

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 14-1029.01 Richard Sweetman x4333

HOUSE BILL 14-1355

HOUSE SPONSORSHIP

Kagan and Gardner,

SENATE SPONSORSHIP

Guzman and King,

House Committees

Judiciary
Appropriations

Senate Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 CONCERNING DEPARTMENT OF CORRECTIONS REENTRY INITIATIVES
102 FOR SUCCESSFUL REINTEGRATION OF ADULT OFFENDERS INTO
103 THE COMMUNITY, AND, IN CONNECTION THEREWITH, MAKING AN
104 APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

On and after July 1, 2014, the department of corrections (department) shall develop and implement initiatives specifically

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
May 2, 2014

HOUSE
3rd Reading Unamended
April 21, 2014

HOUSE
Amended 2nd Reading
April 17, 2014

designed to decrease recidivism, enhance public safety, and increase each offender's chances of achieving success upon his or her release to the community.

Subject to appropriations, on and after July 1, 2014, the department shall:

- ! Develop and implement initiatives specifically designed to assist offenders in a correctional facility to prepare for release to the community;
- ! Develop and implement initiatives specifically designed to assist each offender's transition from a correctional facility into the community; and
- ! Make necessary operational enhancements and develop and implement initiatives specifically designed to ensure that the department has the proper equipment, training, and programs to properly supervise offenders in the community to enhance public safety.

On and after January 1, 2015, the department shall develop and implement a grant program to provide funding to eligible community-based organizations that provide reentry services to offenders in the community. On or before January 1, 2015, the executive director shall develop policies for the administration of the grant program.

The grant program is repealed, effective September 1, 2018. Before such repeal, the department of regulatory agencies shall conduct a sunset review of the grant program.

On and after January 1, 2016, during its annual presentation before the joint judiciary committee of the general assembly, or any successor joint committee, the department shall include a status report regarding the progress and outcomes of reentry planning and program initiatives developed and implemented by the department during the preceding year.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 17-33-101 as
3 follows:

4 **17-33-101. Reentry planning and programs for adult parole**
5 **- grant program - rules - reports - repeal.** (1) The department of
6 ~~corrections~~ shall administer appropriate programs for offenders prior to
7 and after release to assist offenders with reentry into society based upon
8 the assessed need as determined by the EXECUTIVE director ~~of the~~

1 ~~department of corrections~~ and suitability of individual offenders for such
2 services. The department ~~of corrections~~ shall administer the reentry
3 programs in collaboration with the division of adult parole in the
4 department ~~of corrections~~ and the youthful offender system in the
5 department. ~~of corrections.~~

6 (2) The department ~~of corrections~~ shall design the reentry program
7 to reduce the possibility of ~~the~~ EACH offender returning to prison, to assist
8 ~~the~~ EACH offender in rehabilitation, and to provide ~~the~~ EACH offender
9 with life management skills that allow him or her to function successfully
10 in society.

11 (3) ON AND AFTER JULY 1, 2014, THE DEPARTMENT SHALL DEVELOP
12 AND IMPLEMENT INITIATIVES WITHIN THE DEPARTMENT SPECIFICALLY
13 DESIGNED TO DECREASE RECIDIVISM, ENHANCE PUBLIC SAFETY, AND
14 INCREASE EACH OFFENDER'S CHANCES OF ACHIEVING SUCCESS UPON HIS
15 OR HER RELEASE TO THE COMMUNITY.

16 (4) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014, THE
17 DEPARTMENT SHALL DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY
18 DESIGNED TO ASSIST OFFENDERS IN A CORRECTIONAL FACILITY TO
19 PREPARE FOR RELEASE TO THE COMMUNITY. AN INITIATIVE DEVELOPED
20 AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (4) MAY INCLUDE, BUT
21 NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

22 (a) ENHANCED CASE MANAGEMENT CAPABILITIES TO ALLOW CASE
23 MANAGERS THE ABILITY TO CREATE INDIVIDUALIZED INSTITUTIONAL CASE
24 PLANS THAT HELP ADDRESS THE OFFENDER'S ASSESSED RISKS AND NEEDS;

25 (b) PRE-RELEASE SPECIALISTS TO DEVELOP PRE-RELEASE PLANS
26 AND PROGRAMS FOR OFFENDERS;

27 (c) THE ASSIGNMENT OF COMMUNITY PAROLE OFFICERS TO

1 FACILITIES SO THAT EACH OFFENDER HAS AN UNDERSTANDING OF THE
2 EXPECTATIONS OF COMMUNITY SUPERVISION, AVAILABLE SERVICES, AND
3 PAROLE; AND

4 (d) TRANSPORTATION FOR HIGH-RISK AND HIGH-NEEDS
5 OFFENDERS, AS DEFINED BY THE DEPARTMENT, WHO ARE BEING RELEASED
6 FROM A CORRECTIONAL FACILITY TO A COMMUNITY PAROLE OFFICE, TO
7 HELP PROVIDE EFFECTIVE SUPERVISION, ENHANCE PUBLIC SAFETY, AND
8 EXPEDITE CRITICAL SERVICES.

9 (5) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014,
10 THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT INITIATIVES
11 SPECIFICALLY DESIGNED TO ASSIST EACH OFFENDER'S TRANSITION FROM
12 A CORRECTIONAL FACILITY INTO THE COMMUNITY. AN INITIATIVE
13 DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (5) MAY
14 INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

15 (a) AN EVIDENCE-BASED COGNITIVE BEHAVIORAL PROGRAM FOR
16 OFFENDERS;

17 (b) COMMUNITY-BASED MENTAL HEALTH CONSULTANTS TO
18 PROVIDE ASSISTANCE WITH CASE PLANNING AND TO CONSULT WITH AND
19 TRAIN COMMUNITY PAROLE OFFICERS CONCERNING HOW TO SECURE
20 APPROPRIATE AND AVAILABLE MENTAL HEALTH SERVICES FOR PAROLEES
21 IN THE COMMUNITY;

22 (c) IN COLLABORATION WITH THE STATE DEPARTMENT OF LABOR
23 AND EMPLOYMENT CREATED IN SECTION 24-1-121, C.R.S., OR ANY OTHER
24 EMPLOYMENT OR JOB TRAINING PROGRAM WITHIN THE COMMUNITY,
25 INITIATIVES TO HELP OFFENDERS IN THE COMMUNITY OBTAIN
26 EMPLOYMENT, JOB PLACEMENT, OR TRAINING;

27 (d) REENTRY SPECIALISTS TO HELP OFFENDERS SUCCESSFULLY

1 REENTER THE COMMUNITY;

2 (e) CONSOLIDATION AND EXPANSION OF EMERGENCY ASSISTANCE
3 CONTRACT FUNDING TO EFFECTIVELY PROVIDE ASSISTANCE TO PAROLEES
4 IN THE COMMUNITY; AND

5 (f) A PROGRAM TO PROVIDE MEDICATION-ASSISTED THERAPIES TO
6 ELIGIBLE OFFENDERS.

7 (6) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014,
8 THE DEPARTMENT SHALL MAKE NECESSARY OPERATIONAL
9 ENHANCEMENTS AND DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY
10 DESIGNED TO ENSURE THAT THE DEPARTMENT HAS THE PROPER
11 EQUIPMENT, TRAINING, AND PROGRAMS TO PROPERLY SUPERVISE
12 OFFENDERS IN THE COMMUNITY TO ENHANCE PUBLIC SAFETY. AN
13 INITIATIVE DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION
14 (6) MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING
15 COMPONENTS:

16 (a) A COMPREHENSIVE STAFF TRAINING PROGRAM THAT:

17 (I) IS CONSISTENT WITH RESEARCH AND EVIDENCE-BASED
18 PRACTICES;

19 (II) ENHANCES BASIC TRAINING AND PROVIDES ANNUAL
20 IN-SERVICE TRAINING FOR COMMUNITY PAROLE OFFICERS AND STAFF; AND

21 (III) CREATES STAFF DEVELOPMENT WITHIN THE DIVISION OF
22 ADULT PAROLE SO THAT THE DIVISION WILL EFFECTIVELY SUPERVISE
23 OFFENDERS THROUGH SUCCESSFUL REINTEGRATION;

24 (b) ACQUISITION OF EQUIPMENT AND RESOURCES THAT WILL
25 EFFECTIVELY MONITOR AND RESPOND TO TAMPERING AND OTHER ALERTS
26 RELEASED BY ELECTRONIC MONITORING UNITS;

27 (c) ESTABLISHMENT OF AN EQUIPMENT REPLACEMENT PLAN FOR

1 ENHANCED COMMUNITY PAROLE OFFICER SAFETY; AND

2 (d) ENHANCEMENTS TO PAROLE INFORMATION TECHNOLOGY AND
3 PAROLEE TRACKING SYSTEMS.

4 (7) (a) SUBJECT TO APPROPRIATIONS, ON AND AFTER JANUARY 1,
5 2015, THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A GRANT
6 PROGRAM TO PROVIDE FUNDING TO ELIGIBLE COMMUNITY-BASED
7 ORGANIZATIONS THAT PROVIDE REENTRY SERVICES TO OFFENDERS IN THE
8 COMMUNITY. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM
9 IN ACCORDANCE WITH POLICIES DEVELOPED BY THE EXECUTIVE DIRECTOR
10 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (7).

11 (b) ON OR BEFORE JANUARY 1, 2015, THE EXECUTIVE DIRECTOR
12 SHALL DEVELOP POLICIES FOR THE ADMINISTRATION OF THE GRANT
13 PROGRAM, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

14 (I) A PROCESS FOR DETERMINING ELIGIBILITY CRITERIA FOR A
15 COMMUNITY-BASED ORGANIZATION, INCLUDING BUT NOT LIMITED TO A
16 COMMUNITY-BASED ORGANIZATION THAT SERVES AS AN INTERMEDIARY
17 ON BEHALF OF A COLLABORATION OF ELIGIBLE COMMUNITY-BASED
18 ORGANIZATIONS, TO RECEIVE A GRANT FROM THE GRANT PROGRAM;

19 (II) A PROCESS AND TIMELINE WHEREBY A COMMUNITY-BASED
20 ORGANIZATION MAY APPLY FOR A GRANT FROM THE GRANT PROGRAM;

21 (III) A PROCESS FOR DETERMINING THE AMOUNT OF EACH GRANT
22 THAT IS AWARDED TO AN ELIGIBLE COMMUNITY-BASED ORGANIZATION;

23 (IV) A PROCESS FOR ESTABLISHING DATA-REPORTING
24 REQUIREMENTS FOR EACH ELIGIBLE COMMUNITY-BASED ORGANIZATION
25 THAT RECEIVES A GRANT FROM THE GRANT PROGRAM; AND

26 (V) A PROCESS FOR DETERMINING THE MAXIMUM AMOUNT OF
27 MONEYS THAT AN ELIGIBLE COMMUNITY-BASED ORGANIZATION MAY

1 RECEIVE FROM THE GRANT PROGRAM IN A SINGLE FISCAL YEAR.

2 (c) IN DEVELOPING POLICIES FOR THE ADMINISTRATION OF THE
3 GRANT PROGRAM PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (7),
4 THE EXECUTIVE DIRECTOR MAY REQUIRE THAT STAFF MEMBERS OF AN
5 ELIGIBLE COMMUNITY-BASED ORGANIZATION SEEKING FUNDING FROM THE
6 GRANT PROGRAM MUST SUBMIT TO A CRIMINAL BACKGROUND CHECK
7 BEFORE AN AWARD DECISION IS MADE. HOWEVER, THE EXECUTIVE
8 DIRECTOR MAY NOT EXCLUDE A COMMUNITY-BASED ORGANIZATION FROM
9 RECEIVING GRANT MONEYS SOLELY BECAUSE ONE OR MORE STAFF
10 MEMBERS OF THE COMMUNITY-BASED ORGANIZATION HAS A CRIMINAL
11 RECORD. IF THE EXECUTIVE DIRECTOR DETERMINES THAT ONE OR MORE
12 STAFF MEMBERS OF AN APPLICANT ELIGIBLE COMMUNITY-BASED
13 ORGANIZATION HAS A CRIMINAL RECORD, HE OR SHE SHALL CONSIDER THE
14 FACTORS DESCRIBED IN SECTION 24-5-101 (4), C.R.S., BEFORE DECIDING
15 WHETHER TO AWARD GRANT MONEYS TO THE COMMUNITY-BASED
16 ORGANIZATION.

17 (d) THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, SHALL
18 MAKE THE FINAL DECISION WHETHER TO AWARD OR DENY A GRANT FROM
19 THE GRANT PROGRAM.

20 (e) IN AWARDING GRANTS FROM THE GRANT PROGRAM EACH
21 FISCAL YEAR, THE DEPARTMENT SHALL NOT AWARD ANY GRANT MONEYS
22 IN EXCESS OF THE AMOUNT APPROPRIATED TO THE DEPARTMENT FOR THE
23 PURPOSES OF THIS SECTION.

24 (f) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE SEPTEMBER 1,
25 2018. BEFORE SUCH REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES
26 SHALL REVIEW THE GRANT PROGRAM PURSUANT TO SECTION 24-34-104
27 (49.5) (h), C.R.S.

1 (8) ON AND AFTER JANUARY 1, 2016, DURING ITS ANNUAL
2 PRESENTATION BEFORE THE JOINT JUDICIARY COMMITTEE OF THE GENERAL
3 ASSEMBLY, OR ANY SUCCESSOR JOINT COMMITTEE, PURSUANT TO SECTION
4 2-7-203, C.R.S., THE DEPARTMENT SHALL INCLUDE A STATUS REPORT
5 REGARDING THE PROGRESS AND OUTCOMES OF THE INITIATIVES
6 DEVELOPED AND IMPLEMENTED BY THE DEPARTMENT PURSUANT TO THIS
7 SECTION DURING THE PRECEDING YEAR.

8 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add**
9 (49.5) (h) as follows:

10 **24-34-104. General assembly review of regulatory agencies**
11 **and functions for termination, continuation, or reestablishment.**

12 (49.5) The following agencies, functions, or both, shall terminate on
13 September 1, 2018:

14 (h) THE GRANT PROGRAM TO PROVIDE FUNDING TO ELIGIBLE
15 COMMUNITY-BASED ORGANIZATIONS THAT PROVIDE REENTRY SERVICES
16 TO OFFENDERS IN THE COMMUNITY, DESCRIBED IN SECTION 17-33-101 (7),
17 C.R.S.

18 **SECTION 3. Appropriation.** In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the
20 general fund not otherwise appropriated, to the department of corrections,
21 for the fiscal year beginning July 1, 2014, the sum of \$7,953,877 and 71.9
22 FTE, or so much thereof as may be necessary, to be allocated for the
23 implementation of this act as follows:

24 (a) \$418,420 to the executive director's office for health, life and
25 dental;

26 (b) \$7,981 to the executive director's office for short-term
27 disability;

- 1 (c) \$145,133 to the executive director's office for amortization
- 2 equalization disbursement;
- 3 (d) \$136,063 to the executive director's office for supplemental
- 4 amortization equalization disbursement;
- 5 (e) \$220,550 to the executive director's office for leased space;
- 6 (f) \$1,961 to the inspector general subprogram for operating
- 7 expenses;
- 8 (g) \$109,330 to the superintendents subprogram for start-up costs;
- 9 (h) \$1,443,860 and 26.9 FTE to the case management subprogram
- 10 for personal services;
- 11 (i) \$14,650 to the case management subprogram for operating
- 12 expenses;
- 13 (j) \$137,798 to the case management subprogram for start-up
- 14 costs;
- 15 (k) \$256,784 and 4.6 FTE to the mental health subprogram for
- 16 personal services;
- 17 (l) \$2,500 to the mental health subprogram for operating expenses;
- 18 (m) \$24,115 to the mental health subprogram for start-up costs;
- 19 (n) \$35,280 to the communications subprogram for operating
- 20 expenses;
- 21 (o) \$48,760 to the transportation subprogram for vehicle lease
- 22 payments;
- 23 (p) \$449,673 and 7.3 FTE to the training subprogram for personal
- 24 services;
- 25 (q) \$5,961 to the training subprogram for operating expenses;
- 26 (r) \$37,624 to the training subprogram for start-up costs;
- 27 (s) \$15,680 to the information systems subprogram for operating

1 expenses;
2 (t) \$1,616,545 and 27.6 FTE to the parole subprogram for personal
3 services;
4 (u) \$890,712 to the parole subprogram for operating expenses;
5 (v) \$610,000 to the parole subprogram for contract services;
6 (w) \$500,000 to the parole subprogram for grants to community
7 based organizations that provide parolee support services;
8 (x) \$387,954 to the parole subprogram for start-up costs;
9 (y) \$282,377 and 5.5 FTE to the community re-entry subprogram
10 for personal services;
11 (z) \$23,000 to the community re-entry subprogram for operating
12 expenses; and
13 (aa) \$131,166 to the community re-entry subprogram for start-up
14 costs.

15 **SECTION 4. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.