

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-1029.01 Richard Sweetman x4333

HOUSE BILL 14-1355

HOUSE SPONSORSHIP

Kagan and Gardner,

SENATE SPONSORSHIP

Guzman and King,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DEPARTMENT OF CORRECTIONS REENTRY INITIATIVES**
102 **FOR SUCCESSFUL REINTEGRATION OF ADULT OFFENDERS INTO**
103 **THE COMMUNITY.**

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://www.leg.state.co.us/bills/summaries>.)

On and after July 1, 2014, the department of corrections (department) shall develop and implement initiatives specifically designed to decrease recidivism, enhance public safety, and increase each offender's chances of achieving success upon his or her release to the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

community.

Subject to appropriations, on and after July 1, 2014, the department shall:

- ! Develop and implement initiatives specifically designed to assist offenders in a correctional facility to prepare for release to the community;
- ! Develop and implement initiatives specifically designed to assist each offender's transition from a correctional facility into the community; and
- ! Make necessary operational enhancements and develop and implement initiatives specifically designed to ensure that the department has the proper equipment, training, and programs to properly supervise offenders in the community to enhance public safety.

On and after January 1, 2015, the department shall develop and implement a grant program to provide funding to eligible community-based organizations that provide reentry services to offenders in the community. On or before January 1, 2015, the executive director shall develop policies for the administration of the grant program.

The grant program is repealed, effective September 1, 2018. Before such repeal, the department of regulatory agencies shall conduct a sunset review of the grant program.

On and after January 1, 2016, during its annual presentation before the joint judiciary committee of the general assembly, or any successor joint committee, the department shall include a status report regarding the progress and outcomes of reentry planning and program initiatives developed and implemented by the department during the preceding year.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 17-33-101 as
3 follows:

4 **17-33-101. Reentry planning and programs for adult parole**
5 **- grant program - rules - reports - repeal.** (1) The department of
6 ~~corrections~~ shall administer appropriate programs for offenders prior to
7 and after release to assist offenders with reentry into society based upon
8 the assessed need as determined by the EXECUTIVE director of ~~the~~
9 ~~department of corrections~~ and suitability of individual offenders for such
10 services. The department of ~~corrections~~ shall administer the reentry

1 programs in collaboration with the division of adult parole in the
2 department ~~of corrections~~ and the youthful offender system in the
3 department. ~~of corrections.~~

4 (2) The department ~~of corrections~~ shall design the reentry program
5 to reduce the possibility of ~~the~~ EACH offender returning to prison, to assist
6 ~~the~~ EACH offender in rehabilitation, and to provide ~~the~~ EACH offender
7 with life management skills that allow him or her to function successfully
8 in society.

9 (3) ON AND AFTER JULY 1, 2014, THE DEPARTMENT SHALL DEVELOP
10 AND IMPLEMENT INITIATIVES WITHIN THE DEPARTMENT SPECIFICALLY
11 DESIGNED TO DECREASE RECIDIVISM, ENHANCE PUBLIC SAFETY, AND
12 INCREASE EACH OFFENDER'S CHANCES OF ACHIEVING SUCCESS UPON HIS
13 OR HER RELEASE TO THE COMMUNITY.

14 (4) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014, THE
15 DEPARTMENT SHALL DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY
16 DESIGNED TO ASSIST OFFENDERS IN A CORRECTIONAL FACILITY TO
17 PREPARE FOR RELEASE TO THE COMMUNITY. AN INITIATIVE DEVELOPED
18 AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (4) MAY INCLUDE, BUT
19 NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

20 (a) ENHANCED CASE MANAGEMENT CAPABILITIES TO ALLOW CASE
21 MANAGERS THE ABILITY TO CREATE INDIVIDUALIZED INSTITUTIONAL CASE
22 PLANS THAT HELP ADDRESS THE OFFENDER'S ASSESSED RISKS AND NEEDS;

23 (b) PRE-RELEASE SPECIALISTS TO DEVELOP PRE-RELEASE PLANS
24 AND PROGRAMS FOR OFFENDERS;

25 (c) THE ASSIGNMENT OF COMMUNITY PAROLE OFFICERS TO
26 FACILITIES SO THAT EACH OFFENDER HAS AN UNDERSTANDING OF THE
27 EXPECTATIONS OF COMMUNITY SUPERVISION, AVAILABLE SERVICES, AND

1 PAROLE; AND

2 (d) TRANSPORTATION FOR HIGH-RISK AND HIGH-NEEDS
3 OFFENDERS, AS DEFINED BY THE DEPARTMENT, WHO ARE BEING RELEASED
4 FROM A CORRECTIONAL FACILITY TO A COMMUNITY PAROLE OFFICE, TO
5 HELP PROVIDE EFFECTIVE SUPERVISION, ENHANCE PUBLIC SAFETY, AND
6 EXPEDITE CRITICAL SERVICES.

7 (5) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014,
8 THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT INITIATIVES
9 SPECIFICALLY DESIGNED TO ASSIST EACH OFFENDER'S TRANSITION FROM
10 A CORRECTIONAL FACILITY INTO THE COMMUNITY. AN INITIATIVE
11 DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (5) MAY
12 INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

13 (a) AN EVIDENCE-BASED COGNITIVE BEHAVIORAL PROGRAM FOR
14 OFFENDERS;

15 (b) COMMUNITY-BASED MENTAL HEALTH CONSULTANTS TO
16 PROVIDE ASSISTANCE WITH CASE PLANNING AND TO CONSULT WITH AND
17 TRAIN COMMUNITY PAROLE OFFICERS CONCERNING HOW TO SECURE
18 APPROPRIATE AND AVAILABLE MENTAL HEALTH SERVICES FOR PAROLEES
19 IN THE COMMUNITY;

20 (c) IN COLLABORATION WITH THE STATE DEPARTMENT OF LABOR
21 AND EMPLOYMENT CREATED IN SECTION 24-1-121, C.R.S., OR ANY OTHER
22 EMPLOYMENT OR JOB TRAINING PROGRAM WITHIN THE COMMUNITY,
23 INITIATIVES TO HELP OFFENDERS IN THE COMMUNITY OBTAIN
24 EMPLOYMENT, JOB PLACEMENT, OR TRAINING;

25 (d) REENTRY SPECIALISTS TO HELP OFFENDERS SUCCESSFULLY
26 REENTER THE COMMUNITY;

27 (e) CONSOLIDATION AND EXPANSION OF EMERGENCY ASSISTANCE

1 CONTRACT FUNDING TO EFFECTIVELY PROVIDE ASSISTANCE TO PAROLEES
2 IN THE COMMUNITY; AND

3 (f) A PROGRAM TO PROVIDE MEDICATION-ASSISTED THERAPIES TO
4 ELIGIBLE OFFENDERS.

5 (6) SUBJECT TO APPROPRIATIONS, ON AND AFTER JULY 1, 2014,
6 THE DEPARTMENT SHALL MAKE NECESSARY OPERATIONAL
7 ENHANCEMENTS AND DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY
8 DESIGNED TO ENSURE THAT THE DEPARTMENT HAS THE PROPER
9 EQUIPMENT, TRAINING, AND PROGRAMS TO PROPERLY SUPERVISE
10 OFFENDERS IN THE COMMUNITY TO ENHANCE PUBLIC SAFETY. AN
11 INITIATIVE DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION
12 (6) MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING
13 COMPONENTS:

14 (a) A COMPREHENSIVE STAFF TRAINING PROGRAM THAT:

15 (I) IS CONSISTENT WITH RESEARCH AND EVIDENCE-BASED
16 PRACTICES;

17 (II) ENHANCES BASIC TRAINING AND PROVIDES ANNUAL
18 IN-SERVICE TRAINING FOR COMMUNITY PAROLE OFFICERS AND STAFF; AND

19 (III) CREATES STAFF DEVELOPMENT WITHIN THE DIVISION OF
20 ADULT PAROLE SO THAT THE DIVISION WILL EFFECTIVELY SUPERVISE
21 OFFENDERS THROUGH SUCCESSFUL REINTEGRATION;

22 (b) ACQUISITION OF EQUIPMENT AND RESOURCES THAT WILL
23 EFFECTIVELY MONITOR AND RESPOND TO TAMPERING AND OTHER ALERTS
24 RELEASED BY ELECTRONIC MONITORING UNITS;

25 (c) ESTABLISHMENT OF AN EQUIPMENT REPLACEMENT PLAN FOR
26 ENHANCED COMMUNITY PAROLE OFFICER SAFETY; AND

27 (d) ENHANCEMENTS TO PAROLE INFORMATION TECHNOLOGY AND

1 PAROLEE TRACKING SYSTEMS.

2 (7) (a) SUBJECT TO APPROPRIATIONS, ON AND AFTER JANUARY 1,
3 2015, THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A GRANT
4 PROGRAM TO PROVIDE FUNDING TO ELIGIBLE COMMUNITY-BASED
5 ORGANIZATIONS THAT PROVIDE REENTRY SERVICES TO OFFENDERS IN THE
6 COMMUNITY. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM
7 IN ACCORDANCE WITH POLICIES DEVELOPED BY THE EXECUTIVE DIRECTOR
8 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (7).

9 (b) ON OR BEFORE JANUARY 1, 2015, THE EXECUTIVE DIRECTOR
10 SHALL DEVELOP POLICIES FOR THE ADMINISTRATION OF THE GRANT
11 PROGRAM, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

12 (I) A PROCESS FOR DETERMINING ELIGIBILITY CRITERIA FOR A
13 COMMUNITY-BASED ORGANIZATION, INCLUDING BUT NOT LIMITED TO A
14 COMMUNITY-BASED ORGANIZATION THAT SERVES AS AN INTERMEDIARY
15 ON BEHALF OF A COLLABORATION OF ELIGIBLE COMMUNITY-BASED
16 ORGANIZATIONS, TO RECEIVE A GRANT FROM THE GRANT PROGRAM;

17 (II) A PROCESS AND TIMELINE WHEREBY A COMMUNITY-BASED
18 ORGANIZATION MAY APPLY FOR A GRANT FROM THE GRANT PROGRAM;

19 (III) A PROCESS FOR DETERMINING THE AMOUNT OF EACH GRANT
20 THAT IS AWARDED TO AN ELIGIBLE COMMUNITY-BASED ORGANIZATION;

21 (IV) A PROCESS FOR ESTABLISHING DATA-REPORTING
22 REQUIREMENTS FOR EACH ELIGIBLE COMMUNITY-BASED ORGANIZATION
23 THAT RECEIVES A GRANT FROM THE GRANT PROGRAM; AND

24 (V) A PROCESS FOR DETERMINING THE MAXIMUM AMOUNT OF
25 MONEYS THAT AN ELIGIBLE COMMUNITY-BASED ORGANIZATION MAY
26 RECEIVE FROM THE GRANT PROGRAM IN A SINGLE FISCAL YEAR.

27 (c) IN DEVELOPING POLICIES FOR THE ADMINISTRATION OF THE

1 GRANT PROGRAM PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (7),
2 THE EXECUTIVE DIRECTOR MAY REQUIRE THAT STAFF MEMBERS OF AN
3 ELIGIBLE COMMUNITY-BASED ORGANIZATION SEEKING FUNDING FROM THE
4 GRANT PROGRAM MUST SUBMIT TO A CRIMINAL BACKGROUND CHECK
5 BEFORE AN AWARD DECISION IS MADE. HOWEVER, THE EXECUTIVE
6 DIRECTOR MAY NOT EXCLUDE A COMMUNITY-BASED ORGANIZATION FROM
7 RECEIVING GRANT MONEYS SOLELY BECAUSE ONE OR MORE STAFF
8 MEMBERS OF THE COMMUNITY-BASED ORGANIZATION HAS A CRIMINAL
9 RECORD. IF THE EXECUTIVE DIRECTOR DETERMINES THAT ONE OR MORE
10 STAFF MEMBERS OF AN APPLICANT ELIGIBLE COMMUNITY-BASED
11 ORGANIZATION HAS A CRIMINAL RECORD, HE OR SHE SHALL CONSIDER THE
12 FACTORS DESCRIBED IN SECTION 24-5-101 (4), C.R.S., BEFORE DECIDING
13 WHETHER TO AWARD GRANT MONEYS TO THE COMMUNITY-BASED
14 ORGANIZATION.

15 (d) THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, SHALL
16 MAKE THE FINAL DECISION WHETHER TO AWARD OR DENY A GRANT FROM
17 THE GRANT PROGRAM.

18 (e) IN AWARDING GRANTS FROM THE GRANT PROGRAM EACH
19 FISCAL YEAR, THE DEPARTMENT SHALL NOT AWARD ANY GRANT MONEYS
20 IN EXCESS OF THE AMOUNT APPROPRIATED TO THE DEPARTMENT FOR THE
21 PURPOSES OF THIS SECTION.

22 (f) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE SEPTEMBER 1,
23 2018. BEFORE SUCH REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES
24 SHALL REVIEW THE GRANT PROGRAM PURSUANT TO SECTION 24-34-104
25 (49.5) (h), C.R.S.

26 (8) ON AND AFTER JANUARY 1, 2016, DURING ITS ANNUAL
27 PRESENTATION BEFORE THE JOINT JUDICIARY COMMITTEE OF THE GENERAL

1 ASSEMBLY, OR ANY SUCCESSOR JOINT COMMITTEE, PURSUANT TO SECTION
2 2-7-203, C.R.S., THE DEPARTMENT SHALL INCLUDE A STATUS REPORT
3 REGARDING THE PROGRESS AND OUTCOMES OF THE INITIATIVES
4 DEVELOPED AND IMPLEMENTED BY THE DEPARTMENT PURSUANT TO THIS
5 SECTION DURING THE PRECEDING YEAR.

6 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add**
7 (49.5) (h) as follows:

8 **24-34-104. General assembly review of regulatory agencies**
9 **and functions for termination, continuation, or reestablishment.**

10 (49.5) The following agencies, functions, or both, shall terminate on
11 September 1, 2018:

12 (h) THE GRANT PROGRAM TO PROVIDE FUNDING TO ELIGIBLE
13 COMMUNITY-BASED ORGANIZATIONS THAT PROVIDE REENTRY SERVICES
14 TO OFFENDERS IN THE COMMUNITY, DESCRIBED IN SECTION 17-33-101 (7),
15 C.R.S.

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