

# COLORADO PROBATION

*Colorado Probation is Committed to:*

- *Public Safety*
- *Victim and Community Reparation through Offender Accountability*
- *Skill and Competency Development;*
- *Services to the Communities of Colorado.*

The above Statement of Common Ground was developed to clearly identify the critical functions of justice that unify all probation departments in carrying out their mission. Probation's commitment to these practices requires the implementation of innovative approaches to offender assessment, supervision, victim involvement and services to the community. As new research becomes available and as best practices evolve it is necessary to adapt Probation's practices to better serve the public and increase public safety for the residents of Colorado.

This year's statistical report reflects our commitment to improve results, protect the public, reduce the overall cost of the correctional system and increase services to victims of crime.

## ***Probation Programs (Tables 38, 47 and 73)***

The Colorado Judicial Department administers adult and juvenile probation in the state's 22 judicial districts. This includes 23 probation departments with over 50 separate probation locations throughout the state. The Division of Probation Services develops and publishes guidelines and standards for regular probation supervision and all intensive probation programs. Within the limits of statute and these state standards, each district is free to develop and structure programs that address the needs of the local court and the community. In all districts, offenders are assessed for risk and need factors. Based on these assessments, those placed on regular probation are put on minimum, medium or maximum supervision.

The number of adult offenders sentenced to state probation in FY 2012 was 30,739 and on June 30, 2012 there were 45,947 adult offenders on regular supervision. In FY 2012, 67 percent of adults completed regular state probation successfully. An additional 2,170 adult offenders were sentenced to an intensive program and 12,634 were sentenced to private probation supervision.

In Fiscal Year 2012, 4,080 juvenile offenders were sentenced to probation and on June 30, 2012 there were 5,156 juvenile offenders on supervision. In FY 2012, 75 percent of these juveniles completed regular state probation successfully. An additional 354 juvenile offenders were sentenced to Juvenile Intensive Supervision Probation (JISP).

## ***Intensive Offender Programs***

Intensive programs are created in statute or otherwise established through a specific appropriation and provide the court with community sentencing options for high-risk offenders. Whereas this was a notable approach to the development of the intensive programs, over time it has proven to be limiting as probation has recognized other high risk populations, such as serious economic crime and mentally ill offenders for who dedicated programs would be beneficial, as well as cost effective. Colorado Probation continues to explore options to manage these populations effectively. Intensive programs are offered only through state probation and parole. Three main goals drive intensive probation programs: to assess criminal risk and provide enhanced levels of supervision; target offenders' service needs that relate to ongoing criminal activity; and identify and make referrals for appropriate treatment and services to reduce criminal behavior. Offenders must meet certain criteria, based on assessed risk and need, before being screened for placement in an intensive probation program. These programs offer specialized assessments, offense specific treatment, electronic monitoring, cognitive skills training, educational assessments, and literacy and employment programs. Due to the significant number of supervision requirements, and the level of risk, the number of offenders assigned to an intensive programs' probation officer are capped at 18-30 offenders, depending on the program. These intensive offender programs include Adult Intensive Supervision; Juvenile Intensive Supervision; the Female Offender Program; and Sex Offender Intensive Supervision for Adults.

### ***Adult Intensive Supervision Probation (Table 38, Table 79-82)***

The Adult Intensive Supervision Probation (AISP) Program was implemented statewide in FY 1982, as a community sentencing alternative to incarceration for selected high risk adult offenders with extensive criminal histories. In FY 1997, as a result of its proven effectiveness, the General Assembly approved expansion of the program's average daily population from 750 to 1,500 offenders. The program is designed to deliver intensive case management that includes daily contact with the offender, increased levels of drug testing, curfews, electronic monitoring, home visits and required employment or educational/vocational efforts and attendance in treatment, as deemed necessary. The number of offenders assigned to an AISP officer is capped at 25. In FY2012 there were 1,488 offenders sentenced to AISP and on June 30, 2012 there were 1,458 on AISP. In FY 2012, 731 offenders (64%) successfully completed the program who might otherwise have served sentences in the Department of Corrections.

### ***Juvenile Intensive Supervision Probation (Table 38, Table 91-94)***

The Juvenile Intensive Supervision Probation (JISP) Program was implemented in FY 1991 as a community sentencing option for selected high risk juvenile offenders. As a result of its proven effectiveness the General Assembly approved expansion of the program sufficient to allow its existence in all 22 judicial districts. The program is designed to deliver intensive case management to include monitoring of school progress, referral for remedial educational assistance, home visits, electronic monitoring, drug testing, skill building and treatment services, as required. The number of juveniles assigned to a JISP officer is capped at 18. In FY2012 there were 354 juveniles sentenced to JISP and on June 30, 2012 there were 315 juveniles on JISP. In FY 2012, 199 juveniles (50%) successfully completed the program who might otherwise have served sentences in the Division of Youth Corrections.

### ***Female Offender Program (Table 38, Table 87-90)***

The Female Offender Program (FOP) was initially a grant funded pilot project developed in FY 1991, to intervene in the lives of high risk, substance abusing female offenders. In FY 1995 the General Assembly, based on the results of the pilot program, provided state funding in only 10 judicial districts. The program is designed to deliver intensive gender based case management to include frequent contact, skill building, regular employment or vocational/educational efforts, drug testing, home visits, electronic monitoring and participation in treatment, as required. The program was terminated in FY 2004 as a result of required budget reductions. Prior to the program's termination there was a 0% recidivism rate, for one year following termination from probation, for those offenders that successfully completed the program in FY 2001 and FY 2002. The FOP was re-funded to its previous level in FY 2005. The number of women assigned to each FOP officer is capped at 30. In FY 2012 there were 229 female offenders sentenced to FOP and on June 30, 2012 there were 263 on FOP. In FY 2012, 104 women (67%) successfully completed the program who might otherwise have served sentences in the Department of Corrections.

### ***Sex Offender Intensive Supervision Probation (Table 38, Table 83-86)***

The sex offender intensive supervision program (SOISP) is designed to provide the highest level of supervision to adult sex offenders who are placed on probation. Although initially created in statute in 1998 to address the risk posed by lifetime supervision cases, the Colorado Legislature made a significant change to the statute in 2001. Pursuant to HB01-1229, all felony sex offenders convicted on or after July 1, 2001, are statutorily mandated to be supervised by the SOISP program. Any adult convicted of a felony sex offense and receives a sentence to probation is required to be supervised by the sex offender intensive supervision program.

The goal of intensive supervision probation for sex offenders is to minimize the risk to the public to the greatest extent possible with supervision and treatment. The State of Colorado has adopted an evidenced-based model of containment in the supervision and management of sex offenders. Probation Officers employ this model and recognize that some sex offenders cannot or will not respond to treatment and there is no

implication that all sex offenders can be successful in treatment. Depending on the offender, elements of containment may include severely restricted activities, daily contact with an offender, curfew checks, home visitation, employment visitation and monitoring, drug and alcohol screening, and/or sex offense specific treatment to include the use of polygraph testing. In FY 2012 there were 453 offenders sentenced to SOISP and on June 30, 2012 there were 1,476 on SOISP. In FY 2012 the program successfully terminated 149 offenders (45%) from the SOISP program who might otherwise have served sentences in the Department of Corrections. It is important to note that approximately half of the SOISP probationers are serving indeterminate sentences (minimum of 10 years), so fewer in this group are eligible for termination each year.

## **Other Probation Programs**

### ***Private Probation (Table 38, Table 60)***

Chief Justice Directive 04-03 (originally CJD 96-05), defines the priority use of probation resources and defines the circumstances under which districts may contract with private probation. Part III of the directive states that districts may enter into agreements with public or private entities for the provision of probation services, including investigation services and the supervision of lower risk adult probationers. Although not every judicial district has access to or utilizes a private provider, Colorado Probation has contracted for private probation services since FY 1996, due in part to the inadequacy of staff resources to supervise all offenders sentenced to probation at the level required by standard. In FY2012 there were 12,634 new offenders sent to private probation for supervision. Of these 7,915 were on supervision for a DUI/DWAI while 4,719 were sentenced for some other criminal offense. On June 30, 2012 there were 19,715 offenders being managed under private probation service contracts. Of these, 12,308 were on supervision for a DUI/DWAI while 7,407 were on supervision for some other criminal offense. In FY2012 private probation successfully terminated 7,312 DUI/DWAI offenders (87%) and another 3,834 criminal offenders (83%). By utilizing private probation for these lower risk offenders, State probation departments can concentrate their resources on the higher risk offenders.

### ***DUI/DWAI Offenders (Table 38, Table 101)***

In FY 2007 the Alcohol and Drug Driving Safety (ADDS) Program was fully integrated within each probation department. This integration provides an enhanced ability to deliver supervision for the higher risk portion of the Drinking/Driving offending population. The ADDS program conducts alcohol/drug evaluations and makes treatment recommendations for offenders convicted of driving under the influence of, or impaired by, drugs or alcohol. In FY 2012 the program completed 21,882 DUI/DWAI Evaluations for Colorado's county courts, excluding Denver County. In FY2012 there were 4,224 offenders sentenced to monitoring. On June 30, 2012 there were 5,790 DUI/DWAI offenders being monitored by State Probation. In FY2012 state probation successfully terminated 4,293 (82%) DUI monitored offenders. Other DUI/DWAI offenders who were sentenced to probation supervision are included in this report in the Adult Probation section but are not separately identified.

### ***Victim Services (Table 96)***

In FY 1993 Colorado's General Assembly enacted victims' rights legislation for victims of personal crime. In 1996, the Victims' Rights Act was amended to require Colorado Probation departments to provide victim services. Each of the state's 23 probation departments is providing services to victims, who request to be notified, when the offender is placed on probation. In addition to provision of referrals and general assistance, in FY 2012 Probation Victim Assistance Coordinators sent 17,533 letters to victims of crime informing them of their right to receive notification; of these victims sixteen percent (2,751) requested receipt of the statutorily required notification. There were a total of 13,644 critical probation notification events in which victims were notified.