

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 23-0713.01 Conrad Imel x2313

SENATE BILL 23-067

SENATE SPONSORSHIP

Coleman, Bridges, Buckner, Cutter, Fenberg, Fields, Ginal, Gonzales, Hansen, Jaquez
Lewis, Kolker, Marchman, Moreno, Priola, Sullivan, Winter F.

HOUSE SPONSORSHIP

Bacon,

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING A RECIDIVISM REDUCTION PROGRAM FOR PERSONS**
102 **SENTENCED TO THE DEPARTMENT OF CORRECTIONS**
103 **FACILITATED BY PROGRAM PARTICIPANTS IN PARTNERSHIP WITH**
104 **DEPARTMENT OF CORRECTIONS STAFF, AND, IN CONNECTION**
105 **THEREWITH, MAKING AN 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://leg.colorado.gov>.)

The bill requires the department of corrections (department) to operate a pilot program, known as the "re-imagine program" (program),

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
April 25, 2023

SENATE
3rd Reading Unamended
March 24, 2023

SENATE
Amended 2nd Reading
March 23, 2023

at the Sterling correctional facility to provide program participants with resources to support their rehabilitation and to reduce recidivism. The program is facilitated by a program board comprised of program participants and department staff. The program board shall review applications for participation in the program and approve applicants in accordance with program rules.

The program must provide training in trades and other employment-focused activities, education in skills beneficial for a participant following release from confinement, and mental health sessions. The program board shall create a program plan for each participant based on the participant's individual case and risk factors.

The bill requires the general assembly to appropriate money to fund the program through state fiscal year 2027-28. The department is required to annually report to the general assembly about the program. The pilot program is repealed June 30, 2028. The bill requires the department, in its annual reports in 2027 and 2028, to recommend whether to continue the program and whether to expand the program to other correctional facilities.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 17-33-103 as**
3 **follows:**

4 **17-33-103. Pre-release and reentry program development -**
5 **operation - report - definitions - repeal.** (1) **AS USED IN THIS SECTION,**
6 **UNLESS THE CONTEXT OTHERWISE REQUIRES:**

7 (a) "FACILITY" MEANS THE STERLING CORRECTIONAL FACILITY.

8 (b) "PROGRAM" MEANS A PRE-RELEASE AND REENTRY PROGRAM
9 DEVELOPED IN CONSULTATION WITH RESIDENTS PURSUANT TO THIS
10 SECTION.

11 (c) "PROGRAM DEVELOPER" MEANS THE PERSON DESCRIBED IN
12 SUBSECTION (2)(b) OF THIS SECTION ASSIGNED TO DEVELOP AND STUDY
13 STRATEGIES TO IMPLEMENT THE PROGRAM.

14 (d) "PROGRAM REPORT" MEANS THE REPORT ISSUED BY THE
15 DEPARTMENT PURSUANT TO SUBSECTION (4) OF THIS SECTION.

1 (e) "RESIDENT" MEANS A PERSON SERVING A TERM OF
2 IMPRISONMENT AT THE FACILITY.

3 (f) "THIRD-PARTY ORGANIZATION" MEANS AN ORGANIZATION
4 THAT SATISFIES THE QUALIFICATIONS DESCRIBED IN SUBSECTION (2)(d) OF
5 THIS SECTION THAT THE DEPARTMENT CONTRACTS WITH PURSUANT TO
6 SUBSECTION (2) OF THIS SECTION.

7 (2) (a) THE DEPARTMENT SHALL CONTRACT WITH A THIRD-PARTY
8 ORGANIZATION TO DEVELOP AND STUDY STRATEGIES FOR IMPLEMENTING
9 A PRE-RELEASE AND REENTRY PROGRAM THAT IS DESIGNED IN
10 CONSULTATION WITH RESIDENTS. THE GOAL OF THE PROGRAM IS TO
11 BENEFIT PROGRAM PARTICIPANTS, THE FACILITY, AND THE DEPARTMENT
12 BY PROVIDING PROGRAM PARTICIPANTS WITH RESOURCES TO SUPPORT
13 THEIR REHABILITATION AND TO REDUCE RECIDIVISM UPON THEIR RELEASE
14 FROM THE FACILITY.

15 (b) (I) ON OR BEFORE AUGUST 1, 2023, THE DEPARTMENT SHALL
16 ENTER INTO AN AGREEMENT WITH THE THIRD-PARTY ORGANIZATON TO
17 ASSIGN AN INDIVIDUAL EMPLOYED BY THE THIRD-PARTY ORGANIZATION
18 TO SERVE AS THE PROGRAM DEVELOPER AND CARRY OUT THE DUTIES
19 DESCRIBED IN THIS SECTION. THE PROGRAM DEVELOPER MUST HAVE
20 EXPERIENCE IN MENTAL AND BEHAVIORAL HEALTH, CULTURAL
21 COMPETENCY, AND THE REHABILITATION AND RECIDIVISM OF
22 JUSTICE-INVOLVED INDIVIDUALS. THE CONTRACT MUST REQUIRE THE
23 PROGRAM DEVELOPER TO CARRY OUT THE DUTIES DESCRIBED IN THIS
24 SECTION; EXCEPT THAT THE CONTRACT MUST PERMIT THE THIRD-PARTY
25 ORGANIZATION TO SUBCONTRACT WITH OTHER ORGANIZATIONS THAT
26 HAVE EXPERTISE IN SUBJECT AREAS, SUCH AS BEHAVIORAL HEALTH AND
27 DATA COLLECTION AND ANALYSIS, THAT ARE BENEFICIAL TO THE

1 PROGRAM DEVELOPER IN CARRYING OUT THE DEVELOPER'S DUTIES.

2 (II) THE DEPARTMENT SHALL ALLOW THE PROGRAM DEVELOPER TO
3 WORK IN THE FACILITY WITH RESIDENTS AND MAY REQUIRE THE PROGRAM
4 DEVELOPER TO MEET THE SAME QUALIFICATIONS AS A PERSON WHO
5 SERVES AS A CORRECTIONAL OFFICER AT THE FACILITY. THE DEPARTMENT
6 MAY PROVIDE AND REQUIRE THE PROGRAM DEVELOPER TO COMPLETE
7 TRAINING NECESSARY FOR THE PROGRAM DEVELOPER TO WORK IN THE
8 FACILITY WITH RESIDENTS.

9 (III) THE PROGRAM DEVELOPER'S ONLY DUTIES ARE THOSE
10 DESCRIBED IN THIS SECTION RELATED TO DEVELOPING THE PROGRAM,
11 STUDYING IMPLEMENTATION STRATEGIES, AND PREPARING THE PROGRAM
12 REPORT, INCLUDING CONSULTING WITH RESIDENTS TO DESIGN THE
13 PROGRAM AND CONDUCTING THE RESEARCH AND ANALYZING DATA
14 NECESSARY TO PREPARE THE PROGRAM REPORT. THE PROGRAM
15 DEVELOPER SHALL SPEND THE MAJORITY OF THE PROGRAM DEVELOPER'S
16 TIME CONSULTING WITH RESIDENTS TO DESIGN AND STUDY
17 IMPLEMENTATION STRATEGIES FOR THE PROGRAM.

18 (IV) IN ORDER FOR THE PROGRAM DEVELOPER TO HAVE SUFFICIENT
19 TIME TO DEVELOP THE PROGRAM, STUDY IMPLEMENTATION STRATEGIES,
20 AND PREPARE THE PROGRAM REPORT, THE PROGRAM DEVELOPER SHALL
21 BEGIN WORK NO LATER THAN AUGUST 15, 2023.

22 (c) THE PROGRAM DEVELOPMENT AND THE IMPLEMENTATION
23 STUDY MUST BE CONDUCTED IN COMPLIANCE WITH ALL DEPARTMENT AND
24 FACILITY RULES, AND THE DEPARTMENT SHALL PRIORITIZE PROGRAM
25 DEVELOPMENT AND THE IMPLEMENTATION STUDY. THE DEPARTMENT
26 SHALL PROVIDE ASSISTANCE TO THE PROGRAM DEVELOPER, INCLUDING
27 ENSURING ACCESS TO AS MANY RESIDENTS AS POSSIBLE.

1 (d) A THIRD-PARTY ORGANIZATION THAT CONTRACTS WITH THE
2 DEPARTMENT PURSUANT TO THIS SUBSECTION (2) MUST HAVE PROVEN
3 EXPERIENCE WORKING WITH POPULATIONS THAT ARE OVERREPRESENTED
4 IN THE DEPARTMENT'S RESIDENT POPULATION AND MUST HAVE NOT
5 PREVIOUSLY CONTRACTED WITH THE DEPARTMENT FOR ANY PURPOSE.

6 (3) (a) THE PROGRAM DEVELOPER SHALL CONSULT WITH
7 RESIDENTS TO DESIGN THE PROGRAM, INCLUDING DEVELOPING PROGRAM
8 CURRICULUM AND METRICS TO MEASURE PROGRAM SUCCESS. THE
9 PROGRAM DEVELOPER SHALL ALSO CONDUCT ANY RESEARCH NECESSARY
10 TO COMPLETE THE PROGRAM REPORT.

11 (b) THE PROGRAM MUST PROVIDE PARTICIPANTS WITH TRAINING
12 IN SKILLED OR PROFESSIONAL TRADES AND OTHER EMPLOYMENT-FOCUSED
13 ACTIVITIES, EDUCATION IN SKILLS BENEFICIAL TO A PARTICIPANT
14 FOLLOWING RELEASE FROM CONFINEMENT, AND MENTAL AND BEHAVIORAL
15 HEALTH COUNSELING SESSIONS. ADDITIONALLY, THE PROGRAM MUST:

16 (I) BE DESIGNED IN CONSULTATION WITH RESIDENTS;

17 (II) INCLUDE A PROCESS FOR DETERMINING ELIGIBILITY FOR
18 RESIDENTS TO PARTICIPATE IN THE PROGRAM;

19 (III) INCLUDE, AT A MINIMUM, SESSIONS OR INSTRUCTION IN THE
20 FOLLOWING AREAS: GENERAL POSTSECONDARY EDUCATION, ADDICTION
21 RECOVERY, VICTIM AWARENESS, TIME MANAGEMENT, DOMESTIC VIOLENCE
22 PREVENTION, PERSONAL FINANCE, LEADERSHIP, STRATEGIES FOR COPING
23 WITH DIFFICULT SITUATIONS, FAMILY REUNIFICATION UPON RELEASE,
24 FORGIVENESS, AND ALTERNATIVES TO VIOLENCE. THE PROGRAM MUST
25 HAVE CUSTOMIZED CURRICULUM THAT EMPHASIZES DIFFERENT AREAS OF
26 STUDY FOR PARTICIPANTS WHO ARE SCHEDULED FOR RELEASE FROM THE
27 FACILITY WITHIN ONE YEAR AND FOR PARTICIPANTS WHO ARE SCHEDULED

1 FOR RELEASE FROM THE FACILITY IN MORE THAN ONE YEAR.

2 (IV) WORK WITH PROFESSIONALS FROM OUTSIDE OF THE FACILITY,
3 WHO MAY INCLUDE COLLEGE AND UNIVERSITY PROFESSORS, MENTAL AND
4 BEHAVIORAL HEALTH PROFESSIONALS, SUBSTANCE USE DISORDER
5 PROFESSIONALS, AND SOCIOLOGISTS; AND

6 (V) PERMIT PROFESSIONALS FROM OUTSIDE THE FACILITY TO VISIT
7 AND WORK WITH PROGRAM PARTICIPANTS IN PERSON AT THE FACILITY.

8 (c) AS PART OF THE IMPLEMENTATION STUDY, THE PROGRAM
9 DEVELOPER SHALL EVALUATE THE COSTS, CHALLENGES, AND BENEFITS OF:

10 (I) PROVIDING PROGRAM PARTICIPANTS WITH THE TECHNOLOGY
11 AND TOOLS NECESSARY TO WORK REMOTELY WITH PROFESSIONALS FROM
12 OUTSIDE THE FACILITY;

13 (II) PRIORITIZING OPERATING THE PROGRAM AND PROGRAM
14 ACTIVITIES WHILE COMPLYING WITH DEPARTMENT AND FACILITY RULES;

15 (III) PROVIDING FINANCIAL ASSISTANCE TO PROGRAM
16 PARTICIPANTS RELEASED FROM THE FACILITY; AND

17 (IV) INCENTIVIZING EMPLOYERS WHO EMPLOY PROGRAM
18 PARTICIPANTS UPON RELEASE FROM THE FACILITY.

19 (4) (a) ON OR BEFORE DECEMBER 31, 2023, THE PROGRAM
20 DEVELOPER SHALL REPORT TO THE HOUSE OF REPRESENTATIVES JUDICIARY
21 COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
22 SUCCESSOR COMMITTEES, AND THE DEPARTMENT, ABOUT THE
23 DEVELOPMENT OF THE PROGRAM.

24 (b) THE REPORT MUST MAKE RECOMMENDATIONS FOR
25 IMPLEMENTING AND OPERATING THE PROGRAM AT THE FACILITY,
26 INCLUDING:

27 (I) STATUTORY CHANGES NECESSARY TO OPERATE THE PROGRAM;

1 (II) STRATEGIES FOR HIRING AND RETAINING QUALIFIED PROGRAM
2 STAFF;

3 (III) FUNDING REQUIRED FOR THE PROGRAM; AND

4 (IV) METHODS TO EVALUATE THE SUCCESS OF THE PROGRAM,
5 INCLUDING THE TYPES OF QUANTITATIVE AND QUALITATIVE DATA THAT
6 SHOULD BE COLLECTED ABOUT THE PROGRAM AND PROGRAM
7 PARTICIPANTS, INCLUDING CAPTURING NARRATIVE EXPERIENCES FROM
8 PARTICIPANTS ABOUT SUBJECTS THAT ARE SUPPORTIVE OF PARTICIPANTS'
9 SOCIAL AND EMOTIONAL HEALTH, SUCH AS LEADERSHIP SKILLS,
10 CONFIDENCE, FEELING OF BELONGING, FEELING OF PURPOSE,
11 COMMUNICATION SKILLS, AND BETTERING INTERPERSONAL
12 RELATIONSHIPS. THE REPORT MUST INCLUDE A RECOMMENDATION FOR
13 THE LENGTH OF A LONGITUDINAL STUDY NECESSARY TO EVALUATE THE
14 BENEFITS TO PROGRAM PARTICIPANTS.

15 (c) THE REPORT MUST ALSO INCLUDE THE FOLLOWING
16 INFORMATION:

17 (I) DISAGGREGATED DEMOGRAPHIC INFORMATION ABOUT THE
18 RESIDENTS WHOM THE PROGRAM DEVELOPER CONSULTED WITH DURING
19 DEVELOPMENT OF THE PROGRAM AND INFORMATION ABOUT THE
20 RESIDENTS' SENTENCES TO THE DEPARTMENT, INCLUDING THE OFFENSES
21 FOR WHICH THE RESIDENTS WERE CONVICTED, THE LENGTH OF SENTENCE
22 TO INCARCERATION, THE TIME SERVED, AND THE RESIDENTS' CUSTODY
23 LEVEL;

24 (II) THE AMOUNT OF TIME THE PROGRAM DEVELOPER SPENT
25 CONSULTING WITH RESIDENTS, ORGANIZED BY THE DEMOGRAPHIC
26 INFORMATION OF THE RESIDENTS WITH WHOM THE PROGRAM DEVELOPER
27 CONSULTED;

1 (III) THE PERCENTAGE OF RESIDENTS EXPECTED TO BE ELIGIBLE
2 FOR PARTICIPATION IN THE PROGRAM;

3 (IV) DETAILED INFORMATION ABOUT THE ANTICIPATED PROGRAM
4 SCHEDULE, INCLUDING THE AMOUNT OF TIME ALLOTTED EACH DAY FOR
5 PROGRAM ACTIVITIES AND HOW OFTEN A PARTICIPANT MUST PARTICIPATE
6 IN PROGRAM ACTIVITIES TO ACHIEVE THE INTENDED BENEFITS OF THE
7 PROGRAM;

8 (V) THE ANTICIPATED BENEFITS FROM THE PROGRAM FOR
9 PARTICIPANTS, INCLUDING BENEFITS TO PARTICIPANTS FOLLOWING
10 RELEASE FROM THE FACILITY, PARTICIPANTS NEARING RELEASE FROM THE
11 FACILITY, AND PARTICIPANTS WHO ARE SERVING AS MENTORS IN THE
12 PROGRAM; AND

13 (VI) RECOMMENDATIONS FOR ANY OTHER POLICY CHANGES BASED
14 ON INFORMATION LEARNED FROM DEVELOPING THE PROGRAM AND
15 IMPLEMENTATION STUDY.

16 (d) THE REPORT MAY INCLUDE RECOMMENDATIONS FOR
17 OPERATING THE PROGRAM IN OTHER CORRECTIONAL FACILITIES.

18 (4.5) IN ITS ANNUAL REPORT BEFORE THE HOUSE AND SENATE
19 COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203 MADE DURING
20 THE 2024 LEGISLATIVE SESSION, THE DEPARTMENT SHALL INCLUDE
21 INFORMATION ABOUT THE PROGRAM DEVELOPMENT REQUIRED IN THIS
22 SECTION AND HOW THE DEPARTMENT SPENT ANY MONEY APPROPRIATED
23 TO THE DEPARTMENT FOR THE PROGRAM DEVELOPMENT. THE
24 DEPARTMENT SHALL ALSO MAKE RECOMMENDATIONS FOR STATUTORY
25 CHANGES NECESSARY TO IMPLEMENT THE PROGRAM.

26 (5) (a) BEGINNING NO LATER THAN SEPTEMBER 1, 2024, AND
27 SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL

1 OPERATE THE PROGRAM DEVELOPED PURSUANT TO THIS SECTION.

2 (b) (I) BEGINNING WITH ITS ANNUAL REPORT BEFORE THE HOUSE
3 AND SENATE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203
4 MADE DURING THE 2025 LEGISLATIVE SESSION, AND IN ITS ANNUAL
5 REPORT PURSUANT TO SECTION 2-7-203 EACH YEAR THEREAFTER, THE
6 DEPARTMENT SHALL INCLUDE INFORMATION ABOUT THE OPERATION AND
7 EFFICACY OF THE PROGRAM.

8 (II) IN ITS REPORT TO THE COMMITTEES OF REFERENCE DURING THE
9 2029 LEGISLATIVE SESSION, THE DEPARTMENT SHALL MAKE A
10 RECOMMENDATION CONCERNING WHETHER TO CONTINUE THE PROGRAM.

11 (6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029.

12 **SECTION 2. Appropriation.** For the 2023-24 state fiscal year,
13 \$100,000 is appropriated to the department of corrections for use by
14 inmate programs. This appropriation is from the general fund. To
15 implement this act, inmate programs may use this appropriation for
16 contract services related to the education subprogram.

17 **SECTION 3. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety.