

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 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 (Table 38, Table 47, Table 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 on risk and need factors. Based on this assessment, those placed on regular probation are put on minimum, medium or maximum supervision.

The number of adult offenders sentenced to state probation in FY 2011 was 28,903 and on June 30, 2011 there were 43,705 adult offenders on regular supervision. In FY 2011, 68 percent of adults completed regular state probation successfully. An additional 2,083 adult offenders were sentenced to an intensive program and 13,131 were sentenced to private probation supervision.

In Fiscal Year 2011, 4,637 juvenile offenders were sentenced to probation and on June 30, 2011 there were 5,676 juvenile offenders on supervision. In FY 2011, 74 percent of these juveniles completed regular state probation successfully. An additional 402 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 whom 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. 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 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 80)

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 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. The number of offenders assigned to an AISP officer is capped at 25. In FY2011 there were 1,379 offenders sentenced to AISP and on June 30, 2011 there were 1,443 on AISP. In FY 2011, 700 offenders (67%) successfully completed the program who might otherwise have served sentences to the Department of Corrections.

Juvenile Intensive Supervision Probation (Table 38, Table 92)

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 FY2011 there were 402 juveniles sentenced to JISP and on June 30, 2011 there were 386 on JISP. In FY 2011, 223 juveniles (50%) successfully completed the program who might otherwise have served sentences in the Division of Youth Corrections.

Female Offender Program (Table 38, Table 88)

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 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 programs 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 2011 there were 218 female offenders sentenced to FOP and on June 30, 2011 there were 258 on FOP. In FY 2011, 112 women (70%) successfully completed the program who might otherwise have served sentences in the Department of Corrections.

Sex Offender Intensive Supervision Probation (Table 38, Table 84)

The Sex Offender Intensive Supervision Probation (SOISP) Program 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. The program design includes a capped caseload of 25 offenders per SOISP officer.

Adult sex offending behavior is a considered to be 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 a probation officer, 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 2011 there were 491 offenders sentenced to SOISP and on June 30, 2011 there were 1,416 on SOISP. In FY 2011 the program successfully terminated 135 offenders (46%) 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 FY2011 there were 13,131 offenders sentenced to private probation. Of these 7,998 were on supervision for a DUI/DWAI while 5,133 were sentenced for some other criminal offense. On June 30, 2011 there were 19,992 offenders being managed under private probation service contracts. Of these, 12,055 were on supervision for a DUI/DWAI while 7,937 were on supervision for some other criminal offense. In FY2011 private probation successfully terminated 8,582 DUI/DWAI offenders (85%) and another 4,202 criminal offenders (80%). 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 2011 the program completed 22,260 DUI/DWAI Evaluations for Colorado's county courts, excluding Denver County. In FY2011 there were 5,379 offenders sentenced to monitoring. On June 30, 2011 there were 7,420 DUI/DWAI offenders being monitored by State Probation. In FY2011 state probation successfully terminated 5,533 (74%) 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 when the offender is placed on probation. In addition to provision of referrals and general assistance, in FY 2011 Probation Victim Assistance Coordinators sent 16,482 letters to victims of crime informing them of their right to receive notification; of these victims seventeen percent (2,807) requested receipt of the statutorily required notification. There were a total of 12,417 critical probation notification events in which victims were notified.