



## Colorado District Attorneys' Council

### **SB 48 – Require Arrests Of Intensive Supervision Program Escapes From Department Of Corrections**

#### **THE ISSUE:**

- Current DOC Administrative Reg. 250-22 (“Intensive Supervision Program (Community and Parole)”) at IV, H states, “(H) *Escape filings for ISP-P will be staffed with the director of Adult Parole or designee.*”
  - This has been interpreted and implemented to mean that parole officers must consult with the director *first*, who will then determine whether to notify the District Attorneys offices of an ISP-P Parolee who has escaped, if at all.
- The bill removes that discretionary authority from the director for filing decisions and instead requires warrants and arrests for escapees and referral to DAs for filing consideration.

#### **Specifically:**

1. The bill proposes a statutory change to clarify that knowingly removing or tampering with an electronic monitoring device that he or she is required to wear as condition of parole constitutes the crime of “Escape”
2. The bill direct Peace Officers and Community Parole Officer (CPOs) – when they have Probable Cause that an offender has escaped - to immediately seek a warrant for the offender’s arrest or arrest them immediately if the offender is in the presence of the officer
3. After arrest, the Peace Officer or CPO shall submit charges to the DAs office for consideration of filing of charges per DA authority.

#### **THE RESULT:**

**Community safety is enhanced, escapees are on warrant-status or arrested immediately, and charging decision authority is returned to District Attorneys rather than the Director of Adult Parole.**