

COLORADO JUDICIAL BRANCH

Office of Probation Services

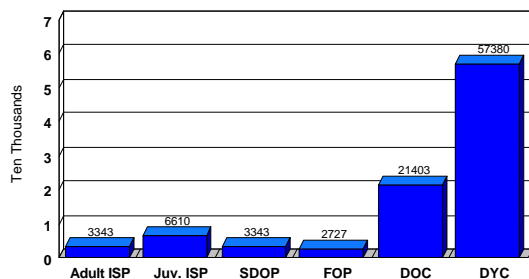
ANNUAL REPORT OF SPECIAL PROBATION PROGRAMS

FY 1995-96

EXECUTIVE SUMMARY

Special probation programs emphasize the selection of the highest risk population manageable in the community setting. Each program, while designed to improve the overall effectiveness of probation, intends to reduce state correctional costs by managing offenders in programs costing less than other correctional options.

Annualized Cost for Supervision



DYC Institution cost calculated at capacity
DOC costs as reflected in FY 1995 Statistical Report

To achieve success, this approach to intermediate sanctioning requires programs with prescribed capacities that offer appropriate offender control and well-targeted treatment services.

Colorado Probation currently operates the following specialized programs and projects:

- ◆ Adult Intensive Supervision Probation
- ◆ Juvenile Intensive Supervision Probation
- ◆ Specialized Drug Offender Program
- ◆ Female Offender Program
- ◆ Domestic Violence Project
- ◆ Adult Sexual Abuse Offender Project
- ◆ Juvenile Sex Offender Integrated Supervision Project

Probation in Colorado, since 1984, has been a national leader in the development and use of intermediate sanctions. Utilizing national and international research on "what works" in the supervision of offenders, special programs have been designed to address identified needs of offenders that, when unmet, lead to increased levels of risk for re-offending.

Since not all offenders are alike, it is critical that accurate assessment be conducted and used to guide correctional professionals in matching the offender to the appropriate program.

ADULT STANDARDIZED ASSESSMENT

As the result of passage of House Bill 91-1173, probation, in collaboration with the Department of Corrections, Parole, Division of Criminal Justice, and the Alcohol and Drug Abuse Division of the Department of Human Services, developed, and have since implemented, a standardized assessment for all adult offenders.

The assessment instruments are designed to measure risk for re-offending, as well as the offenders involvement with alcohol and drugs. The results of this assessment provide a set of measures from which to make recommendations for placement in specialized

probation programs, while providing for improved placement in specific treatment programs. In cooperation with the Division of Criminal Justice, an interagency validation study of the five assessment tools has been in process for the last year.

Additionally, an offender typology analysis, which will provide suggested supervision and treatment strategies, is being conducted using the data collected through standardized assessment. The results of these two research efforts will be available in 1998.

Of the offenders who have undergone standardized assessment since the implementation of Article 11.5, an estimated 10,535 have been referred to substance abuse treatment by probation officers.

JUVENILE STANDARDIZED ASSESSMENT

Development of standardized juvenile assessment processes continues on two fronts. Pilot use of the Colorado Youthful Offender - Level of Services Inventory (CYO-LSI) was implemented during the fall of 1995. The CYO-LSI is a risk and need assessment instrument for use with youthful offenders, modeled on the adult Level of Assessment Inventory, the base risk/need instrument for adult offenders. Statewide implementation is expected to be completed by October 1997.

Work on a second standardized juvenile assessment process is underway in a cooperative effort between the Department of Human Services and the Office of Probation Services. This effort is intended to create a model assessment to be used with juveniles who are at risk for out-of-home placement. Pilot testing of the assessment is expected to begin mid-to-late 1997.

RECIDIVISM STUDY

Per House Bill 96-1366, the Judicial Department was requested to provide footnote reports on pre- and post-release recidivism rates among all segments of the probation population to include, in particular, the Adult and Juvenile Intensive Supervision Probation Programs, the Specialized Drug Offender Program and the Female Offender Program.

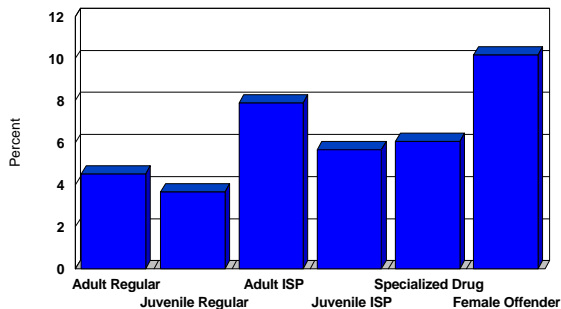
A review of available literature on the subject of recidivism revealed that there was no universally accepted definition. Necessary to the completion of these reports, definitions of pre- and post-release recidivism had to be established. The following definitions were advocated:

- ◆ **Pre-Release Recidivism:** *Having been revoked from probation for the commission of any felony and/or misdemeanor crime.*
- ◆ **Post-Release Recidivism:** *Re-arrest for any felony or misdemeanor offense, excluding DUI, for a one-year period following successful termination of a probation sentence.*

Completing the recidivism study provided a number of challenges. Among the most serious of these were: 1) the lack of a universally accepted definition of recidivism; 2) difficulty in retrieving criminal records; 3) few benchmark or comparison studies; and 4) resource constraints.

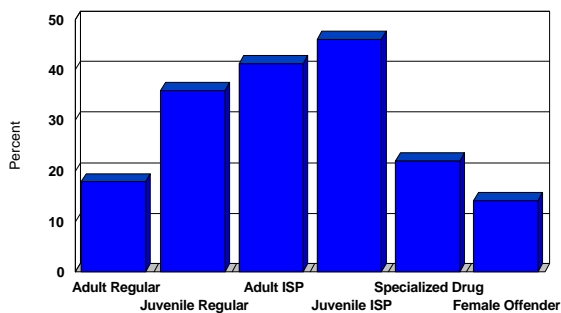
Findings from the pre-release recidivism data reveal that Colorado is effectively containing the criminal behavior of its offenders while on probation. Re-arrest rates ranged from only 4 to 10 percent. As expected, the higher-risk "prison-diversion" cases showed a higher rate of re-arrest than rates determined for Regular probation cases. The chart below illustrates the pre-recidivism rates for each of the probation programs.

Pre-Release Recidivism Rates



However, re-arrest rates for these populations significantly increased when offenders are under no form of community supervision. Post-release recidivism rates ranged from 14 to 46 percent. The impact of these findings may suggest the need for lengthier supervision sentences and reduced caseloads for officers supervising high-risk offenders. The chart below illustrates the post-recidivism rates for each of the probation programs.

Post-Release Recidivism Rates



It was not an objective of the footnote report to determine whether the recidivism rates for specialized programs were high or low. Without comparable studies, with similar populations, using common measures and definitions, this

cannot be judged. The objective of the reports was to establish a baseline for the specialized programs for use in future studies to determine whether recidivism rates for these high risk populations are increasing or decreasing.

ESTABLISHMENT OF STATEWIDE PROBATION PRIORITIES

In June of 1996, Chief Justice Vollack issued Chief Justice Directive (CJD) 96-05, "Establishment of Statewide Probation Priorities". This directive established a new model for focusing probation resources, making risk of re-offending the dominant consideration. Public safety concerns require that probation resources be directed toward the highest risk offenders in the community. Included in the directive is the explicit assignment of domestic violence cases as a Probation priority for screening and assessment. Additionally, cases assessed to be at high risk are to receive priority supervision services.

In an effort to operationalize this aspect of CJD 96-05, the Office of Probation Services, in collaboration with the victim's community, other criminal justice agencies, and nationally recognized researchers has submitted a federal funding proposal (Colorado Domestic Violence Risk Reduction Project) to the Office of Justice Programs, Violence Against Women Grants Office, to validate behaviorally specific risk screening and assessment instruments to be used with this population.

SPECIALIZED PROGRAMS REVIEW & UPDATE

ADULT INTENSIVE SUPERVISION

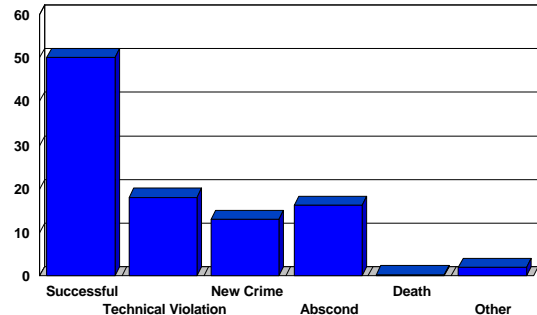
Goal: To protect the community in a cost-effective manner by providing supervision, surveillance, and appropriate services to offenders who, without this program, may be incarcerated.

Adult Intensive Supervision Probation (AISP), was established as a limited pilot program in 1984 and expanded statewide in 1988. On the strength of the findings contained in the "Report of Findings: Colorado's Intensive Supervision Probation", Division of Criminal Justice (1994), that the ISP program was effectively diverting offenders from prison, the Colorado Legislature authorized the expansion of the program over a period of two fiscal years, beginning in FY 1995-96.

At completion of the expansion the Adult ISP program will double its pre-expansion size. Expansion resource distribution was determined based on an analysis of three years of filing and commitment data for each judicial district, with resource allocation being weighted toward those districts with the highest commitment rates. The goal of the ISP expansion is to reduce the statewide rate of commitment by approximately 7 percent. Based on projections, this will result in an annual 280 bed reduction in prison commitments by June 30, 1997.

During FY 1995-96 the Adult ISP Program provided supervision to 1,665 adult offenders at an average annualized cost of \$3,343 per case. The following chart shows the status, by percentage, of the 629 offenders discharged during FY 1996.

Adult Intensive Supervision Discharge Data



JUVENILE INTENSIVE SUPERVISION

Goal: To provide an additional sentencing option for adjudicated delinquent youth who present a high risk of future placement within correctional or residential facilities. The program balances community protection with individual youth service needs through a continuum of services that emphasize assessment, accountability, and competency development.

Initiated as a pilot project in 1992, Juvenile ISP was expanded statewide during the 1993 Special Legislative Session. Building on the existing programs, additional support has been provided through local Senate Bill 94-94 projects.

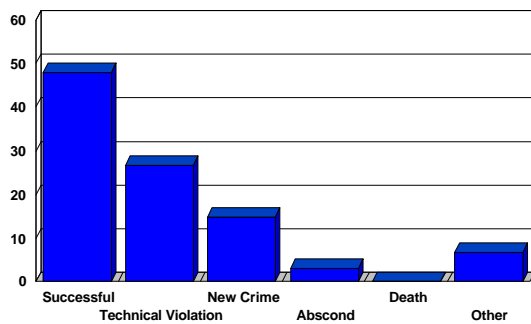
This coordinated effort of state and local agencies provides increased supervision to youth presenting a high risk of future commitment to the Department of Human Services, as well as youth in transition back into the community following completion of the Juvenile Regimented Training Program (JRTP).

The report, *Evaluation of the Juvenile Regimental Training Program*, Department of Human Services, Division of Youth Corrections (November 1996), indicates that JRTP post-release rates of recidivism were lower for those youth served on JISP, with a formal aftercare program, confirming that when intensive

supervision is combined with appropriate service delivery, outcomes are improved.

During FY 1995-96 the Juvenile ISP Program provided supervision to 484 juvenile offenders at an average annualized cost of \$6,610 per case. The following chart shows the status, by percentage, of the 178 offenders discharged during FY 1996.

Juvenile Intensive Supervision Discharge Data



SPECIALIZED DRUG OFFENDER

Goal: To provide an intensive form of probation supervision to high-risk, substance abusing offenders whose probability of failure on probation is significant.

The Specialized Drug Offender Program (SDOP) operates in 16 judicial districts. Initially established as a one pilot project in 1991, the program was granted continuation funding in 1992 based on the positive findings of research conducted by the Center for Action Research, University of Colorado (Hunter and Johnson 1992).

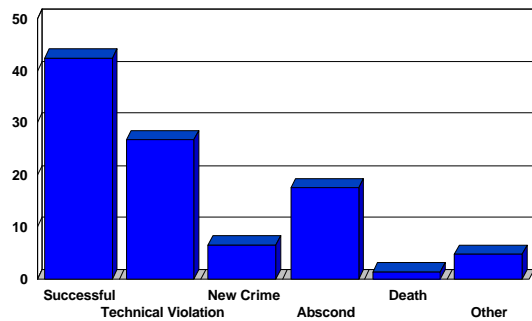
Designed to specifically address the strong link between drug use and criminal conduct, the SDOP incorporated cognitive-behavioral skill training, in addition to conventional treatment approaches, frequent drug testing and high

levels of surveillance, to create a model intervention program.

A comparison of the FY 1995-96 outcome data to that from FY 1994-95 shows that the SDOP had a 1% increase (41.5 to 42.5) in the number of positive program terminations and a 4.1% decrease (10.8 to 6.7) in the rate of new crimes while under program supervision. Technical violations account for the greatest portion under the category of negative terminations. The majority of these violations are due to on-going drug use detected through weekly testing.

During FY 1995-96 the Specialized Drug Offender Program provided supervision to 860 adult offenders at an average annualized cost of \$3,343 per case. The following chart shows the status, by percentage, of the 480 offenders discharged during FY 1996.

Specialized Drug Offender Discharge Data



FEMALE OFFENDER

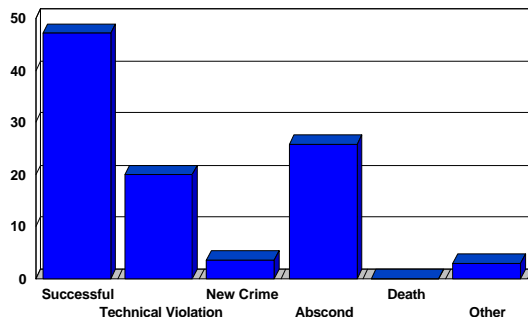
Goal: To provide services in five urban districts for training and referrals for female offenders who have failed in other programs.

The Female Offender Program was originally funded by the Drug Control System Improvement Program in 1991, to develop a response to the needs of substance abusing female offenders.

In 1993, the Criminal Justice Commission endorsed a statewide policy statement regarding the supervision and treatment of female offenders in all sectors of the criminal justice system. The policy evolved into a funding strategy whereby a comprehensive plan to address the specific needs of this population would be developed in an effort to reduce the rates of imprisonment for female offenders. The targeted rate of reduction was established at 5 to 10 percent.

In FY 1994-95, the most recent year for commitment data, the Female Offender Program exceeded the 10 percent commitment reduction goal by 120%, diverting 55 women from the Department of Corrections. This diversion resulted in a savings of \$1,001,440.

Female Offender Discharge Data



During FY 1995-96 the Female Offender Program provided supervision to 379 adult

female offenders at an average annualized cost of \$2,727 per case. The chart located on the previous column demonstrates the status, by percentage, of the 152 offenders discharged during FY 1996.

SPECIAL INITIATIVES

SPECIALIZED SEXUAL ABUSE OFFENDER PROJECT

Goal: To develop a model supervision program that emphasizes thorough assessment, physiological monitoring, intensive supervision and treatment, and relapse prevention and education for sexual abuse offenders on probation.

This program is entering its third year of grant funding; having received the first year of federal funding in October of 1994. The project is managed by the Office of Probation Services and the Weld County Probation Department.

The grant allowed Weld County to implement a special caseload (40-45 offenders) with an officer who had received extensive training in the management of sex offenders. Sex offenders are typically supervised at the specialized level for a minimum of two years. A longer locus of external control and containment is especially important with these offenders, given the high risk that they pose to the community.

In FY 1996, there were 11 discharges from the program; 55% successful and 45% based on revocation. The revocations were due to a continuation of drug use and/or the defendant's refusal to participate in treatment (a technical violation). No revocations were due to the commission of new crimes.

The greatest accomplishments of this Program include the development of state guidelines for the assessment, treatment and supervision of

sex offenders; training, both a 16-hour overview and a 76-hour advanced curriculum; and, a model for the development of specialized caseloads that allow for more intensive supervision of this high risk group of offenders.

All aspects of the Program have been highly coordinated with the activities of the Sex Offender Treatment Board. The training, in all likelihood, will serve as the basis for the training that the board is committed to provide to treatment providers and other individuals who work with sex offenders.

JUVENILE SEX OFFENDER INTEGRATED SUPERVISION PROJECT

Goal: To develop an integrated interagency case management program for juvenile sex offenders on probation which emphasizes thorough assessments, intense supervision, physiological monitoring, cognitive-behavioral approaches to supervision and treatment, relapse prevention, and education.

The Judicial Branch was awarded a federal grant in October of 1996 to begin development of a Juvenile Sex Offender Integrated Supervision Program. The pilot site for this program is the First Judicial District Probation Department. The need for special attention to the supervision of this population is highlighted in the research; that 50% of molestations perpetrated against males and 20-25% of sexual abuse against females is initiated by adolescents. Research with sex offenders who are convicted as adults reveals that the age of onset for sexual offending was less than 18 years in 58% of the cases.

The evidence shows that untreated, the rate of re-offense is about 85%. Treated, the rate of re-offense drops substantially to 8 - 14%. By targeting juvenile sex offenders there exists the opportunity to lessen the probability of those offenders becoming adult sex offenders, thereby reducing the tremendous impact to victims, future victims and the community-at-large. Most of the recent literature states that the preferred, or most successful, method of

working with juvenile sex offenders requires a coordinated effort between treatment and corrections. The 1st Judicial District is currently supervising 80 juvenile sex offenders in a team approach which emphasizes interagency case management in assessment, treatment, family education and relapse prevention. The caseload is staffed by two specially trained probation officers. The initial grant is for one year. There is potential for the grant funding to be extended through four years. It is too early in the development of the program to provide outcome data. The foundation for this project seems sound and there is a high level of interagency dedication.

DOMESTIC VIOLENCE ASSESSMENT AND SUPERVISION PROJECT

Goal: To provide probation monitoring and supervision for identified domestic violence perpetrators, differentiating the level of service delivery on the basis of appropriate assessment.

The Domestic Violence Assessment and Supervision Project (DVP) has worked to develop a statewide standard for the assessment and supervision of offenders convicted of acts in which the underlying factual basis is one of domestic violence. Begun in FY 1994-95, the program has used the Domestic Violence Behavioral Checklist (Lindsey and Robinson 1994) as a rudimentary risk assessment tool to guide officers in assigning offenders to a maximum, medium, or minimum level of supervision. All domestic violence offenders sentenced in Colorado are required by statute to undergo domestic violence treatment, delivered by a certified treatment provider. In the 10 judicial districts participating in the Domestic Violence Assessment and Supervision Project (DVP) 2,673 offenders were assessed and approximately 3,500 domestic violence offenders were supervised during FY 1995-96.

JUVENILE STANDARDIZED

ASSESSMENT

Using the adult standardized assessment project as a model, Colorado Probation has taken the lead in the development of a juvenile standardized assessment. Working in conjunction with the Division of Youth Corrections, Division of Criminal Justice diversion programs, Senate Bill 94-94 programs, and the Youth Offender System, a statewide and system-wide process for assessing youthful offenders was developed. This process began pilot implementation in the fall of 1995, and which includes a validation and reliability study to be completed in January 1997. Full statewide implementation is expected to be completed by October 1997. In addition to providing information to guide program placement decisions, this data will serve to evaluate the success of each program based upon specific offender profiles, allowing for improved future placement decisions among programs.

Based on the success of the standardized assessment project for delinquent youth, the Department of Human Services, in conjunction with the Office of Probation Services, is developing a standardized assessment process for youth at risk for out-of-home placement. Using a "decision tree" model, project goals are: 1) identification of factors that contribute to risk that a juvenile will require out-of-home placement; 2) identification of criteria to be used in making decisions for out-of-home placement of a juvenile; 3) increased consistency in decisions statewide about out-of-home placements; and, 4) criteria to assist matching the highest need youth with the most appropriate placement available. Pilot testing of the assessment process is expected to begin in June 1997.

FUTURE INITIATIVES

COLORADO DOMESTIC VIOLENCE

RISK REDUCTION PROJECT

Resulting from years of collaboration between its victim advocate community and the criminal justice system, Colorado's mandatory arrest policies and aggressive prosecution have significantly increased the number of domestic violence offenders appearing in court. In June 1996, the Chief Justice of the Colorado Supreme Court issued a directive mandating that risk for re-offending, not the class of offense, be the determining factor in the prioritization of probation resources. The directive specifically identified domestic violence cases as a Priority 1 for screening and assessment, and for priority supervision when the risk was high. Recognizing the need for valid and reliable screening and assessment instruments, and knowing that none exist, the Office of Probation Services, in conjunction with the victims services community, other criminal justice agencies, and researchers from the Center for the Study and Prevention of Violence has made a proposal to the Office of Justice Programs, Violence Against Women Grants Office to: 1) develop and validate a risk screening instrument that will identify offenders at high risk of re-offending; 2) validate a secondary assessment instrument that will assist probation to determine the appropriate level of supervision and intensity of treatment required; 3) field test the screening and assessment process in four of Colorado's 22 judicial districts; and 4) develop a training curriculum and quality assurance protocol so that the project can be replicated in other jurisdictions. The locations that will be participating in this 18-month project are the City and County of Denver, and the 8th, 17th and 19th Judicial Districts. The project has received initial approval by the Justice Department.