

COLORADO PROBATION

Colorado Probation is committed to public safety, victim and community reparation through offender accountability, skill and competency development and services to the communities of Colorado.

The 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 approaches, victim involvement and community development. 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

The Colorado Judicial Department administers adult and juvenile probation in the state's 22 judicial districts. This includes 23 probation departments with 53 separate probation offices throughout the state. The Division of Probation Services develops and publishes guidelines and standards for regular probation supervision and all specialized 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.

The number of adult offenders sentenced to probation in FY 2005 was 28,047 and on June 30, 2005 there were 39,880 adult offenders on supervision. In FY 2005, fifty-five percent of all adults completed regular probation successfully.

In Fiscal Year 2005, 5,983 juvenile offenders were sentenced to probation and on June 30, 2005 there were 7,224 juvenile offenders on supervision. In FY 2005 sixty-eight percent of all juveniles completed regular probation successfully.

High Risk Offender Programs

Specialized programs provide the court with community sentencing options for high-risk offenders. Three main goals drive specialized probation programs. They are 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 a specialized probation program. These programs offer specialized assessments, offense specific treatment, electronic monitoring, cognitive skills training, educational assessments, and literacy and employment programs.

Adult Intensive Supervision Probation

The Adult Intensive Supervision Probation (AISP) was implemented statewide in FY 1982, as a community sentencing alternative to incarceration for selected high risk offenders. In FY 1997, as a result of its proven effectiveness, the General Assembly approved expansion of the program's capacity from 750 to 1,500 offenders annually. 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. There are 59.75 FTE AISP officers and the number of offenders assigned to an AISP officer is capped at 25. In FY 2005 the program successfully diverted 668 offenders from the Department of Corrections.

Juvenile Intensive Supervision Probation

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. There are 27.25 FTE JISP officers and the number of juveniles assigned to a JISP officer is capped at 18. In FY 2005 the program successfully diverted 227 juveniles, who might otherwise have served sentences in the Division of Youth Corrections.

Female Offender Program

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. The number of offenders assigned to a FOP officer is capped at 30. 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. The program was terminated in FY 2004 as a result of required budget reductions. There was a 0% recidivism rate, for two years 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. There are 6.0 FTE FOP officers and the number of women assigned a FOP officer is capped at 30. The program successfully diverted 22 women from the Department of Corrections in FY 2005. The number of successful terminations is artificially low due to the need to re-populate the program and the length of time necessary for successful termination.

Sex Offender Intensive Supervision Probation

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 FY 1998 primarily for lifetime supervision cases, based on the risk

posed by those offenders, the legislature made a significant change to the statute in FY 2001. All felony sex offenders convicted on or after July 1, 2001, are statutorily mandated to be supervised by the SOISP program. Prior to the creation of the SOISP program the average length of probation supervision for a sex offender was 5 years. The initial staffing appropriated (46 FTE) in FY 1999 and FY 2000 was judged to be sufficient to meet the supervision requirements for the period necessary to achieve full program implementation. The program design includes a capped caseload of 25 offenders per SOISP officer.

Sex offending behavior is a life-long problem in which the goal is not “curing” the offender, but rather management or control of the assaultive behavior. The State of Colorado has adopted a model of containment in the supervision and management of sex offenders. 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. SOISP consists of three phases, each with specific criteria that must be met prior to a reduction in the level of supervision. In FY 2005 the program successfully terminated 58 offenders from the SOISP program.

Other Probation Programs

Private Probation

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 probationers. Colorado Probation has utilized private probation contract 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. On June 30, 2005 there were 8,907 offenders being managed under private probation service contracts. By utilizing private probation for these lower risk offenders, State probation departments can concentrate its resources on the higher risk offenders.

Drug Courts

Drug Courts are a collaborative effort involving the court, probation, district attorney, defense council, and treatment agencies to respond to non-violent serious drug abusing offenders. These offenders are assessed to determine the severity of their substance abuse, matched to the appropriate level of treatment, tested frequently for abstinence, monitored closely by a case manager and have frequent reviews in front of a Judge or Magistrate where sanctions or incentives can be immediately delivered. This approach to offenders with serious substance abuse problems has been shown in national studies to be highly effective. In Colorado, there are adult drug courts in the 2nd, 4th, 6th, 7th, 8th, 11th and 22nd Judicial Districts and juvenile drug courts in the 2nd, 6th, 7th, 8th and 11th Judicial Districts. These cases are not uniquely identifiable in the Judicial Department’s information system and there is no data

related to drug courts available in this annual statistical report. Work is underway to allow for the collection of data related to these cases.

DUI Offenders

The Alcohol and Drug Driving Safety (ADDS) Program conducts alcohol/drug evaluations and makes treatment recommendations for offenders convicted of driving under the influence with drugs or alcohol. In FY 2005 the program completed nearly 29,000 evaluations and monitored compliance with treatment and other court orders for Colorado's county courts.

Victim Services

In FY 1993 Colorado's General Assembly enacted victim rights legislation for victims of personal crime. In 1996, the Victim Rights Act was amended to require Colorado Probation departments to provide victim services. Since FY 1999, each of the state's 23 probation departments has provided services to victims whose offender is placed on probation. In FY 2005, Probation Victim Assistance Coordinators sent 12,077 letters to victims of crime informing them of their right to receive notification, and of these victims twenty percent (2,363) requested receipt of the statutorily required notification. There were a total of 14,307 critical notification events in which victims were notified.

FY 2005 REPORT CHANGES

Due to policy, business practice and programming changes in Probation's management information system, some of the tables in this addendum to the FY 2005 annual report have been modified from previous years. All of the same data is available but may be different in its presentation.

Modificaitons have been made to the following tables:

Table 2: Investigations; Table 5: New Cases by Supervision Type; Table 10: All Probation Supervision Closure Types; Table 14: Domestic Violence and Sex Offender Caseloads; Table 17: Private Probation New Cases, Table 18: Juvenile Investigations,

The following tables have been eliminated:

FY 04 Table 46: Last Risk Classification at Termination, Table 48-56: Direct Sentence to Private Probation New Cases- by Offense Type, by Court of Origin, by Supervision Type, by Gender, by Age, by Ethnic Group, Successful/Unsuccessful Terminations, Type of Revocation and Length of Stay and Table 67: Last Risk Classification at Termination

Additional private probation reporting will be included in the FY 2006 Annual Report