	23	5	10%	36	7	0	81%	0	0	0	-
7 th	55	51	0	7%	61	28	0	54%	7	2	0	71%
8 th	99	6	66	27%	156	9	33	73%	13	0	4	69%
9 th	60	23	18	32%	26	18	0	31%	5	2	0	60%
10 th	60	20	17	38%	74	10	8	76%	10	1	0	90%
12 th	10	4	2	40%	95	22	18	58%	18	6	4	44%
13 th	22	17	0	23%	41	10	0	76%	5	1	0	80%
15 th	32	29	0	9%	19	9	0	53%	0	0	0	-
17 th *	235	97	0	59%	371	88	0	76%	29	13	0	55%
18 th	144	62	27	38%	164	24	3	84%	2	0	0	100%
19 th	77	20	24	43%	120	23	10	73%	6	1	3	33%
20 th	79	11	56	15%	62	15	0	76%	11	0	8	27%
21 st *	64	55	0	14%	88	37	0	58%	14	9	0	36%
Totals	1438	517	412	35%	1942	391	124	73%	196	38	39	61%

*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, FY23

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	96	28	49	20%	170	12	24	79%	22	1	10	50%
2 nd	108	12	25	66%	74	9	3	84%	0	0	0	-
4 th	351	65	147	40%	275	35	53	68%	39	6	14	49%
6 th	30	13	12	17%	52	5	0	90%	2	0	0	100%
7 th	31	29	0	6%	54	17	0	69%	5	5	0	0%
8 th	104	9	49	44%	157	7	33	75%	14	1	9	29%
9 th	58	37	21	0%	45	28	0	38%	5	2	0	60%
10 th	24	13	4	29%	16	5	2	56%	0	0	0	-
12 th	15	4	3	53%	105	25	20	57%	8	1	2	63%
13 th	13	8	0	38%	37	9	0	76%	6	3	0	50%
15 th	23	19	0	17%	29	11	0	62%	1	0	0	100%
17 th *	236	86	0	64%	324	103	0	68%	40	20	0	50%
18 th	137	42	21	54%	219	42	5	79%	2	0	0	100%
19 th	82	23	30	35%	103	16	14	71%	13	4	3	46%
20 th	94	15	57	23%	58	5	1	90%	19	3	8	42%
21 st *	51	41	0	20%	95	38	0	60%	13	7	0	46%
Totals	1453	444	418	41%	1813	367	155	71%	189	53	46	48%

*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 FY23

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	457	105	291	13%	718	65	99	77%	46	2	22	48%
2 nd	483	84	108	60%	389	27	8	91%	4	0	1	75%
4 th	1071	209	381	45%	987	212	90	69%	184	17	54	61%
6 th	101	63	24	14%	170	38	0	78%	11	4	0	64%
7 th	210	185	0	12%	253	88	0	65%	25	12	0	52%
8 th	365	26	202	38%	639	33	140	73%	57	18	14	44%
9 th	211	102	77	15%	151	97	15	26%	19	8	0	58%
10 th	256	73	82	39%	195	29	29	70%	21	5	3	62%
12 th	43	13	9	49%	388	92	68	59%	55	13	14	51%
13 th	60	43	0	28%	134	38	0	72%	21	6	1	67%
15 th	142	123	0	13%	87	33	0	62%	1	0	0	100%
17 th *	765	352	0	54%	1305	354	0	73%	94	45	0	52%
18 th	546	193	98	47%	654	116	9	81%	9	0	0	100%
19 th	277	59	111	39%	462	92	50	69%	35	7	13	43%
20 th	301	47	209	15%	213	39	1	81%	42	4	24	33%
21 st *	239	205	0	14%	393	157	0	60%	55	28	0	49%
Totals	5527	1882	1592	37%	7138	1510	509	72%	679	169	146	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.