

# JOINT BUDGET COMMITTEE



## INTERIM SUPPLEMENTAL BUDGET REQUESTS FY 2018-19

## DEPARTMENT OF CORRECTIONS

JBC WORKING DOCUMENT - SUBJECT TO CHANGE  
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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SEPTEMBER 20, 2018

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# INTERIM SUPPLEMENTAL REQUESTS

## CENTENNIAL SOUTH FACILITIES MODIFICATIONS

	REQUEST	RECOMMENDATION
<b>TOTAL</b>	<b>\$1,134,147</b>	<b>\$1,134,147</b>
FTE	0.0	0.0
General Fund	1,134,147	1,134,147
Cash Funds	0	0
Federal Funds	0	0

**Does JBC staff believe the request satisfies the interim supplemental criteria of Section 24-75-111, C.R.S.?** [The Controller may authorize an overexpenditure of the existing appropriation if it: (1) Is approved in whole or in part by the JBC; (2) Is necessary due to unforeseen circumstances arising while the General Assembly is not in session; (3) Is approved by the Office of State Planning and Budgeting (except for State, Law, Treasury, Judicial, and Legislative Departments); (4) Is approved by the Capital Development Committee, if a capital request; (5) Is consistent with all statutory provisions applicable to the program, function or purpose for which the overexpenditure is made; and (6) Does not exceed the unencumbered balance of the fund from which the overexpenditure is to be made.] **YES**

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.] **YES**

**Explanation:** JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made. The slow improvement in utilization targets and the increase shown by the population projection has resulted in a changing situation as compared to the end of the 2018-19 legislative session.

**DEPARTMENT REQUEST:** The Department requests \$1.1 million General Fund in FY 2018-19 in the *Institutions - Maintenance Subprogram - Operating Expenses* line item for construction of recreation yards, cable and electric infrastructure upgrades, day hall furnishings, and cell modifications.

**STAFF RECOMMENDATION:** Staff recommends that the Joint Budget Committee approve an over-expenditure of \$1,134,147 General Fund in FY 2018-19 in the *Institutions - Maintenance Subprogram - Operating Expenses* line item for construction of recreation yards, cable and electric infrastructure upgrades, day hall furnishings, and cell modifications.

**STAFF ANALYSIS:**

***TAKE HOME MESSAGE***

The FY 2018-19 legislative session brought about several changes. The intent behind these changes was to reduce the pressure on the prison capacity within the state. While this approach has shown some limited success, there are complexities that have prevented these changes for reaching their full potential. These complexities have caused choke points that have limited the outflow of individuals from the prison system. However, Staff is confident that the intended outcomes can be achieved with some tweaks to the system.

Looking at the corrections system as a whole, several glaring issues stand out. The prison population trend continues to show growth. Furthermore, the number of criminal filings has been increasing. The combination of these two factors will increase pressure on prison capacity. However, adding capacity on its own will not ultimately solve these pressures. Attempting to address the issues individually

would likely lead to a diminished result or failure. The only way to reduce the pressure felt on the prison system is to address every angle at the same time.

Making adjustments to the system will address the major systemic problems while creating room to address some of the less major issues. Staff is confident a combined approach of dealing with all issues discussed in this briefing would lead to success. Removing any one component would reduce the likelihood of success, reduce flexibility to deal with changing populations, and reduce the potential of an overall reduction in prison population.

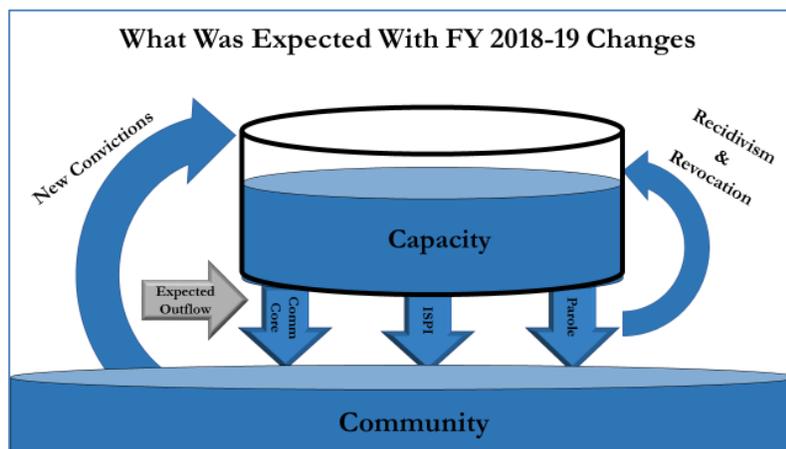
## ***DISCUSSION***

The supplemental budget request presents a question within a question. The first question is the request itself, which is for over-expenditure authority in the *Institutions - Maintenance Subprogram - Operating Expenses* line item for construction of recreation yards, cable and electric infrastructure upgrades, day hall furnishings, and cell modifications. The second question is whether or not Centennial South should be opened. The two questions are linked in as much as Centennial South cannot be opened without the modifications requested in the interim supplemental.

As to the request itself, Staff's assessment is that the request does meet the interim supplemental criteria. This request is the result of data that was not available when the original appropriation was made. The utilization targets are not currently being met and the population forecast shows an increasing trend. Furthermore, the request is for over-expenditure authority on existing line items which is appropriate for an interim supplemental.

The next question to answer is whether Centennial South should be opened. To answer this question, the briefing breaks the question into multiple parts, starting with a brief history. After that is a discussion on the projections, context and reported numbers. Next is a discussion on the status of the changes made in the FY 2018-19 legislative session, followed by a discussion of capacity. The briefing ends with a detailed staff recommendation on both questions.

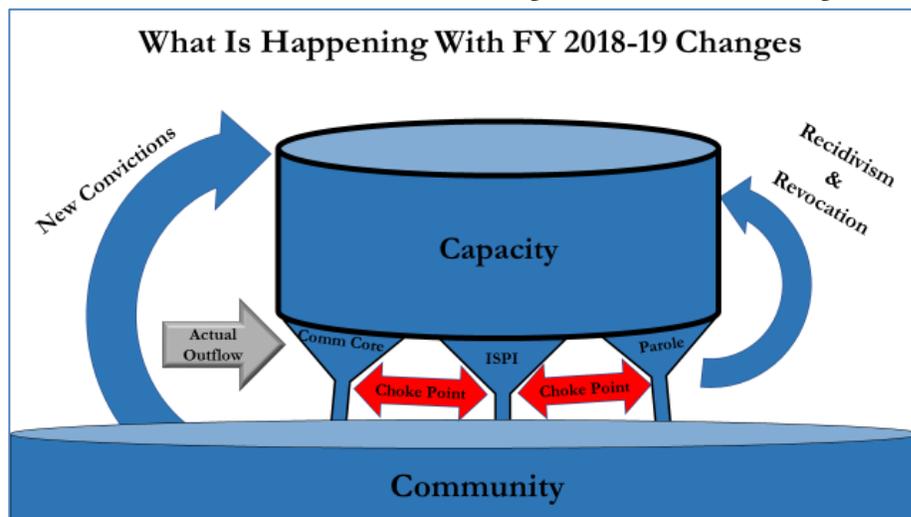
### ***How'd We Get Here?***



During the previous legislative session, prison capacity and ways to relieve it was a major discussion. One major component was the release valves for prison capacity. These valves included Community Corrections, Intensive Supervision Parole-Inmate (ISP-I), and Parole. The intention was for these three areas to hit specific target levels. As can be seen on the *What Was Expected With FY 2018-19 Changes* image, if

these release valves work as intended, then the outflow through these valves would reduce the pressure on capacity.

However, unintended issues arose with implementation, which exposed choke points in each of the



release areas. These choke points have resulted in a smaller release than anticipated, which has failed to relieve the pressure on the system. This, coupled with projected increases in the population, will put greater pressure on capacity than originally thought. The choke points in each area and the increase in the

population will be further explored below.

### ***Projections, Context, and Reported Numbers***

#### *Population Projections*

One of the discussions in the previous session was the prison population projections. These projections are done by the Division of Criminal Justice (DCJ) and Legislative Council Staff (LCS). These projections are based on dynamic models with each of the previously mentioned entities using certain assumptions in the projections. The following is a brief discussion of each entity's model.

#### LCS

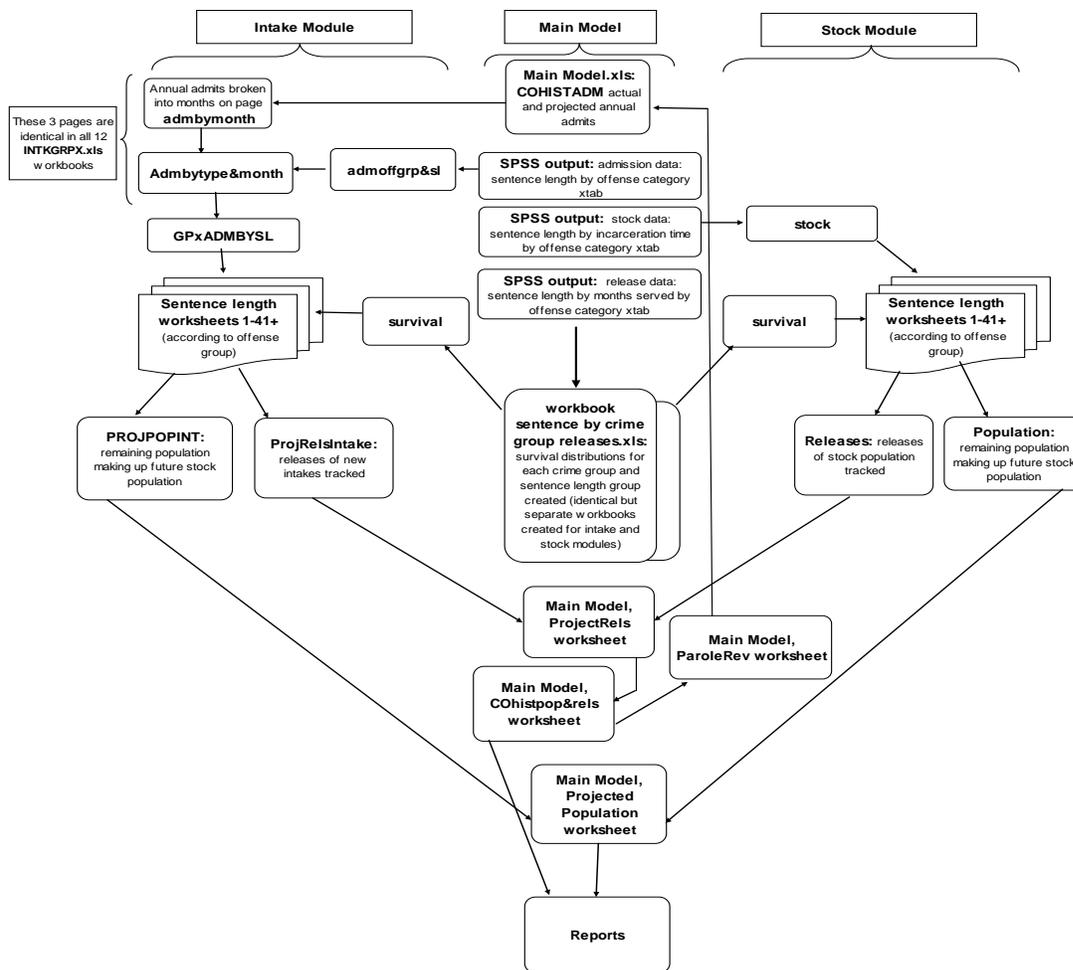
The first model comes from LCS. This model looks at historical trends and current data points in the system at a macro-level to predict inmate population. The LCS model looks at those coming into the system (intake) and those currently in the system to arrive at the projection. This starts with predictions on the behavior of individuals in the intake portion of the model. In this area, the model looks at likelihood of arrest, conviction, sentencing, and length of sentence, each at a macro-level. These numbers then feed into the main model.

Next, an analysis is done on the individuals currently in the corrections system. In this area, the model looks at length of sentence, time off for good time, time off for earned time, likelihood of receiving parole, likelihood of receiving probation, and mortality. These numbers then feed into the main model.

The main model then produces the final numbers of capacity in the system and the expected decline/growth of the prison population. While this is a simplistic explanation of the model, in discussing the model and the details with LCS, Staff is confident that the model and the methods used in determining the population are sound and well within norms of modeling. As a way to constantly improve the model, LCS reviews previous forecasts and compares them to actual numbers to determine ways of improvement.

## DCJ

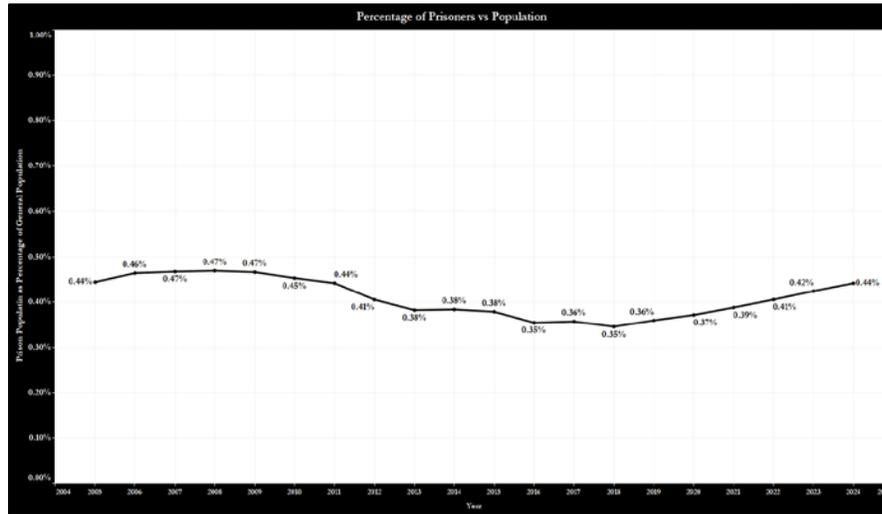
The next model comes from DCJ. This model looks at historical trends and current data points in the system at a micro-level to predict the inmate population. The flow chart below (also found in Appendix A) comes from the Office of Research and Statistics in DCJ.



The image shows the intake module (those coming into the system), stock module (those currently in the system), and the main module. The intake portion of the model looks at the same factors discussed above, although the DCJ model uses a micro-level analysis. The stock portion of the model looks at those that are currently in the system and the multiple factors discussed in the previous section that affects that population. The intake and stock models feed into the main model. It's the combination of these factors that produces the prison population projections. The most difficult portion of the model is the intake, as it can be difficult to predict human behavior. The intake model has to predict how police officers, lawyers, judges, inmates, and parole board members will behave, which can vary due to many factors. While this is a simplistic explanation of the model, in discussing the model and the details with DCJ, Staff is confident that the model and the methods used in determining the population are sound and well within norms of modeling. As a way to constantly improve the model, DCJ reviews previous forecasts and compares them to actual numbers to determine ways of improvement (Actual vs projected graphs can be found in Appendix C).

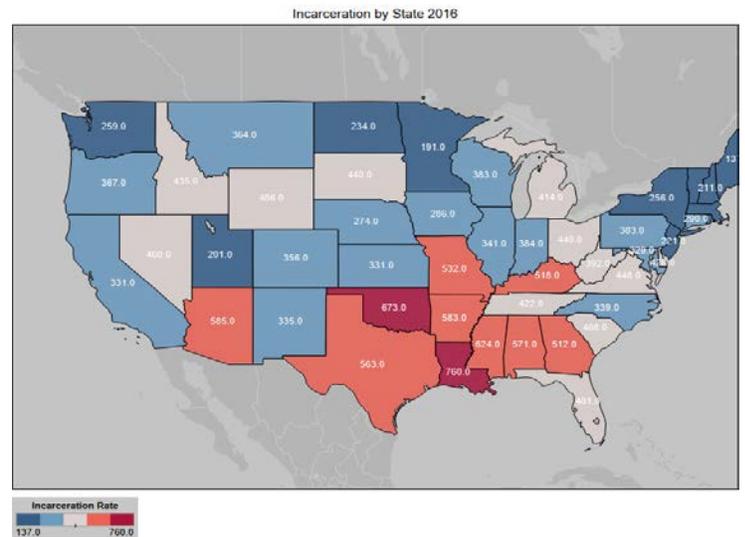
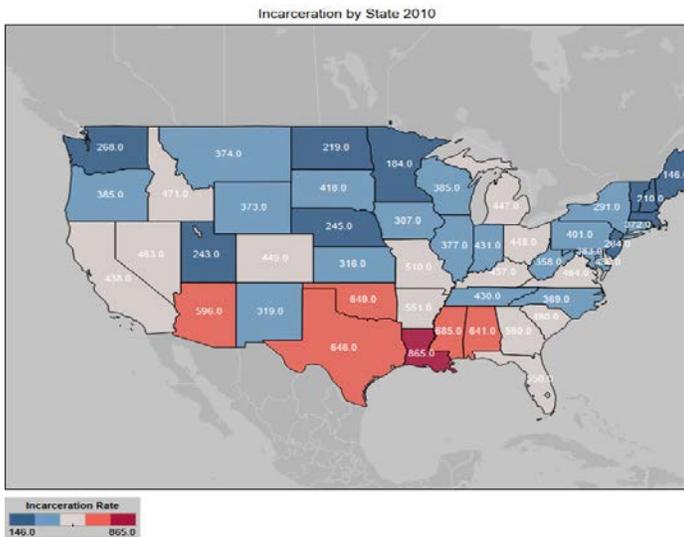
*Context*

When discussing the numbers in the prison system, it is important to keep context in mind. Looking at the number of individuals in prison and the growth of the prison population, it appears at first glance as though the prison population is experiencing a rapid increase. However, placing these numbers in context begins to show a clearer picture. While the total number of people that are incarcerated in the state has increased, when placed into the context of state population, the percentage of those incarcerated has not changed significantly over the last twenty years.



In fact, the prison population in Colorado has not been above a half of a percentage point in the last 20 years when compared to the state population. The *Percentage of Prisoners vs Population* chart (Appendix B), shows the prison population compared to the population in the State of Colorado. The percentage of those incarcerated between 2004 and the projected population in 2025 has fluctuated between 0.35 percent and 0.44 percent.

When individuals incarcerated in Colorado are compared to the nation, Colorado is nowhere near the top. The images below displays the incarceration rate which is the number of individuals incarcerated per 100,000 individuals. The maps are broken into quintiles with the first map representing 2010 (the highest mark in the past decade) and the second map representing 2016 (the most recent year with complete data). In 2010, Colorado ranked in the third quintile as compared to the national average. To say this another way, Colorado incarcerated more people than 40% of other states. By 2016, this changed as Colorado was ranked in the second quintile as compared to the national average. To say this another way, Colorado incarcerated more people than 20% of other states.



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### *Reported Numbers*

During the previous session, a good deal of discussion focused on the data that was reported to the General Assembly (GA) and about the validity of that data. During Staff's research into the Department and these issues, it became apparent that the main problem with the data presented had to do with definitions of terminology. When entities reporting data use different definitions to describe an activity or individual, the numbers that are reported will have obvious discrepancies.

For example, the word rejected with regard to CommCorr can mean multiple things. It could mean a referral was rejected by the inmate, by the referrer, by the Community Board, or by the provider. Depending on how the term was counted, four different numbers could be produced. While this leads to discrepancies in the numbers produced, it does not appear this was done with intent to deceive, but rather is a problem with using the same term for different meanings.

### *Status of FY 2018-19 Changes*

During the FY 2018-19 session, changes were made to the corrections system. These changes were meant to reduce the pressure on prison capacity and included utilization targets in CommCorr, ISP-I, and parole. However, unforeseen complexities have caused choke points that have prevented the changes from reaching their full potential. These choke points are further discussed below.

### *Community Corrections Choke Points*

The first choke point comes from community corrections (CommCorr). The intended changes envisioned community corrections placements would be 8.0 percent of the prison population. However, the prison population is an ever-changing number that grows and shrinks. This can make it difficult to reach the target as it is constantly changing. Furthermore, several aspects of the current system prevent CommCorr from achieving its full potential.

One area of issue is the lack of a contacting method that incentives both the Community Corrections Boards and the providers to "up their games" through improvement in program offerings and outcomes. The current model focuses more on flat payments than on a systematic approach to rehabilitation and re-integration. This reduces the drive to have better outcomes for all involved in the system.

Another area in CommCorr where some issue have arisen is placements within CommCorr. Examples of this can be seen in the number of referral denials and the sizable number of open beds in the system. These issues include a lack of information sharing between the different groups involved in the process, a lack of best practices used by the Boards, and limited providers due to an antiquated and duplicative regulatory system. While these issues seem daunting, those providing local support (boards and providers) have mentioned to staff on several occasions their willingness to be partners in the system. Although, as with all partnerships, it requires the partners involved to work with each other and this may require a legislatively installed structure to assist the partnership.

### *ISP-I Choke Points*

The second choke point comes from ISP-I. The intended changes envisioned the placements to be 3.0 percent of the prison population. This goal is not currently being reached as a well-functioning program for ISP-I does not exist. The Department has the authority to run an ISP-I program under Section 17-27.5-101, C.R.S. (below).

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**17-27.5-101.** Authority to establish intensive supervision programs for parolees and community corrections offenders

(1) (a) The department shall have the authority to establish and directly operate an intensive supervision program for any offender not having more than one hundred eighty days remaining until such offender's parole eligibility date and for any offender who successfully completes a regimented inmate discipline program pursuant to article 27.7 of this title.

(b) The department shall also be authorized to refer for placement to an intensive supervision program operated under the jurisdiction of units of local government under contract with and approved by the department:

(I) Any offender not having more than one hundred eighty days remaining until such offender's parole eligibility date and any offender who successfully completes a regimented inmate discipline program pursuant to article 27.7 of this title;

(II) Any offender who has met program objectives of a residential community corrections program and who has not more than one hundred eighty days remaining until such offender's parole eligibility date.

(c) The department shall have the authority to contract with community corrections programs and other providers for intensive supervision services subject to the approval of the affected unit of local government. In contracting for such programs, the department shall obtain the advice and consent of affected units of local government and shall consider the needs of the communities and offenders for successful reintegration into communities and the appropriate allocation of resources for effective correction of offenders.

(2) The department may place in an intensive supervision program authorized pursuant to subsection (1) of this section any offender who has been referred to a community corrections program pursuant to section 18-1.3-301 (2)(b), C.R.S., and approved for placement in the program pursuant to section 17-27-103 (5) or section 17-27-104 (3) if the placement will not increase the overall vacancy rate as of June 30, 1995, for the community corrections program.

### *Parole Choke Points*

The last choke point comes from Parole. The intended changes envisioned 800 monthly releases of the prison population onto parole. Will it is possible to hit that target, it will be difficult to consistently maintain those numbers due to system issues in how parole works and the natural ebbs and flows in the process.

One of the systematic issues is with the assumptions built into the system. The system requires the approval of all classes by a parole board member in order for the individual to be granted parole. While a matrix is used to help determine the suitability of the individual for parole, the decision is still based on an individual's interpretation. A decision by an individual is a good "check" on the system, but if it is not done properly it can render moot the scientific, non-biased assessment of whether the individual should be moved to parole. This is in no way to blame the individuals making the decisions, but rather to point out potential flaws in the process that those individuals have to operate within.

Another issue in parole is the lack of programing for those reaching their PED. If an inmate fails to complete programing, the chances of that individual being released on parole is greatly reduced. Without capacity to manage program needs, it is not possible to run an effective rehabilitation program.

### *Capacity*

Capacity is currently an issue in the state's prison system. The system is designed to function in a manner that allows for the smooth acceptance, transition, placement, treatment, and re-integration of inmates. However, the lack of capacity has choked up the system causing delays in services to those

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in state custody. Below is a breakdown of current capacity, taking into account those that are in restrictive housing or offsite. With regard to the male population, if those offsite and those in restrictive housing return to their beds, the system would be short by 161 beds, which is a major problem.

Male Beds			
Vacant Beds			314
Off Grounds	-		217
Restricted Housing	-		<u>258</u>
Total Vacant beds	=		(161)

Female Beds			
Vacant Beds			61
Off Grounds	-		23
Restricted Housing	-		<u>0</u>
Total Vacant beds	=		38

The choke points discussed above are having a negative impact on the flow of the system. One of the obvious results of this impact can be seen at the Denver Reception and Diagnostic Center (DRDC) where wait times have climbed from 14 days to 30 days. Some inmates have to wait longer than 30 days if the program they are waiting for is full. This same issue is also present in the jail system that houses over 100 inmates, as they do not receive state services for rehabilitation during their jail stay.

Programing and access to it is a major component of the prison system. However, the lack of capacity in the system makes it impossible to efficiently run programing for rehabilitation. Some programs are only offered in certain locations which makes the ability to transfer inmates crucial to allow for access to these limited programs. However, there is no room to move individuals out of these programs upon completion. This limits the number of new individuals that could access and benefit from these programs. Getting inmates into the correct program will increase the chances of success.

An example of these program issues can be seen in both the Reception and Diagnostic Center (DRDC) and the jail system. The backlog of capacity in prison has left many individuals waiting for programs due to the lengthy wait for permanent prison assignment. For example, the DRDC facility has 56 inmates waiting for programing space to open up at permanent facilities. This delays the rehabilitation effort and leaves individuals in situations that are not ideal for movement through and out of the system.

The two percent capacity level currently used in the State has also created some problems. This capacity level comes from the Utilization Study 1.0. Page 25 of the study states, "most correctional systems attempt to maintain a 5 percent vacancy rate to provide enough management flexibility to respond to these issues... the capacity utilization plans presented in this report will assume that the CDOC will maintain a 2 percent vacancy rate to accommodate capacity management needs."

This was reasonable at the time because the Department still had the option of using private prisons as excess capacity overflow. This means that the State's two percent was actually much more, which allowed it to manage surges and internal transfer needs. The ability to use this excess overflow option was eliminated with the closing of Kit Carson.

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Staff analyst Steve Allen recently looked at surges over the last five years to determine the maximum surge over an eight month period (the amount of time the legislature is out of session). The maximum increase over this eight month period was 352 inmates. This means that if you take the potential eight months surge (352 inmates) and divide it by the current state prison population (14,109), the Department needs a capacity of 2.5% just to manage the surge, not to mention the needs for internal transfers. Looking at both the surge and the need for transfers, a capacity of 5 percent is more appropriate to meet needs in the system and prevent the need for the Department to request increases when the legislature is out of session.

### ***STAFF RECOMMENDATION***

While this request on its face is about over-expenditure authority on line items, ultimately this request is about whether Centennial South should be opened. The answer to this question is more complex than just a yes or no. In researching this issue, it becomes apparent that systematic problems are a major driver of capacity pressure. These problems have prevented success on previous solutions meant to deal with this pressure. However, trying to address any one part of the issue on its own will not lead to a successful outcome. The nature of the systematic issues require dealing with the problems as a whole to relieve pressure on all aspects of the system. While the number of problems in the system seems daunting, it actually presents enormous opportunities to improve the system and to make Colorado the model that other states follow.

In regards to the interim supplemental request, Staff recommends the Committee authorize an over-expenditure of \$1,134,147 General Fund in FY 2018-19 in the *Institutions - Maintenance Subprogram - Operating Expenses* line item for construction of recreation yards, cable and electric infrastructure upgrades, day hall furnishings, and cell modifications.

In regards to the corrections and community corrections system, it is important to deal with the systematic issues holistically. Staff recommends addressing each area listed in this briefing; CommCorr, ISP-I, Parole, and Capacity. Staff is confident that dealing with these issues simultaneously will allow for the outcomes envisioned in the previous legislative session to happen and reduce the pressure on prison capacity.

#### *CommCorr*

In CommCorr, a change that would have a major effect would be a move to performance based contracting for providers and boards. This can be used as an incentive model to improve services and outcomes in CommCorr. This model has proven successful in other programs in the state with similar characteristics.

Performance based contracting would change the model where successful outcomes would drive the funding. An important note on performance based contracting; it's important to first do no harm. To do this, implementing the contract will have to be done in a manner that incentives improvement without it becoming a punishment. The timeframe will also need to be long enough to allow for proper implementation of this new system. If done well, PBC will improve performance of CommCorr and lead to better outcomes, which can be verified through data collection.

#### *ISP-I*

In ISP-I, the Department has the authority under statute to “directly” run an ISP-I program. This program could use a repurposed building as the housing option during stability for the ISP-I

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individuals. Currently, there are existing buildings under the Department's control that could work perfectly for reconfiguration for use in an ISP-I program. This model would have individuals get stabilized in living and employment before moving into a community. This type of program could have a large effect on prison capacity pressure.

### *Parole*

In Parole, switching the concept to the assumption of acceptance for low-risk, high-ready inmates would assist in reducing the choke points in the system. In this switch, an inmate that falls into this category would be moved to ISP-I once the individual is within 180 days of their parole eligibility date (PED). This movement could be stopped by a majority vote of the parole board. Currently, an individual that falls into this category based on a non-biased, scientific matrix, must be approved by a parole board member. This option would change that to where an individual that falls into this category based on a non-biased, scientific matrix, must be denied by a majority of parole board members.

### *Capacity*

Capacity in the prison system needs to be addressed. Of the options available (out-of-state prison placements, increased use of private prisons, and opening of Centennial South), Staff recommends that Centennial South be opened. It provides the most positives and least negatives of the options available. For example:

- It allows the Department flexibility with programing by having the ability to internally transfer inmates to maximize programing.
- Centennial South can be operational in a short timeframe, which would reduce the pressure on capacity. This removes the need for private prisons to be used as the capacity overflow.
- The facility provides the Department with flexibility within its system for both the natural ebbs and flows, and to deal with the increasing trend in the population forecast.
- As the building is owned outright by the State, the minor investment in changes adds to the benefit of this option from a budgetary perspective.
- Centennial North and Centennial South would share many servicers (i.e. food and laundry) which reduces the overall cost of this option.
- Centennial South provides the *level* of prison that is currently needed as capacity needs are more than a system as a whole, but rather needs by *level*.

As part of the request to open Centennial South, a change to the reception and diagnostic process that currently exists is included and adds to the benefits of this option. The change would move the reception and diagnostic processes from the Denver Reception and Diagnostic Center (DRDC).

As part of the reception and diagnostic process, all offenders progress through a series of reviews ending with a comprehensive interview to determine a classification level. This evaluation process includes:

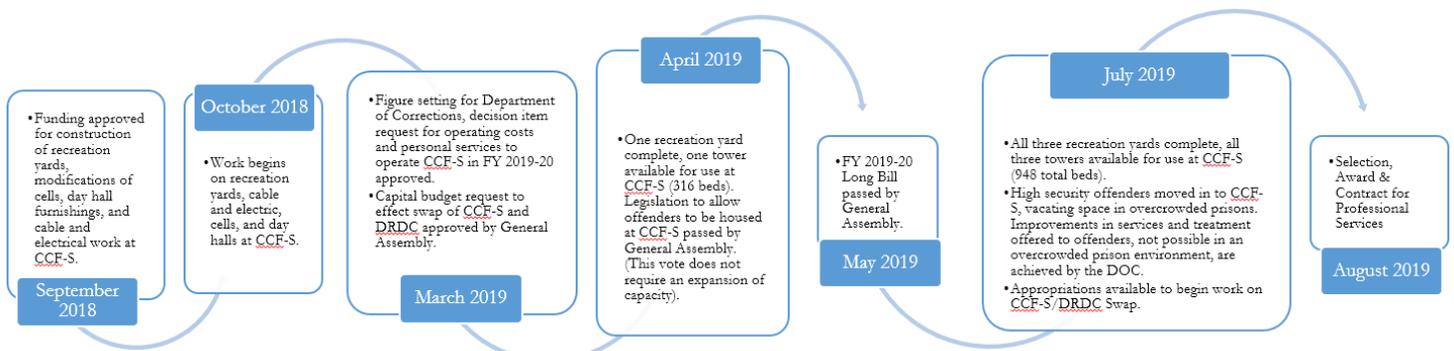
- Medical and dental assessment
- Mental health assessment
- Personal needs assessment
- Academic and vocational testing
- Risk assessment resulting in initial classification and custody level recommendations

Upon completion of the assessment process, the inmate’s classification level is referred to DOC offender services, where a decision on an appropriate facility placement for the inmate is determined. Once the placement decision is made, a DOC transportation unit picks up and delivers the inmate to the assigned facility.

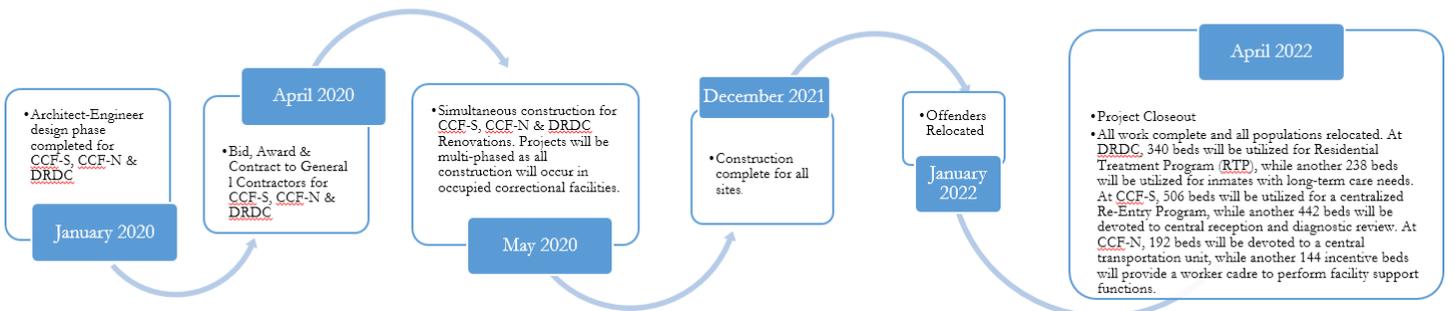
The transfer of reception and diagnostic services to Centennial South from DRDC creates an opportunity to repurpose DRDC to address medical and program needs. The facility provides high-level medical services, including a 36-bed infirmary and dialysis services. Specialty housing at the facility includes a 63-bed transition unit for temporary holding of inmates awaiting court or medical appointments and a 16-bed special management nursing unit for offenders who cannot feed and dress themselves. Relocation of intake services from DRDC would make capacity available to consolidate housing and treatment services for the Residential Treatment Program (RTP) and offenders in need of long-term care.

Below is a timeline for opening Centennial South and the transfer of the DRDC intake functions. These timelines can also be found in written form in Appendix D.

### Timeline for Centennial and DRDC Swap 2018-2019



### Timeline for Centennial and DRDC Swap 2020-2022

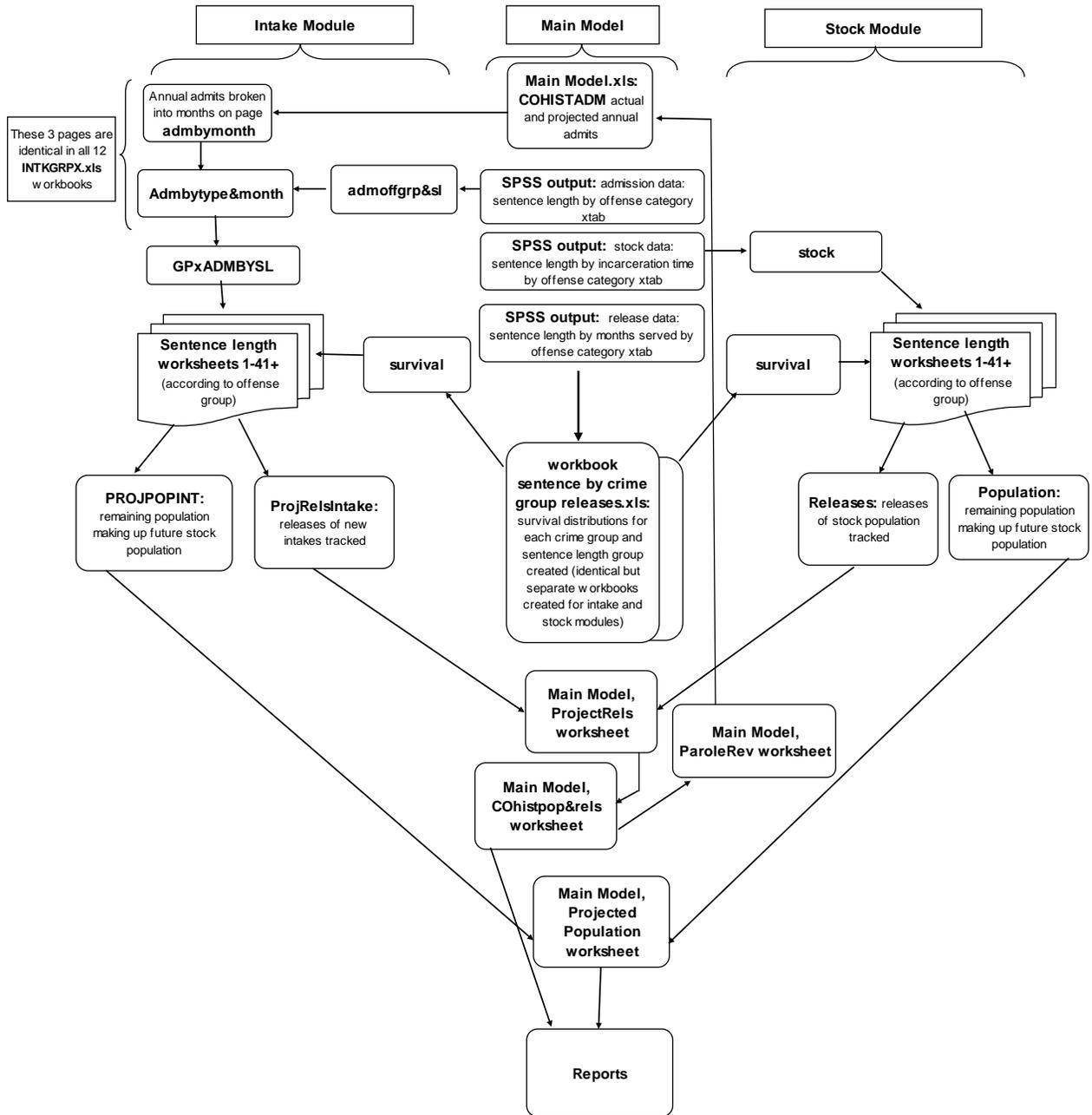


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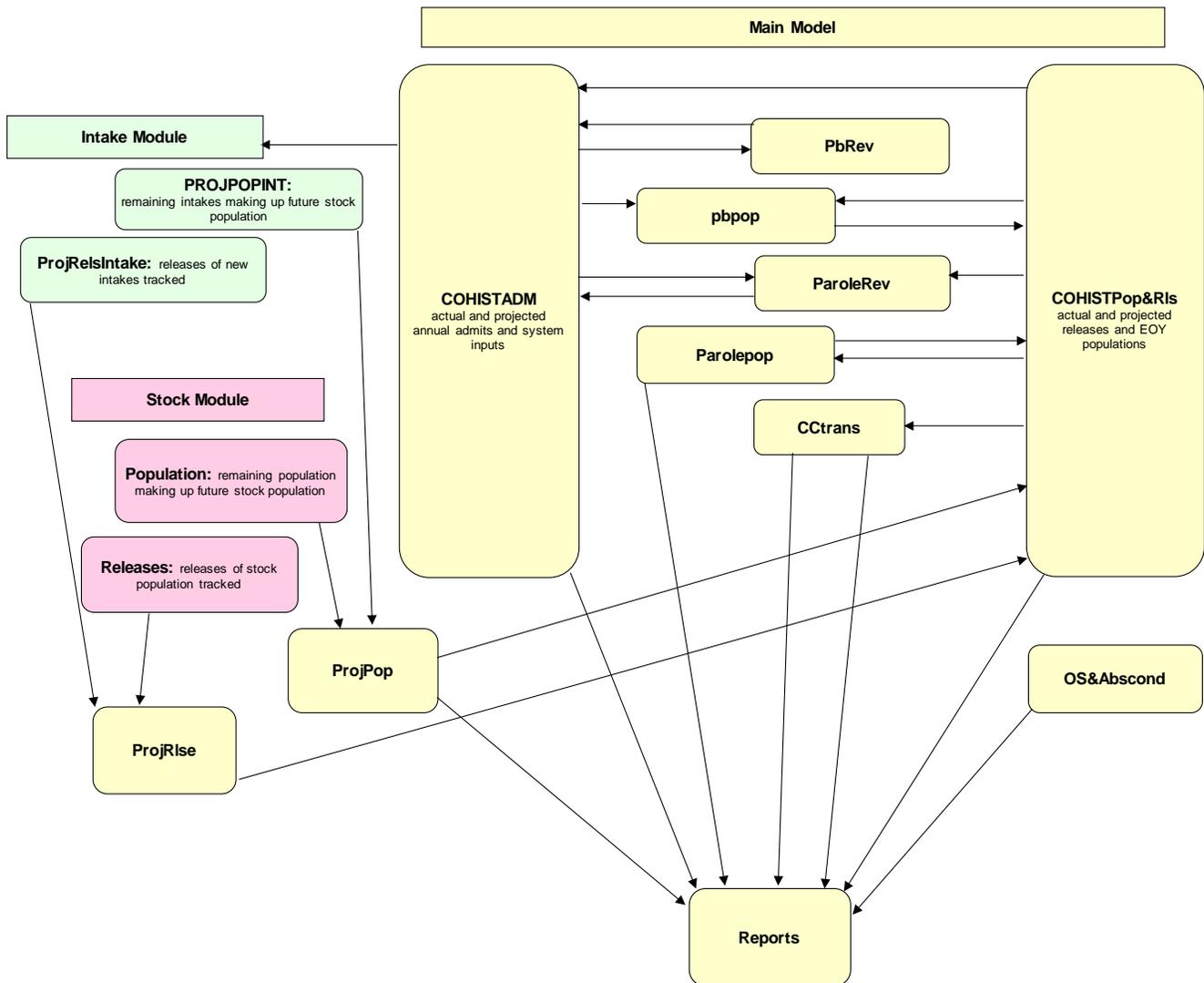
In researching the issues surrounding this interim supplemental request, and looking at the nuance of the need, it becomes apparent that dealing with only one piece of this puzzle will prevent the needed changes on a systematic level that are required for a successful outcome. This is mainly due to different populations and components being targeted by each solution and the need to target each of these populations and components.

Staff is confident that the combination of these changes will improve outcomes in the system and start the process of making Colorado the example to follow on corrections. Staff will continue to work with the stakeholders on these recommendations and the details that are needed to fully flesh out the concepts. The intent being to provide a more detailed recommendation in each of these areas in the December budget briefing for the Department of Corrections and the Division of Criminal Justice.

# APPENDIX A DCJ MODEL DIAGRAM

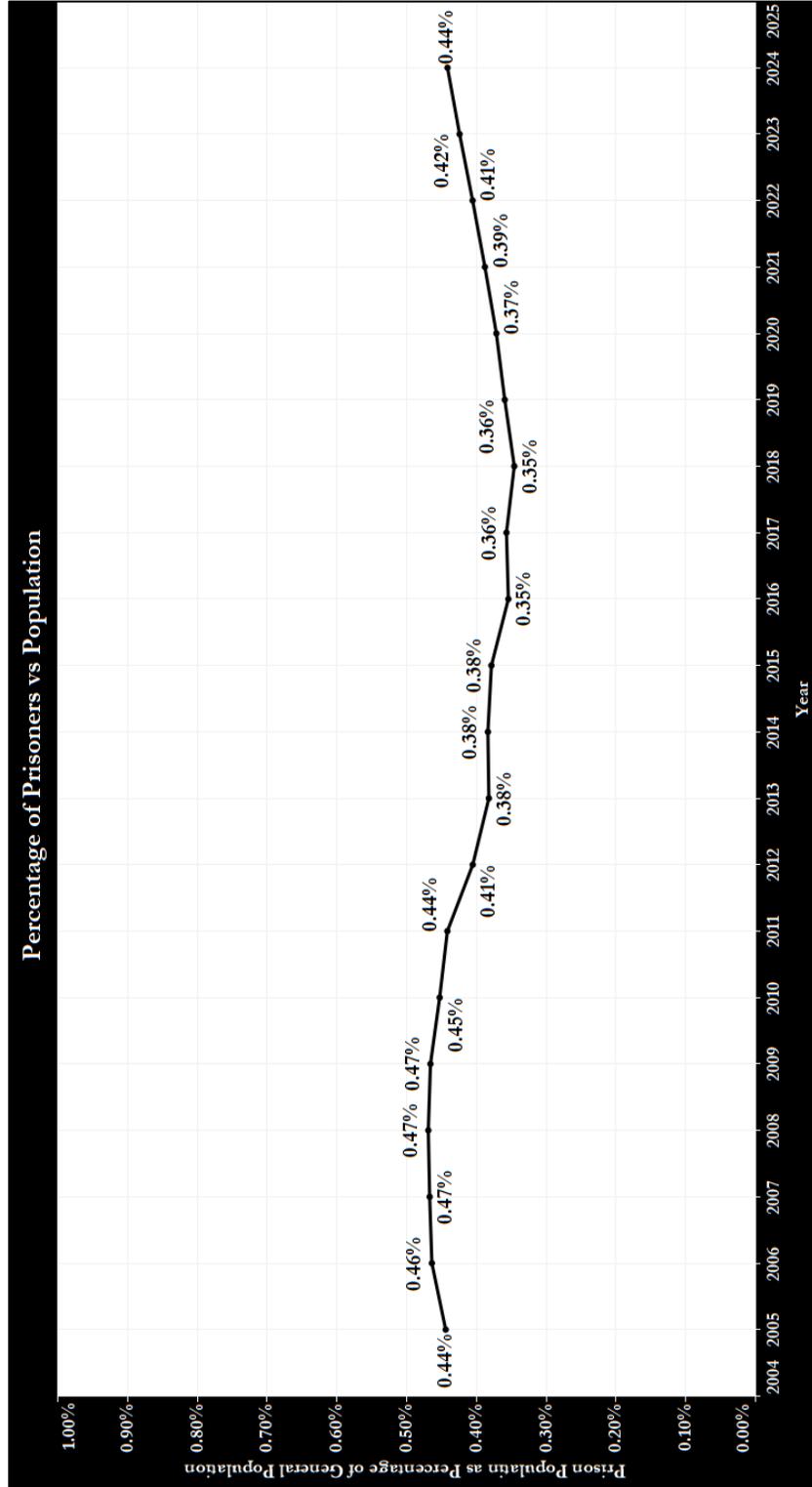


DCJ Modules Diagram from DCJ - ORS

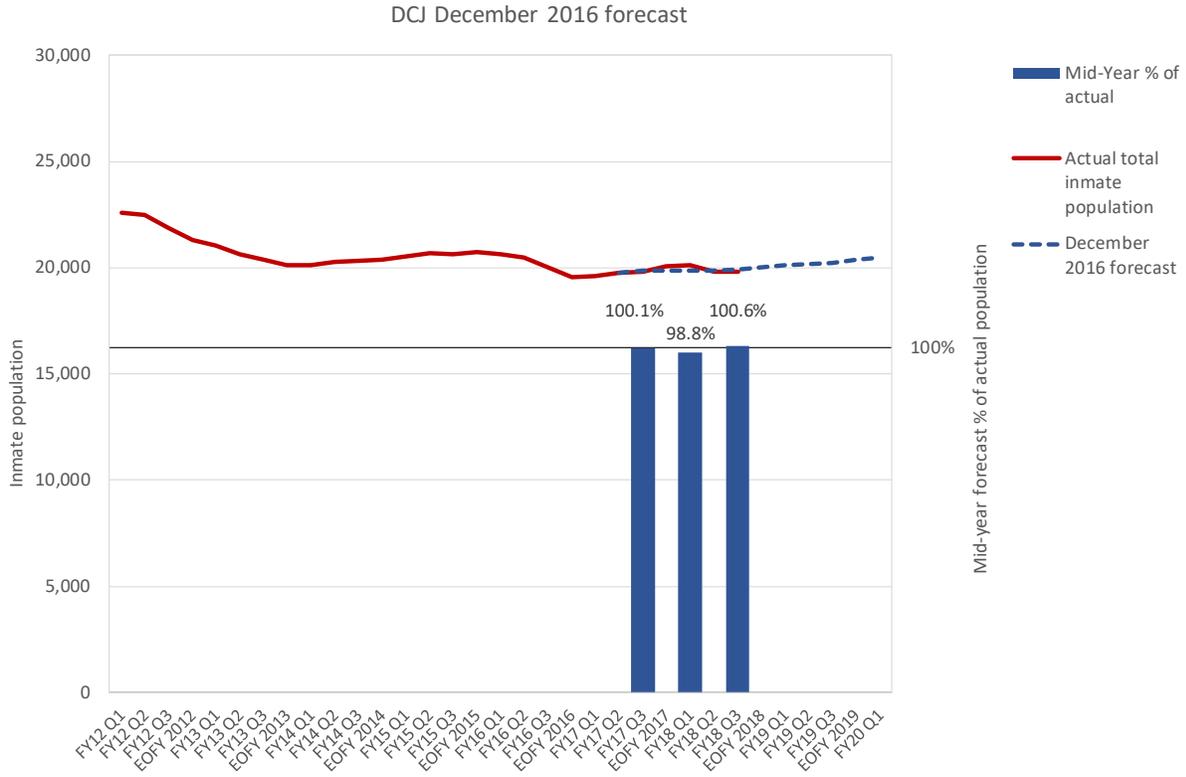


Detail of main model – from DCJ - ORS

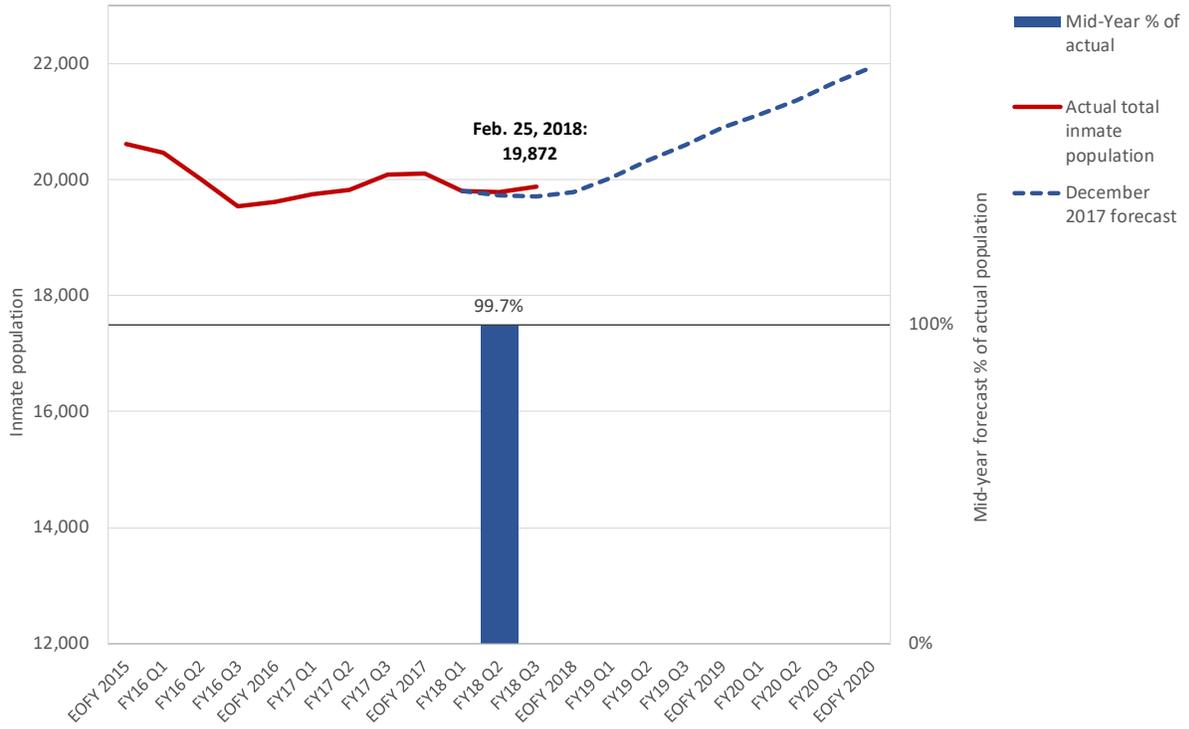
# APPENDIX B PERCENTAGE OF PRISONERS VS POPULATION



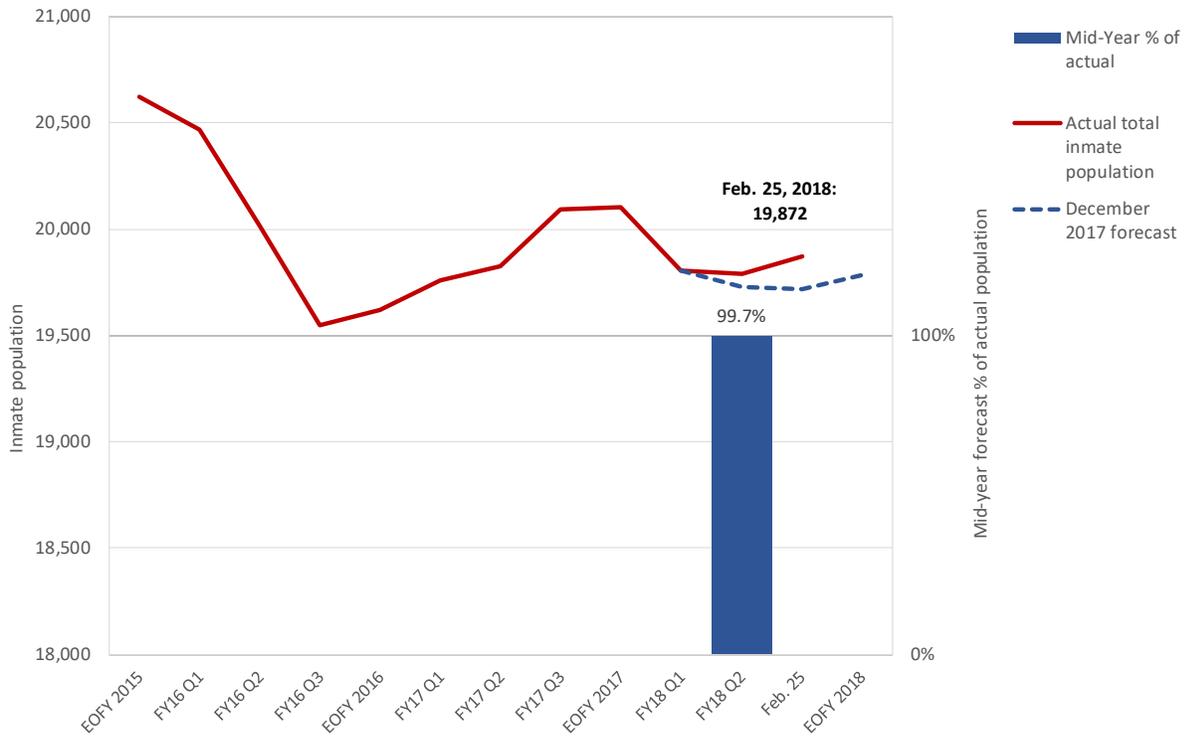
# APPENDIX C DCJ FORECAST-ACTUAL COMPARISON



DCJ December 2017 forecast: three year horizon



DCJ December 2017 forecast: end of FY 2018 only



## APPENDIX D CENTENNIAL – DRDC SWAP TIMELINE

Timeline for Swap of Centennial Correctional Facility and Denver Reception and Diagnostic Center

September 2018	Funding approved for construction of recreation yards, modifications of cells, day hall furnishings, and cable and electrical work at CCF-S.
October 2018	Work begins on recreation yards, cable and electric, cells, and day halls at CCF-S.
March 2019	Figure setting for Department of Corrections, decision item request for operating costs and personal services to operate CCF-S in FY 2019-20 approved.
	Capital budget request to effect swap of CCF-S and DRDC approved by General Assembly.
April 2019	One recreation yard complete, one tower available for use at CCF-S (316 beds). Legislation to allow offenders to be housed at CCF-S passed by General Assembly. (This vote does not require an expansion of capacity).
May 2019	FY 2019-20 Long Bill passed by General Assembly.
July 2019	All three recreation yards complete, all three towers available for use at CCF-S (948 total beds).
	High security offenders moved in to CCF-S, vacating space in overcrowded prisons. <b>Improvements in services and treatment offered to offenders, not possible in an overcrowded prison environment, are achieved by the DOC.</b>
	Appropriations available to begin work on CCF-S/DRDC Swap.
August 2019	Selection, Award & Contract for Professional Services
January 2020	Architect-Engineer design phase completed for CCF-S, CCF-N & DRDC. <sup>1</sup>
April 2020	Bid, Award & Contract to General Contractors for CCF-S, CCF-N & DRDC
May 2020	Simultaneous construction for CCF-S, CCF-N & DRDC Renovations. Projects will be multi-phased as all construction will occur in occupied correctional facilities. <sup>2</sup>
December 2021	Construction complete for all sites.
January 2022	Offenders Relocated
April 2022	Project Closeout
	All work complete and all populations relocated. <b>At DRDC, 340 beds will be utilized for Residential Treatment Program (RTP), while another 238 beds will be utilized for inmates with long-term care needs. At CCF-S, 506 beds will be utilized for a centralized Re-Entry Program,</b> while another 442 beds will be devoted to central reception and diagnostic review. At CCF-N, 192 beds will be devoted to a central transportation unit, while another 144 incentive beds will provide a worker cadre to perform facility support functions.
	<b>Colorado becomes the first state to re-purpose a maximum security prison facility as a re-entry and diagnostic center.</b> <sup>iii</sup>

<sup>1</sup> Anticipate one selection for the Architectural|Engineering (A|E) professional services for the entire project scope. The scope will be broken into three projects with multiple phases, requiring additional time for A|E services.

<sup>2</sup> Work for each Facility (CCF-S, CCF-N & DRDC) will be bid to pre-qualified General Contractors as soon as the A|E Professional services are complete for each site. <sup>iii</sup> Timeline based on best case scenarios and may require adjustments at any point.

# APPENDIX E UTILIZATION TARGETS AUGUST UPDATE



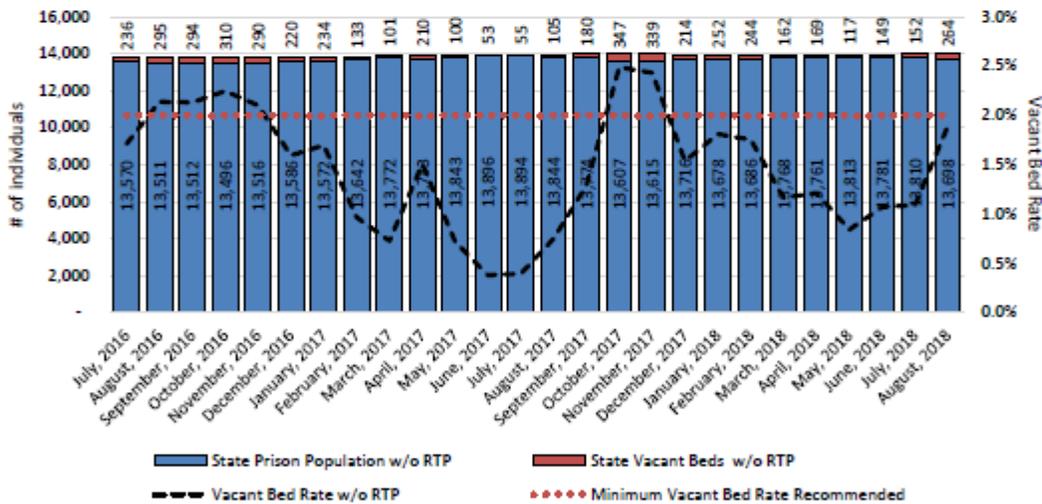
## Monthly Report on Prison Population, Capacity, and Utilization August 2018

This monthly report details the Department of Corrections' (DOC) current available capacity, as well as efforts undertaken by Community Corrections, the DOC, and the Parole Board to meet the utilization targets assumed in the Long Bill (HB 18-1322). The DOC's FY 2018-19 budget is based on a target utilization plan that requires the following:

1. Utilization of community corrections transitions at 8.0 percent by the end of FY 2018-19;
2. Release of an average of 800 parolees a month by the Parole Board over FY 2018-19 (includes all parole releases); and,
3. Utilization of the Intensive Supervision Inmate – Program (ISP-I) at 3.0 percent by the end of FY 2018-19.

### Current Prison Capacity:

#### Total State Capacity, State Prison Population, and State Vacant Bed Rate (FY 2016-17 through FY 2017-18)



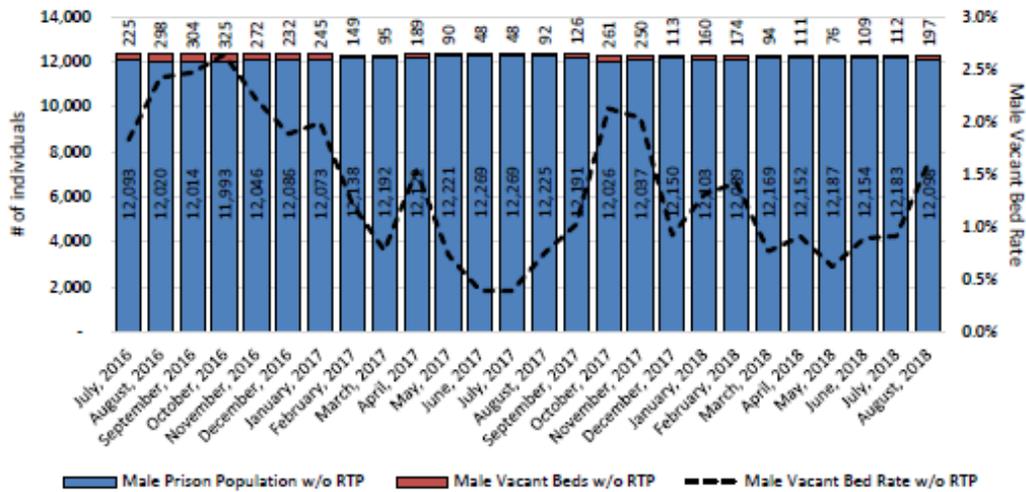
$$\text{Vacant bed rate} = \frac{(\text{Total State Prison Capacity} - \text{RTP Capacity}) - (\text{Total State Prison Population} - \text{RTP Population})}{(\text{Total State Prison Capacity} - \text{RTP Capacity})} \times 100\%$$

Source: Colorado Department of Corrections Monthly Population and Capacity Reports

Note: Excludes residential treatment (RTP) beds in all figures, as recommended by the 2013 Prison Utilization Study.

The Prison Utilization Study (2013) recommended that the state maintain a vacant bed rate of 2.0% or greater to allow for movement of inmates within the system. As is visible in the chart above, vacant bed rates are below the recommended rate when excluding residential treatment beds that are reserved for individuals requiring specific services. The vacant bed rate for male inmates is even lower, as shown in the figure below:

**Male State Capacity, State Prison Population, and State Vacant Bed Rate  
(FY 2016-17 through FY 2017-18)**



Source: Colorado Department of Corrections Monthly Population and Capacity Reports  
Note: Excludes residential treatment beds in all figures.

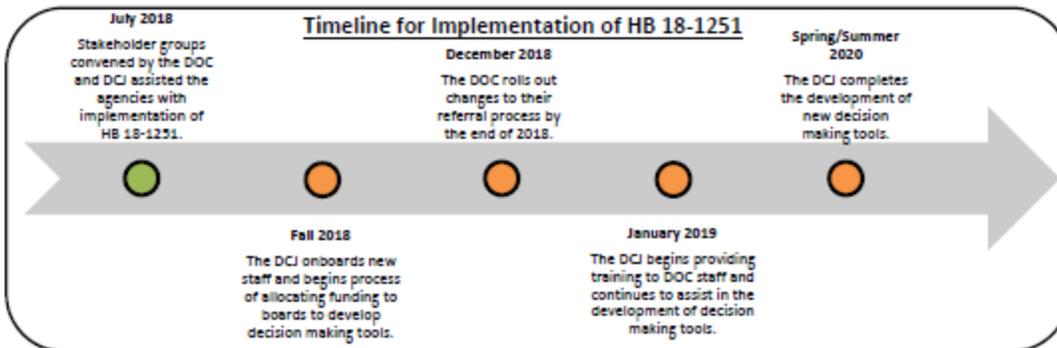
The primary driver of capacity concerns within the Department of Corrections is male inmate capacity, which is not impacted by female transitions and releases. Female prison capacity, population, and vacant bed rate can be found in Appendix A.

**Key Consideration**

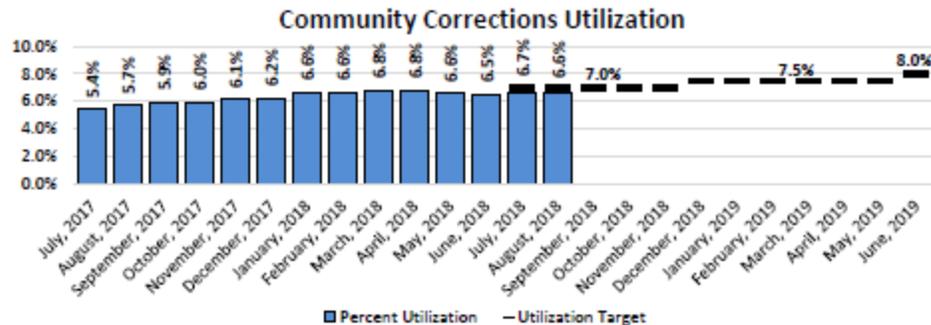
An estimated 9,972 inmates will enter the DOC this year, which is predicted to increase the total prison population by 1077 inmates over current levels by June 2019 (Division of Criminal Justice July 2018 interim forecast). Should this predicted increase become a reality, the Department will not have adequate physical capacity to house inmates.

**1. Community Corrections: Efforts to Utilize Community Corrections Transitions Placement at 8%:**

Efforts are underway to improve DOC referral and Community Corrections placement processes that will support achievement of the 8% utilization target by the end of FY 2018-19. Pursuant to HB 18-1410, the DOC notified Community Corrections in June that the state prison vacant bed rate had fallen below 2%, and in turn, Community Corrections has continued to provide the DOC with a list of un-utilized beds. An implementation timeline for HB 18-1251 follows:



In the month of August, the Office of Community Corrections hired a new director (with onboarding still ongoing), met with county budget directors to brief them on HB 18-1410 and HB 18-1251 and request cooperation in support of more community placements, met with the Governor’s CommCorr Advisory Council for ideas in support of achieving additional CommCorr placements, and met with the CommCorr Boards’ Coalition (with a follow up meeting on 9/21). The following chart represents actual Community Corrections utilization data and targets:



$$\text{Community Corrections Utilization} = \frac{\text{Community Corrections Transition Placements}}{\text{Total Jurisdictional Population}} \times 100\%$$

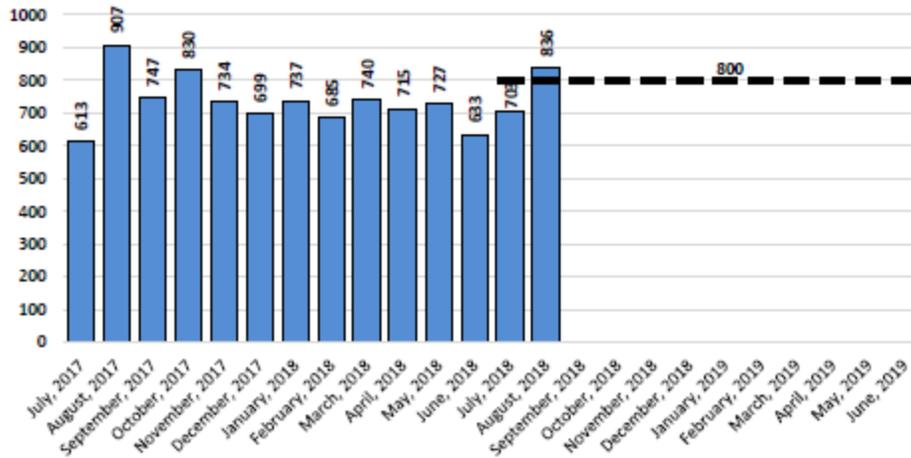
Sources: Colorado Department of Public Safety, Division of Criminal Justice, Office of Community Corrections and Colorado Department of Corrections Monthly Population and Capacity Reports

Note: Community Corrections utilization decreases in the last two months of each fiscal year due to the fact that providers reduce placements to ensure that they do not outpace remaining funds. Placements rebound annually in July.



2. Parole Board: Efforts to Release 800 Parolees/Month:

**Total Parole Releases  
(FY 2017-18 through FY 2018-19)**



Source: Colorado Department of Corrections Monthly Population and Capacity Reports

Note: Includes all mandatory and discretionary parole releases across DOC, CommCorr, and ISP-I. Releases from CommCorr and ISP-I to Parole do not impact the actual prison population. Further, total release numbers are not reflective of the total release decisions rendered by the Parole Board during any given month. Actual release numbers can vary based on many release scenarios, such as individuals who meet conditional release criteria, interstate plans approved by other states, and individuals with close or past mandatory release dates.

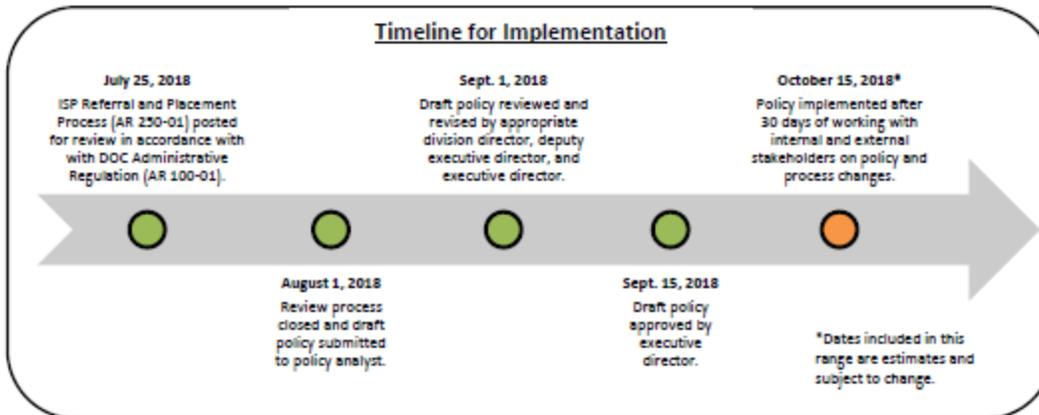
The Parole Board averaged 731 total releases per month in FY 2017-18, up from the FY 2016-17 average of 612 total releases per month. Efforts are underway to support the achievement of additional parole releases by the end of FY 2018-19. For example, through the implementation of HB 18-1410, systems have been established to review all offenders within 90 days of their mandatory release date and to conduct a file review of all offenders who have satisfied the conditions of early release on a monthly basis.

It is believed that efforts pursuant to HB 18-1410 contributed to the release of approximately 20 additional offenders in the month of July. Further steps that contributed to higher than average release numbers in the month of July include: collaboration with Time and Release at DOC to reduce the time requirement from decision to release date from 30 days to 14 days; additional reviews of HB 17-1326 files, with the intention of setting release dates in August; and, a week where the Parole Board was able to review over 200 offenders together as a full board.



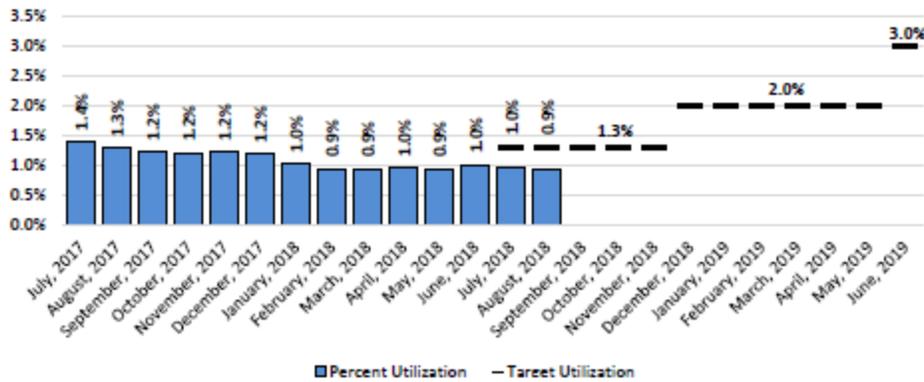
### 3. Intensive Supervision Program-Inmate (ISP-I)

The DOC has coordinated with community corrections boards and other partners to draft an ISP-I expansion policy, which will define the procedures used to approve an inmate for community placement. Past policies related to ISP-I that are no longer in use have been reviewed and strategic planning sessions were conducted to develop procedures around the release of individuals on ISP-I status.



As shown in the timeline above, efforts are underway to implement a new policy that will impact utilization. Current utilization of the ISP-I program is detailed below:

**Intensive Supervision Program - Inmate Utilization  
(FY 2017-18 through FY 2018-19)**



$$ISP - I \text{ Utilization} = \frac{ISP-I \text{ Participation}}{\text{Total Jurisdictional Population}} \times 100\%$$

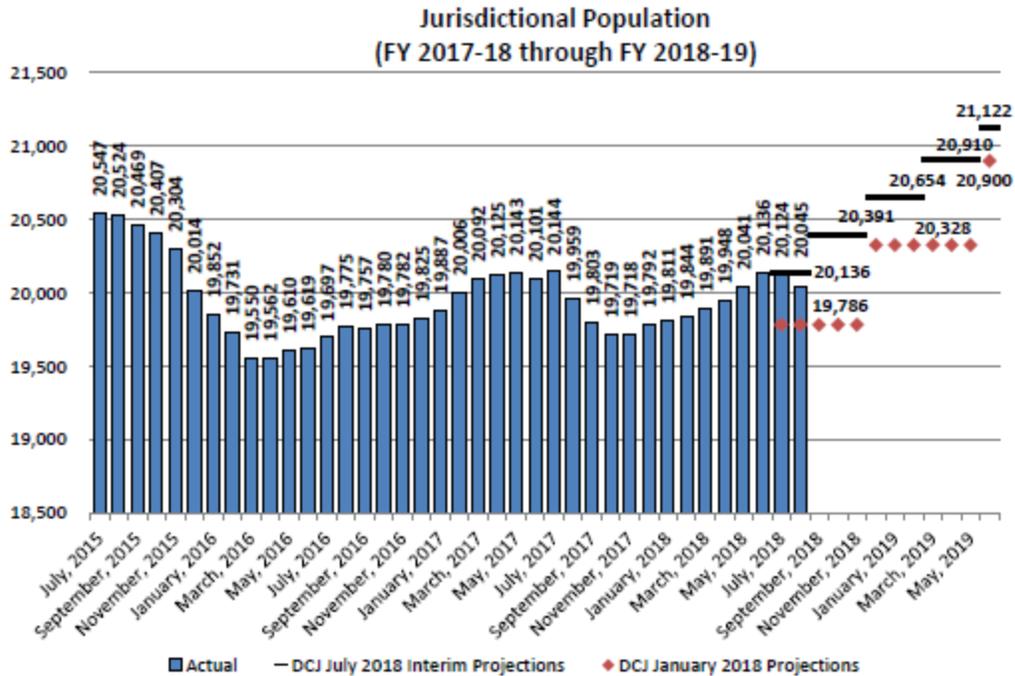
Source: Colorado Department of Corrections Monthly Population and Capacity Reports



**Appendix A: Key Assumptions, Jurisdictional Population, and Female Capacity**

Jurisdictional Population

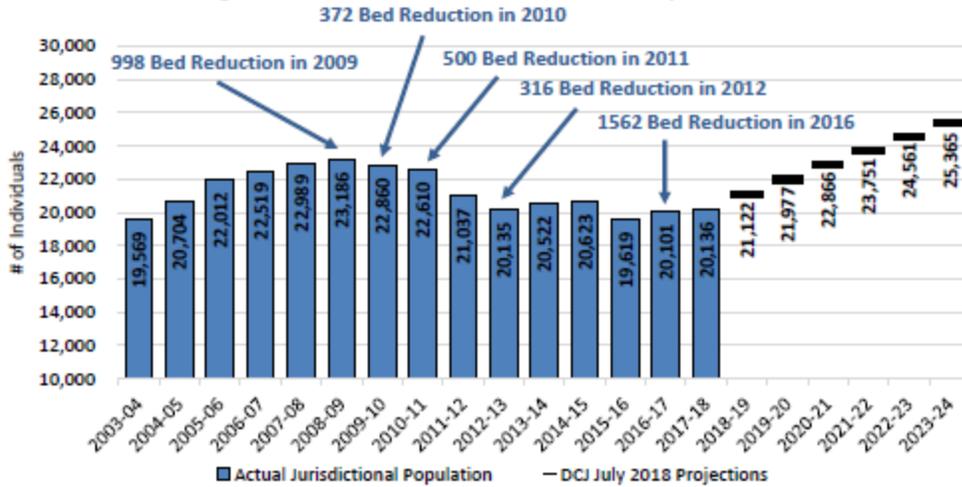
Note that to be consistent with JBC methodology, the utilization rates included in this report for Community Corrections and ISP-I are calculated as a percentage of jurisdictional population rather than total prison population. Jurisdictional population includes those housed at State and private prisons, as well as individuals placed in Community Corrections or the Intensive Supervision Program-Inmate (ISP-I). While male inmate capacity is the primary driver of concerns with DOC, progress towards utilization targets will be presented for both genders. Please note that although the jurisdictional population is down over the long term, in recent months the actual population has outpaced the DCJ population projections on which the Long Bill is based. The following two charts show the jurisdictional population over two different time scales, as well as the DCJ January 2018 projections and the July 2018 interim projections:



Sources: Colorado Department of Corrections Monthly Population and Capacity Reports, DCJ July 2018 Interim Prison Population Forecast, and DCJ January 2018 Prison Population Forecast



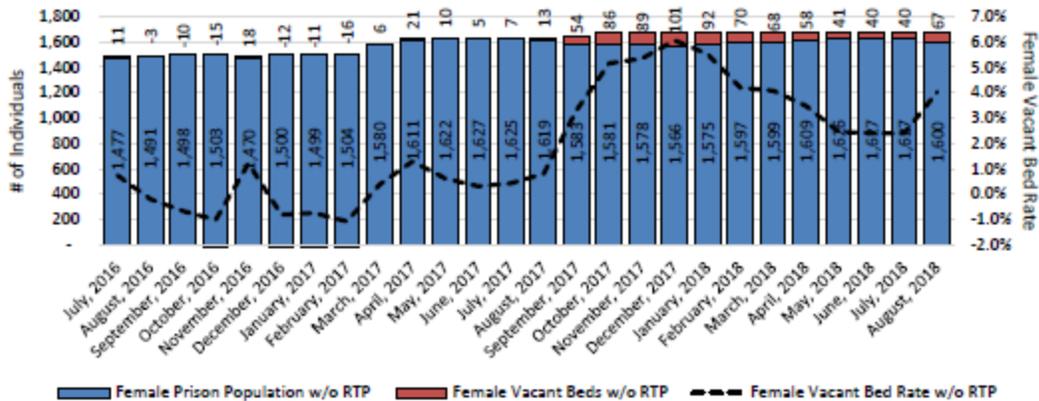
### Long Term Trends in DOC Jurisdictional Population



Sources: Colorado Department of Corrections Monthly Population and Capacity Reports and Division of Criminal Justice July 2018 Interim Prison Population Projections

The following chart shows female capacity, population, and vacant bed rate:

### Female State Capacity, State Prison Population, and Vacant Bed Rate (FY 2016-17 through FY 2017-18)



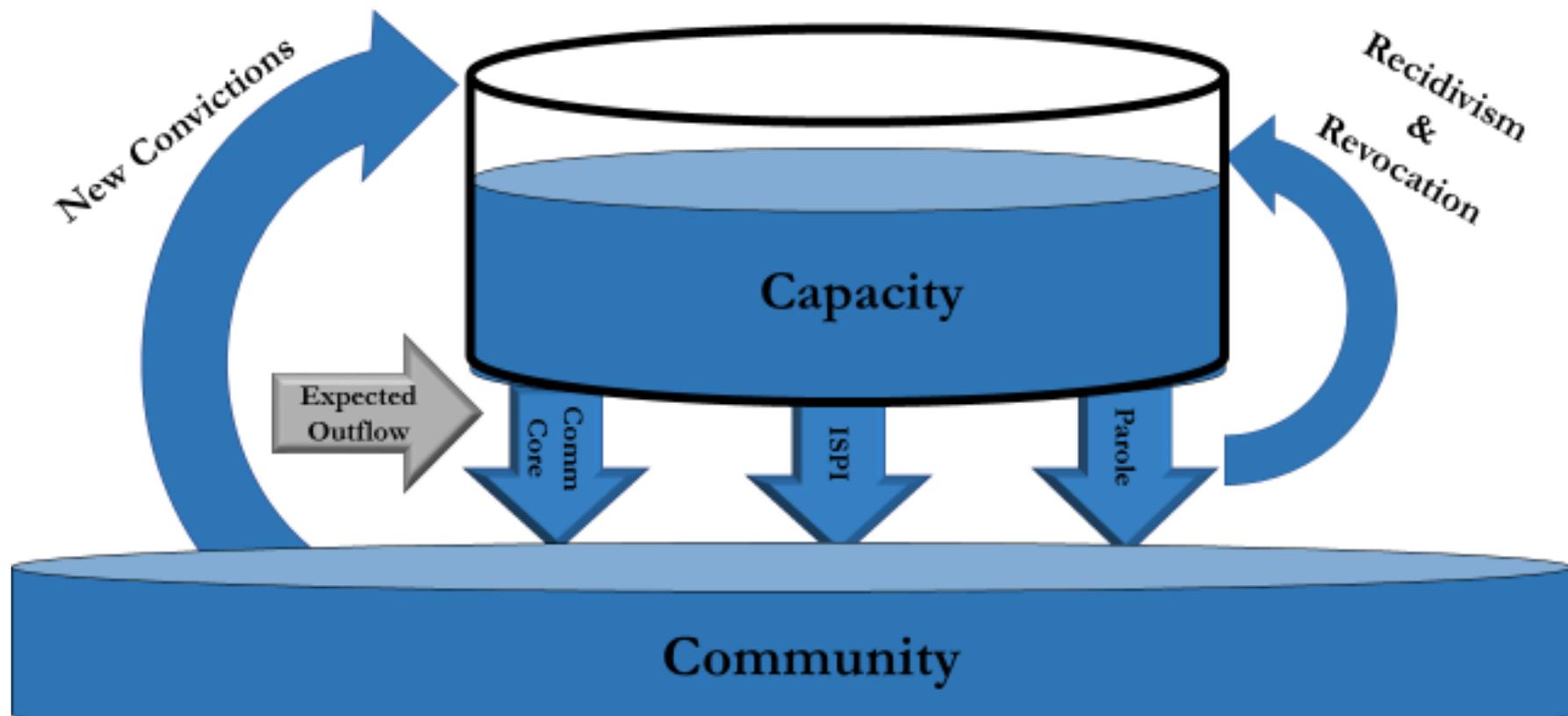
Source: Colorado Department of Corrections Monthly Population and Capacity Reports  
Note: Excludes residential treatment beds in all figures



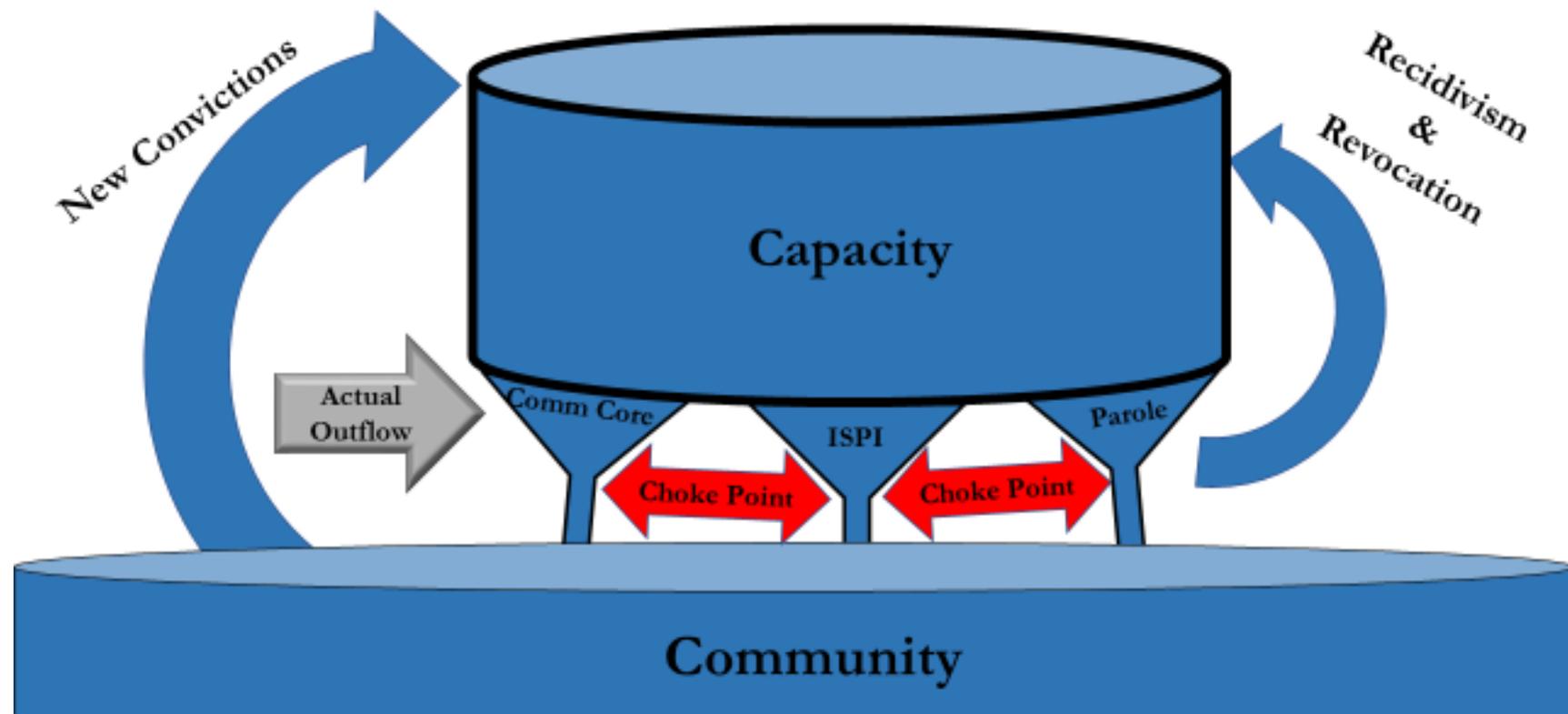
**JBC Staff FY 2018-19 Interim  
Supplemental Request  
Department of Corrections**

**Presented by:  
Vance Roper, JBC Staff  
September 20, 2018**

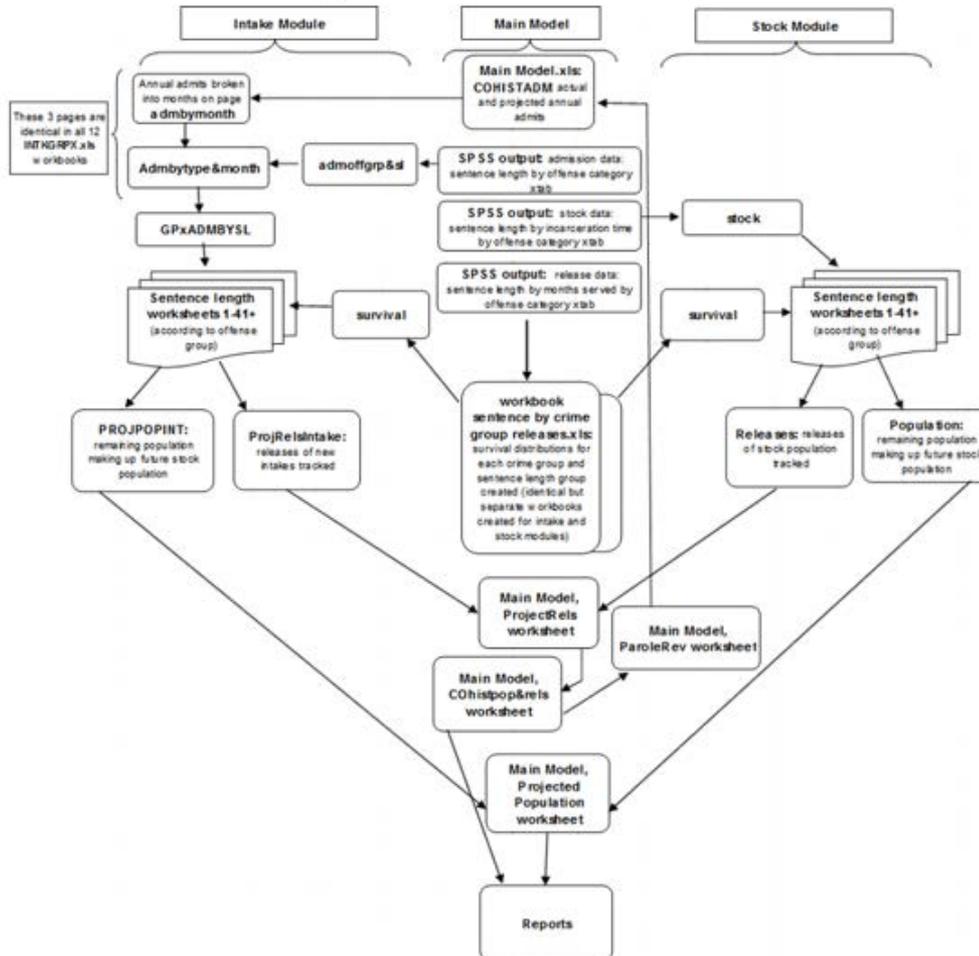
## What Was Expected With FY 2018-19 Changes



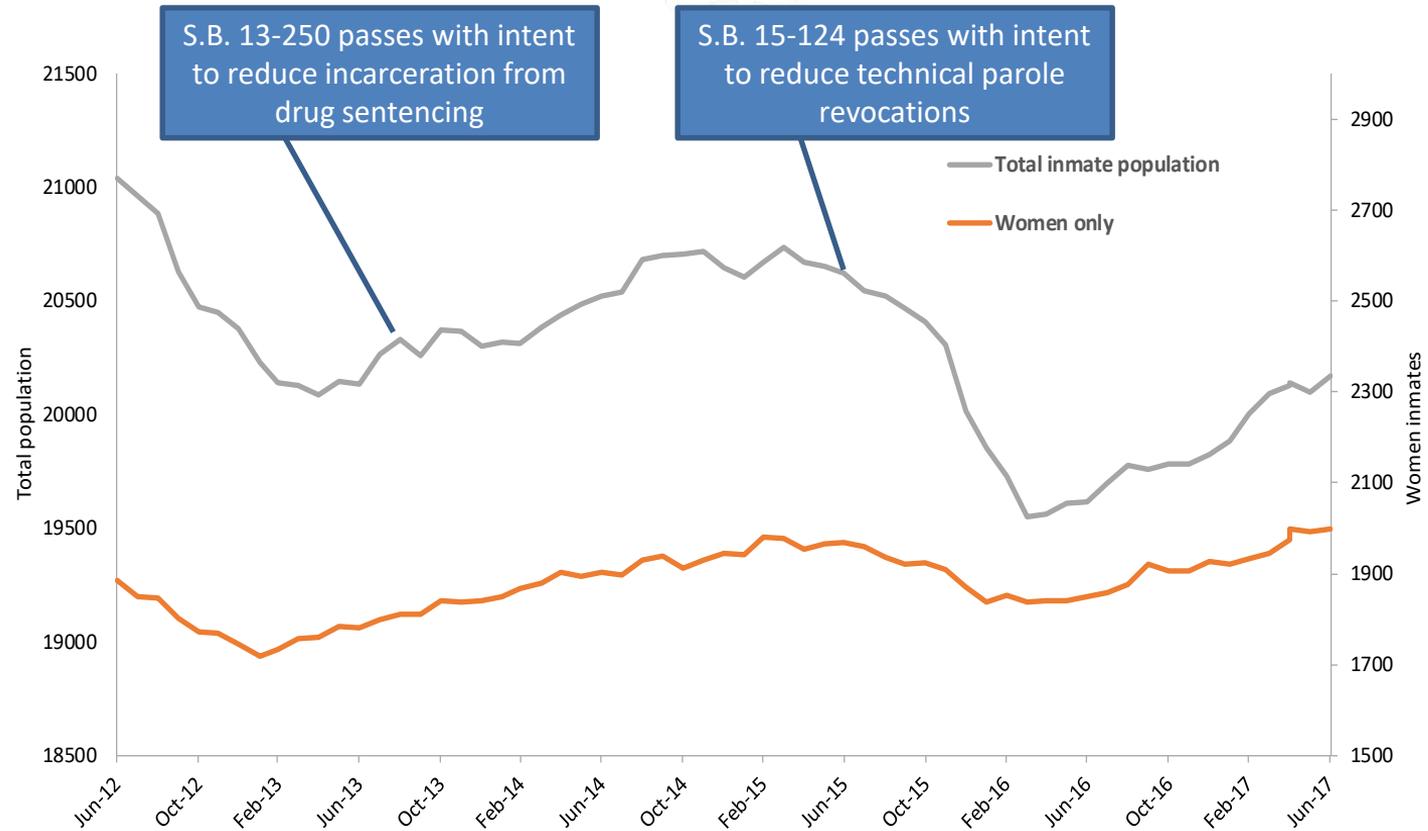
## What Is Happening With FY 2018-19 Changes



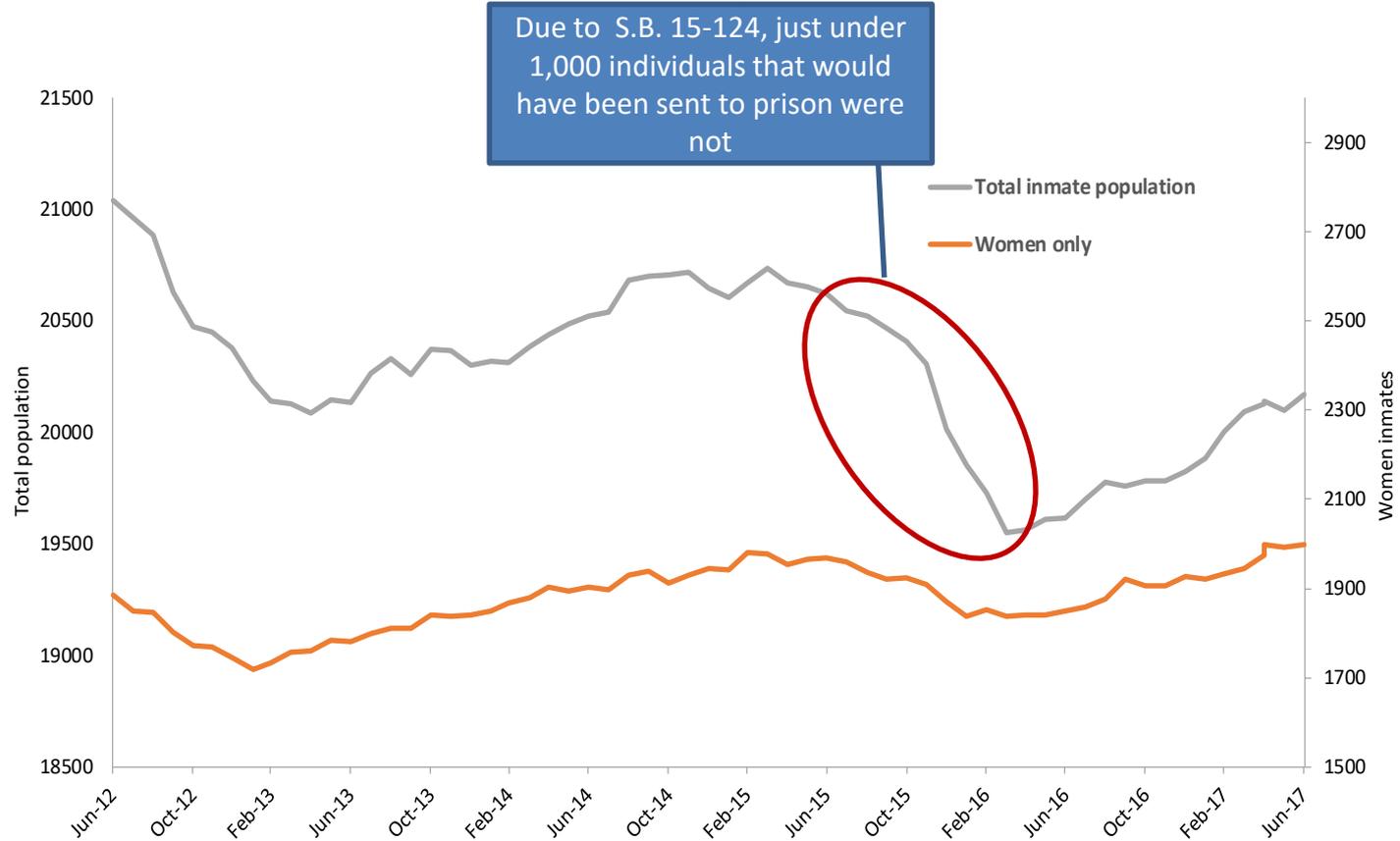
# DCJ Intake Model



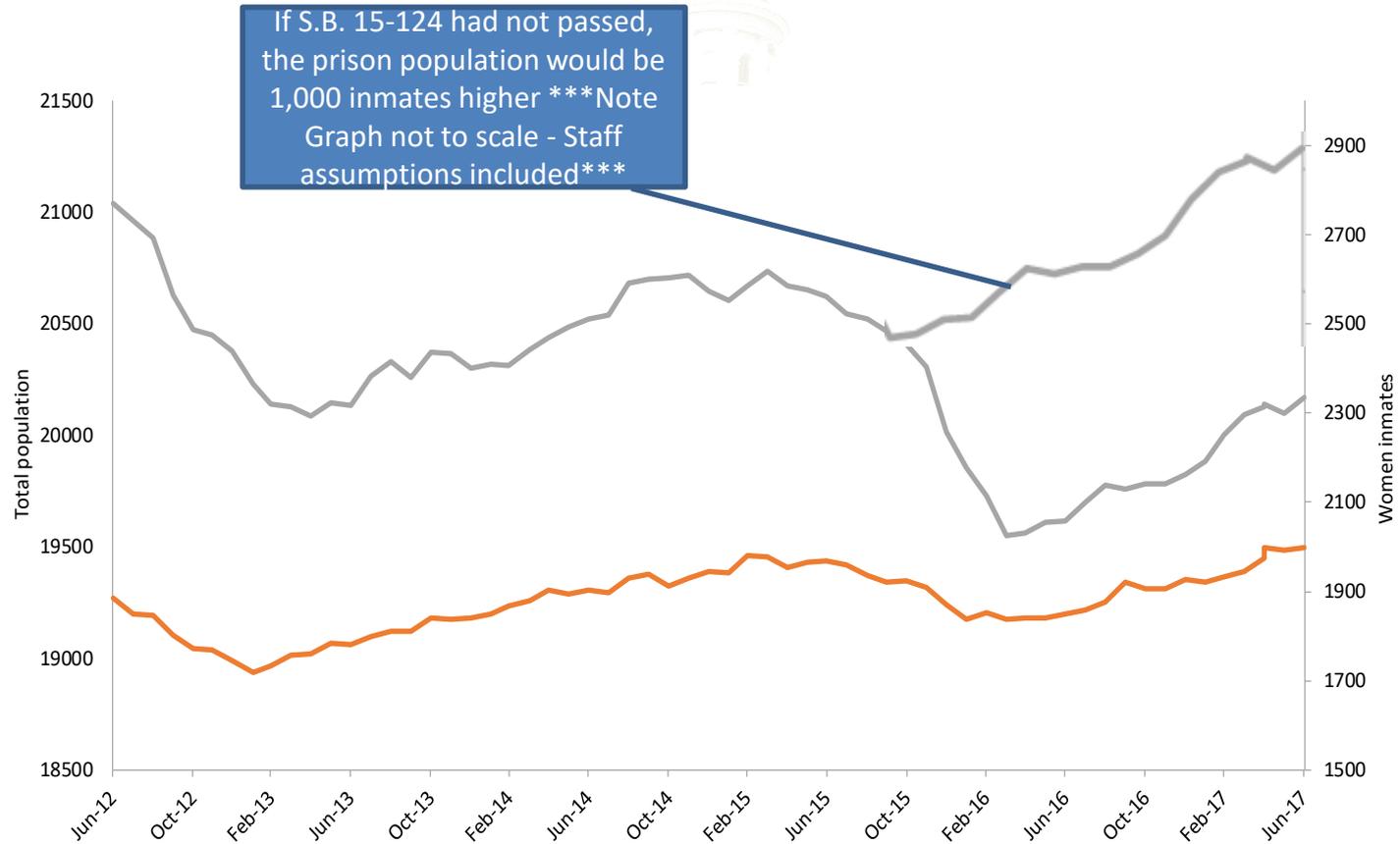
# Prison Population



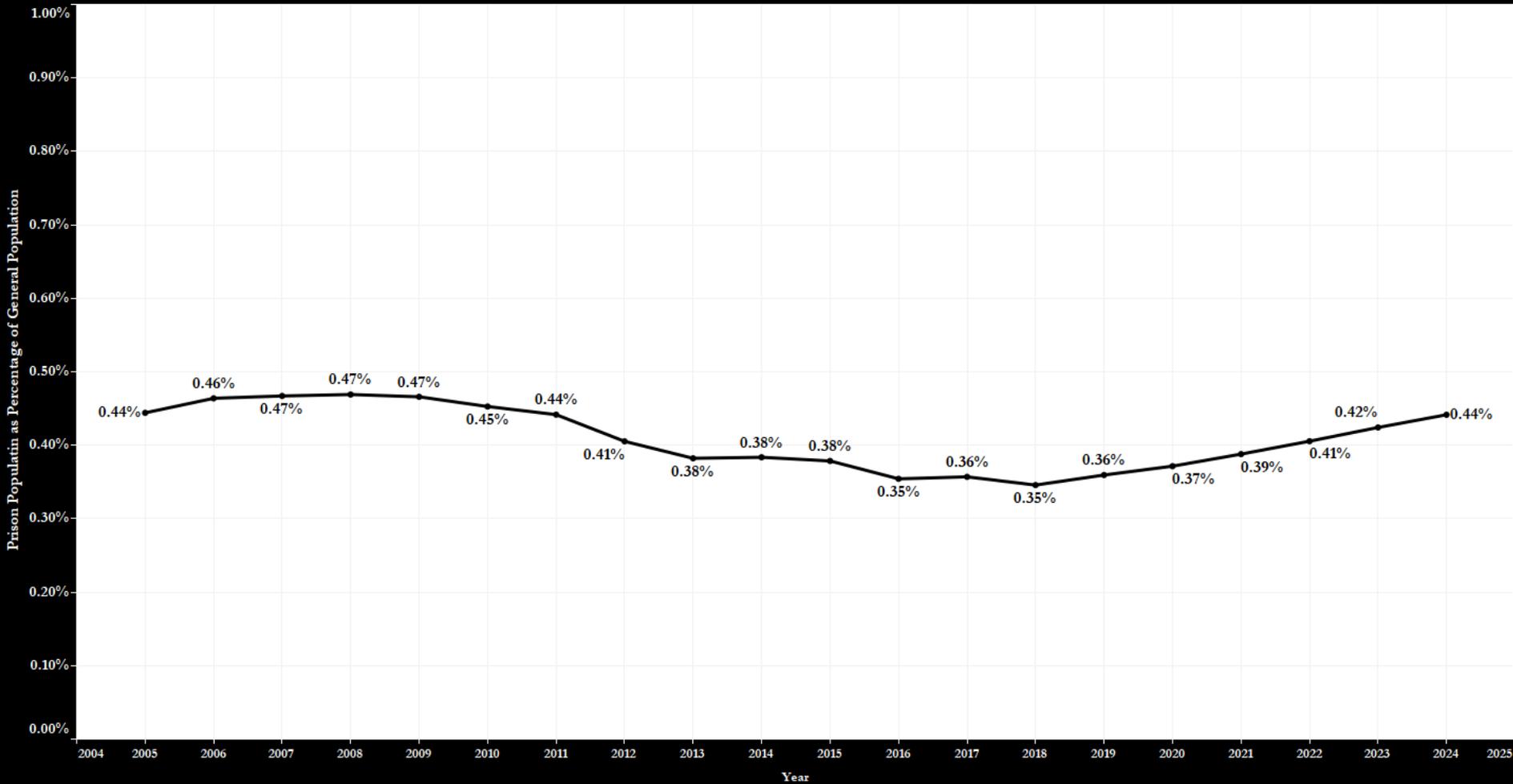
# Prison Population



# Prison Population



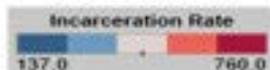
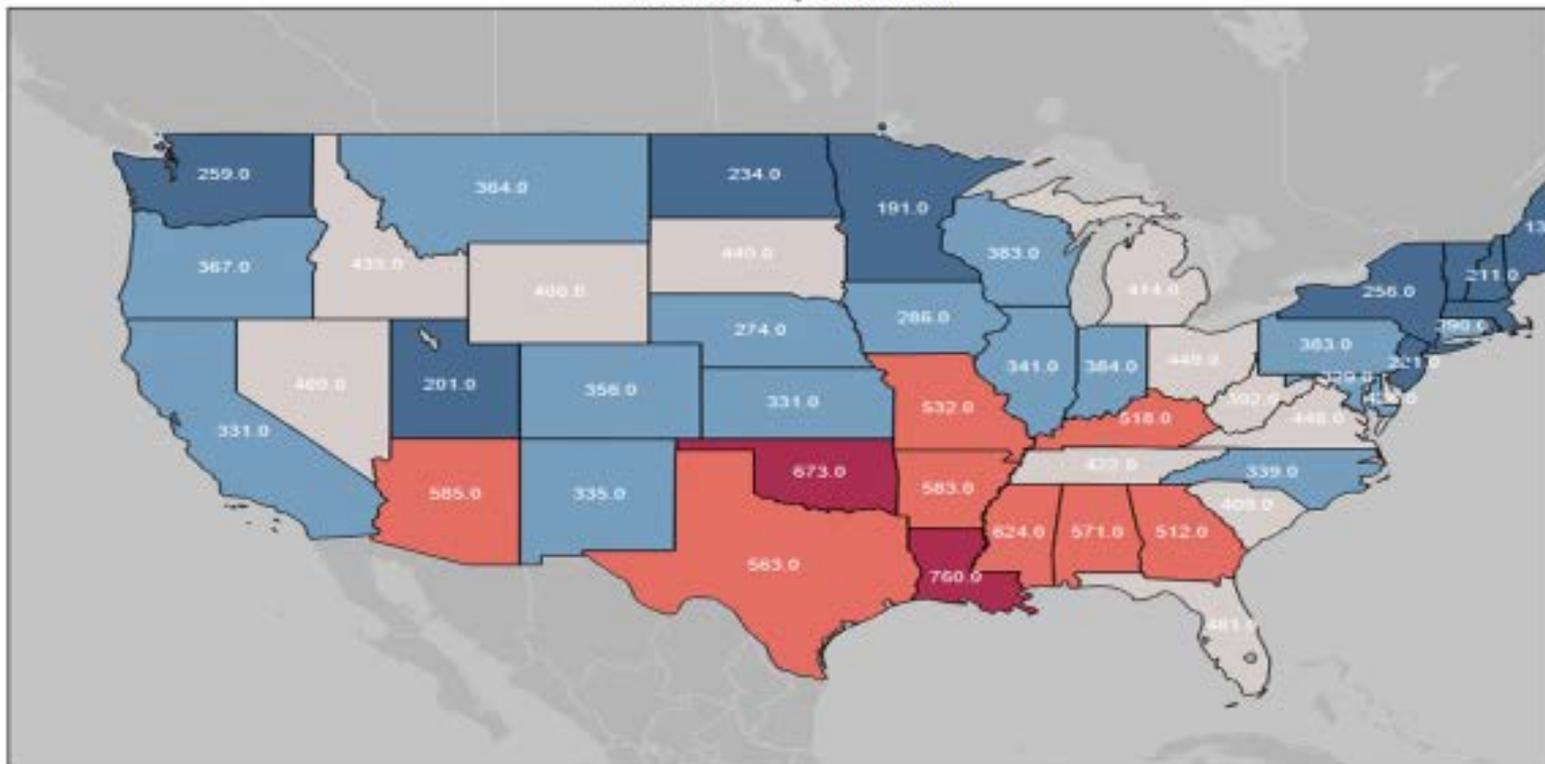
## Percentage of Prisoners vs Population



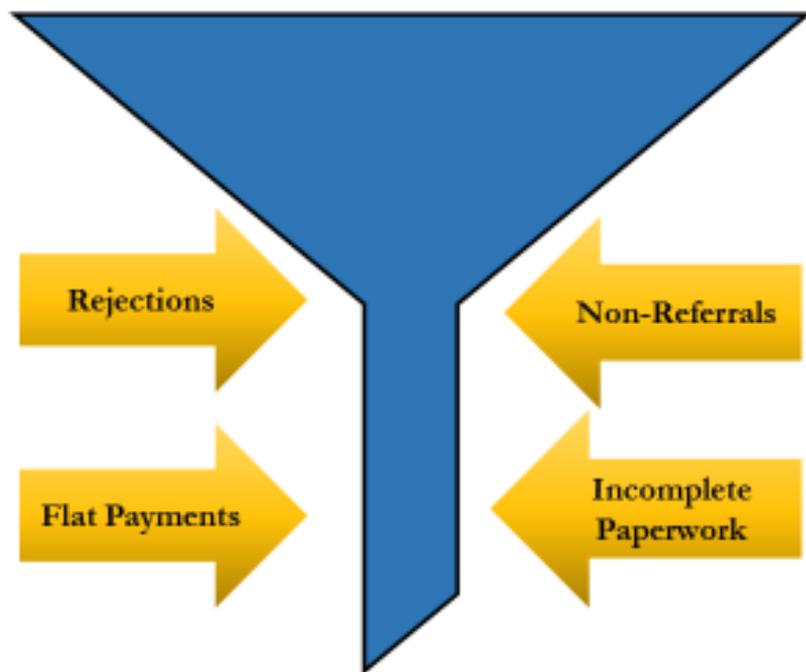


# Incarceration By State

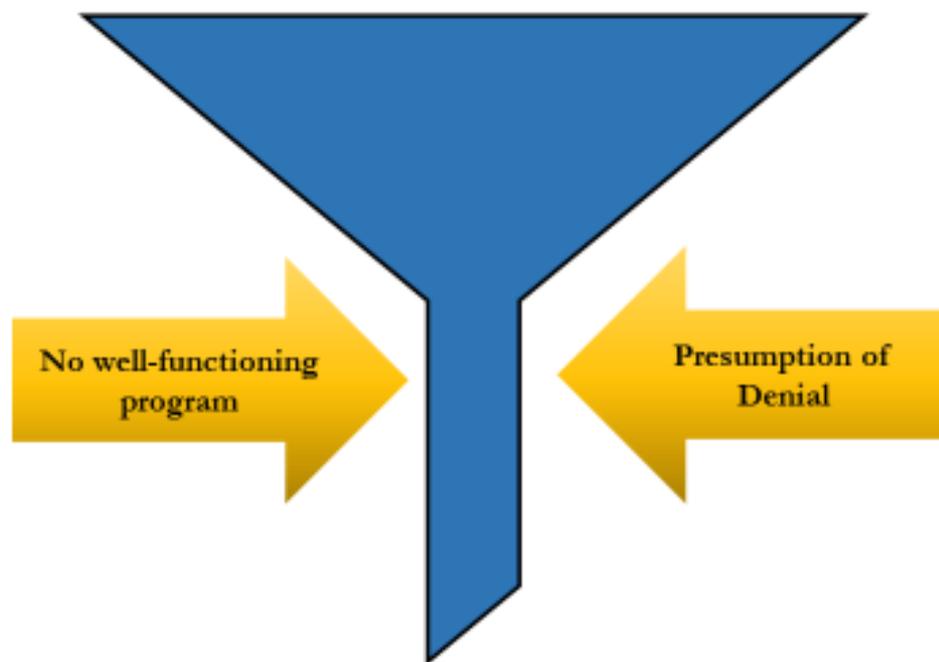
Incarceration by State 2016



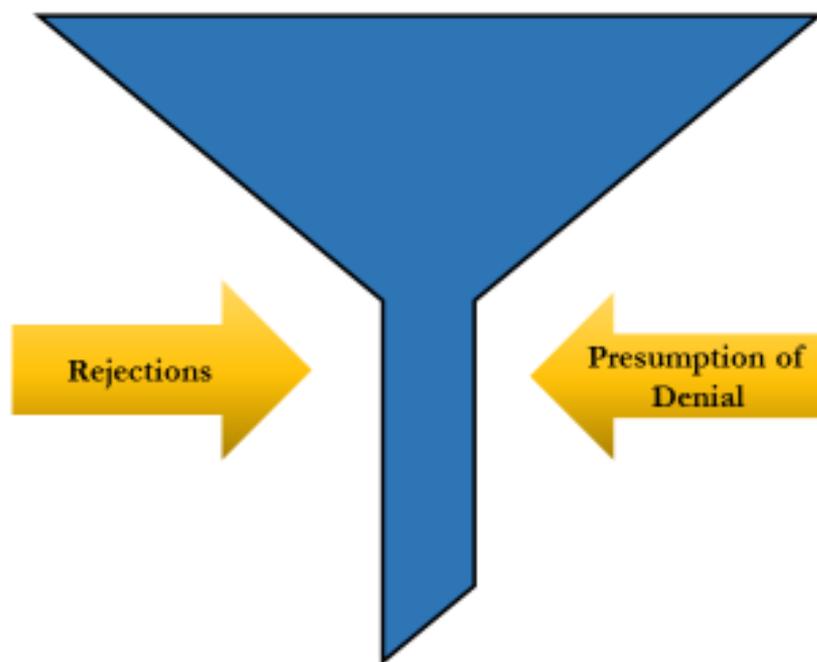
## Community Corrections Choke Points



## ISPI Choke Points



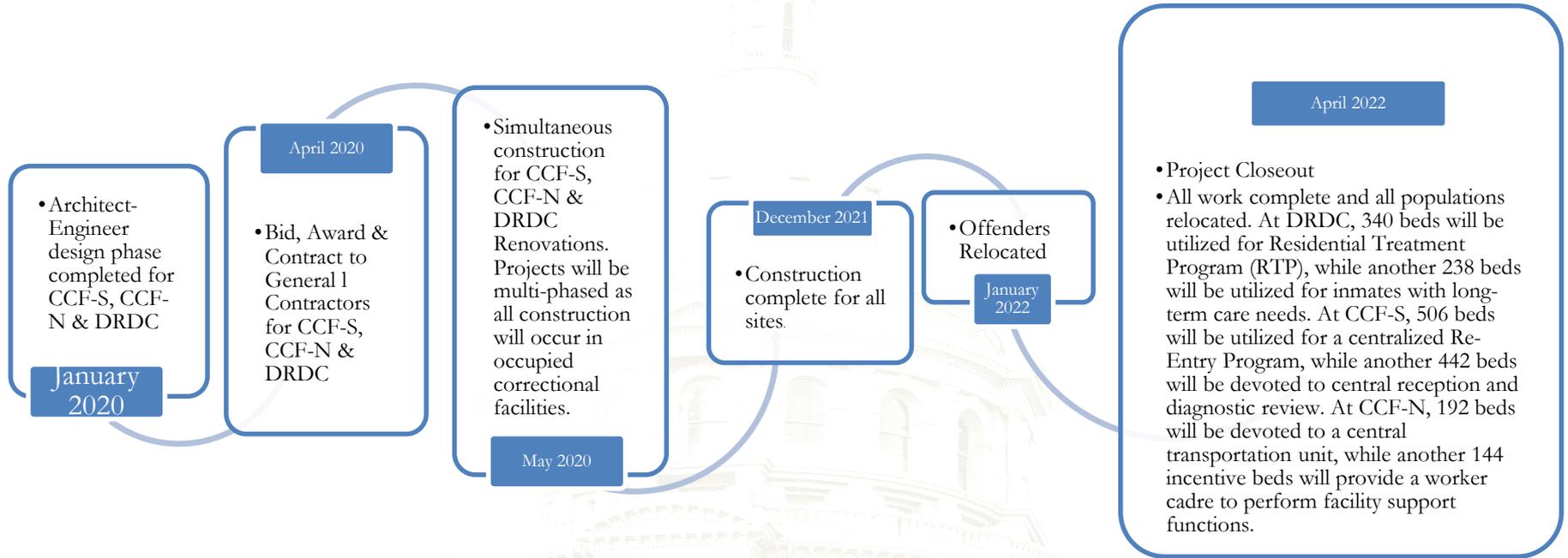
## Parole Choke Points



# DRDC Centennial Swap



# DRDC Centennial Swap





**JBC Staff FY 2018-19 Interim  
Supplemental Request  
Department of Corrections**

**Presented by:  
Vance Roper, JBC Staff  
September 20, 2018**