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CHAPTER 9

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 20-1019

BY REPRESENTATIVE(S) Herod, Benavidez, Bird, Buckner, Caraveo, Coleman, Duran, Exum, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, Melton, Mullica, Singer, Snyder, Tipper, Valdez A., Weissman, Froelich, Michaelson Jenet, Sirota, Woodrow;
also SENATOR(S) Gonzales, Lee, Moreno, Rodriguez, Zenzinger, Garcia.

AN ACT

CONCERNING MEASURES TO MANAGE THE STATE PRISON POPULATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 17-1-102, **amend** (7.3) as follows:

17-1-102. Definitions. As used in this title 17, unless the context otherwise requires:

(7.3) "Private contract prison" means any private prison facility IN THIS STATE operated by a ~~county, city and county, or private corporation located in this state~~ POLITICAL SUBDIVISION OF THIS STATE OR AN INCORPORATED OR UNINCORPORATED BUSINESS ENTITY; except that "private contract prison" does not include any local jail, multijurisdictional jail, or community corrections center.

SECTION 2. In Colorado Revised Statutes, 17-1-104.3, **amend** (1)(b.5); and **repeal** (1)(b.7) as follows:

17-1-104.3. Correctional facilities - locations - security level. (1) (b.5) ~~Notwithstanding the provisions of paragraph (b) of this subsection (1), beginning February 1, 2013, NOT MORE THAN SIX HUNDRED AND FIFTY BEDS AT the Centennial south campus of the Centennial correctional facility shall not~~ MAY be operated by the department for the purpose of housing inmates ~~in the housing units~~ but, if necessary, may be maintained to provide support and other services to the Centennial correctional facility. ~~The department shall actively pursue options to sell or lease the Centennial south campus of the Centennial correctional facility, which~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

is also known as Colorado state penitentiary II or CSP II. Any proceeds received as a result of a sale or lease of Centennial south campus of the Centennial correctional facility shall be first applied to the payment of the certificates of participation who are close custody inmates. At the discretion of the executive director, the department may house inmates of a lower than close custody level for no longer than three months from the effective date of this section in order to facilitate the movement of inmates displaced as a result of prison closure or if the lower than close custody inmate is voluntarily serving as a mentor peer-support, or in another other leadership role as part of departmental programming with the purpose of progressing close custody inmates to lower security levels.

~~(b.7) (I) Notwithstanding subsection (1)(b.5) of this section, the Centennial south campus of the Centennial correctional facility may be used to house inmates on a limited basis when the state male prison vacant bed rate, excluding RTP treatment beds, remains below one percent vacancy for two consecutive months and the department has exhausted all options pursuant to section 17-1-119.7. The department shall not house more than one hundred twenty-six inmates at one time in the Centennial south campus. Once the state male prison vacant bed rate surpasses one percent vacancy, including calculating the inmates housed in the Centennial south campus, the department shall transfer inmates housed in the Centennial south campus to an appropriate facility under the department's control within thirty calendar days.~~

~~(II) The department shall report the use of the Centennial south campus of the Centennial correctional facility to the joint budget committee and the judiciary committees of the senate and the house of representatives, or any successor committees, within five calendar days after the use of the Centennial south campus. For each month that the Centennial south campus of the Centennial correctional facility is used, the department shall report on the first day of every month the continued nature of the use of the Centennial south campus at the Centennial correctional facility, the steps taken by the department to address the vacancy issue, and the expected time frame for the vacancy issue to end.~~

~~(III) The department shall consider input from any legislative interim committee that meets during the 2019 interim regarding prison population management, specifically including:~~

~~(A) Strategies to safely reduce the prison population and reduce recidivism; and~~

~~(B) Prison use analysis including the Centennial south campus at the Centennial correctional facility, private prisons, and alternative bed programs.~~

~~(IV) This subsection (1)(b.7) is repealed, effective September 1, 2020.~~

SECTION 3. In Colorado Revised Statutes, 17-1-104.5, **add** (3) and (4) as follows:

17-1-104.5. Incarceration of inmates from other states - private contract prison facilities. (3) THE DEPARTMENT SHALL DEVELOP AND RELY UPON CRITERIA FOR THE PROTECTION OF THE HEALTH, SAFETY, AND FINANCIAL INTERESTS OF THE

STATE OF COLORADO AS DEVELOPED BY THE EXECUTIVE DIRECTOR.

(4) UPON VIOLATION OF THIS SECTION, THE EXECUTIVE DIRECTOR MAY RESCIND HIS OR HER APPROVAL PURSUANT TO SUBSECTION (2) OF THIS SECTION AND MUST PROVIDE AT LEAST SIXTY DAYS NOTICE TO THE CONTRACTING PARTIES OF THE REVISION.

SECTION 4. In Colorado Revised Statutes, 24-32-104, **add** (3) as follows:

24-32-104. Functions of the division - definition. (3) (a) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS SHALL CONTRACT WITH A NATIONALLY RECOGNIZED RESEARCH AND CONSULTING ENTITY TO STUDY FUTURE PRISON BED NEEDS IN COLORADO. WHILE CONDUCTING THE STUDY, THE ENTITY SHALL SOLICIT INPUT FROM LOCAL COMMUNITIES AND OTHER INTERESTED PARTIES OR ISSUE EXPERTS, INCLUDING BUT NOT LIMITED TO PUBLIC SAFETY EXPERTS, VICTIM'S ADVOCATES, PROSECUTORS, DEFENSE ATTORNEYS, AND COMMUNITY REENTRY PROVIDERS.

(b) THE DIVISION SHALL CONVENE AN ADVISORY COMMITTEE THAT CONTAINS THREE REPRESENTATIVES OF LOCAL GOVERNMENTS, OF WHICH AT LEAST TWO MUST BE COUNTY COMMISSIONERS, SELECTED BY THE EXECUTIVE DIRECTOR, FROM EACH COUNTY THAT HAS A PRIVATE PRISON TO CONSULT WITH THE ENTITY DURING THE STUDY. THE STUDY MUST INCLUDE:

(I) AN ANALYSIS OF THE ECONOMIC AND OTHER IMPACTS THAT POTENTIAL PRISON CLOSURE WOULD HAVE ON LOCAL GOVERNMENTS AND THE WIDER COMMUNITY AND RECOMMENDATIONS ON STRATEGIES TO DIVERSIFY THE LOCAL ECONOMY;

(II) UTILIZATION ANALYSIS OF ALL STATE AND PRIVATELY OPERATED FACILITIES AND ALL OTHER FACILITIES THAT CAN BE USED FOR HOUSING INMATES;

(III) AN ANALYSIS OF THE FEASIBILITY OF THE DEPARTMENT TO OBTAIN PRIVATELY OWNED FACILITIES OR UTILIZE UNUSED STATE-OWNED BUILDINGS IN COLORADO.

(c) PRIOR TO COMPLETING THE STUDY, THE DIVISION, IN CONJUNCTION WITH THE COUNTY COMMISSIONERS, SHALL PROVIDE NOTICE AND CONDUCT PUBLIC HEARINGS IN THE COUNTIES IN WHICH PRIVATE PRISONS ARE LOCATED TO ALLOW DIRECT PUBLIC TESTIMONY AND INPUT, WHICH THE DEPARTMENT SHALL INCLUDE IN THE FINAL REPORT.

(d) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS SHALL REPORT THE STUDY TO THE JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, DURING THE COMMITTEES' HEARINGS HELD DURING THE 2021 SESSION OF THE GENERAL ASSEMBLY UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

SECTION 5. In Colorado Revised Statutes, 17-2-103, **amend** (11)(c) introductory portion as follows:

17-2-103. Arrest of parolee - revocation proceedings. (1) (c) If the board determines that the parolee is in need of treatment, ~~and is amenable to treatment~~, the board shall consider placing the parolee in one of the following treatment options and, if appropriate, may modify the conditions of parole to include:

SECTION 6. In Colorado Revised Statutes, 17-22.5-405, **amend** (1) introductory portion and (1.5)(b); and **add** (1)(h) as follows:

17-22.5-405. Earned time - earned release time - achievement earned time - definition. (1) Earned time, not to exceed ten days for each month of incarceration or parole, may be deducted from the inmate's sentence upon a demonstration to the department by the inmate, which is certified by the inmate's case manager or community parole officer, that ~~he or she~~ THE INMATE has made consistent progress in the following categories as required by the department of corrections:

(h) THE INMATE HAS SHOWN EXEMPLARY LEADERSHIP THROUGH MENTORING, COMMUNITY SERVICE, AND DISTINGUISHED ACTIONS BENEFITING THE HEALTH, SAFETY, ENVIRONMENT, AND CULTURE FOR STAFF AND OTHER INMATES.

(1.5) (b) The earned time specified in ~~paragraph (a) of this subsection (1.5)~~ SUBSECTION (1.5)(a) OF THIS SECTION may be deducted based upon a demonstration to the department by the inmate, which is certified by the inmate's case manager or community parole officer, that he or she has made ~~consistent progress in the categories described in subsection (1) of this section~~ POSITIVE PROGRESS IN ACCORDANCE WITH PERFORMANCE STANDARDS ESTABLISHED BY THE DEPARTMENT.

SECTION 7. In Colorado Revised Statutes, 18-1.3-301, **amend** (1)(g) as follows:

18-1.3-301. Authority to place offenders in community corrections programs. (1) (g) The sentencing court may make appropriate orders for the detention, transfer, or resentencing of any offender whose placement in a community corrections program is terminated pursuant to section 17-27-103 (7) ~~C.R.S.~~; or section 17-27-104 (5). ~~C.R.S.~~ As to any offender held pursuant to section 17-27-104 (6) ~~C.R.S.~~; in a jail operated by a unit of local government in a county other than where the offender's original conviction occurred, the sentencing court shall order the transfer of the offender to the jail of the county where the original conviction occurred as soon as possible. ~~The sentencing court is not required to provide the offender with an evidentiary hearing pertaining to the rejection of placement in a community corrections program prior to resentencing~~ THE SENTENCING COURT SHALL PROVIDE THE OFFENDER WITH A NEW SENTENCING HEARING, FOR ANY TERMINATION FROM A COMMUNITY CORRECTIONS PROGRAM, INCLUDING A VIOLATION OF SECTION 18-8-208.2. AT ANY NEW SENTENCING HEARING, THE COURT MAY CONSIDER ANY SENTENCING ALTERNATIVE ORIGINALLY AVAILABLE TO THE COURT WHEN ORDERING THE APPROPRIATE SENTENCE.

SECTION 8. In Colorado Revised Statutes, 18-8-208, **amend** (11) as follows:

18-8-208. Escapes. (11) If a person ~~who~~ is SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301, OR IS

TRANSITIONING FROM THE DEPARTMENT OF CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM, OR IS PLACED IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101, OR IS PARTICIPATING IN A WORK RELEASE OR HOME DETENTION PROGRAM PURSUANT TO SECTION 18-1.3-106 (1.1), INTENSIVE SUPERVISION PROGRAM OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN SECTION 18-8-203 (3), IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED IN SECTION 19-1-103 (101.5), OR IS PLACED IN A COMMUNITY CORRECTIONS PROGRAM FOR PURPOSES OF OBTAINING RESIDENTIAL TREATMENT AS A CONDITION OF PROBATION PURSUANT TO SECTION 18-1.3-204 (2.2) OR 18-1.3-301 (4)(b), THEN THE PERSON IS NOT IN CUSTODY OR CONFINEMENT FOR PURPOSES OF THIS SECTION.

SECTION 9. In Colorado Revised Statutes, 18-8-208.1, **amend** (1.5); and **repeal** (6) as follows:

18-8-208.1. Attempt to escape. (1.5) ~~If a person, while in custody or confinement following conviction of a felony and either serving a direct sentence to a community corrections program pursuant to section 18-1.3-301, or having been placed in an intensive supervision parole program pursuant to section 17-27.5-101, C.R.S., knowingly attempts to escape from his or her custody or confinement, he or she commits a class 5 felony. The sentence imposed pursuant to this subsection (1.5) may run concurrently or consecutively with any sentence being served by the offender~~ If A PERSON IS SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301, OR IS TRANSITIONING FROM THE DEPARTMENT OF CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM, OR IS PLACED IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101, OR IS PARTICIPATING IN A WORK RELEASE OR HOME DETENTION PROGRAM PURSUANT TO SECTION 18-1.3-106 (1.1), INTENSIVE SUPERVISION PROGRAM OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN SECTION 18-8-203 (3), IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED IN SECTION 19-1-103 (101.5), OR IS PLACED IN A COMMUNITY CORRECTIONS PROGRAM FOR PURPOSES OF OBTAINING RESIDENTIAL TREATMENT AS A CONDITION OF PROBATION PURSUANT TO SECTION 18-1.3-204 (2.2) OR 18-1.3-301 (4)(b), THEN THE PERSON IS NOT IN CUSTODY OR CONFINEMENT FOR PURPOSES OF THIS SECTION.

~~(6) A person who participates in a work release program, a home detention program, as defined in section 18-1.3-106 (1.1), a furlough, an intensive supervision program, or any other similar authorized supervised or unsupervised absence from a detention facility, as defined in section 18-8-203 (3), and who is required to report back to the detention facility at a specified time shall be deemed to be in custody.~~

SECTION 10. In Colorado Revised Statutes, **add** 18-8-208.2 as follows:

18-8-208.2. Unauthorized absence. (1) A PERSON WHO IS SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301; TRANSITIONING FROM THE DEPARTMENT OF CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM OR PLACED IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101; PARTICIPATING IN A WORK RELEASE OR HOME DETENTION PROGRAM PURSUANT TO 18-1.3-106 (1.1), INTENSIVE SUPERVISION PROGRAM, OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED OR

UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN SECTION 18-8-203 (3); OR IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED IN SECTION 19-1-103 (101.5) COMMITS THE CRIME OF UNAUTHORIZED ABSENCE IF THE PERSON KNOWINGLY:

(a) LEAVES OR FAILS TO RETURN TO HIS OR HER RESIDENTIAL OR FACILITY LOCATION WITHOUT PERMISSION OF THE SUPERVISING AGENCY AND IN VIOLATION OF THE TERMS AND CONDITIONS OF SUPERVISION; OR

(b) REMOVES OR TAMPERS WITH AN ELECTRONIC MONITORING DEVICE REQUIRED BY THE SUPERVISING AGENCY TO BE WORN BY THE PERSON IN ORDER TO MONITOR HIS OR HER LOCATION, WITHOUT PERMISSION AND WITH THE INTENT TO AVOID ARREST, PROSECUTION, MONITORING OR OTHER LEGAL PROCESS.

(2) (a) IF A PERSON COMMITS UNAUTHORIZED ABSENCE FOR A CRIME LISTED IN SECTION 24-4.1-302 (1) OR A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, UNAUTHORIZED ABSENCE IS A CLASS 6 FELONY AND AN ATTEMPT THEREOF IS A CLASS 6 FELONY.

(b) IF A PERSON COMMITS UNAUTHORIZED ABSENCE FOR A CRIME OTHER THAN THE CRIMES LISTED IN SECTION 24-4.1-302 (1) AND THE CRIME IS NOT A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, UNAUTHORIZED ABSENCE IS A CLASS 3 MISDEMEANOR AND AN ATTEMPT THEREOF IS A CLASS 3 MISDEMEANOR.

(c) A PERSON WHO KNOWINGLY VIOLATES A PERMANENT OR TEMPORARY PROTECTION ORDER ISSUED PURSUANT TO SECTION 18-1-1001(1), 13-14-103, 13-14-104.5, OR 13-14-106 DURING THE COMMISSION OF UNAUTHORIZED ABSENCE COMMITS A CLASS 3 FELONY.

(3) IF A PAROLEE PLACED IN A COMMUNITY CORRECTIONS OR IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101 HAS AN UNAUTHORIZED ABSENCE, THE DEPARTMENT OF CORRECTIONS SHALL NOTIFY THE APPROPRIATE COMMUNITY REENTRY PROGRAM DESCRIBED IN SECTION 17-33-101 (7)(a), AND PROVIDE CONTACT INFORMATION FOR THE PURPOSES OF ASSISTING THE PERSON TO REENGAGE WITH SUPERVISION.

SECTION 11. In Colorado Revised Statutes, 18-1.3-801, **amend** (5) as follows:

18-1.3-801. Punishment for habitual criminals. (5) A current or prior conviction for escape, as described in section 18-8-208 (1), (2), or (3), or attempt to escape, as described in section 18-8-208.1 (1) ~~(1.5)~~; or (2), may not be used for the purpose of adjudicating a person an habitual criminal as described in subsection (1.5) or subsection (2) of this section unless the conviction is based on the offender's escape or attempt to escape from a correctional facility, as defined in section 17-1-102, or from physical custody within a county jail; except that, for the purposes of this section, "correctional facility" does not include a community corrections facility, as defined in section 17-27-102 (2.5), or a halfway house, as defined in section 19-1-103 (62).

SECTION 12. In Colorado Revised Statutes, 24-4.1-302.5, **amend** (1)(c)(I)(B) as follows:

24-4.1-302.5. Rights afforded to victims - definitions. (1) In order to preserve and protect a victim's rights to justice and due process, each victim of a crime has the following rights:

(c) (I) Except as otherwise provided in subsection (1)(c)(II) of this section:

(B) The right to be informed when a person who is accused or convicted of a crime against the victim is released or discharged from custody other than county jail, is paroled, escapes from a secure or nonsecure correctional facility or program, ~~or absconds from probation or parole,~~ OR COMMITS AN UNAUTHORIZED ABSENCE AS DESCRIBED IN SECTION 18-8-208.2 (1).

SECTION 13. In Colorado Revised Statutes, 24-4.1-303, **amend** (14)(e) and (14.2)(e) as follows:

24-4.1-303. Procedures for ensuring rights of victims of crimes. (14) Upon receipt of a written victim impact statement as provided in section 24-4.1-302.5 (1)(j.5), the department of corrections shall include the statement with any referral made by the department of corrections or a district court to place an offender in a public or private community corrections facility or program. The department of corrections or the public or private local corrections authorities shall notify the victim of the following information regarding any person who was charged with or convicted of a crime against the victim:

(e) Any escape OR UNAUTHORIZED ABSENCE AS DESCRIBED IN SECTION 18-8-208.2 (1) by such person, or transfer or release from any state hospital, a detention facility, a correctional facility, a community correctional facility, or other program, and any subsequent recapture of such person;

(14.2) Upon receipt of a written statement as provided in section 24-4.1-302.5 (1)(j.5), the department of human services, division of youth services, shall include the statement with any referral made by the department of human services or a district court to place an offender in a public or private community corrections facility or program. The department of human services and any state hospital shall notify the victim of the following information regarding any person who was charged with or adjudicated of a crime against the victim:

(e) Any escape OR UNAUTHORIZED ABSENCE AS DESCRIBED IN SECTION 18-8-208.2 (1) by the person, or transfer or release from any state hospital, a detention facility, a correctional facility, a community correctional facility, parole supervision, or other program, and any subsequent recapture of the person;

SECTION 14. Appropriation. For the 2020-21 state fiscal year, \$250,000 is appropriated to the department of local affairs for use by the division of local government, field services. This appropriation is from the general fund. To implement this act, the department may use this appropriation for H.B. 20-1019 study of future prison bed needs in Colorado.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 15. Appropriation to the department of corrections for the fiscal year beginning July 1, 2019. In Session Laws of Colorado 2019, section 2 of chapter 454, (SB 19-207), **amend** Part II (1)(A), (1)(C), (2)(A), (2)(B), (2)(C), (2)(D), (2)(E), (2)(F), (2)(G), (2)(I), (2)(J), (2)(K), (4)(B), (4)(C), (4)(D), (5)(A), and (5)(C), as follows:

Section 2. **Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT

(A) Executive Director's Office Subprogram

Personal Services	3,599,788	3,355,983 (22.8 FTE)	243,805 ^a (4.0 FTE)
Restorative Justice Program with Victim-Offender Dialogues in Department Facilities	75,000	75,000 (1.2 FTE)	
Health, Life, and Dental	60,376,258 60,812,248	58,561,755 58,997,745	1,814,503 ^b
Short-term Disability	613,889 613,889	596,142 596,142	17,747 ^b

	617,365	599,618			
S.B. 04-257 Amortization Equalization Disbursement	18,302,638 18,404,864	17,782,744 17,884,970	519,894 ^b		
S.B. 06-235 Supplemental Amortization Equalization Disbursement	18,302,638 18,404,864	17,782,744 17,884,970	519,894 ^b		
PERA Direct Distribution	9,854,160	9,569,276	284,884 ^b		
Salary Survey	10,973,701	10,656,469	317,232 ^b		
Shift Differential	9,264,502	9,210,052	54,450 ^b		
Workers' Compensation	5,943,515	5,755,701	187,814 ^b		
Operating Expenses	357,759	267,759		5,000 ^a	85,000(I) ^c
Legal Services	2,390,373 ^d	2,309,875	80,498 ^b		
Payment to Risk Management and Property Funds	4,388,047	4,214,706	173,341 ^b		
Leased Space	5,250,810	4,960,104	290,706 ^b		
Capitol Complex Leased Space	56,871	40,626	16,245 ^b		
Planning and Analysis Contracts	82,410	82,410			
Payments to District Attorneys	681,102	681,102			
Payments to Coroners	32,175	32,175			

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Annual depreciation-lease equivalent payments	235,033	235,033				
	150,780,669					
	151,424,587					

^a These amounts shall be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item appropriation in the Victims Assistance section of the Division of Criminal Justice. These amounts originate as cash funds from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

^b Of these amounts, an estimated \$3,756,425 shall be from sales revenues earned by Correctional Industries and an estimated \$520,783 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding. This amount is included for informational purposes only.

^d Of this amount, \$2,369,627 shall be used to purchase legal services from the Department of Law and \$20,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

(C) Inspector General Subprogram

Personal Services	4,368,414	4,262,181 (48.2 FTE)	106,233 ^a		
Operating Expenses	429,367 435,229	346,180 352,042	83,187 ^a		
Inspector General Grants	<u>207,912</u>				207,912(I)
	5,005,693 5,011,555				

^a These amounts shall be from revenues earned from private prison out of state offender investigations.

(2) INSTITUTIONS

(A) Utilities Subprogram

Personal Services	326,492	326,492	
		(2.6 FTE)	
Utilities	22,062,944	20,658,871	1,404,070 ^a
	<u>22,210,739</u>	20,806,669	
	22,389,433		
	22,537,231		

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	21,441,109	
	21,664,385	
	(276.8 FTE)	
	(280.6 FTE)	
Operating Expenses	7,114,522	
	7,150,222	
Maintenance Pueblo Campus	<u>2,079,408</u>	
	30,635,039	30,635,039
	30,894,015	30,894,015

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Housing and Security Subprogram							
Personal Services ²	185,089,091		185,086,144		2,947 ^a		
	186,661,337		186,658,390				
			(2,980.6 FTE)				
			(3,000.3 FTE)				
Operating Expenses	1,852,341		1,852,341				
	<u>1,946,141</u>		1,946,141				
	186,941,432						
	188,607,478						

^a This amount shall be from the Corrections Expansion Reserve Fund created in Section 17-1-116, C.R.S.

(D) Food Service Subprogram

Personal Services	20,446,510		20,446,510				
	20,509,272		20,509,272				
			(317.8 FTE)				
			(318.8 FTE)				
Operating Expenses	18,015,818		18,015,818				
	18,389,845		18,389,845				
Food Service Pueblo							
Campus	<u>2,030,375</u>		2,030,375				

~~40,492,703~~
40,929,492

(E) Medical Services Subprogram

Personal Services	39,728,651	39,477,164	251,487 ^a
	40,226,059	39,974,572	
		(384.5 FTE)	
		(390.5 FTE)	(3.0 FTE)
Operating Expenses	2,579,052	2,579,052	
	2,621,731	2,621,731	
Purchase of Pharmaceuticals	15,561,728	15,561,728	
	15,805,940	15,805,940	
Hepatitis C Treatment Costs	20,514,144	20,514,144	
Purchase of Medical Services from Other Medical Facilities	34,869,955	34,869,955	
Service Contracts	2,575,733	2,575,733	
Indirect Cost Assessment	<u>914</u>		914 ^a
	115,830,177		
	116,614,476		

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.

(F) Laundry Subprogram

Personal Services ~~2,606,790~~

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	2,622,480						
	(37.4 FTE)						
	(37.7 FTE)						
Operating Expenses	2,197,545						
	<u>2,234,127</u>						
	4,804,335		4,804,335				
	4,856,607		4,856,607				
(G) Superintendents Subprogram							
Personal Services	11,669,599						
	11,693,752						
	(156.9 FTE)						
	(157.4 FTE)						
Operating Expenses	5,202,001						
	5,301,663						
Dress Out	1,006,280						
Start-up Costs	1,462						
	<u>938,089</u>						
	17,879,342		17,879,342				
	18,939,784		18,939,784				

(I) Case Management Subprogram

Personal Services	17,946,764	
	18,022,196	
	(248.2 FTE)	
	(249.5 FTE)	
Operating Expenses	173,081	
	178,943	
Offender ID Program	341,135	
Start-up Costs	<u>4,703</u>	
	18,465,683	18,465,683
	18,546,977	18,546,977

(J) Mental Health Subprogram

Personal Services	11,151,627	11,151,627
	11,226,986	11,226,986
		(154.0 FTE)
		(155.4 FTE)
Operating Expenses	281,266	281,266
	292,991	292,991
Medical Contract Services	4,544,498	4,544,498
Start-up Costs	<u>4,703</u>	4,703
	15,982,094	
	16,069,178	

(K) Inmate Pay Subprogram

	2,376,618	2,376,618
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
	2,429,146		2,429,146				
(4) INMATE PROGRAMS							
(B) Education Subprogram							
Personal Services	14,105,285		14,105,285				
	14,167,093		14,167,093				
			(194.0 FTE)				
			(195.0 FTE)				
Operating Expenses	4,521,663		2,817,246		1,293,402^a	411,015 ^b	
	4,580,288				1,352,027 ^a		
Contract Services	237,128		237,128				
Education Grants	80,060				10,000 ^c	42,410 ^d	27,650(I)
	(2.0 FTE)						
Start-up Costs	4,703		4,703				
	18,948,839						
	19,069,272						

^a Of this amount, an estimated \$735,467 shall be from sales revenues earned by vocational programs and an estimated ~~\$557,935~~ \$616,560 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d This amount shall be from the Colorado Department of Education from special education funds.

(C) Recreation Subprogram

Personal Services	7,732,383	7,732,383	
	7,781,935	7,781,935	
		(116.7 FTE)	
		(117.6 FTE)	
Operating Expenses	71,232		71,232^a
	<u>73,577</u>		73,577 ^a
	7,803,615		
	7,855,512		

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	5,589,854	5,589,854	
	5,618,296	5,618,296	
		(85.4 FTE)	
		(85.9 FTE)	
Operating Expenses	110,932	110,932	
	113,511	113,511	
Services for Substance Abuse and Co-occurring Disorders	1,027,121		1,027,121 ^a
Contract Services	2,508,458	2,147,206	361,252 ^a

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Treatment Grants	<u>126,682</u>					126,682 ^b	
	<u>9,363,047</u>						
	9,394,068						

^a These amounts shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section.

^b This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	19,007,465		19,007,465				
	19,022,598		19,022,598				
			(302.2 FTE)				
			(302.5 FTE)				
Operating Expenses	2,615,820		2,615,820				
	2,616,320		2,616,320				
Parolee Supervision and Support Services	11,299,514		9,089,758			2,209,756 ^a	
Wrap-Around Services Program	2,336,782		2,336,782				

Grants to Community-based Organizations for Parolee Support	6,697,140	6,697,140
Community-based Organizations Housing Support	500,000	500,000
Parolee Housing Support	500,000	500,000
Work Release Program ³	3,500,000	3,500,000
	<u>46,456,721</u>	
	46,472,354	

^a Of this amount, \$2,163,125 shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section and \$46,631 shall be transferred from the General Fund appropriation to the Offender Treatment and Services line item in the Probation and Related Services section. The transfer from the Offender Treatment and Services line item is for the provision of day reporting services.

(C) Community Re-entry Subprogram

Personal Services	2,512,252	2,512,252
	2,526,627	2,526,627
		(41.6 FTE)
		(41.9 FTE)
Operating Expenses	146,202	146,202
	146,702	146,702
Offender Emergency Assistance	96,768	96,768
Contract Services	190,000	190,000

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Offender Re-employment Center	374,000	364,000	10,000 ^a	
Community Reintegration Grants	39,098			39,098(I) (1.0 FTE)
	<u>3,358,320</u>			
	3,373,195			

^a This amount shall be from gifts, grants, and donations.

TOTALS PART II					
(CORRECTIONS)	\$975,865,876	\$872,913,457	\$47,619,442 ^a	\$51,757,665	\$3,575,312 ^b
	<u>\$981,377,043</u>	<u>\$878,363,654</u>	<u>\$47,680,412^a</u>		

^a Of this amount, \$21,314,186 contains an (I) notation.

^b This amount contains an (I) notation.

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

Approved: March 6, 2020