



## STATE ADULT PAROLE INITIATIVES

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Prior to being discharged from the state criminal justice system, adult offenders are released from prison for a period of parole. This *issue brief* summarizes recent state adult parole initiatives. These include the offender reentry programs authorized in House Bill 14-1355, and the “intermediate sanctions” program established in Senate Bill 15-124 to reduce offender returns to prison for certain technical violations.

### Parole Administration and Caseload

The independent State Board of Parole may release an incarcerated offender to parole at its discretion, provided that the offender has reached his or her *parole eligibility date* and has not been disqualified for another reason. At a later *mandatory parole date*, corresponding to the end of an offender’s prison sentence, state law requires that all felons be released to parole if not sentenced to life imprisonment. Preliminary data for fiscal year 2015-16 indicate that 52 percent of parole releases were mandatory, and 48 percent were discretionary.

The Division of Adult Parole in the Department of Corrections (division) is responsible for providing supervision and services for adult parolees. An offender may be discharged from parole supervision upon completion of his or her sentence or, under certain circumstances, upon being granted early discharge from the parole system. Parolees who violate terms of parole without

committing a new crime (“technical violations”) may be returned to prison custody (revocation).

Recent changes to state law have enhanced programs preparing offenders for parole, resulting in additional discretionary releases. New policies have created alternatives to revocation for parolees committing technical violations, reducing the number of offenders returned to prison custody. For the most recent year, these changes reduced parole revocations by 17.7 percent and increased parole caseload by 5.8 percent.

### Offender Reentry Programs

House Bill 14-1355 expanded the division’s offender reentry programs through the addition of staff and resources. In addition to the changes described below, the bill created an annual \$1 million grant program to fund community- and faith-based organizations that assist parolees with services such as housing and job placement.

**Pre-release programs.** Offenders participating in pre-release programs while in prison receive education concerning employment readiness, housing, money management, education options, and family, relationship, and support systems. In 2015, 4,411 offenders participated in pre-release programs, an increase of 45 percent over the previous year.

**Community reentry programs.** Division staff assist parolees with issues they encounter upon reentry to the community. The bill expanded the number of community reentry specialists and added new parolee navigators to assist with employment, training, and mental health and substance abuse issues.

### Intermediate Sanctions Program

A parolee who commits a technical violation may be arrested by a parole officer and undergo a hearing before the State Board of Parole. If revocation is not mandated by statute, the board decides whether to revoke an offender's parole and order his or her return to prison custody.

Under Senate Bill 15-124, a parole officer is required to consider other available punishments ("intermediate sanctions") that could be used to address a technical violation before filing a complaint to revoke a parolee to prison custody.

**Grounds for arrest.** The bill narrowed the circumstances under which a parole officer is authorized to arrest a parolee. Before arresting a parolee, a parole officer must have:

- a reasonable belief that arrest is necessary to prevent serious bodily injury to the parolee or another person, or to prevent a crime;
- probable cause to believe that a parolee is about to leave the state;
- probable cause to believe that a parolee has violated a condition of parole and will fail to appear before the State Board of Parole; or
- probable cause to believe that the parolee has committed a technical

violation in a case where the officer has exhausted all other appropriate or available intermediate sanctions.

**Types of intermediate sanctions.** The division maintains a tracking system which includes an algorithm to recommend a sanction category based on a parolee's risk level and the severity of the violation. The division may recommend the use of a low-, medium-, or high-level intermediate sanction.

*Low-level sanctions* include verbal reprimands, curfew, increased drug testing, outpatient therapy, referral to Alcoholics or Narcotics Anonymous, and written homework. Preliminary data indicate that about 61 percent of recommended sanctions are low-level.

*Medium-level sanctions* include cognitive behavioral therapy, daily office check-ins, short-term inpatient programs and, for parolees from other states, a return to their home state. About 37 percent of recommended sanctions are medium-level.

*High-level sanctions* include long-term residential therapy, summons to the Parole Board, and short-term confinement in a county jail. Terms of jail confinement must be approved by the division director and may not exceed five consecutive days. About 2 percent of recommended sanctions are high-level.

**Effect on parole caseload.** Since the enactment of HB 14-1355, SB 15-124, and other internal changes, Colorado's prison population has fallen while parole caseload has increased. These policies have resulted in fewer parole revocations, reducing readmissions to prison custody. Table 1 compares relevant preliminary data for FY 2015-16 to those published for FY 2014-15.

**Table 1. Revocation Hearings and Parole Caseload, FY 2014-15 and FY 2015-16**

	FY 2014-15	FY 2015-16	Percent Change
Revocation Hearings	7,428	7,059	-5.0%
Parole Revocations	3,727	3,066	-17.7%
June 30 Parole Caseload	10,026	10,603	5.8%

Source: State Board of Parole.