



COMMISSIONERS:
MARK WALLER (CHAIR)
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COMMUNITY SERVICES DEPARTMENT

PARK OPERATIONS ~ COMMUNITY OUTREACH
ENVIRONMENTAL SERVICES ~ VETERANS SERVICES ~ RECREATION/CULTURAL SERVICES

El Paso County Community Corrections Board (CCB) Meeting Agenda

January 8, 2020 – 12:00 p.m.

Regional Development Center, A/B Room
2880 International Circle, Colorado Springs 80910

<u>Item</u>	<u>Presenter</u>	<u>Recommended Action</u>
1. Call Meeting to Order a) Study Session – Residential Sex Offender Treatment	Kevin Bishop, CCI	
2. Attendance a) Introduction of members, guests and new members b) Requests for excused absences c) Requests for excused absences for future meetings	Chair	Roll Call
3. Approval of Minutes a) Ratify meeting minutes for December 11, 2019 and the electronic meeting minutes for December 4, and 18, 2019.		Vote
4. Case Review	Chair	Vote
5. Program Reports a) Community Alternatives of El Paso County (CAE) b) ComCor, Inc. (CCI)	Sean Foster Mark Wester	Information Information
6. Department Report a) SFY20 Financial Report b) SFY20 Escape Report c) Staff Report	Scot Smith Scot Smith Scot Smith	Information Information Information
7. Other Reports		
8. Old Business a) Temporary Moratorium Update	Scot Smith	Information
9. New Business a) Chair and Vice Chair Positions b) Sunshine Act 2020 c) Offender Placement Review Procedures proposed changes	Rose Roy Scot Smith Christine Burns	Information Endorsement Information
10. Adjournment		

Next meeting date: February 12, 2020.



El Paso County Community Corrections Board
MINUTES
December 11, 2019

Board members present: Rose Roy, Mark Allison, Janice Hellman, Jillian Freeland, William Bain (also proxy for Ann Rotolo), Lori Griffith, Gilbert Suazo, Alli Briggs, Pat Kelly, Chris Sandrolini, and Rafael Cintron.

Excused absence: Kim Kitchen and Darren O'Driscoll

Unexcused absence: David Lipka and Jahna Pusedu,

Staff present: Lexi Spadi, Tiffany Weaver, Scot Smith and Lori Seago

Guests present: Mark Wester, ComCor, Inc. (CCI)
Kenneth Wildenstein, Community Alternatives of El Paso County (CAE)

1. **Rose Roy, Board Chair called the meeting to order at 12:03 p.m.**
2. **Attendance:** Members and guests introduced themselves and absences for current and future meetings were ratified.

The following Board members requested excused absences for the next Board Meeting, January 8th:

Rafael Cintron
Lori Griffith
Mark Allison

3. **Minutes: Gilbert Suazo moved to approve the screening report for November 6, 2019, November 20, 2019, November 27, 2019 and the minutes of the November 13, 2019 meeting as corrected (minutes to reflect Jillian Freeland as excused absence). Mark Allison seconded. The motion passed unanimously.**
4. **Case Review:** Victim for Transition case (M. Harrison) spoke to the board.
5. **Program Reports:**
 - a. Kenneth Wildenstein reported for CAE.
Mr. Wildenstein reported that CAE had restitution paid in the amount of \$18,928; that they had 23 successful completions and four (4) escapes; that the facility currently has 20 vacancies due to expansion efforts; and that they have "adequate staffing" in the month of November. Mr. Wildenstein answered questions from the Board regarding escapes. Board members discussed potential reasons for why clients escape. Mr. Wildenstein responded to Board questions regarding staff misconduct. The Board requested additional follow-up on this matter at the January 8, 2020 meeting.
 - b. Mark Wester reported for CCI.
Mr. Wester reported CCI had 51 admissions, 25 successful completions, 15 unsuccessful terminations, and 10 escapes. He informed the Board of a client death. The client, while riding a bicycle on his way to the Pikes Peak Work Force Center, was struck by a vehicle. Mr. Wester reported seven (7) current job vacancies. Mr. Wester responded to questions from the Board related to drug testing and stated positive drug tests within the facility increased 1.2% from the previous month to the current 5.2%. Mr. Wester updated the Board on the Roberts Road project stating that an extension request had been submitted; that ComCor pursued six (6) financial institutions and four (4) proposed loan packages. He stated their Board selected the top institution. He anticipates financing to be in place by December 31, 2019 with a loan closed by January 31, 2020. The anticipated construction date is February 2020, with a completion date of three (3) months, and clients using the facility in June.

El Paso County Community Corrections Board
MINUTES
December 11, 2019

6. Department Reports:

- a. **Financial Report:** Scot Smith reported that to date for the SFY20 annual contract that 41.7% has been spent. CCI has spent 48.97% of their contract, which represents 7.3 % overspent for the contract year. CAE has spent 42.4% of their contract, which represents .73% overspent.
- b. **Escape Report:** Scot Smith stated that the to date Diversion client escape rate for 2019 was a 14.2% rate and 8.8% escape rate for Transition clients. The successful completion rate was 35.6% for Diversion clients and 63.2% for Transition clients.
- c. **Staff Report:** Scot Smith reported that EPCO Community Corrections staff continues to work on the procedures document; that Kevin Bishop of CCI will provide training on their “Community Responsibility Program; and that there is a save the date for DCJ’s statewide criminal justice conference in February 2020. Scot will double check with DCJ about possible attendance for CCB members.

7. **Other Reports:** Scot Smith proposed continuance of a temporary moratorium on Out of District cases due to the high waitlist for CCB review, currently at 145. Mr. Smith stated that temporary moratorium began on November 30, 2019. Our current procedures state that preference is to be given to El Paso County residents. If approved, the waitlists for CCB review will be monitored monthly by program staff.

Pat Kelly moved to approve the proposed temporary moratorium. Rose Roy seconded. The motion passed unanimously.

8. **Old Business:** None

9. **New Business:** Scot Smith proposed a one-time holiday ballot schedule as follows:

The electronic ballot due on 12/18/19 will be distributed to Board members on 12/12/19. There will be no electronic ballots distributed on 12/19/19 consequently no ballots will be due on 12/25/19. The electronic ballot due on 1/1/20 will be distributed to Board members on 12/26/19, with tabulation on 1/2/20.

Rose Roy moved to accept the holiday ballot schedule. Chris Sandrolini seconded. The motion passed unanimously.

Meeting adjourned at 1:02 p.m.

Respectfully submitted,

Scot Smith, El Paso County Community Corrections Program Manager
Community Services Department

Confirmed:

Rose Roy, Chair
El Paso County Community Corrections Board

El Paso County Community Corrections Board
Ballot of December 11, 2019
MANDATORY BOARD REVIEW

Pursuant to Section D (4e) of the OFFENDER PLACEMENT REVIEW POLICIES AND PROCEDURES adopted by the El Paso County Community Corrections Board on July 25, 1997 and amended on November 8, 2000, the results of the ballot are reported to and ratified by the El Paso County Community Corrections Board on January 08, 2019.

Accept									
Offender Name	CCD #	Referral	IRT	WRP	JD	Provider	Approve	Reject	Abst
MARQUEZ, ESTEVAN	19-2768	D	<input type="checkbox"/>	<input type="checkbox"/>	16th	CCI	11	0	1
CURRAN, PAUL	19-2769	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CAE	7	4	1
JONES, DANIEL A	19-2770	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	9	2	1
WILSON, ANDREW	19-2771	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CAE	9	1	2
BIRTS, KISHA	19-2772	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	11	0	1
GENSCHAW, PAUL	19-2773	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	8	3	1
SCOTT, MONTA	19-2774	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	9	2	1
JACKSON, THOMAS Z	19-2775	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	9	2	1
MCKINNEY, RICHARD	19-2777	D	<input type="checkbox"/>	<input type="checkbox"/>	11th	CCI	10	1	1
EVANS, NOWELL	19-2778	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	9	2	1
BELL, TONY	19-2779	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	8	1	3
TORRES, DANIKA	19-2780	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	9	1	2
VALDEZ, NICHOLAS	19-2781	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	10	1	1
TARDIFF, JERITT	19-2782	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	6	4	2
LEE, MALIK	19-2783	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	8	3	1
GASKEY, LONNIE	19-2784	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	9	2	1
ACUNA, JOE	19-2785	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	9	2	1
SILVA, ANGEL	19-2786	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	9	2	1
ROBERTS, PATRICK	19-2787	T	<input checked="" type="checkbox"/>	<input type="checkbox"/>		CAE	9	2	1
NAVEIRA, IAN	19-2789	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	10	1	1

Reject									
Offender Name	CCD #	Referral	IRT	WRP	JD	Provider	Approve	Reject	Abst
MEDINA, ALBERT	19-2776	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	4	7	1
HARRISON, MICHAEL	19-2788	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	5	6	1

El Paso County Community Corrections Board
Electronic Screening Minutes
December 4, 2019

Staff present: Lexi Spadi
Others present:

The meeting was called to order at 1:00 p.m.

1. Ballots: Lexi Spadi tabulated ballots.

Meeting was adjourned at 1:43 p.m.

Respectfully submitted,

Lexi Spadi
Community Corrections Specialist
Community Outreach Division

Confirmed:

Rose Roy, Chair
El Paso County Community Corrections Board

El Paso County Community Corrections Board
Ballot of December 04, 2019
MANDATORY BOARD REVIEW

Pursuant to Section D (4e) of the OFFENDER PLACEMENT REVIEW POLICIES AND PROCEDURES adopted by the El Paso County Community Corrections Board on July 25, 1997 and amended on November 8, 2000, the results of the ballot are reported to and ratified by the El Paso County Community Corrections Board on January 08, 2020.

Accept									
Offender Name	CCD #	Referral	IRT	WRP	JD	Provider	Approve	Reject	Abst
ZELONIS, HEATHER	19-2746	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	7	4	2
GERMUSKA, KAYLEE	19-2748	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	12	0	1
CARTWRIGHT, STORMY	19-2749	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	12	0	1
CONTRERAS, GABRIEL	19-2750	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CAE	9	3	1
JACKSON, CRYSTAL	19-2751	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	9	3	1
RUIZ, ABRAHAM	19-2753	D	<input type="checkbox"/>	<input type="checkbox"/>	5th	CCI	7	5	1
SISNEROS, JUSTIN	19-2754	D	<input type="checkbox"/>	<input type="checkbox"/>	3rd	CCI	7	5	1
WEBER, CHRISTOPHER	19-2755	D	<input type="checkbox"/>	<input type="checkbox"/>	15th	CCI	9	3	1
ROBERTS, DAKOTA	19-2756	D	<input type="checkbox"/>	<input type="checkbox"/>	15th	CCI	10	2	1
GRAVES, JAMES	19-2757	D	<input type="checkbox"/>	<input type="checkbox"/>	3rd	CCI	8	4	1
GABRIEL, ANDREW	19-2758	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	10	2	1
KOSECK, LEWIS	19-2760	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	9	2	2
BOOI, ERIC	19-2761	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	10	2	1
MAREZ, JOE	19-2762	T	<input checked="" type="checkbox"/>	<input type="checkbox"/>		CAE	8	4	1
MCMILLAN, GARY	19-2763	T	<input checked="" type="checkbox"/>	<input type="checkbox"/>		CAE	9	3	1
HERRERA, JONATHAN	19-2764	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	8	3	2
MEDINA, HERMAN	19-2766	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	9	3	1
LAMB, JEREMY	19-2767	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	8	3	2

Reject									
Offender Name	CCD #	Referral	IRT	WRP	JD	Provider	Approve	Reject	Abst
EGDAHL, DANIEL	19-2747	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	6	6	1
MARTINEZ, PHILLIP	19-2752	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CAE	5	7	1
DEJOY, EUGENE	19-2759	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	6	6	1
ROBY, KENT	19-2765	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	5	7	1

El Paso County Community Corrections Board
Electronic Screening Minutes
December 18, 2019

Staff present: Lexi Spadi
Others present:

The meeting was called to order at 1:00 p.m.

1. Ballots: Lexi Spadi tabulated ballots.

Meeting was adjourned at 1:49 p.m.

Respectfully submitted,

Lexi Spadi
Community Corrections Specialist
Community Outreach Division

Confirmed:

Rose Roy, Chair
El Paso County Community Corrections Board

El Paso County Community Corrections Board
Ballot of December 18, 2019
MANDATORY BOARD REVIEW

Pursuant to Section D (4e) of the OFFENDER PLACEMENT REVIEW POLICIES AND PROCEDURES adopted by the El Paso County Community Corrections Board on July 25, 1997 and amended on November 8, 2000, the results of the ballot are reported to and ratified by the El Paso County Community Corrections Board on January 08, 2020.

Accept									
Offender Name	CCD #	Referral	IRT	WRP	JD	Provider	Approve	Reject	Abst
MURPHY, SHANNON	19-2790	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CAE	9	5	1
PIZARRO, LEONARDO	19-2791	D	<input type="checkbox"/>	<input type="checkbox"/>	16th	CCI	9	5	1
SCHUBARTH, ABRAHAM	19-2792	D	<input type="checkbox"/>	<input type="checkbox"/>	4th	CCI	12	2	1
KINSLEY, KEVIN	19-2793	P	<input checked="" type="checkbox"/>	<input type="checkbox"/>		IRT	13	1	1
NOWLAND, TRAVIS	19-2795	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	13	1	1
SCOTT, CHARLES	19-2796	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	9	4	2
ROQUEMORE, CARL	19-2797	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	11	3	1
OSMON, ANDRE	19-2798	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	12	2	1
ODELL, NICKOLAS	19-2799	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	11	3	1
MILLER, JACOB	19-2801	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	12	2	1
BAILEY, ROBERT	19-2803	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	12	2	1
RAMSEY, JASMINE	19-2804	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	13	1	1
MARTINEZBACA, ELISSA	19-2805	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	11	3	1
TAYLORCARR, WILLIAM	19-2806	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	10	4	1
CHARCO, PEDRO	19-2807	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	10	4	1
ARCHULETA, ANTHONY P.	19-2808	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	11	3	1
GONZALES, SANTIAGO	19-2809	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	8	6	1
LIENDO, ADRIAN	19-2810	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	11	3	1
DEPORTO, WHITNEY	19-2811	I	<input type="checkbox"/>	<input type="checkbox"/>		ISP	8	6	1

Reject									
Offender Name	CCD #	Referral	IRT	WRP	JD	Provider	Approve	Reject	Abst
BLEA, NARCISSO	19-2794	T	<input type="checkbox"/>	<input type="checkbox"/>		CAE	7	7	1
LAUGHLIN, JAMES	19-2800	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	7	7	1
LEE, JERRY	19-2802	T	<input type="checkbox"/>	<input type="checkbox"/>		CCI	6	8	1

El Paso County Community Corrections Board

Agenda Item Summary

Agenda Item Title: Program Report / Community Alternatives of El Paso (CAE)

Agenda Date: January 8, 2020

Agenda Item Number: 5-a

Presenter: Sean Foster, CAE Facility Director

Information: X **Endorsement:**

Background Information:

Program to provide insight and information on facility, demographics, admissions and terminations, facility staffing, activity and other notable information.

- *Vendor Report* for December 2019
- As applicable CAE to report on performance measures as noted in the contract with El Paso County at Appendix B-5 "Performance Measures"

Recommended Motion:

None

El Paso County Community Corrections Board

Agenda Item Summary

Agenda Item Title: Program Report / ComCor Inc. (CCI)

Agenda Date: January 8, 2020

Agenda Item Number: 5-b

Presenter: Mark Wester, CCI Executive Director

Information: X **Endorsement:**

Background Information:

Program to provide insight and information on facility, demographics, admissions and terminations, facility staffing, activity and other notable information.

- *Vendor Report* for December 2019
- As applicable, CCI to report on performance measures as noted in the contract with El Paso County at Appendix B-5 updated "Performance Measures"
- Post Audit Action Plan Update as needed, quarterly at a minimum

Recommended Motion:

None

El Paso County Community Corrections Board

Agenda Item Summary

Agenda Item Title: SFY20 Financial Report

Agenda Date: January 8, 2020

Agenda Item Number: 6-a

Presenter: Scot Smith, Community Corrections Program Manager

Information: X

Endorsement:

Background Information:

Pursuant to Article III Section 5, of the El Paso County Community Corrections Board (CCB) By-Laws, the Board is responsible for monitoring and overseeing compliance with state and local standards. To ensure fiscal responsibility of the local contracts, the Board has requested a monthly financial report that explains all expenditures, by service type, for the local service providers.

At this time, the financial report has not been compiled as service providers have up to five (5) working days to enter the data into the State's Community Corrections Billing and Information system. With the new year's holiday and January meeting date, the financial report will not be available until after the January board meeting. It will be presented at the February 2020 in-person Board meeting.

Recommended Motion:

None

El Paso County Community Corrections Board

Agenda Item Summary

Agenda Item Title: SFY 20 Escape Report

Agenda Date: January 8, 2020

Agenda Item Number: 6-b

Presenter: Scot Smith, Community Corrections Program Manager

Information: X

Endorsement:

Background Information:

Pursuant to Article II of the El Paso County Community Corrections Board (CCB) By-Laws and section 4a of Colorado Revised Statute 17-27-103, as amended, local community corrections boards are responsible for making assessments on the number of offenders who have escaped from custody. The escape data is based on reports prepared by community corrections program administrators pursuant to Section 11 of the Colorado Revised Statute 17-27-104.

At this time, the escape report has not been compiled as the service providers have up to five (5) weekday days to enter the data into the State's Community Corrections Billing and Information system. With the new year's holiday and January meeting date, the escape report will not be available until after the January board meeting and will be presented at the February 2020 in-person Board meeting.

Recommended Motion:

None

El Paso County Community Corrections Board

Agenda Item Summary

Agenda Item Title: Staff Report

Agenda Date: January 8, 2020

Agenda Item Number: 6-c

Presenter: Scot Smith, Community Corrections Program Manager

Information: X **Endorsement:**

Background Information:

Staff to provide insight and information on various upcoming events, activities, and/or information otherwise not specifically covered as a separate agenda item. Topics covered under this agenda item will generally consist of the following:

- Upcoming events impacting community corrections services
- Notable activities El Paso County staff members are involved in and/or pursuing
- Information not otherwise captured as a separate community corrections board agenda item
- The Fourth Judicial District's Problem-Solving Court Coordinator, Latisha Quintana, announced the dates for the Colorado Collaborative Justice Conference is set for March 25-27 in Denver, CO.

Recommended Motion:

El Paso County Community Corrections Board

Agenda Item Summary

Agenda Item Title: Out of District Referrals - Temporary Moratorium Update

Agenda Date: January 8, 2020

Agenda Item Number: 8-a

Presenter: Scot Smith, Community Corrections Program Manager

Information: X **Endorsement:**

Background Information:

At the December 11, 2019 regularly scheduled meeting of the El Paso County Community Corrections Board, the CCB voted to apply a temporary moratorium on Out-Of-District Diversion and Transition cases.

It was decided that all out of district Diversion and Transition cases received for review in El Paso County prior to the close of business, Friday November 29, 2019 would be reviewed for placement as guided by our current procedures. Those Diversion and Transition cases from outside the 4th Judicial District (El Paso and Teller Counties) received for review after November 29, 2019, will, at this time, be returned to the Department of Corrections or the sending Judicial District noting that we have temporarily suspended review of out of district Diversion and Transition referrals until further notice.

The El Paso County Community Corrections team has monitored the waitlists of both Diversion and Transition cases to determine when the temporary suspension of receiving these cases for community correction placement review can be lifted. At the time of the preliminary moratorium the Transition waitlist was at 145. As of January 3, 2020, the Transition wait list for CCB review is 125 and there are 20 Diversion cases currently being reviewed by the providers. There is no recommendation to lift the moratorium at this time.

Recommended Motion:

El Paso County Community Corrections Board

Agenda Item Summary Form

Agenda Item Title: Community Corrections Board Chair and Vice Chair Positions

Agenda Date: January 8, 2020

Agenda Item Number: 9-a

Presenter: Rose Roy, Chair

Information: X **Endorsement:**

Background Information:

Pursuant to Article V, Section 1, of the El Paso County Community Corrections Board (CCB) By-Laws, CCB members are asked to elect a Chair and Vice Chair for the CCB for a twelve-month period.

The current elected Chair for the March 2019 to February 2020 term is Rose Roy, and the Vice Chair is Mark Allison.

An election will be held in February 2020 per Article V, Section 2, for the Chair and Vice-Chair positions (March 2020 to February 2021).

Recommended Motion:

N/A

**El Paso County Community Corrections
Board**

**Agenda Item Summary
Form**

Agenda Item Title: 2020 Sunshine Act Memorandum

Agenda Date: January 8, 2020

Agenda Item Number: 9-b

Presenter: Christine Burns, Community Outreach Division Manager

Information: **Endorsement:** **X**

Background Information:

Pursuant to guidelines established by the Board of County Commissioners for compliance with the Colorado Open Public Meeting Sunshine Act, the Community Corrections Board annually endorses a memorandum at the January meeting that addresses the posting place for public meeting notices and the location of meetings, the official custodian of board minutes, and the location of where the minutes will be on file.

Please find enclosed the draft memorandum for consideration and / or endorsement.

Recommended Motion:

Move to endorse the 2020 Sunshine Act Memorandum.

El Paso County Community Corrections Board

Agenda Item Summary

Agenda Item Title: Offender Placement Review Procedures proposed changes

Agenda Date: January 8, 2020

Agenda Item Number: 9-c

Presenter: Christine Burns, Community Outreach Program Manager

Information: X **Endorsement:**

Background Information:

Throughout 2019, Community Corrections Program staff have been reviewing, editing and improving the current Community Corrections Offender Placement Review Policies and Procedures.

On October 11, 2019 a draft of the proposed Offender Placement Review Policies and Procedures changes emailed to Community Corrections Board members for review and feedback. The Director of the Community Services Department (Tim Wolken) and the Community Corrections Board County Attorney (Lori Seago) also provided feedback.

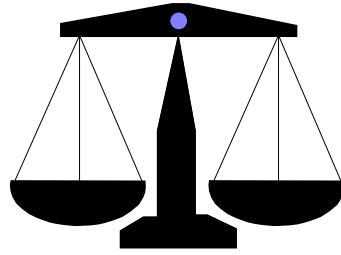
A final draft of the proposed changes is being presented for comment and public review. It is anticipated that the Board will be asked to endorse these proposed changes at the February 12, 2020 Community Corrections Board meeting.

A copy of the red-line edition showing edits from the current edition and a copy of the final draft with no red-line edits are attached for review.

Recommended Motion:

N/A

4th Judicial District
El Paso and Teller Counties Colorado
El Paso County Community Corrections Board



OFFENDER PLACEMENT
REVIEW
PROCEDURES

Effective February 12, 2019

Amendment History

July 25, 1997	Original Adoption
August 6, 1997	Resident definition
August 13, 1997	Application Procedures to Provide Community Corrections Services to the 4 th JD
September 10, 1997	Case presentation; Attachment A revised
December 1, 1997	Attachment A revised
December 10, 1997	Violence definition
April 8, 1998	Intensive Supervision Inmate Program; Exceptions to CCB Policies and Procedures; Attachment A revised
June 10, 1998	Relevant documents defined; Reconsideration clarified; Registration of sex offenders
September 9, 1998	Reconsideration; Attachment A revised
October 14, 1998	Intensive Supervision Inmate
November 17, 1998	Referral Procedure [added]
February 2, 1999	County Department name change
March 10, 1999	Distribution of Info. for Screening change; Offender Information for Screening Review revised
April 14, 1999	Clarify Excluding Criteria; Review Cases Twice a Month
August 11, 1999	Review Cases Twice a Month – Tabled for Discussion
February 9, 2000	Intensive Supervision Inmate; Attachment A revised
March 8, 2000	Emergency Placement
April 12, 2000	Reconsideration for Screening After Termination
August 10, 2000	Placement Excluding Criteria
September 13, 2000	Placement Excluding Criteria
December 13, 2000	Screening Review
February 14, 2001	Intensive Supervision Inmate Program; Offender Information for Screening Review
July 11, 2001	Victim Policy
December 18, 2001	Referral Form addition
November 13, 2002	Voting of Membership
March 7, 2003	Voting Majority; Statutes
January 14, 2004	Eligibility for Non-Residential
February 11, 2004	Weekly Screening Review time changed; Distribution of Info. day and time change' clarify Sex Offender Registration
May 11, 2005	7 th JD Residential ONLY Referral
May 26, 2005	Referral Form changes
August 10, 2005	D.8.e.2. Out-of-district IRT referrals
October 12, 2005	Plea/not guilty D. 8. d. removed and D. 11. a. confirmed
December 14, 2005	ISP Referral Form
Mar 11, 2009	Women's Remediation Out of District Referrals page 5
July 8, 2009	ISP-I Referral Rejection Criteria see section D.10.d
August 12, 2009	Victim Policy
October 14, 2009	Emergency Board Approval for Placement
November 10, 2010	Residential Dual Diagnosis Treatment waiver for Out of District referrals

TO MAKE A REFERRAL TO THE 4TH JUDICIAL DISTRICT, PLEASE SEE THE ATTACHED APPENDIX.

**For more information,
contact the**

Community Corrections Program Manager at (719) 520-6987 or visit our website at
<https://communityservices.elpasoco.com/community-outreach-division/justice-services/>

A. PURPOSE

This document sets forth the decision-making criteria, and procedures, and exceptions thereto, for community corrections residential and non-residential program placements within the territorial jurisdiction of the El Paso County Community Corrections Board (CCB) and in other jurisdictions in which 4th Judicial District resources may be used to fund community corrections placements.

Application of these criteria by the CCB shall be deemed final and not subject to review once the procedures and requirements adopted by the CCB for that express purpose are followed.

B. IDENTIFICATION OF PRINCIPALS

1. El Paso County Community Corrections Board (CCB)

Acting under the authority of the C.R.S. §§17-27-101, et seq. and 18-1.3-301 and El Paso County Resolution 96-365, General-103 adopted October 7, 1996, the CCB is the decision-making body with responsibility to approve offender placements into community corrections. The CCB reviews offender referrals from Colorado State Judicial District Probation offices and Colorado Department of Corrections (DOC) proposed offenders for community placement in El Paso County or for funding by El Paso County for placement in another Colorado county.

2. El Paso County Community Services Department, Community Corrections Program (CCP)

The CCP is the unit of County government responsible for administering and carrying out the directions of the CCB for the review, approval and placement of offenders with El Paso County community corrections contracted vendors and out of district placements.

3. 4th Judicial District Probation Department

The 4th Judicial District Probation Department is the entity responsible for the statutory supervision of and the dissemination of information on all proposed offender placements from Colorado District Courts with El Paso County community corrections contracted vendors (C.R.S. §18-1.3-301(2)(a).)

4. Colorado Department of Corrections (DOC)

DOC is the entity responsible for the statutory supervision of offenders and the dissemination of information on all proposed offender Transition and ISP-I placements from DOC facilities with El Paso County community corrections contracted vendors (C.R.S. §18-1.3-301(2)(a).)

5. El Paso County Community Corrections Vendors (Vendors)

Vendors are community corrections service providers who have been awarded contracts by the Board of County Commissioners to provide community corrections services to offenders approved for placement in El Paso County. Out of District vendors are those that receive Division of Criminal Justice Community Corrections funds and have been approved for offender placement by the CCB.

C. AUTHORITY FOR THE SCREENING OF OFFENDER PLACEMENTS

To the full extent permitted by C.R.S. §§17-27-101 et seq., articles 27.1 and 27.5 of title 17, 18-1.3-301 and §19-2-702 (1c) or 801 (2), any offender being considered for placement in community corrections within the jurisdiction of the CCB, or in other jurisdictions in which 4th

Judicial District resources may be used to fund community corrections placements, shall be screened by the CCB in accordance with the procedures and requirements established therefore.

D. THE PROPOSED OFFENDER PLACEMENT REVIEW PROCESS

1. Offender Information for Screening Review

The referring agency shall provide CCP with a completed referral form and the following up-to-date information, as applicable, for the review process:

- a. Diversion Referral Packet Contents (See also Appendix A):
 1. El Paso County Community Corrections Referral Cover Sheet
 2. Level of Supervision Inventory (LSI) – most recent
 3. Pre-Sentence Investigation Report (PSI)
 4. Psychosexual Evaluation (PSE) – must be included for all sex offender referrals
 5. Police Report and/or Affidavit of Probable Cause (Must have is no PSI)
 6. Updated PSI
 7. Summary of Supervision
 8. Victim Impact Statement
 9. Probation Complaint and Report
 10. Minute Order
 11. Letters of Support
 12. Other applicable assessments
 13. Release of Information (ROI) from out of district jurisdictions
 14. Any other relevant documents to support an offender's suitability for placement
 15. Referral agency's evaluation and community corrections placement recommendation
- b. Transition Referral Packet Contents:
 1. Provider Cover Sheet
 2. Admissions Data Summary
 3. Community Plan
 4. Initial Needs Assessment
 5. Diagnostic Narrative Summary
 6. Pre-Sentence Investigation Report (PSI)
 7. Offender Statement
 8. Victim Impact Statement
 9. Letters of Support
 10. Referral agency evaluation and community corrections placement recommendation

2. Weekly Screening Review

Each week, unless otherwise scheduled in accordance with the CCB Bylaws, the CCB will review proposed offender placements and fax, e-mail, or deliver their votes to the CCP staff on or before 1:00 p.m. on Wednesday. At that time a public meeting will be convened at which time the ballots will be counted.

3. Distribution of Information for Board Member Review

Each Thursday, prior to the weekly Wednesday meeting, unless cancelled by the CCB or moved to accommodate a holiday, CCP staff will distribute the ballot and case materials by secure email, to Board members for review and voting.

4. Conduct of

Board case review:

- a. At the monthly in-person meetings, members will be asked if there are cases that they wish to discuss. Absent or after such discussion, the CCB will vote on the proposed community corrections placements. The CCP staff will record the result of the vote.
- b. At the conclusion of the meeting, the CCO staff will provide notification in writing to the referring agency and/or the court of the CCB's decision.
- c. All offenders approved for out of district placement must be accepted by that jurisdiction's community corrections board.
- d. For any ballot presented at a weekly meeting other than the monthly in-person meeting, if any voting Board member would like to table the vote on a particular offender so that discussion may take place at the in-person meeting, that Board member shall notify the CCP before 12:00 p.m. of the Wednesday that ballots are due. Ballots received on the offender will be voided and the case will be continued to the next regularly scheduled in-person meeting.
- e. Each member will sign their own ballot. Unsigned ballots will not be counted.
- f. Voting results will be reported by total numbers of accept, reject, abstain. Any improper influence by outside parties experienced by Board members and/or CCP staff shall be reported immediately to the Board Chair or the Community Corrections Program Manager for review.

5. Screening Quorum

A quorum for screening decision-making purposes shall consist of a simple majority of the current Board membership.

6. Screening Voting

A simple majority vote to approve a community corrections placement will constitute an acceptance. A tie vote will constitute a rejection.

7. Guidelines for the Review of Proposed Offender Placement

The following factors should be considered in the decision-making process concerning those offenders being reviewed for community corrections placement in El Paso County.

- a. Mental health issues
- b. Suicide potential
- c. History of escape attempts
- d. Prior unsuccessful community placement(s)
- e. History of violent behavior
- f. Management problems in correctional facilities
- g. Likelihood of continued criminal behavior
- h. Criminal history
- i. Serious health care issues
- j. Ties (or lack thereof) to El Paso County and/or Teller County
- k. Mitigating or extenuating circumstances related to the current offense
- l. Victim impact statement(s)
- m. Employability
- n. Screening guides and other relevant evidence informed decision making tools

8. Criteria Requiring Mandatory CCB Review

The following case types, if approved by the Vendor, must also be reviewed and approved by the CCB, unless excepted/exempted by statute or as described below:

- a. Any offender having been convicted of a Class I or Class II felony.
- b. Any offender having been previously convicted or currently charged or currently convicted of a crime of violence as defined C.R.S. §§16-11-309 et. seq. (except "Escape.
- c. Any offender having been convicted of possession or distribution of more than twenty-eight (28) grams (1 oz.) of a controlled substance as defined in C.R.S. §§18-18-102.
- d. Any offender that has been convicted in a court other than the 4th Judicial District, except those out of district offenders seeking Intensive Residential Treatment (IRT) or Residential Dual Diagnosis Treatment (RDDT) and returning to their sentencing district upon IRT or RDDT program completion.
 - e. Any transition offender who is currently or was previously convicted of a felony sexual offense except those who meet all of the guidelines for acceptance listed below:
 1. The offender must have successfully completed Phase I of the sexual offender program within the DOC.
 2. Positive consideration for acceptance will be given to those offenders who have entered sex offense specific treatment while in DOC.
 3. The offender must have a positive recommendation from the sex offender treatment team at the DOC.
 4. Positive consideration for acceptance will be given to offenders whose risk factors are minimal.
 5. The offender does not have a history of violent, sexually aggressive behavior.
 6. The offender must consent to conditions of community treatment as required by the State of Colorado Sex Offender Treatment Board's Guidelines. This would include, but not be limited to, periodic polygraph examinations, increased surveillance, mandatory offense-specific therapy, and, if warranted, plethysmograph examinations.
- f. Any diversion offender currently or previously convicted of felony sexual assault except those diversion offenders admitted to a certified sex offender program.
- g. Proposed diversion and transition offenders who were not adjudicated in the 4th Judicial District.
- h. All cases in which a victim requests notification and asks to provide information pursuant to the Victim's Rights Amendment to the Colorado Constitution. Transition referrals from the Colorado Department of Corrections and diversion referrals from the District Court in which the victim(s) of the offender requests, in writing, the opportunity to provide information to the Board (in person, verbally over the phone or in a written statement) regarding the offender's proposed placement in community corrections consistent with C.R.S. §24-4.1-302.5 and §24-4.1-303. If the victim requests this notification, the CCB will review the case at the next regularly-scheduled in-person meeting of the CCB. CCP staff will notify the DOC or the District Court via the referring agency of the meeting time and place for the case review. In turn, the statutory responsibility of the DOC and/or the District Court/DA/Victim's Advocate to notify the victim of the review date is confirmed.

9. Condition of Parole Placement

- a. A copy of the Parole Agreement/Order specifying the placement in community corrections must be received for those cases to be reviewed for placement as a condition of parole or in lieu of revocation.
- b. An offender who has had his/her parole revoked must meet the criteria for transition placement in order to return to the community corrections Vendor.

10. Intensive Supervision Inmate Program (ISP)

There are two types of ISP offenders. The first type is when an offender moves from a residential community corrections program onto ISP. The second type, referred to as ISP-

Direct is when an offender is referred directly to ISP from the DOC and the offender has not completed any residential community corrections program prior to the offender's ISP movement.

- a. The following conditions apply to both types of ISP offenders.
 1. The offender must meet the minimum criteria as determined by DOC policy, Administrative Regulation No. 250-1; IV.
 2. The offender should demonstrate a pattern of compliance with the primary objectives of their individual supervision plan as developed by the Vendor and the DOC Community Agent.
 3. The offender should not have any DOC Code of Penal Discipline Class II convictions in the last three (3) months.
 4. The offender must have full-time employment or demonstrate the ability to achieve full-time employment or the equivalent (such as an alternate income source or support system).
 5. The offender must have a residence in the 4th Judicial District community that should have a single telephone line service or cellular service for electronic monitoring or telephone curfew check.
 6. The offender should demonstrate the ability to pay outstanding subsistence fees to the Vendor prior to ISP placement, as well as any fees associated with ISP supervision.
 7. The offender will not be eligible for placement within thirty (30) days of a firm out date unless special circumstances exist to support such a short placement.
 8. Exceptions to these procedures may be considered and movement may be approved in individual cases if agreed upon by both the Vendor and the DOC Community Agent.
- b. The following conditions apply ONLY to DOC ISP-Direct.
 1. All ISP-Direct referral offenders must be presented to the CCB for approval or rejection. The referral and screening process follow the procedure outlined in D. 3. The form to be used is listed in the Appendix.
 2. If an ISP-Direct referral was submitted and rejected by the CCB, then future referrals may be rejected by the Community Corrections Program Manager if there is no new information included in any subsequent referral.
- c. The following condition applies ONLY to offenders moving from a residential community placement onto ISP.
 1. The offender should spend a minimum of ninety (90) days in the residential community corrections facility prior to eligibility for consideration.

11. Excluding Criteria

The following individuals are not eligible for placement review by the CCB and shall not be approved for placement with any El Paso County Vendor or out-of-district placement:

- a. Defendants who have not entered a guilty plea or been convicted of a felony or a misdemeanor in a Colorado State court, except with respect to those cases to be dismissed as part of a plea agreement.
- b. Offenders on probation who have not admitted to an alleged violation of probation or had their probation revoked by a judge after a "Complaint and Report of the Probation Officer" for revocation has been filed.
- c. Offenders whose cases are being returned to the sentencing court on 35B "Motions for Reconsideration of Sentence" and in which the motions have not yet been filed with the

courts. The formal motions must be filed with the sentencing courts before the offenders can be reviewed by the CCB for potential placement.

- d. Offenders with active felony detainees.
- e. Offenders who have not been referred by
 - 1. A sentencing court of the State of Colorado as either a direct sentence or as a condition of probation (including 35B “Motions for Reconsideration of Sentence”) or
 - 2. The probation department of the 4th Judicial District when community corrections is a viable sentencing alternative within the open sentencing range and is consistent with a plea agreement or
 - 3. The DOC as a transitional referral or
 - 4. The Colorado Board of Parole as a condition of parole.

12. CCB Offender Placement Review Procedures

- a. All proposed placements requiring mandatory CCB review will be presented to the CCB in written form by the CCP staff. When available, the victim impact statement will be attached to the written form and distributed to the Board members. All records are to be held in confidence, to the extent permitted by law, and all inquiries for those records referred directly to the DOC or the district court.
- b. The victims of an offender being considered for community placement have the right to provide a written and/or verbal victim impact statement. It shall be the responsibility of the entity designated by statute to provide notice to victims to assure that the victim is aware of this opportunity and to provide the written statement to CCP staff prior to the review, or to schedule the appearance of the victim at the monthly in-person CCB meeting when the case will be reviewed.
- c. If a victim or the victim advocate is unavailable to be present for the meeting, but wished to address the CCB, the victim or the victim advocate shall notify the CCP staff within a reasonable time. Within its resources, the CCP staff shall arrange for and provide the means for a victim to address the CCB, which means shall be limited to appearing by phone or via similar technology pursuant to C.R.S §24-1.1-302.5(1)(i.5)(III).
- d. A victim or a single victim’s representative may make an oral statement to the board, which should be limited to 3 to 5 minutes.
- e. Audio and/or visual aids shall not be permitted.
- f. The CCB Chair may stop the statement if the individual becomes disruptive.
- g. After the statement is made, the CCB may ask the victim or the victim’s representative questions.
- h. Attorneys, family members, or friends present (other than the victim’s representative) shall not be permitted to make oral statements to the CCB.
- i. Offenders and their representatives shall not be permitted to address the CCB except for written information provided within the referral packet.
- j. A majority vote of the CCB is required to approve a placement. A tie vote will constitute a rejection. Formal notification of the CCB’s decision will be communicated to the referring State authority.

13. Reconsideration After Rejection by either Vendor(s) or CCB (not after termination from a program)

A CCB member or an officer of the court or the executive branch of government may request that a case be reconsidered subject to the following criteria:

- a. The request must be in writing and directed to the Chair of the CCB through the CCP staff;
- b. The request must be limited to three (3) pages including exhibits;
- c. The request must cite one or more of the following as its justification:
 1. An irregularity in the original screening which prevented fair consideration;
 2. Misconduct on the part of the CCB;
 3. Newly-discovered relevant information not available at the time of the original screening *
*If a psychological evaluation is to be considered, it must be included with the original referral packet and shall not be the sole basis for reconsideration; or
 4. An error in applying CCB written criteria.
- d. The request must include documentation and/or arguments to support the reconsideration request relative to section 13.C. (1-4) of these Procedures.
- e. Requests citing #2 above will be referred immediately to the CCB at the next regularly scheduled in-person meeting for review. All other requests shall be handled as follows:
 1. Upon review of the information contained in the request, the CCP staff shall review the request to determine if (a) the request has been made in writing, (b) the request is limited to three pages including exhibits; and (c) the request cites one or more of the justifications for reconsideration. If these conditions are met, the CCP staff will present the request to the CCB. The CCB shall vote on whether to reconsider the placement request;
 2. If the CCB unanimously agrees to reconsider the placement, the procedures for offender placement review will be implemented.
 3. If reconsideration does not receive unanimous approval, the original action of the CCB shall stand.

14. Rejection After Acceptance

The CCB reserves the right to reject after acceptance any offender placed with an El Paso County Vendor and delegates this authority to both the CCP staff and approved Vendors when such action is deemed to be in the interest of public safety.

15. Reconsideration for Screening After Termination by a Vendor - Diversion Offenders

Diversion offenders terminated by a Vendor may be re-screened under the following conditions. Submission of a re-screen is limited to the original terminating Vendor.

- a. If the decision to terminate an offender by Vendor was deemed inappropriate by the Vendor itself after the required Administrative Review procedures were followed;
- b. If the decision to terminate an offender by a Vendor was based on a new charge and that charge was either dismissed or dropped; or
- c. If new, extenuating or mitigating relevant information relating to the termination can be provided by the referring agency.

E. EXCEPTIONS TO CCB PROCEDURES

1. The CCB may make an exception to these procedures for cause through a formal act of the CCB except as precluded by statute.
2. Offenders referred for placement by the 4th Judicial District Court with vendors in jurisdictions other than El Paso or Teller Counties will be screened for appropriateness of placement and

continued funding by the CCB.

3. The Community Services Department Director or his/her designee may approve for temporary placement 1) a previously released parolee who is being referred for residential treatment by the parole officer to a community corrections facility in the course of his/her supervision or 2) a diversion or transition offender in need of immediate placement in the interest of public safety. Placements which are approved under this section are subject to CCB review at the next scheduled ballot, at which point the placement may be continued or terminated. Only placements governed by Section D.8 (Criteria Requiring Mandatory CCB Review) of these Offender Placement Review Procedures are subject to this paragraph E.3.
4. The CCB may consider emergency placements outside of the regularly scheduled screenings or meetings to protect public safety. The Community Services Department Director or his/her designee must approve the placement prior to the emergency placement request being submitted to the CCB. Once requested the CCP staff will prepare and distribute the packet to the Board outside of the scheduled meeting or screening. Votes will be tabulated, and once quorum is reached the Vendor will be notified of the results.

F. ADDITIONAL REQUIREMENTS OF CCB ON OFFENDER PLACEMENTS

1. Sex Offender Registration. It is the requirement of the CCB that sex offenders, as defined by statute, admitted to a community corrections facility under the jurisdiction of the CCB be required to register as a sex offender, according to the statutory schedule, with the local law enforcement authority of the jurisdiction in which the program is located; and the offender will reside within five (5) calendar days of the offender's placement. Proof of this registration will be maintained in the offender's case file.
2. Eligibility for Non-Residential Placement. A diversion offender placed initially in community corrections in the 4th Judicial District is required to complete a minimum of 180 days in the residential setting before becoming eligible for non-residential placement consideration. If vendors have offenders that may be exceptions to this policy, i.e., the offender should be eligible for consideration before 180 days, the vendor will bring the case forward to the CCB via the CCP for consideration. Any changes to this procedure will be brought before the CCP via the CCP for consideration.

Reviewed by the Chief Judge of the 4th Judicial District
{S} William Bain

Approved by the El Paso County Community Corrections Board
{S} Rose Roy, Chair
{S} Mark Allison, Vice-Chair

APPENDIX PROCEDURES FOR MAKING A REFERRAL

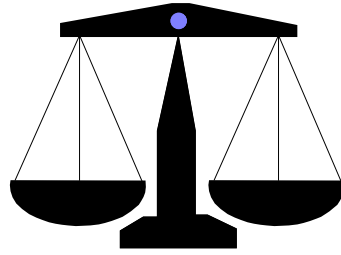
- 1 Complete referral. Please complete Referral Form. Do not use terms such as “see attached” or “see PSIR.”

- 2 Submit referral with documentation. The Community Corrections Board has determined that the following information will be needed for both Vendors and the Board to make decisions:
 - a – Completed referral form
 - b – *Minute Order* reflecting community corrections screen
 - c – Pre-sentence Investigation Report for current/past offense(s) including face sheet
 - d – First and last name, address and telephone number of the defense counsel
 - e – Probation *Complaint and Report* form
 - f – *Summary of Supervision* (of time while offenders was on probation or under ISP supervision)
 - g – A description of the current offense(s)
 - h – Disposition on any PENDING felony cases as soon as available
 - i – *Minute Order* reflecting probation revocation (if referral is a revocation)
 - j – An LSI (Level of Supervision Inventory) and a currently used and approved Sex Offender assessment instruments (if applicable.)
 - k – *Minute Order* reflecting a 35B Reconsideration referral
 - l – *Minute Order* reflecting plea agreement or documentation of plea agreement
 - m – Letter from a Community Corrections Board reflecting funding approval for out-of- district referrals by any jurisdiction other than the 4th Judicial District

- 3 Receive referral confirmation letter. This letter will be sent to the referral agency upon receipt of the referral. It will let you know (a) if the CCP has enough information to process the referral or (b) if the referral will be held anticipating receipt of other documentation – and the letter will outline what is needed. If the referral is from the 4th Judicial District, confirmation will be sent to the sentencing court and the referral agency.

- 4 Receive notice of referral results. When a decision has been made by (1) the vendor, the sentencing court, the referral agency, prosecutor and defense counsel will be notified immediately. If the case needs to be reviewed by the CCB, that date will be given and after that meeting, the results will be forwarded to the sentencing court, the referral agency, prosecutor and defense counsel.

4th Judicial District
El Paso and Teller Counties Colorado
El Paso County Community Corrections Board



OFFENDER PLACEMENT
REVIEW
~~POLICIES AND~~
PROCEDURES

Adopted July 25, 1997 Effective February 12, 2019

Developed from and expanded upon "1997 Criteria for Acceptance of Proposed Diversion, Transitional Offenders, Condition of Parole Placement and Intensive Supervision Inmate Program Placement" adopted May 5, 1997

Amendments History

July 25, 1997
August 6, 1997
August 13, 1997
September 10, 1997
December 1, 1997
December 10, 1997
April 8, 1998
June 10, 1998
September 9, 1998
October 14, 1998
November 17, 1998
February 2, 1999
March 10, 1999
April 14, 1999
August 11, 1999
February 9, 2000
March 8, 2000
April 12, 2000
August 10, 2000
September 13, 2000
December 13, 2000
February 14, 2001
July 11, 2001
December 18, 2001
November 13, 2002
March 7, 2003
January 14, 2004
February 11, 2004
May 11, 2005
May 26, 2005
August 10, 2005
October 12, 2005
December 14, 2005
Mar 11, 2009
July 8, 2009
August 12, 2009
October 14, 2009
November 10, 2010

Original Adoption
Resident definition
Application Procedures to Provide Community Corrections Services to the 4th JD
Case presentation; Attachment A revised
Attachment A revised
Violence definition
Intensive Supervision Inmate Program; Exceptions to CCB Policies and Procedures; Attachment A revised
Relevant documents defined; Reconsideration clarified; Registration of sex offenders
Reconsideration; Attachment A revised
Intensive Supervision Inmate
Referral Procedure [added]
County Department name change
Distribution of Info. for Screening change; Offender Information for Screening Review revised
Clarify Excluding Criteria; Review Cases Twice a Month
Review Cases Twice a Month – Tabled for Discussion
Intensive Supervision Inmate; Attachment A revised
Emergency Placement
Reconsideration for Screening After Termination
Placement Excluding Criteria
Placement Excluding Criteria
Screening Review
Intensive Supervision Inmate Program; Offender Information for Screening Review
Victim Policy
Referral Form addition
Voting of Membership
Voting Majority; Statutes
Eligibility for Non-Residential
Weekly Screening Review time changed; Distribution of Info. day and time change' clarify Sex Offender Registration
7th JD Residential ONLY Referral
Referral Form changes
D. 8. e.2. Out-of-district IRT referrals
Plea/not guilty D. 8. d. removed and D. 11. a. confirmed
ISP Referral Form
Women's Remediation Out of District Referrals page 5
ISP-I Referral Rejection Criteria see section D.10.d
Victim Policy
Emergency Board Approval for Placement
Residential Dual Diagnosis Treatment waiver for Out of District referrals

**TO MAKE A REFERRAL TO THE 4TH JUDICIAL DISTRICT, PLEASE USE FORMS:
ATTACHMENTS A or B SEE THE ATTACHED APPENDIX.**

For more information,
contact the **El Paso County Department of Justice Services,**
Community Corrections ~~Division~~ **Program Manager** at (719) 520-7970-6987 or visit our website... at
<https://communityservices.elpasoco.com/community-outreach-division/justice-services/>

http://adm.elpasoco.com/Justice_Services/

A. PURPOSE

~~It is the purpose here to state~~ This document sets forth the decision-making criteria, ~~and policies,~~ procedures, and exceptions ~~thereto,~~ for community corrections residential and non-residential program placements within the territorial jurisdiction of the El Paso County Community Corrections Board (CCB) and in other jurisdictions in which 4th Judicial District resources may be used to fund community corrections placements.

~~Application of these criteria by the CCB shall be deemed final and not subject to review once the procedures and requirements adopted by the CCB for that express purpose are followed.~~

B. IDENTIFICATION OF PRINCIPALS

1. ~~The~~ El Paso County Community Corrections Board (CCB)

Acting under the authority of the C.R.S. ~~§§17-27-101, et seq.~~ and 18-1.3-301 and El Paso County Resolution 96-365, General-103 adopted ~~40-7-October 7, 1996,~~ the CCB is the decision-making body with responsibility to ~~determine acceptability of approve~~ offender placements into community corrections. The CCB reviews ~~all~~ offender referrals from ~~Colorado State Judicial District Probation offices, the District Attorney's Office, and Colorado Department of Corrections (DOC)~~ proposed ~~offenders~~ for community placement in El Paso County or for funding by El Paso County ~~for placement~~ in another Colorado county.

2. ~~The~~ El Paso County ~~Department of Justice Services, Community Services Department, Community Corrections Division Program~~ (CCDP)

The ~~El Paso County Department of Justice Services, Community Corrections Division~~ CCP is the unit of County government responsible for administering and carrying out the directions of the CCB for the review, approval and placement of offenders ~~into with~~ El Paso County community corrections ~~programs contracted vendors and out of district placements.~~

3. 4th Judicial District Probation Department

The 4th Judicial District Probation Department is the entity responsible for the statutory supervision of and the dissemination of information on all proposed offender placements from Colorado District Courts ~~into with the~~ El Paso County community corrections ~~programs contracted vendors (C.R.S. §18-1.3-301(2)(a).)~~

4. Colorado Department of Corrections (DOC)

~~The~~ DOC is the entity responsible for the statutory supervision of offenders and the dissemination of information on all proposed offender Transition and ISP-I placements from DOC facilities ~~into the with~~ El Paso County community corrections ~~programs contracted vendors (C.R.S. §18-1.3-301(2)(a).)~~

5. ~~The~~ El Paso County Community Corrections ~~Programs (Service Providers) Vendors~~ (Vendors)

~~The service providers Vendors~~ are ~~comprised of all~~ community corrections ~~programs service providers~~ who have ~~petitioned and~~ been ~~approved awarded contracts~~ by the CCB Board of County Commissioners to provide community corrections services to offenders approved for placement in El Paso County. Out of District vendors are those that receive Division of Criminal Justice Community Corrections funds and have been approved for offender placement by the CCB.

C. AUTHORITY FOR THE SCREENING OF OFFENDER PLACEMENTS

To the full extent permitted by C.R.S. ~~§§ 17-27-101~~ et seq., articles 27.1 and 27.5 of title 17, 18-1.3-301 and ~~§ 19-2-702 (1c) or 801 (2)~~, any "offender" being considered ~~by the court, the Colorado Department of Corrections, or the Colorado Board of Parole~~ for placement in community corrections ~~residential facilities or non-residential programs~~ within the ~~territorial~~ jurisdiction of the CCB, or in other jurisdictions in ~~with which~~ 4th Judicial District resources may be used to fund community corrections placements, shall be screened by the CCB in accordance with the procedures and requirements established therefore. ~~Once screened and approved by the CCB, the offender placement may occur. 4th Judicial District residents* will be given first priority. * RESIDENT is defined as one who has been an inhabitant of El Paso or Teller counties continuously for more than a year immediately prior to the conviction for the offense in question.~~

D. THE PROPOSED OFFENDER PLACEMENT REVIEW PROCESS

1. Offender Information for Screening Review

~~The State entities initiating a referral will provide the El Paso County Department of Justice Services Community Corrections Division~~The referring agency shall provide CCP with a completed referral form and the following up-to-date information, as applicable, for the review process:

a. Diversion Referral Packet Contents (See also Appendix A):

1. El Paso County Community Corrections Referral Cover Sheet
2. Level of Supervision Inventory (LSI) – most recent
3. Pre-Sentence Investigation Report (PSI)
4. Psychosexual Evaluation (PSE) – must be included for all sex offender referrals
5. Police Report and/or Affidavit of Probable Cause (Must have is no PSI)
6. Updated PSI
7. Summary of Supervision
8. Victim Impact Statement
9. Probation Complaint and Report
10. Minute Order
11. Letters of Support
12. Other applicable assessments
13. Release of Information (ROI) from out of district jurisdictions
14. Any other relevant documents to support an offender's suitability for placement
15. Referral agency's evaluation and community corrections placement recommendation

b. Transition Referral Packet Contents:

1. Provider Cover Sheet
2. Admissions Data Summary
3. Community Plan
4. Initial Needs Assessment
5. Diagnostic Narrative Summary
6. Pre-Sentence Investigation Report (PSI)
7. Offender Statement
8. Victim Impact Statement
9. Letters of Support
10. Referral agency evaluation and community corrections placement recommendation

~~a. Pre-Sentence Investigation Report from the Probation Department including age and other personal and social information, description of the current offense and County, criminal history, evaluation and recommendation, and summary of all previous~~

- ~~community placements and terminations/conclusion (Probation, ISP, treatment provider, community, etc.);~~
 - ~~b. Complaint and Report of the Probation Officer (revocation);~~
 - ~~c. Summary of Supervision from Probation (revocation);~~
 - ~~d. a victim impact statement;~~
 - ~~e. current case's Judicial District;~~
 - ~~f. Diagnostic Narrative Summary form from DOC;~~
 - ~~g. Admission Data Summary form from DOC;~~
 - ~~h. Community Release form from DOC (including Parole Board decisions and Parole plans and destination, and institutional conduct summary);~~
 - ~~i. INA ("Initial Needs Assessment") from DOC;~~
 - ~~j. referral agency's evaluation and recommendation;~~
 - ~~k. LSI ("Level of Supervision Inventory") and/or an OSOA ("Oregon Sex Offender Assessment);~~
 - ~~l. Minute Order reflecting plea agreement or documentation of plea agreement; and~~
 - ~~m. any other relevant documents supporting an offender's suitability for community placement.*~~
- ~~*If a psychological evaluation is to be considered, it must be included with the original referral packet and shall not be the sole basis for reconsideration.~~

2. Weekly Screening Review

~~Every Wednesday of each month, unless cancelled by the CCD or moved to accommodate a holiday (and beginning in October of 2000), Each week, unless otherwise scheduled in accordance with the CCB Bylaws, the CCB will review proposed offender placements and phone, fax, e-mail, or deliver their votes to the CCB staff on or before 1:00 p.m. of on that Wednesday. At that time a public meeting open to the public will be convened at which time the votes ballots will be counted.~~

3. Distribution of Information for Screening Board Member Review

~~Every Wednesday of each month unless cancelled by the CCD or moved to accommodate a holiday at 8:00am, prior to the CCB screening for the following week, information on any proposed placement will be provided to the CCD staff. Cases and incomplete case information received after the Wednesday cut-off will be reviewed at the next regularly scheduled screening after receipt.~~

~~Every Each Friday Thursday, prior to the weekly Wednesday meeting, of each month unless cancelled by the CCD or moved to accommodate a holiday, CCD staff will mail out distribute the ballot and case materials by secure email, to Board members for review and voting.~~

4. ~~The Conduct of the Screening Portion of the CCB Meeting on the second Wednesday of every month and the conduct of the weekly Board case review:~~

- ~~a. The CCB Chair will chair the meeting.~~
- ~~b.a. Each member~~At the monthly in-person meetings, members will be asked if there are cases that they wish to discuss. ~~absent or After~~ such discussion, the CCB will vote on the ~~acceptability of the~~ proposed community corrections placements. The CCD staff will record the result of the vote.
- ~~c.b.~~ At the conclusion of the meeting, the CCD staff will provide notification in writing to the referring agency and/or the court of the CCB's decision.
- ~~d.c.~~ All offenders approved for out of district placement ~~in another jurisdiction's community corrections program~~ must be accepted by that jurisdiction's community corrections board.

~~e. The weekly Board case review will be conducted by the CCD staff. Board members will phone, fax, e-mail, or deliver their votes to the CCD before 1:00 p.m. of that Wednesday and, at that time, the CCD staff will provide notification in writing to the referring agency and/or the court of the CCB's decision. Notification to Board members of the weekly case reviews will be reported and ratified at the regularly scheduled meeting on the 2nd Wednesday of each month.~~

~~f.d. If For any ballot presented at a weekly meeting other than the monthly in-person meeting, one if any voting Board member would like to table the vote on a particular case-offender so that discussion may take place at the regularly scheduled in-person meeting on the second Wednesday of each month, that Board member should shall notify the CCDP before 12:00 p.m. on that Wednesday of the month that ballots are due. Votes-Ballots received on the case-offender will be voided and the case will be carried over-continued to the next regularly scheduled in-person meeting.~~

~~e. Each member will sign their own ballot, and uU nsigned ballots will not be counted.~~

~~g.f. Voting results will be reported by total numbers of accept, reject, abstain. Members have the prerogative to publicize ONLY their OWN vote. Any improper influence by outside parties experienced by Board members and/or Board-CCP staff should shall be reported immediately to the Board Chair or the Board staff Director Community Corrections Program Manager for review. possible investigation by Board, Board staff, Colorado Springs Police Department, and/or El Paso County Sheriff's Office.~~

5. Screening Quorum

A quorum for screening decision-making purposes shall consist of a simple majority of the current Board membership.

6. Screening Voting

A simple majority (~~51%~~) ~~voting vote~~ to ~~accept approve~~ a community corrections placement will constitute an acceptance. A tie vote will constitute a rejection.

7. Guidelines for the Review of Proposed Offender Placement

The following factors ~~are to should~~ be considered in the decision-making process concerning those offenders being reviewed for community corrections placement in El Paso County.

- ~~a. Mental health problems issues.~~
- ~~b. Suicide potential.~~
- ~~c. History of escape attempts.~~
- ~~d. Prior unsuccessful community placement(s).~~
- ~~e. History of violent behavior.~~
- ~~f. Previous mManagement problems in correctional facilities.~~
- ~~g. Likelihood of continued criminal behavior.~~
- ~~h. Criminal history.~~
- ~~i. Serious health care problems issues.~~
- ~~j. Ties (or lack thereof) to El Paso County and/or Teller Counties.~~
- ~~k. Mitigating or extenuating circumstances related to the current offense.~~
- l. Victim impact statement(s)
- m. Employability
- n. Screening guides and other relevant evidence informed decision making tools

8. Criteria Requiring Mandatory CCB Review

The following cases types, if approved by the provider/vendor(s), must also be formally reviewed and approved by the CCB, unless excepted/exempted by statute or as described below:

- a. Any offender having been convicted of a Class I or Class II felony.
- b. Any offender having been previously convicted or currently charged or currently convicted of a crime of violence as defined C.R.S. §§16-11-309 et. seq. (except ~~“Escape”~~), ~~felony menacing as defined in C.R.S. 18-3-206, and current felony charges with “violence” defined as physical force or the abusive or unjust exercise of power exerted for the purpose of violating, damaging or abusing.~~
- c. Any convicted having been convicted of possession or distribution of more than twenty-eight (28) grams (1 oz.) of ~~cocaine~~ a controlled substance as defined in C.R.S. §§18-18-1052.
- ~~d. Deferred prosecutions or sentences are not eligible for placement without review of the Board.~~
- ~~e.d.~~ Any ~~proposed diversion~~ offenders that ~~have~~ been ~~adjudicated-convicted~~ in a court other than the 4th Judicial District, except those out of district offenders seeking Intensive Residential Treatment (IRT) or Residential Dual Diagnosis Treatment (RDDT), and returning to their sentencing district upon IRT or RDDT program completion.
~~except for diversion offender referrals from the 7th JD who will be returning to the 7th JD upon completion of their residential placement in the 4th JD. Should the plan change and the offender wish to remain in the 4th JD for their non-residential supervision or for any other requiring criteria listed here, the service provider must bring that referral to the Board for review before the residential placement is complete.~~
 - ~~1. Also exempt from CCB review are those IRT (Intensive Residential Treatment) diversion and transition offenders who are referred from out of district if being out of district is the only condition under which they would be reviewed by the full Board.~~
 - ~~2. Also exempt from CCB review are those WRP (Women’s Remediation Program) transition offenders who are referred from out of district if being out of district is the only condition under which they would be reviewed by the full Board.~~
 - ~~3. Also exempt from CCB review are those Residential Dual Diagnosis Treatment (RDDT) transition offenders who are referred from out of district if being out of district is the only condition under which they would be reviewed by the full Board. Offenders must be returning to their home parole districts upon completion of RDDT. If the offender is to remain in the 4th Judicial District that offender would require full Board approval.~~
- ~~f.e.~~ Any transition offender who is currently or was previously convicted of a felony sexual assault offense ~~except~~ those who meet all of the Transition Sexual Offender Guidelines for acceptance listed below:
 1. The offender must have successfully completed Phase I of the sexual offender program within the ~~Colorado Department of CorrectionsDOC.~~
 2. Positive consideration for acceptance will be given to those offenders who have entered ~~the therapeutic community of sex offenders within the Colorado Department of Corrections~~sex offense specific treatment while in DOC.
 3. The offender must have a positive recommendation from the sex offender treatment team at the ~~Colorado Department of CorrectionsDOC.~~
 4. Positive consideration for acceptance will be given to offenders whose risk factors are minimal~~as referenced in the professional literature.~~
 5. The offender does not have a history of violent, sexually aggressive behavior.
 6. The offender must consent to conditions of community treatment as required by the State of Colorado Sex Offender Treatment Board’s Guidelines. This would include, but not be limited to, periodic polygraph examinations, increased surveillance, mandatory offense-specific therapy, and, if warranted, plethysmograph examinations.

- ~~g.f.~~ Any diversion offender currently or previously convicted of felony sexual assault except those diversion offenders admitted to a certified sex offender program.
- ~~h.g.~~ Proposed diversion and transition offenders who are not legal residents (see page 2 for resident definition) of were not adjudicated in the 4th Judicial District.
- ~~i.h.~~ All cases in which a victim requests notification and asks to provide information pursuant to the Victim's Rights Amendment to the Colorado Constitution. Transition referrals from the Colorado Department of Corrections and diversion referrals from the District Court in which the victim(s) of the offender requests, in writing, the opportunity to provide information to the Board (in person, verbally over the phone or in a written statement) regarding the offender's proposed placement in community corrections consistent with C.R.S. §24-4.1-302.5 and §24-4.1-303. If the victim requests this notification, the Board CCB will review the case at the next regularly-scheduled in-person meeting of the Board CCB on the second Wednesday of every month. The Department of Justice Services CCP staff will notify the State Department of Corrections DOC and/or the District Court via the referring agency of the meeting time and place for the case review. In turn, the statutory responsibility of the Department of Corrections DOC and/or the District Court/DA/Victim's Advocate to notify the victim of the review date is confirmed.
- ~~j.~~ An offender whose present offense, criminal history, correctional performance or treatment diagnosis indicate that they represent a serious threat to the community or that they will fail in a community placement.

~~Diversion cases being referred to a non-residential community corrections program as a condition of probation and not a direct sentence need not be reviewed by the CCB unless the offense includes any of the criteria identified above in a. through j. If a diversion case referred as a condition of probation includes any of the criteria identified above in a. through j., it must be reviewed by the CCB.~~

9. Condition of Parole Placement

- a. A copy of the Parole Agreement/Order specifying the placement in community corrections must be received per C.R.S. 18-1.3-30 for those cases to be reviewed for placement as a condition of parole or in lieu of revocation.
- b. An offender who has had his/her parole revoked must meet the criteria for transition placement in order to return to the community corrections program Vendor.

10. Intensive Supervision Inmate Program (ISP)

There are two types of ISP offenders. One The first type is moving when an offender moves from a regular residential community treatment corrections program onto ISP supervision. The second type, referred to as ISP-Direct is when an offender is referred a direct referral directly to ISP from the Department of Corrections DOC and; the offender has not completed any residential community corrections program prior to this the offender's ISP movement.

- a. The following conditions apply to both types of ISP offenders.
 - 1. An The offender must meet the minimum criteria as determined by the Colorado Department of Corrections' DOC policy, Administrative Regulation No. 250-1; IV. B., G.
 - 2. The Offender should have demonstrated a pattern of compliance with the primary objectives of their individual supervision plan as developed by the provider Vendor and the DOC Community Agent.
 - 3. An The offender should not have had any DOC Code of Penal Discipline Class II conviction(s) in the last three (3) months.

4. ~~An~~ The offender must have full-time employment or demonstrate the ability to achieve full-time employment or the equivalent (such as an alternate income source or support system).
 5. ~~An~~ The offender must have a residence in the 4th Judicial District community that should have a single telephone line service or cellular service for electronic monitoring or telephone curfew check.
 6. ~~An~~ The offender should demonstrate the ability to pay outstanding subsistence fees to the ~~provider~~ Vendor prior to ISP placement, as well as ~~those~~ any fees associated with ISP supervision.
 7. ~~An~~ The offender ~~within thirty (30) days of a firm out date~~ will not be eligible for placement within thirty (30) days of a firm out date unless special situations circumstances exist to support such a short placement.
 8. Exceptions to these ~~policies and~~ procedures may be made considered and movement may ~~take place~~ be approved in individual cases if agreed upon by both the ~~provider~~ Vendor and the DOC Community Agent.
- b. The following conditions applies ONLY to DOC ISP-d ~~Direct~~ referrals.
1. All direct ~~ISP-Direct~~ referral offenders must be presented to the full Board ~~CCB~~ for their approval or rejection. The referral and screening process follows the procedure outlined in D. 3. The form to be used is listed as Attachment B in the Appendix.
 2. If an ISP-Direct referral was submitted and rejected by the CCB, then future referrals may be rejected by the Community Corrections Program Manager if there is no new information included in any subsequent referral.
- c. The following condition applies ONLY to offenders moving from a residential community placement onto ISP.
1. The offender should spend a minimum of ninety (90) days in the residential community corrections facility prior to eligibility for consideration.
- ~~d. The following applies only to ISP-I inmates.~~
- ~~If a ISP-I referral was submitted and rejected by the Community Corrections Board then future referrals may be rejected by the Community Corrections Coordinator if there is no new information included in the referral.~~

11. Excluding Criteria

The following individuals are not eligible for placement review by the CCB and shall not be approved for placement with any in the El Paso County community corrections program(s) ~~Vendor~~ or out-of-district placement:

- a. Defendants who have not entered a guilty plea or been convicted of a felony or a misdemeanor in a Colorado State court, except with respect to those cases to be dismissed as part of a plea agreement.
- b. Offenders on probation who have not admitted to an alleged violation of probation or had their probation revoked by a judge after a "eComplaint and Report of the Probation Officer" for revocation has been filed ~~by a probation officer~~.
- c. Offenders whose cases are being returned to the sentencing courts on 35B "Motions for Reconsideration of Sentence" and in which the motions have not yet been filed with the courts. The formal motions must be filed with the sentencing courts before the offenders can be reviewed by the CCB for potential placement.
- d. Offenders with active felony ~~or Immigration and Naturalization Service~~ detainees.
- e. Offenders who have not been referred by

1. ~~a~~A sentencing court of the State of Colorado as either a direct sentence or as a condition of probation (including 35B “Motions for Reconsideration of Sentence”) or
2. ~~t~~The probation department of the 4th Judicial District when community corrections is a viable sentencing alternative within the open sentencing range and is consistent with a plea agreement or
3. ~~t~~The ~~Colorado Department of Corrections~~DOC as a transitional referral or
4. ~~t~~The Colorado Board of Parole as a condition of parole.

12. CCB Offender Placement Review Procedures

- a. All proposed placements requiring mandatory CCB review will be presented to the ~~full Board~~CCB in written form by the ~~El Paso County Department of Justice Services Community Corrections Division~~CCP staff. When available, the victim impact statement will be attached to the written form and distributed to the Board members. ~~It is the policy of the Board to hold a~~All records are to be held in confidence, to the extent permitted by law, and refer all inquiries for those records referred directly to the Department of CorrectionsDOC or the district court.
- ~~b.~~1—The victim(s) of an offender being considered for community placement hasve the right to provide a written and/or verbal victim impact statement. It shall be the responsibility of the ~~CDOC or District Court Victim’s Advocate~~entity designated by statute to provide notice to victims to assure that the victim is aware of this opportunity and to provide the written statement to ~~the board~~CCP staff prior to the review, or to schedule the appearance of the victim at the monthly ~~full-in-person board~~CCB meeting when the case ~~is going to~~will be reviewed ~~in accordance with clause D.8.i.~~
- ~~b.c.~~If a victim or the victim advocate is unavailable to be present for the meeting, but wished to address the CCB, the victim or the victim advocate shall notify the CCP staff within a reasonable time. Within its resources, the CCP staff shall arrange for and provide the means for a victim to address the CCB, which means shall be limited to appearing by phone or via similar technology pursuant to C.R.S §24-1.1-302.5(1)(i.5)(III).
- ~~e.d.~~2—A victim or a single victim’s representative may make an oral statement to the board, which should be limited to 3 to 5 minutes.
- ~~d.e.~~3—Audio and/or visual aids shall not be permitted.
- ~~e.f.~~4—The ~~Board~~CCB Chair may stop the statement if the individual becomes disruptive.
- ~~f.g.~~5—After the statement is made, the ~~Board~~CCB may ask the victim or the victim’s representative questions.
- ~~g.h.~~6—Attorneys, family members, or friends present (other than the victim’s representative) shall not be permitted to make oral statements to the ~~Board~~CCB.
- ~~h.i.~~7—~~The Board will not allow a defendant/o~~Offenders or and their representatives ~~of a defendant/offenders~~shall not be permitted to address the ~~Board~~CCB except ~~with for~~ written information provided ~~with in~~ the referral packet.
- ~~i.j.~~A simple majority vote of the ~~Board~~CCB will be required to ~~accept these~~approve a placements. A tie vote will constitute a rejection. Formal notification of the ~~CC~~Board’s decision ~~making on these cases~~ will be communicated to the referring State authorities.

13. Reconsideration After Rejection by ~~E~~either ~~Provider~~Vendor(s) or ~~Board~~CCB (not after termination from ~~the a~~ program)

A CCB member or an officer of the court or the executive branch of government may request that a case be reconsidered subject to the following criteria:

- a. The request must be in writing and directed to the Chair of the CCB through the CCDP staff;
- b. The request must be limited to three (3) pages including exhibits; ~~and~~
- c. The request must cite ~~as its justification~~ one or more of the following as its justification:
 1. ~~a~~An irregularity in the original screening which prevented fair consideration;
 2. ~~m~~Misconduct on the part of the CCB;
 3. ~~n~~Newly-discovered relevant information not available at the time of the original screening *
*If a psychological evaluation is to be considered, it must be included with the original referral packet and shall not be the sole basis for reconsideration; or
 4. ~~a~~An error in applying CCB written criteria.
- d. The request must include documentation and/or arguments to support the reconsideration request relative to section 13.C. (1-4) of these ~~Policies and~~ Procedures.
- e. Requests citing #2 above will be referred immediately to the CCB at the next regularly scheduled in-person meeting for review. All other requests shall be handled as follows:
 1. ~~u~~Upon review of the information contained in the request, the CCDP staff shall review the request to determine if (a) the request has been made in writing, (b) the request is limited to three pages including exhibits; and (c) the request cites one or more of the justifications for reconsideration. ~~and present to the CCB if it meets these qualifications~~If these conditions are met, the CCP staff will present the request to the CCB. The CCB shall vote on whether to reconsider the placement request;
 2. ~~if~~ the CCB unanimously agrees to reconsider the placement, ~~the procedures for offender placement review will be implemented;~~~~and~~
 3. ~~if there is no consensus on the~~ reconsideration does not receive unanimous approval for placement, the original action of the CCB shall stand.

14. Rejection After Acceptance

The CCB reserves the right to reject after acceptance any offender placed ~~into with~~ an El Paso County ~~community corrections program~~Vendor and delegates this authority to both the CCDP staff and approved ~~service provider(s)~~Vendors when such action is deemed to be in the interest of public safety.

15. Reconsideration for Screening After Termination ~~from by~~ a Program Vendor - Diversion Offenders

Diversion offenders terminated ~~from by~~ a ~~community corrections program~~Vendor may be re-screened under the following conditions. Submission of a re-~~referral screen~~ is limited to the original terminating ~~service provider~~Vendor.

- a. If the decision to terminate an offender by a ~~program~~Vendor was deemed inappropriate by the ~~program~~Vendor itself after the required Administrative Review procedures were followed;
- b. If the decision to terminate an offender by a ~~program~~Vendor was based on a new charge and that charge was either dismissed or dropped; or
- c. If new, extenuating or mitigating relevant information relating to the termination can be provided by the referring agency.

E. EXCEPTIONS TO CCB ~~POLICIES AND~~ PROCEDURES

1. The CCB may make an exception to these ~~policies and~~ procedures for cause through a formal act of the ~~Board-CCB~~ except as precluded by statute.
2. Offenders referred for placement by the 4th Judicial District Court ~~in programs with vendors~~ in jurisdictions other than El Paso or Teller Counties will be screened for appropriateness of placement and continued funding by the CCB.
3. The ~~Community Services Department~~ Director ~~of El Paso County Department of Justice Services Community Corrections Division~~ or his/her designee may approve for temporary placement 1) a previously released parolee who is being referred for residential treatment by the parole officer to a community corrections facility in the course of his/her supervision or 2) a diversion ~~offender~~ or a transition offender in need of immediate placement in the interest of public safety. Placements which are approved under this section are subject to ~~Board-CCB~~ review at the next scheduled ballot, at which point the placement may be continued or terminated. ~~Only and will be presented to the Community Corrections Board at the next scheduled meeting or review.~~ Placements ~~approved under this section are cases whose criminal history is~~ governed by Section D.8 (Criteria Requiring Mandatory CCB Review) of these Offender Placement Review ~~Policies and Procedures~~ are subject to this paragraph E.3.
4. The ~~Community Corrections Board~~CCB may consider emergency placements outside of the regularly scheduled screenings or meetings to protect public safety. The ~~program director~~Community Services Department Director or his/her designee must approve the placement prior to the emergency placement request being submitted to the ~~Board-CCB~~. Once requested the ~~Community Corrections Coordinator~~CCP staff will prepare and distribute the packet to the Board outside of the scheduled meeting or screening. Votes will be tabulated and once quorum is reached the ~~program-Vendor~~ will be notified of the results.

F. ADDITIONAL REQUIREMENTS OF CCB ON OFFENDER PLACEMENTS

1. Sex Offender Registration. It is the requirement of the CCB that sex offenders, as defined by statute, admitted to a community corrections facility under the jurisdiction of ~~this~~ the Board-CCB be required to register as a sex offender, according to the statutory schedule, with the local law enforcement authority of the jurisdiction in which the program is located; and the offender will reside within five (5) calendar days of the offender's placement. Proof of this registration will be maintained in the offender's case file.
2. Eligibility for Non-Residential Placement. A diversion offender placed initially in community corrections in the 4th Judicial District is required to complete a minimum of 180 days in the residential setting before becoming eligible for non-residential placement consideration. If ~~service providers~~vendors have offenders that may be exceptions to this policy, i.e., the offender should be eligible for consideration before 180 days, the ~~provider-vendor~~ will bring the case forward to the ~~Community Corrections Board~~CCB via the ~~Community Corrections Specialist~~CCP for consideration. Any changes to this ~~policy-procedure~~ will be brought before the ~~Community Corrections Board~~CCP via the ~~Community Corrections Specialist~~CCP for consideration.

~~G. AGENCY REQUEST TO PROVIDE COMMUNITY CORRECTIONS SERVICES IN 4TH JD~~

~~When a request is received from an agency requesting approval from the El Paso County Community Corrections Board to provide community corrections services in the 4th Judicial District (El Paso and Teller Counties), the following procedures will be followed.~~

- ~~1. Information. Information will be sent on the process and the requirements. (See Attachment A.)~~
- ~~2. Application. The application process will require that the requesting agency submit a letter of application to the CCB which will include all information as outlined in Attachment A.~~
- ~~3. Committee. The CCB will, as needed, appoint an Agency Review Committee which will be comprised of three (3) CCB members for each agency applying for approval. One of the Committee members will act as Chair. The Committee will meet as needed and as determined by the Chair for the purpose of determining agency approval. The Committee will submit its recommendation to the full CCB for a vote.~~
- ~~4. Review Process.
 - ~~a. All applications will be submitted through El Paso County Department of Justice Services.~~
 - ~~b. CCB will review the application letter and determine
 - ~~1. if there is a demonstrated need for the program,~~
 - ~~2. what additional information needs to be requested from the agency,~~
 - ~~3. if an on-site visit would be needed for the purpose of verifying agency compliance with State (and CCB) standards,~~
 - ~~4. determine if a DOC or DCJ audit was completed within six months of the application and the CCB would wish to use that material for its review, and~~
 - ~~5. determine if the CCB would like to request an oral presentation by the agency to either the Committee or the full Board.~~~~~~
- ~~5. Decision. One of the following recommendations will be made by the Committee and voted on by the entire Community Corrections Board and communicated in writing to the applying agency:
 - ~~a. AGENCY FULLY APPROVED, or~~
 - ~~b. AGENCY PROVISIONALLY APPROVED (for a determined length of time and then audited to ensure final compliance), or~~
 - ~~c. AGENCY REJECTED.~~~~
- ~~6. The CCB will act on an application within forty five (45) days of receipt of the all the information requested and notify the applying agency within that period of time.~~

~~Effective date: September 1, 1997~~

~~Reviewed by the Chief Judge of the 4th Judicial District
{S} William Bain~~

~~Approved by the El Paso County Community Corrections Board
{S} Willie AlexanderRose Roy, Chair
{S} Ron TruaxMark Allison, Vice-Chair~~

~~Reviewed by the Chief Judge of the 4th Judicial District
{S} Gilbert Martinez, Chief Judge~~

Attachment A

El Paso County Community Corrections Board submitted through
 Department of Justice Services Community Corrections Division
 MAIL P.O. Box 2007 Colorado Springs CO 80901
 DELIVERY 2880 International Circle, Suite N060
 TELE (719) 520-7970 FAX (719) 520-7972

Proposed Community Corrections Placement

**DIVERSION
 REFERRAL**

Date _____

Person Referring _____
 _____ Circle one _____ Attorney / Public Defender /
 _____ Parole Officer / Probation Officer / Other

Mailing Address _____ Phone # _____ Fax # _____

Check one: Direct Sentence Revocation 35B Reconsideration Condition of Probation
 Diversion IRT AND Direct Sentence SOA SAR Score _____ (Must be 5; Include override reason if 4 or 6)
 Diversion IRT ONLY SOA SAR Score _____ (Must be 5; Include override reason if 4 or 6)

Hearing/Sentencing Date _____ Time _____

Offender _____ SS # _____

DOB _____ Sex _____ Race _____ Custody circle one walk in CJC Other _____

Current/last known address prior to this conviction _____

DNA Testing is required: yes no

If so, has testing been completed on required cases and forwarded to GBI according to CRS
 16-11-104: yes no

PSIR			Current Case #	Revoc	Felony Class	Convicted Charge	Judicial District	Div	Judge	Defense
New	Old	N/A								
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	_____	_____	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	_____	_____	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	_____	_____	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	_____	_____	_____	_____	_____	_____

Forward PSIRs on new cases as soon as possible. The screening process will begin when all required documents have been received. Include previous PSIRs on referred cases when possible. In the event no PSIR is available, include a copy of the probable cause affidavit or the police report (if available) to facilitate appropriate decisions.

Continued on other side

COMMUNITY CORRECTIONS DIVISION USE ONLY

LSI _____ C&R _____ PSIR _____

SUM _____ MO _____ F _____ M _____

Automatic Provider _____

Undetermined

Criteria

~~Other attachments~~ ~~yes~~ ~~no~~ Identify _____

~~Offender legal resident of~~
~~4th Judicial District?~~ ~~yes~~ ~~no~~

~~Victim requests notification/input~~
~~of community placement?~~ ~~yes~~ ~~no~~ ~~unknown~~

~~Prior community/probation failures?~~ ~~yes~~ ~~no~~ _____

~~Are there any misdemeanor or~~
~~felony cases pending where a~~
~~plea has not yet been entered?~~ ~~yes~~ ~~no~~ Case(s) _____

~~Any past or present offenses~~
~~involving sexual assault?~~ ~~yes~~ ~~no~~
~~had treatment?~~ ~~yes~~ ~~no~~ DOC _____ Other _____
(If yes, include information regarding relevant criminal history if not part of current information.)

~~Any past or present felony offenses~~
~~involving violence?~~ ~~yes~~ ~~no~~ (defined as physical force or abusive/unjust exercise of power
exerted for the purpose of violating, damaging or abusing; C.R.S.
16-11-309; felony menacing C.R.S. 18-3-206)
(If yes, include information regarding relevant criminal history if not part of current information.)

~~Current offense involves~~
~~possession or distribution~~
~~of more than 28 grams~~
~~of any controlled substance?~~ ~~yes~~ ~~no~~

~~Specialized needs identified by referring agency to include any medical and/or mental health~~
~~issues?~~ _____

~~Is the offender able to work?~~ _____

~~Notes~~ _____

Attachment B

El Paso County Community Corrections Board submitted through
Department of Justice Services Community Corrections Division
MAIL P.O. Box 2007 Colorado Springs CO 80901
DELIVERY 2880 International Circle, Suite N060
TELE (719) 520-7970 FAX (719) 520-7972

~~Proposed Community Corrections Placement~~

~~INTENSIVE SUPERVISION INMATE REFERRAL~~

~~(no previous community placement on current conviction)~~

~~Date _____~~

~~Parole Officer Referring _____~~

~~Mailing Address _____ Phone # _____ Fax # _____~~

~~Offender _____ SS # _____ DOC # _____~~

~~DOB _____ Current address _____ Current telephone _____~~

~~Victim requests notification of community placement?~~

~~no~~

~~yes (Victim Impact Statement must be included with this referral.)~~

~~The following documentation must be included with and is attached to this referral.~~

~~Admission Data Summary~~

~~Diagnostic Narrative Summary~~

~~Initial Needs Assessment~~

~~Community Release Form~~

~~In making this referral, DOC confirms that this offender~~

~~—yes—n/a~~

~~meets the minimum criteria as determined by the Colorado Department of Corrections' policy, Regulation No. 250-1; IV. B., C.~~

~~has demonstrated a pattern of compliance with the primary objectives of their individual supervision plan as developed by the provider and the DOC Community Agent.~~

~~has not had any DOC Code of Penal Discipline Class II conviction(s) in the last three (3) months.~~

~~has full-time employment or the equivalent (such as an alternate income source or support system).~~

~~has a residence in the community that has a single telephone line service for electronic monitoring or telephone curfew check.~~

~~has demonstrated the ability to pay outstanding subsistence fees to the provider prior to ISP placement as well as those fees associated with ISP supervision.~~

~~is not within thirty (30) days of a firm out date OR there is a special situation that exists to support such short placement. The special situation is _____~~

~~All applicable of the above must be checked UNLESS an exception is being requested.~~

~~An exception to any of the conditions listed above is requested. This exception(s) is _____~~

APPENDIX ~~Step-by-step~~ PROCEDURES FOR MAKING A REFERRAL

- 1 Complete referral. Please complete Referral Form: ~~Attachment A in full—front and back—or Attachment B~~. Do not use terms such as “see attached” or “see PSIR.”
- 2 Submit referral with documentation. The Community Corrections Board has determined that the following information will be needed for both ~~the El Paso County service provide~~Vendors and the Board to make decisions:

 - a – ~~C~~eompleted referral form
 - b – *Minute Order* reflecting community corrections screen
 - c – Pre-sentence Investigation Report for current/past offense(s) including face sheet
 - d – ~~F~~irst and last name, address and telephone number of the defense counsel
 - e – Probation *Complaint and Report* form
 - f – *Summary of Supervision* (of time while offenders was on probation or under ISP supervision)
 - g – ~~A~~a description of the current offense(s)
 - h – ~~D~~isposition on any PENDING felony cases as soon as available
 - i – *Minute Order* reflecting probation revocation (if referral is a revocation)
 - j – ~~A~~an LSI (Level of Supervision Inventory) and ~~or an Oregon Sex Offender Assessment a currently used and approved Sex Offender assessment instruments (if applicable.)~~
 - k – *Minute Order* reflecting a 35B Reconsideration referral
 - l – *Minute Order* reflecting plea agreement or documentation of plea agreement
 - m – ~~Letter from a~~ Community Corrections Board reflecting funding approval for out-of- district referrals by any jurisdiction other than the 4th Judicial District
- 3 Receive referral confirmation letter. This letter will be sent to the referral agency upon receipt of the referral. It will let you know (a) if the ~~Department CCP~~ has enough information to process the referral or (b) if the referral will be held anticipating receipt of other documentation – and the letter will outline what is needed. If the referral is from the 4th Judicial District, confirmation will be sent to the sentencing court and the referral agency.
- 4 Receive notice of referral results. When a decision has been made by (1) the ~~service provider~~vendor, the sentencing court, the referral agency, prosecutor and defense counsel will be notified immediately. If the case needs to be ~~put reviewed before (2) by the full Board CCB~~, that date will be given and after that meeting, the results will be forwarded to the sentencing court, the referral agency, prosecutor and defense counsel.

~~G. AGENCY REQUEST TO PROVIDE COMMUNITY CORRECTIONS SERVICES IN 4TH JD~~

~~ATTACHMENT A 2 pages~~

~~Community Corrections Board Policies and Procedures for Review Adopted August 13, 1997~~

**APPLICATION TO PROVIDE COMMUNITY CORRECTIONS SERVICES
TO THE 4TH JUDICIAL DISTRICT**
El Paso and Teller Counties

~~Any agency requesting approval from the El Paso County Community Corrections Board to provide community corrections services in the 4th Judicial District will need to submit the listed information to:~~

~~El Paso County Department of Justice Services Community Corrections Division
27 East Vermijo
P. O. Box 2007
Colorado Springs CO 80904~~

~~The Board will review all applications.~~

~~Please furnish four (4) copies of your application responses. See details below.*~~

~~Upon the Board's review of your application, you will be notified in writing within forty five (45 days) of the receipt of a complete application packet of the status of your application.
An on-site visit and/or a presentation to the Board may be requested.~~

~~A record of Board actions, findings and recommendations is maintained.~~

~~Information identified by applicants as proprietary must be identified as such and must not be disclosed to those outside the Community Corrections Board or Department.~~

Thank you for your interest.

~~*Application Details~~

~~Please provide a letter of application to include the following (identified by number):~~

- ~~1. Agency name and documentation of legal status (corporate or organizational papers, articles of incorporation and by laws, licenses, I.R.S. tax exempt letter, etc.);~~
- ~~2. Names and addresses of Board of Directors, Officers, and Executive Director;~~
- ~~3. Organizational chart (hierarchical structure of agency);~~
- ~~4. Description of how employees are selected, trained and supervised;~~
- ~~5. Historical background of agency;~~
- ~~6. Description and location of facilities;~~
- ~~7. Proof of compliance with licenses and inspections as required in the COLORADO COMMUNITY CORRECTIONS STANDARDS including
 - ~~a. zoning certificate or proof of compliance with zoning ordinances,~~
 - ~~b. most recent building certificate or proof of compliance with building code,~~
 - ~~c. OSHA reports,~~
 - ~~d. certification of ADA facility compliance,~~
 - ~~e. most recent fire department inspection report,~~
 - ~~f. proof of automatic fire alarm and smoke detection system,~~
 - ~~g. most recent health inspection certificate,~~
 - ~~h. Colorado Department of Health License to Operate a Food Service Establishment (if applicable);~~~~
- ~~8. Copy of the Policy and Procedure Manual;~~

- ~~9. Copy of general and automobile liability insurance certificates;~~
- ~~10. Copy of existing contracts with other government agencies;~~
- ~~11. Copy of Rules and Regulations including procedures for client grievances;~~
- ~~12. Copy of last facility or program audit, if available;~~
- ~~13. Copy of all promotional materials on the agency;~~
- ~~14. Emergency procedures to be followed in the event of medical emergencies, staff absences and work strike;~~
- ~~15. Description of services that will be provided including
 - ~~a. program mission statement;~~
 - ~~b. program philosophy of managing and treating offenders;~~
 - ~~c. schematic or flow chart of the screening and assessment process;~~
 - ~~d. description of case planning procedures;~~
 - ~~e. formats used for case records;~~
 - ~~f. level systems that may be employed describing the lengths, privileges and restrictions associated with each level, ranges and types of services and programs separating those provided in-house from those services provided by outside agencies and explaining which services clients are expected to pay for themselves (including, but not limited to, substance abuse monitoring and treatment, employment assistance programs, basic education/literacy programs, mental health services, offender financial management/budget skills development, and specialized services such as sex offender treatment, the number of anticipated clients and the duration of the program;~~~~
- ~~16. Documentation of a specifically demonstrated need for the program and, if the service is already being provided by another agency, support for duplication of services;~~
- ~~17. Letters in support of the application;~~
- ~~18. Written clarification as to the delineation of roles between the Department of Corrections and/or the Division of Criminal Justice and the agency regarding services;~~
- ~~19. Outline of funding sources already in existence;~~
- ~~20. Circumstances of being denied or terminated by any other community corrections board;~~
- ~~21. A projected start-up date;~~
- ~~22. A current annual report.~~