

Boulder County Community Corrections Board Policies and Procedures

The policies outlined in this manual are supplemental to the Boulder County Policies and Personnel manual. The Division Manager of Boulder County Community Justice Services – A Division of the Community Services Department and Community Corrections Board Chair have final authority on internal division policies that do not conflict with the adopted Boulder County policies, state or federal laws. All division personnel and representatives are expected to familiarize themselves with the content of this manual.

July 2018

TABLE OF CONTENTS

SECTION 1.0	AUTHORITY AND GOVERNANCE	2
SECTION 2.0	OFFENDER REFERRAL: DIVERSION SCREENING AND REFERRAL	3
SECTION 2.1	OFFENDER REFERRAL: TRANSITION	7
SECTION 2.2	OFFENDER REFERRAL: FULL BOARD REVIEW PROCESS	9
SECTION 2.3	OFFENDER REFERRAL: PLACEMENT AND TERMINATION	14
SECTION 3.0	OFFENDER ELIGIBILITY AND CRITERIA	16
SECTION 4.0	PROGRAM PROGRESS INFORMATION	18
SECTION 5.0	VICTIM CONSIDERATION	19
SECTION 6.0	PROGRAM DOCUMENTATION AND RECORDS KEEPING	21
SECTION 7.0	MEDIA/COMMUNITY RELATIONS	22
SECTION 8.0	DEVELOPMENT AND REVISION OF POLICY AND PROCEDURE	233
SECTION 9.0	ADDENDUMS	244
	ADDENDUM I: STATE COMMUNITY CORRECTIONS LAWS	244
	ADDENDUM II: BOULDER COUNTY COMMISSIONER'S RESOLUTION	29
	ADDENDUM III: STATE/BOCC CONTRACT TO PROVIDE COMM CORR SERVICES.	311
	ADDENDUM IV: COMMUNITY CORRECTIONS BY-LAWS	344
	ADDENDUM V: TERMINOLOGY REFERENCE	38
	ADDENDUM VI: EXECUTIVE SESSION	522
	ADDENDUM VII: SUBCOMMITTEE VERSUS FULL BOARD CASE SCREENING CRITERIA	544

Section 1.0 AUTHORITY AND GOVERNANCE

POLICY	To establish a Board to oversee the provision of community corrections service for Boulder County
SOURCE	Commissioners’ Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-et.al, 17-27.1, 18-1.3-3
SCOPE	Community Corrections Board, Boulder County Commissioners and Community Justice Services Division: Community Corrections Administrative Unit
APPROVED BY	Monica A. Rotner, Division Manager CJS Michael Tucker, Community Corrections Board Chair
REVIEW HISTORY	November 2015; February 2015; January 2017; July 2018

PROCEDURES

The authority of the Boulder County Community Corrections Board is to approve appropriate offenders, pursuant to CS Title 17, Article 27, for placement in humane and constructive community-based alternatives to incarceration. The Board will select, set standards for, and monitor those alternative placement programs and facilities in conjunction with Community Justice Service’s administrative staff. The board’s actions will balance appropriate alternative sentencing options in community corrections with a priority of addressing community safety. By “Community Safety” consideration needs to be given to victims, the public at large, residents and staff in the half way house and the community corrections petitioner as well. The Board is not a sentencing body and is not responsible for determining whether a sentence has been fully served. Candidates will be presented to the Board for consideration of halfway house funding at the discretion of the 20th Judiciary and/or the Colorado State Parole Board. Candidates must be considered eligible for consideration once they are presented to the Board for consideration. Both the judiciary and the parole board present cases for the community Board for it to consider the safety the Community and accept the risk that the Board will deny funding based on a high level of potential risk.

SEE ADDENDUMS in Section 9 of this document:

ADDENDUM I: State Community Corrections Laws

Body of legislation that governs the operations and funding of community corrections.

ADDENDUM II: Boulder County Commissioners Resolution

BOCC Resolution which provides authority to create and empower the community corrections Board and participation in the states community corrections program

ADDENDUM III: State and BOCC Contract to provide Community Corrections services.

Signed and completed contract between the States department of Public Safety and Boulder County Board of Commissioners to provide funding and service responsibilities of a community corrections program.

ADDENDUM IV: Community Corrections By-laws

The Community Corrections Board operating protocols.

ADDENDUM V: Terminology Reference

ADDENDUM VI: Executive Session

ADDENDUM VII: Subcommittee versus Full Board screening criteria

Section 2.0 OFFENDER REFERRAL: Diversion Screening and Referral

POLICY	Screening function to identify individuals appropriate for community corrections placement for Diversion Cases by the Community Corrections Sub-Committee
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-103 (5)
SCOPE	Community Corrections Vendor, Community Corrections Board and CJS Community Correction staff.
APPROVED BY	Monica A. Rotner, Division Manager CJS Michael Tucker, Community Corrections Board Chair
LAST REVIEW	November 2015; February 2015; January 2017; July 2018

PROCEDURES

Design, implement and maintain a process to screen, evaluate and approve/disapprove offenders for placement in the Boulder Community Corrections Program referred by the courts for consideration of a diversion sentence.

Diversion referral, screening and placement process

- A. The selection authority may be wholly or partly vested by the Board in a diversion screening subcommittee. The subcommittee, if appointed, is called the **Community Corrections Sub-Committee**.
- B. The Community Corrections Subcommittee is accountable to the Community Corrections Board and communicates with the Board through the Subcommittee Chairperson. The Subcommittee may also discuss, and make comments to the Board concerning problems encountered with the review process. The Community Corrections Board, however, may approve a placement without recommendation of the Subcommittee or may override a decision of the Community Corrections Subcommittee during an appeal.
- C. The Community Corrections Subcommittee meets weekly to approve a or deny funding for offenders reviewed for residential/community placement.
- D. The Subcommittee is comprised of three voting members --designees from Probation, Community Justice Services and the Sherriff's department. Community Justice Services chairs the Subcommittee. Subcommittee voting is primarily based on information collected in the PSI and risk/substance abuse assessments as well as mental health and psychosexual evaluations. A person from the halfway house staff may attend the Subcommittee meetings as an *ex officio* member to provide information and to route subcommittee decisions to their program
 - 1. Majority vote decides placement. A minority vote report may also be issued when there is not a unanimous vote. Split votes (in the event of an abstention or an absent member) will be referred to the full Board.
- E. The Community Corrections Subcommittee meets weekly to review nonviolent cases with an LSI score of 36 or below. These cases may include but are not limited to vehicle trespass, burglary, vehicular eluding, criminal impersonation, possession of controlled substance, felony DUIs and trespass. The Subcommittee

does not review high profile cases or cases involving physical or sexual assaults, menacing, sexual exploitation or domestic violence, no matter what the LSI score is. See Addendum VII for case screening criteria for Subcommittee.

- F. SC decisions do not require full board review, unless an appeal is made on behalf of the offender. (See below.) Any member of the Subcommittee who thinks that a case is too high risk may forward that case to the full board for review.
- G. The Community Corrections Subcommittee will notify the defendant's attorney or pro se defendant as well as the District Attorney of funding approval and denial. The defense attorney, pro se defendant or district attorney may appeal the Subcommittee decision by requesting that the Full Board review the case. (See below of Community Corrections Subcommittee Appeal.
- H. Notification of an appeal must be made by the defense attorney, pro se defendant or district attorney to CJS staff no later than 72 hours prior to the next convening full board. The attorney or pro se will have up to five minutes to present new case material to the Board. The board may ask questions of the attorney or pro se a but neither will be invited to participate in the full board discussion.
- I. **Deadline:** The deadline for delivery of referral documentation to present to the Subcommittee is noon on the day prior to the Subcommittee meeting. From time to time, there may be a requirement to deliver referral documentation to the Subcommittee earlier due to holiday or other timing constraints. Additionally, the Subcommittee may accept materials after deadline given extenuating circumstances due to court scheduling or documentation preparation (last minute PSI updates from Probation, results of considerations from other diversion programs like LSIP, PACE, etc.)
- J. **Applications:** An application for funding must include:
 - 1. For new applications (usually submitted by probation):
 - a. Application form (obtained from probation)
 - b. Pre-sentence Investigation (PSI)
 - c. Risk/need assessment (LSI)
 - d. Psycho-Sexual Evaluation (PSE) as appropriate
 - e. In cases referred for probation violation an updated memo to the previous LSI can replace a new LSI
 - f. Documents may also include written or verbal victim, defendant, or family member statements submitted by probation, the District Attorney, pro se, and/or private/public defense attorneys
 - 2. For cases previously reviewed by the Community Corrections Subcommittee or Board (usually submitted by attorneys or probation):
 - a. Any PSIs or reports generated since case was last reviewed (original materials will be supplied by Community Justice Services)
 - b. A chronological memo describing why the applicant wants the case reconsidered, giving the sequence of events in the justice system leading to the present (something a Subcommittee or Board member could read to understand the elements of the case)
 - 3. For 35b cases – (see terminology reference) reconsideration for offenders in the Department of Corrections
 - a. 35b cases will be processed in the same manner as Diversion referrals from the court.

- K. Specific requirements for referrals, depending on status of offenders, are:
1. Offender referrals for community corrections and direct sentence to community corrections placement require:
 - a. A Presentence Investigation (PSI) from the Probation Department, unless waived by the Court (Colorado Rules of Criminal Procedure, Rule 32; CRS 127- 27; and CRS 17-27-105 (3)).
 2. Referrals for such placement will be directed through the Probation Department's Intake Unit and should not come directly through the court to the Community Corrections Subcommittee.
- L. The Community Justice Services staff notifies the private defense attorney, probation and the service provider (vendor) of the voting results. Probation will notify pro se defendants of the results.

Community Corrections Subcommittee Appeal

- A. Counsel for any given defendant, a pro se defendant themselves or the prosecuting attorney may appeal a case denied by the Community Corrections Subcommittee. The case will then be reviewed by the full board. The District Attorney's office, defense counsel or a pro se defendant must make an appeal known to CJS administrative staff prior to the Board meeting. The case for appeal must be made by 11 a.m. on the Friday preceding the full Board meeting. CJS administrative staff will then be responsible to inform the Board of the upcoming case. Defense counsel and the representative prosecuting attorney from the District Attorney's office must be present to appeal. In the case when a defendant is pro se, measures will be taken to ensure safety of all involved. When possible and appropriate, having the jail accommodate a pro se representation via phone will be acceptable practice. In the case where a voting board member is the appealing party they may be asked to abstain from voting on that case at the discretion of the Board Chair.
- B. From time to time, due to unanticipated court scheduling, there may be a sentencing hearing held after a subcommittee hearing for a given case but before a full Board can next convene. In these instances, cases will be queued for full Board review but may be subject to removal from the agenda due to court disposition and/or case continuance. In these cases, CJS staff will make every effort to inform Board members of such a situation in as timely a manner as possible.
- C. The Board, upon calling up a case, should consider the recommendation of the Subcommittee and any other evidence available prior to voting on a placement. Decisions are based on the voting rules of the Board as indicated in the By-Laws section of this document (Addendum IV, Article II Paragraphs C&D), and shall be relayed to the sentencing judge and other appropriate agencies by the Chief Probation Officer.
- D. The Board may wish to call witnesses to assist in its deliberation. Any witnesses will appear at the pleasure of the Board. Defendants may not testify before the Board, unless they are defending themselves (i.e., pro se).
- E. CJS is responsible for communicating the procedures, policies, board expectations and attendance requirements to the appealing party. The appealing party is responsible for all communication to the defendant. A pro se defendant is responsible for all communication and logistics regarding this personal appearance in front of the full board. When necessary, CJS staff will coordinate all security and safety measures required to accommodate pro se defendants.

F. **Out-of-county diversion referrals**

1. Diversion referrals to Boulder halfway houses from other counties are processed in the following manner:
 - a. The out-of-county agency (usually Probation or Community Corrections Vendor), will forward the diversion referral directly to the Boulder service providers for placement consideration.
 - b. Not all out-of-county referral cases are brought to the Full Board for consideration: the service provider has discretion in determining the risk and appropriateness of denying certain applicants based on their determination of risk to the community.
 - c. The service provider's criteria which may involve violent or sexual offenses may be brought before the full Board including, but not limited to:
 - i. violence or bodily harm
 - ii. sexual assault or sex offenses
 - iii. "High profile" cases
 - iv. Cases where the victim has initiated their rights under the victim rights act
 - e. For cases brought by the service provider for full Board consideration CJS staff will send all relevant materials received from service provider to full Board member via electronic mail, by noon on the Friday before full Board meetings. Such information should include, but not limited to:
 1. Application form (obtained from probation)
 2. Pre-sentence Investigation (PSI)
 3. Risk/need assessment (LSI)
 4. Psycho Sexual Evaluation (PSE) as appropriate
 5. In cases referred for probation violation an updated memo to the previous LSI can replace a new LSI
 6. Documents may also include victim, defendant or family member statements and additional materials as appropriate
 - f. Service provider representative will present each case to the full board.
 - g. The defense attorney, or pro se, for an out-of-county referral consideration may present their case to the full board following the same procedures as described above in section 2.2 "Full Board Process".

Section 2.1 OFFENDER REFERRAL: Transition

POLICY	Identify individuals appropriate for community corrections placement for Transition Cases from the Colorado Department of Corrections (DOC)
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-106
SCOPE	Community Corrections Vendor, Community Corrections Board and CJS Community Correction staff.
APPROVED BY	Monica A. Rotner, Division Manager CJS Michael Tucker, Community Corrections Board Chair
LAST REVIEW	November 2015; February 2015; January 2017; July 2018

PROCEDURE

Design, implement and maintain a process to screen, evaluate and approve/disapprove offenders for placement in the Boulder Community Corrections Program referred by the Colorado Department of Corrections.

Transition referral, screening and placement process

Placement Approval of Transition Offenders originally sentenced in Boulder County, and brought to the Board for funding approval, pose a special interest to the community at large. While these offenders would, in all probability, be released back to this community under their parole conditions, the Board should make every attempt to ensure the transition is highly supervised. The goal is to ensure public safety and to maximize the probability of success as a law-abiding member of our community during parole and after. By “Community Safety” consideration needs to be given to victims, the public at large, residents and staff in the half way house and the community corrections petitioner as well. The Board is not a sentencing body and is not responsible for determining whether a sentence has been fully served. Candidates will be presented to the Board for consideration of halfway house funding at the discretion of the 20th Judiciary and/or the Colorado State Parole Board. Candidates must be considered eligible for consideration once they are presented to the Board for consideration. Both the judiciary and the parole board present cases for the community Board to consider and acknowledge the possibility that the Board will deny funding based on a high level of potential risk to the community.

- A. The service provider (vendor) serves as the Transition Screening Subcommittee. The Chief Executive Officer of the service provider agency shall assign sufficient staff to this Subcommittee for the purpose of carrying out the function of screening cases in accordance with Board policy and Department of Corrections Administrative Regulations. Specific attention should be given to approving the placement of these transition cases without compromising Board members’ placement criteria in which case a full Board review would be required (see section 2.1.D below).
- B. Boulder County Community Corrections Board delegates the Board’s authority to accept or reject to the service provider (vendor) which serves as the Transition Screening Subcommittee. Such actions must be in accordance with the policies and procedures established by the Board.

C. Offenders who meet any of the below criteria must be referred to the full Board for approval of placement funding. The Transition Subcommittee shall not have the authority to accept offenders into residential programs if the offender meets any of the following criteria:

1. Offender was sentenced to prison for a crime which involves, but not limited to, a history of:
 - a. violence or bodily harm
 - b. sexual assault or sex offenses
 - c. "High profile" criminal behavior
 - d. Cases where the victim has initiated their rights under the victim rights act

D. Referral Procedure for transition offenders

The Department of Corrections shall forward to the service provider agency a completed *Department of Corrections Community Referral Form* to the Transition Screening Subcommittee.

E. Transition Program Requirements

Transition offenders are subject to the same program requirements as are diversion offenders (per section 2.0 above including available documentation requirements described in Section 2.0.1). In addition, transition offenders are subject to the Colorado Department of Corrections Code of Penal Discipline.

F. Parole Referrals – DOC-P

Occasionally, the Boulder parole officer will refer an offender out of DOC-P on parolee status to the Boulder service provider for residential placement ("halfway back"). The service provider (vendor)/Transition Screening Subcommittee will review such a case and will only refer it to the full Board if the case meets the criteria previously stated.

G. Intensive Supervision - Inmate (ISP-I Referrals – See Terminology Reference of Addendum V of Section 9.4)

If the Department of Corrections (DOC) wishes to refer a DOC inmate to Boulder County for community supervision under the ISP program, the regional DOC parole representative must submit the case to the full Board for approval. The case will be sent to the Boulder Community Justice Services Division in time to be distributed to the Board prior to the meeting. That DOC representative must present the case to the full Board.

If the DOC representative (state parole officer) is not present to represent the details of the case, the case will not be heard. CJS Staff will inform DOC representative of the non-review.

H. Out of County Cases

Factors to be considered in determining whether to accept an Out of County placement include risk, motivations, victim proximity, peer group, bed availability, pro-social support and ties to Boulder County, among others.

Section 2.2 OFFENDER REFERRAL: Full Board Review Process

POLICY	Identify the process for full Board review of diversion and transition cases following sub-committee approval or appeal by defense attorney or pro se.
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-103 (5)
SCOPE	Community Corrections Vendor, Community Corrections Board and CJS Community Correction staff.
APPROVED BY	Monica A. Rotner, Division Manager CJS Michael Tucker, Community Corrections Board Chair
LAST REVIEW	November 2015; February 2015; January 2017; July 2018

PROCEDURE

Define and outline the process of information sharing, full Board review and decision making on diversion and transition cases.

General Full Board Process

- A. The full Board will meet on the second and fourth Tuesdays of every month at 7:30AM unless changed for accommodating holiday or other unforeseen circumstances at the Justice Center located at 6th and Canyon Street Boulder Colorado. The agenda will be posted outside of the CJS office, by noon on Friday prior to the full Board meeting as well as the front door of the board meeting location on the day full Board convenes.
- B. The full Board will review diversion cases approved and forwarded by the Subcommittee, or cases appealed that were not approved by subcommittee, that meet criteria for full Board review that may include, but is not limited to, the following criteria:
 1. Convicted of one or more class two or three felony(s)
 2. Convicted of a crime of violence
 3. Cases where the victim has initiated their rights under the victim rights act
 4. Others as arise at the discretion of the chairperson of the Community Corrections Subcommittee
 5. Cases that involve a sexual offender or domestic violence
 6. See Addendum VII for detailed subcommittee and full Board screening criteria.
- C. The full Board will review transition cases approved by the service provider designated staff that meet criteria for full Board review. Transition clients may have criminal histories or convictions involving, but not limited to:
 1. Violence or bodily harm
 2. Sexual assault or sex offenses
 3. "High profile" criminal behavior
 4. Cases where the victim has initiated their rights under the victim rights act
 5. Others referred to the vendor by DOC or deems appropriate for full board review.

- D. The full Board will not accept additional written information for consideration during the board meeting. All materials must be included in the board packets (as described below in “Diversion Cases”) sent out the Friday afternoon before the Board meeting. Additional relevant verbal information may be provided by prosecuting attorneys, defense attorneys, system agency representatives (jail, mental health, probation, parole, DOC, etc.), victims and/or their support and defendants and/or their support.
- E. All full Board meetings are open to the public.

Diversion Cases

- A. Community Justice Service’s staff will send all relevant materials received from sub-committee and private parties (including pro se) to full Board members, via electronic mail, by noon on the Friday before full Board meetings. Such information may include, but not limited to:
 - 1. Application form (obtained from probation)
 - 2. Pre-sentence Investigation (PSI)
 - 3. Intensive Supervision Probation (ISP) risk matrix
 - 4. Risk/need assessment (LSI)
 - 5. Psycho Sexual Evaluation (PSE) as appropriate
 - 6. In cases referred for probation violation an updated memo to the previous LSI can replace a new LSI
 - 7. Documents may also include victim, defendant or family member statements and additional materials as appropriate
- B. Full Board members review all materials sent in preparation of full Board meeting.
- C. Full Board meeting presentation of cases proceeds as follows:
 - 1. CJS staff provides a brief summary of information that came from the sub-committee discussion, including approval and disapproval numbers and reason for forwarding to full Board.
 - 2. Defense Attorney, or designee, has five minutes to present to the Board why a community corrections sentencing option would be appropriate. In the event of cases appealed due to denied funding by the Subcommittee, both the defense attorney and the representative prosecuting attorney of record must present, in person, on behalf of the client.
 - 3. In the event there are cases approved by the Subcommittee but appealed by the District Attorney's office both the attorney of record or representative and prosecuting attorney of record must be present to present their viewpoints.
 - 4. Any family or other support representative (e.g. teachers, clergy, employers) of the defendants that may be present may choose to select a spokesperson(s) to speak for up to five minutes total on the defendant. Additional time may be allocated for other family or support to address the board at the chairs discretion.
 - 5. Any victims of the defendants that may be present may choose to select a spokesperson to speak up to five minutes on the defendant. (see Victim Rights Act as described in <http://dcj.ovp.state.co.us/home/victim-rights>). Additional time may be allocated for victim supports to address the board at the chairs discretion.
 - 6. District Attorney’s Office presents their opinion regarding the appropriateness of a community corrections approval for funding.
 - 7. Boulder County Jail staff provides a report on any known relevant information regarding the defendant’s behavior in the jail setting.
 - 8. A Board member representing Boulder County Mental Health services provides a verbal report on any relevant interpretations of a defendant’s mental health history that may be impactful in a community corrections setting.

9. Board Chair, or designee, invites discussion of full Board members. Non-board members present are not to participate in the Board discussion unless a Board member asks a direct question of them.
10. The Board Chair, or designee, will call for a vote based on the voting rules of the Board as indicated in the By-Laws section of this document (Addendum IV, Article II Paragraphs C&D).
11. If the board feels that additional information needs to be included, the case can be deferred for review if the bench and all parties agree to re-scheduling sentencing date (if needed).
12. CJS Staff will record number of approvals, dis-approvals and abstentions and report this back to the court clerks, the Board, probation and the service provider (vendor).

Transition Cases

Community Justice Service's staff will send all relevant materials received from the service provider (vendor) to full Board members, via electronic mail, by noon on the Friday before full Board meetings. Such information shall include a completed Department of Corrections Community Referral Form.

- A. Service provider staff will provide a brief summary of information and include reason for forwarding to full Board.
- B. DOC inmates Defense Attorney may have five minutes to present to the Board why a community corrections sentencing option would be appropriate.
- C. Any family or supporters of the DOC inmate that may be present may choose to select a spokesperson to speak up to five minutes about the defendant.
- D. Any victims of the DOC inmate that may be present may choose to select a spokesperson to speak up to five minutes about the defendant.
- E. District Attorney's Office may present their opinion regarding the appropriateness of a community corrections approval for funding.
- F. Boulder County Jail staff may provide a report on any relevant information regarding the defendant's behavior in the jail setting prior to the DOC sentence.
- G. A Board member representing Boulder County Mental Health services provides a report on any relevant interpretations of a defendant's mental health history that may be impactful in a community corrections setting.
- H. Board Chair, or designee, invites discussion of full Board members- non-board members present are not to participate in the Board discussion unless a Board member asks a direct question of them.
- I. The Board Chair, or designee will call for a vote based on the voting rules of the Board as indicated in the By-Laws section of this document (Addendum IV, Article II Paragraphs C&D)
- J. CJS Staff will record number of approvals, disapprovals and abstentions.
- K. Service provider informs Department of Corrections of Approval or Denial.

The factors to be considered in the decision-making process concerning offenders being reviewed for community placement in Boulder County shall include, in no particular order, and without limitation, the following:

- A. Community safety needs.
- B. Mental health problems.
- C. Suicide potential.
- D. History or lack of escapes or escape attempts.
- E. Prior unsuccessful community placement(s).
- F. History or lack of violent behavior.
- G. Previous management problems in correctional facilities or lack thereof.
- H. Likelihood of continued criminal behavior.
- I. Criminal history or lack thereof.
- J. Serious health care problems.

- K. Ties to Boulder County or lack thereof.
- L. Mitigation or extenuating circumstances related to the current offense.
- M. Whether offenders are on their first or later statutory referral to community corrections.
- N. Offender risk and need assessments, if available.
- O. Services available to offender for rehabilitation during incarceration, or lack thereof.
- P. Impact on victims, if any.
- Q. Offender's mandatory release date.
- R. The nature and circumstances of the offender's current offense.
- S. Length of the original sentence that has been served.
- T. For out of District referrals to specialized treatment programs, availability of bed space for specialized treatment programs at the time of referral.

Executive Session

In the event that the review of a case includes confidential information; as specified by the Colorado Open Records Act 24-6-402(4)(c) any Board member may request that the Board go into executive session. In executive session, all non-Board members or staff must leave the room for the term of the executive session.

- A. Criteria that justify a motion for going into executive session: **Confidential documents:** Consideration of documents that are protected from disclosure by the mandatory nondisclosure provisions of the Open Records Act. 24-6-402(4)(c). The specific type of document is indicated below: [Documents that are not public because they are "work product" or come within the "deliberative process" privilege alone cannot form the basis of an executive session, and another provision must be specified]:
 - 1. **Applications** for executive positions of persons who are not finalists (24-72-204(3)(a)(XI)).
 - 2. **Criminal justice records:** Various records are excluded from disclosure. See 24-72-301, et seq. relating to criminal matters and juvenile records.
 - 3. **Disabled** - Licenses or other information indicating that a person is disabled (24-72-204(3)(a)(XII)).
 - 4. **Letters of reference** (24-72-204(3)(a)(III)).
 - 5. **Library and museum contributions** by private parties if restrictions are placed on them by the contributor (24-72-204(3)(a)(V)).
 - 6. **Library records** disclosing the identity of a library user (24-72-204(3)(a)(VII)).
 - 7. **Medical**, psychological and scholastic achievement data (24-72-204(3)(a)(I)).
 - 8. **Personnel files**, except employment and severance agreements, which are public (24-72-204(3)(a)(II)).
 - 9. **Public Facilities Users** - Addresses/phone numbers/personal financial information of past or present users of public facilities/utilities/recreational facilities unless requested by law enforcement (24-72-204(3)(a)(IX)).
 - 10. **Sexual harassment** complaints and investigations (24-72-204(3)(a)(X)).
 - 11. **Trade secrets**, privileged information, and confidential commercial, financial, geological, or geophysical data or social security number (24-72-204(3)(a)(IV)).

- B. Procedures for going into Executive Session:
 - 1. A motion and second by a Board member to request the matter be discussed in executive session.
 - 2. The identification of which criteria justifies the executive session.
 - 3. The Board votes for approval for the executive session.
 - 4. The Chair's announcement of the executive session and request for all non-Board members to leave the room.

5. Chair calls to order the opening of the executive session and the identification of the subject to be discussed.
6. Minutes will be recorded of the executive session.
7. No decision can be made in executive session. When the discussion is exhausted, there will need to be a motion, second, and vote to go out of executive session and the resumption of the regular meeting.

Tele-conference Session

In the event that there are two or fewer cases to be reviewed (transition and diversion) by the full board, and there are no other agenda or training items to be covered, the Board Chair may elect to facilitate the full board review via tele-conference. This decision is made by the board chair and is not automatic for all meetings with two or less cases. Some cases alone would warrant a face to face review depending on the seriousness of the current offense, prior history or other factors. The process will be as follows:

1. CJS staff will inform Board Chair of circumstances indicating a tele-conference is appropriate.
2. Upon Chair consent, CJS staff will notify Board members of the tele-conference meeting with call in conference phone numbers and participation information by email along with the agenda for the meeting and the cases by no later than the Friday previous to the schedule Board tele-conference.
3. At the designated meeting time, participating Board members will dial in to the tele-conference and participate in the case presentations, discussions and votes as per usual during live Board meetings.

Section 2.3 OFFENDER REFERRAL: Placement and Termination

POLICY	Identify the process for placement and termination of placement for diversion cases following sub-committee or Board approval.
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-103 (5)
SCOPE	Community Corrections Vendor, Community Corrections Board and CJS Community Correction staff.
APPROVED BY	Monica A. Rotner, Division Manager CJS Michael Tucker, Community Corrections Board Chair
LAST REVIEW	February 2015; January 2017; July 2018

PROCEDURE

Design, implement and maintain a process to place defendants following the Courts sentencing. This procedure also articulates the process to terminate placement in cases where the Service Provider (Vendor) terminates the client.

Placement Following Sentencing and Termination by Service Provider

A. Diversion Offenders Placement

1. After approval by the Subcommittee or the Board, an order of the court is necessary to place the defendant. When the court orders the placement (residential or non- residential), the following documentation must be completed: Direct sentences (residential and non-residential) – a mittimus (Appendix C) is completed by the court and is sent to the service provider. Probation, with conditions of placement (residential and non-residential) – terms and conditions are completed by probation. The probation officer forwards copy to the service provider.
2. Upon acceptance into the program, an intake form supplied by the state will be completed by the service provider. Monthly offender reports are sent to the probation officer by the supervising case manager and should be forwarded immediately upon termination to Community Justice Services.
3. Any defendant sentenced to a residential program who is granted a stay of execution, shall participate in a non-residential program until entering the residential program. The service provider and the offender shall complete a non-residential contract.
4. If a defendant has not been approved by the Board, is sentenced to a residential program, and has no stay of execution, the service provider will put him/her in the Day Reporting Center program until the Board has acted.
5. A mittimus to the Community Corrections agency from residential to non-residential does not require further court action. Notice will be given to the district attorney and the court by the probation officer when the transfer occurs.

6. The Community Corrections statute provides that both the Board and the service provider may reject a defendant before or after placement.
7. Approvals for funding by the Subcommittee or Board are valid for up to six months from the date of approval. After the expiration of the six-month period, if the defendant has not been placed in community corrections, then the defendant must go back through the referral process and be approved by the full Board to be placed.
8. The Community Corrections Subcommittee or Board will not consider for placement any defendant who, because he has an existing sentence in another jurisdiction or pending charges in another jurisdiction, would not likely be available to be placed within six months of the date consideration is requested. The Board recommends that courts sentencing such defendants grant or deny community corrections with an awareness that the Subcommittee or Board would not accept or reject the defendant until he is within six months of availability for placement.

B. Diversion Offenders Termination

1. If an offender is terminated from a community corrections facility/program as a result of an investigation resulting in the filing of a felony charge involving sex or violence, the facility/program must obtain the approval of the full Board before the offender can be returned to the facility/program, if the facility/program chooses to re-accept the offender.
2. If an offender is terminated from a community corrections facility/program as a result of an investigation resulting in the filing of felony charges other than those set forth in paragraph I of the section, the facility/program must obtain the approval of the Subcommittee or the full Board before the offender can be returned to the facility/program, if the facility/program chooses to re-accept the offender.
3. If an offender is terminated from a community corrections facility/program for an investigation resulting in the filing of misdemeanor charges (or no charges) or is terminated for a technical violation, the offender can be returned to the facility/program without any other approval. These decisions will be reviewed and monitored by the Subcommittee.

Section 3.0 OFFENDER ELIGIBILITY AND CRITERIA

POLICY	To define the criteria by which defendants are made eligible for community corrections funding.
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-103 (5)
SCOPE	Community Corrections Vendor, Community Corrections Board and CJS Community Correction staff.
APPROVED BY	Monica A. Rotner, Division Manager CJS Michael Tucker, Community Corrections Board Chair
LAST REVIEW	February 2015; January 2017; July 2018

PROCEDURE

Criteria by which eligibility for Community Corrections consideration for placement is determined.

Diversion Eligibility

- A. The following defendants are eligible for diversion Community Corrections placement
 1. Statutory criteria:
 - a. Anyone who has entered a plea on a felony or been convicted of a felony
 - b. The exception is a defendant convicted of a crime listed in 18-1.3-406 with a sentencing provision that requires a sentence to the Department of Corrections
 - c. Probation revocation on a felony charge prior to residential placement as a direct sentence or a condition of probation
 2. General Considerations:
 - a. Defendant requires a more structured environment or service not currently offered by other agencies and who express a genuine willingness to participate
 - b. Placement may increase the potential for victim restitution and rehabilitation of the offender.
 - c. History of unstable employment
 - d. Clear, identifiable need of alcohol, drug, mental health, sexual abuse or other type of treatment services
 - e. Residential, occupational, and family ties to local community
 - f. Legal residency status of defendants being considered is **not** under the purview of the Community Corrections Board
 3. The Community Corrections Board has adopted a policy that approved offenders should meet one of the following guidelines:
 - a. Has felony convictions and the district attorney has waived the mandatory sentencing requirement

- b. Had been on felony probation for a class two or three felony or violent felony offense, but the probation was revoked for a serious violation of probation conditions.
- c. Had been sentenced to prison, but was brought back to court on a request for reconsideration and re-sentence to community corrections (35b)
- d. Convicted of a class two or three felony
- e. Convicted of a crime of violence
- f. Other factors Indicate a high probability that the person is prison bound, such as:
 - PSI recommends prison
 - Aggravating circumstances
 - Aggravated misdemeanor record
 - Extensive criminal history
 - Extensive Juvenile record
 - Significant victim impact

4. Legal Exclusions

Any Judge of a District Court may refer any offender convicted of a felony to a community corrections program for approval/disapproval review **unless such offender is required to be sentenced pursuant to section 18-1.3-406 (1) or a sentencing provision that requires a sentence to the Department of Corrections.**

Transition Eligibility Criteria

A. The following defendants are eligible for transition Community Corrections placement:

1. Executive Director of Department of Corrections may transfer any offender who is eligible pursuant to the following:
 - a. Does not have an active felony warrant or detainer
 - b. Has not refused community corrections placement
 - c. Who has not engaged in unacceptable institutional behavior according to Colorado Department of Correction Code of Penal Discipline (COPD)
2. Offenders in the Department of Corrections may be referred for community corrections placement:
 - a. No more than 16 months prior to their parole eligibility date who are not serving a sentence referred to in 18-1.3-406
 - b. Offenders who are serving a sentence pursuant to 18-1.3-406 cannot be referred more than 180 days prior to their parole eligibility date
 - c.

Parole Eligibility Criteria

3. The State Parole Board may refer any parolee for placement in community corrections
 - a. Community Corrections placement may be made a condition of release on parole
 - b. Or as a modification of the condition of an offender's parole after release upon temporary revocation of parole
 - c. Or in consideration for Intensive Supervision Parole – Inmate status (ISP-I)
 - d. Information in a Parole referral should include rationale for the referral, latest case notes, current whereabouts and any other information that would help assess risk.

Section 4.0 PROGRAM PROGRESS INFORMATION

POLICY	To define the reporting requirements from the community corrections vendor to the Community Corrections Board.
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-103 (5)
SCOPE	Community Corrections Vendor, Community Corrections Board and CJS Community Correction staff.
APPROVED BY	Monica A. Rotner, Division Manager CJS, Michael Tucker, Community Corrections Board Chair
LAST REVIEW	February 2015; January 2017; July 2018

PROCEDURE

Community Justice Services staff and Community Corrections Board will require reporting from the community corrections vendor.

A. Monthly Reporting by the Halfway House Service Provider

1. The halfway house service provider will submit status reports to the full Board at the Board regularly scheduled monthly meeting. If more than one meeting is scheduled during the month, the report is due at the second scheduled meeting of that month.
2. Service Provider Issues narrative on activities that have occurred during the previous month that have had an impact on services. This narrative should include vendor personnel issues, programming changes and/or any other information that would help the Board understand changes in the halfway house environment. This narrative should also be a method of communicating requests, issues or concerns the service may have for the Board.
 - a. A 12-month report table showing the following:
 - average beds available/average daily population
 - diversion population statistics
 - transition population statistics
 - breakdown of monthly intakes by current conviction
 - termination statistics
 - average age at intake statistics
 - percentage of males and females

NOTE: The report may contain offender and service provider sensitive information which is considered CONFIDENTIAL and should not be released.

B. Review of offenders on escape or warrant status

Neither the Subcommittee nor the full Board shall consider approval of diversion offenders who are on escape or warrant status. When located, an offender may be re-referred with updated paperwork.

Section 5.0 VICTIM CONSIDERATION

POLICY	To comply with the Colorado State Constitutional Amendment to provide for compliance with Victims' Rights Act (VRA).
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 24-4.1-303 (2012), C.R.S. 24-4.1-302.5 (2012), C.R.S. 24-31-106 (2012) Colorado Statute 17-27-103.5
SCOPE	District Attorney's Office of the 20 th Judicial, Community Corrections Board and CJS Community Correction staff.
APPROVED BY	Monica A. Rotner, CJS Division Manager Michael Tucker. Community Corrections Board Chair
LAST REVIEW	December 2015; February 2015; January 2017; July 2018

PROCEDURE

To provide victims qualifying under the victims' rights statute to participate in the criminal justice system's processing of their offender being considered for community corrections.

VICTIMS RIGHTS

The Community Corrections Board shall comply with all requirements of the Victims Rights Amendment to the Colorado Constitution. If requested, victims, their families and/or their supporters will be given five minutes to speak to the Board. Prior to the meeting a written handout of instructions and expectations for presentations will be distributed to those speaking to the Board.

A. Processing Cases including those covered under the Victim's Rights Act ("VRA")

1. All victims may provide information in writing or in person for the Screening Committee and/or the Boulder County Community Corrections Board to review. In certain circumstances where the victim would like to be orally heard but is unable to attend the Board Chair and CJS staff may consider a teleconference call into the meeting. All written information will be provided to Community Justice Services community corrections administrative staff and then on to the board and/or sub-committee when the agenda and cases are sent out.
 - a. For sub-committee consideration, written statements must be received by noon on Wednesdays prior to the Thursday Screening Sub-Committee meeting
 - b. For Full Board consideration, written statements must be received by noon on Fridays prior to the Tuesday Full Board meeting.
2. If a case goes to the full Community Corrections Board, victims will have the opportunity to speak to the members in writing, in person, or via conference call when the victim cannot attend the board

meeting in person and is approved by CJS staff and board chair. If the victim chooses to address the Board verbally, the following guidelines will apply:

- a. Victim groups should select a spokesperson to represent the group, rather than presenting individually.
 - b. Speakers will be limited to five minutes total at the chair's discretion.
 - c. The victim may present any information he/she believes is important to the Board in making their decision.
 - d. Victims are encouraged, but not limited to, address the following questions during their presentations.
 - 1) Do you think this offender can be safely returned to the community; why or why not?
 - 2) How have this offender's actions affected you personally?
 - 3) Do you think this offender is a threat to harm you again; why or why not?
3. If notified by the District Attorney's office, probation office or Colorado Department of Corrections, Boulder County Community Justice Services staff will provide victims with general information regarding full Board meetings:
- a. Staff e-mail and phone contact information.
 - b. Location, date and time of full Board meetings.
 - c. Conditions of presentations given by victims.
 - d. Format and general information regarding the meetings.

Section 6.0 PROGRAM DOCUMENTATION AND RECORDS KEEPING

POLICY	To document the contractual requirements of the community corrections service provider.
SOURCE	Commissioners Adopting Resolution Colorado Revised Statutes C.R.S. 17-27-103 (5)
SCOPE	Community Corrections program vendor and CJS community corrections administrative staff.
APPROVED BY	Monica A. Rotner, CJS Division Manager Michael Tucker, Community Corrections Board Chair
LAST REVIEW	February 2015; January 2017; July 2018

PROCEDURE

Service Provider will provide agreed upon contracted services as identified in the Boulder County contract with the Colorado Department of Safety and will make its program and services available to monitoring and evaluation consistent with requirements outlined in the contract identified in Addendum "Contract" (see addendum VII)

A. Contract Requirements

1. Boulder County, through Community Justice Services Division, will contract with a provider for program services on a yearly basis in accordance with the regulations of Boulder County and the requirements of the Colorado Division of Criminal Justice. Providers will be required to meet the standards specified in Colorado Community Corrections Standards.

B. Monitoring and Evaluation

1. The Community Corrections Board, through Community Justice Services Division program staff is responsible, in conjunction with the Division of Criminal Justice and the Chief Probation Officer, for evaluating contracted community corrections services. The Community Corrections Board shall delegate the responsibility for evaluation and monitoring to the Boulder County Community Justice Services Division.

Section 7.0 MEDIA/COMMUNITY RELATIONS

POLICY	To provide guidelines for staff who are providing information to the media and/or the public at large.
SOURCE	Community Services Policy and Procedures: Press Releases and Publication Approvals
SCOPE	All Community Justice Services Division staff and Community Corrections Board Volunteers.
APPROVED BY	Monica A. Rotner, CJS Division Manager Michael Tucker. Community Corrections Board Chair
LAST REVIEW	February 2015; January 2017; July 2018

PROCEDURE

The Division Manager of Community Justice Services serves as the public information officer for the division and the Community Corrections Board, and is responsible for all formal information and press releases relating to Community Justice Services and its policies, programming, and conditions, including the Community Corrections Board.

- A. Employees and Board members receiving requests from the media concerning Community Justice Services shall forward all such requests to the Division Manager. If unavailable, the Community Services Department Director shall receive such requests.
- B. All official and formal information, news statements on legislation or government policy affecting any purpose or function of Community Justice Services and the Community Corrections Board, and press releases referring to Community Justice Services and its policies, programming, conditions and operations will be issued only by the Division Manager of Community Justice Services or designees.
- C. Official invitations to outside parties to attend Community Corrections Board meetings shall be communicated to the Board Chair and Community Justice Services Division Manager.
- D. Requests for information from the public (other than the media), can be responded to by the appropriate Community Justice Services staff and Community Corrections Board members based upon the nature of the request with consideration given to confidentiality concerns and the release of potentially sensitive information.
- E. All public statements will agree with policies approved by the Board of County Commissioners and will be consistent with all policies on confidentiality.

Section 8.0 DEVELOPMENT AND REVISION OF POLICY AND PROCEDURE

PURPOSE	To facilitate consistency in the development and revision of Boulder County Community Corrections Board policies.
SOURCE	N/A
SCOPE	Boulder County Community Corrections Board, Community Justice Services Community Corrections Board staff, and community corrections service providers
APPROVED BY	Monica A. Rotner, CJS Division Manager Michael Tucker. Community Corrections Board Chair
LAST REVIEW	February 2015; January 2017, July 2018

POLICY

It is the policy of Community Justice Services that all general policies and program/unit policies and procedures will be reviewed at least annually and will have a uniform format.

The CJS Community Corrections Board staff, with input from Board members, is responsible for compiling, issuing, and updating policies and procedures. This includes external policies, which affect the public and are usually mandated by statute, and internal policies, which affect CJS employees and volunteers.

All policies will be reviewed by the Policy and Procedure Sub-Committee, consisting of CJS staff and Board officers, of the Community Corrections Board and approved by the full Board prior to publication.

SECTION 9.0 Addendums

ADDENDUM I: State Community Corrections Laws

Community corrections was first created pursuant to statute in 1976, and the statute was repealed and re-enacted in 1993.⁹⁷ Community corrections is designed to provide an alternative sentence between prison and probation, as well as a transitional setting for inmates being released from the D.O.C. Its admission mechanism promotes community involvement.

The six routes to a community corrections placement are: (1) a direct sentence by the court; (2) as a condition of probation; (3) by order of the D.O.C.'s executive director; (4) as a condition of a deferred judgment; (5) as a condition of parole; and (6) as a means of pretrial supervision in lieu of incarceration.

Every community corrections placement requires approval by the referring agency, be it the D.O.C., parole board or court; a community board in each judicial district; and the individual community program. Currently, 24 community facilities are operating around the state and none is owned or operated by the D.O.C. The facilities are contracted for by the Colorado Division of Criminal Justice.

CRS § 17-27-102 (3) states the objectives of the community correction facilities. Each facility monitors the activities of offenders, oversees restitution and community service, assists offenders in obtaining employment and/or education, provides vocational training or engages in other rehabilitative endeavors. The inmates generally are allowed to leave during the day to participate in their various programs, but must reside in the facility when not engaged in them. Failure to stay within the extended rules of confinement is an escape punishable as a class three felony.

The usual course of conduct for an inmate is to proceed through the various levels of the given facility. Progress is directly related to the inmate's favorable behavior. Eventually, the inmate is moved from residential to nonresidential status (akin to probation).

It is often assumed that courts in a given jurisdiction can only sentence inmates to community corrections facilities within that jurisdiction. That is not the case. In fact, the current statute acknowledges that a community board may contract with other boards or state governmental agencies to treat offenders brought from another jurisdiction. Placement of an offender by one jurisdiction in another raises funding issues that are not uniformly addressed across the state. Some community boards are more willing to fund such placements than others.

The perceived unavailability of cross-jurisdictional placement has slowed the development of specialized facilities, but at least three are now functioning: PEER I in Denver and the Residential Treatment Center in Greeley (both of which take inmates from outside of their home counties to provide programs dedicated to substance abuse difficulties) and Community Corrections in Colorado Springs (which operates a specialized facility for sex offenders).

D.O.C. inmates must be referred for community corrections review and possible acceptance at least sixteen months before their P.E.D. If they are serving a sentence pursuant to CRS § 16-11-309, however, the mandatory referral date is 180 days prior to parole eligibility.

An important change effected by the 1993 rewrite of the community corrections statute is that the community placement may be modified by the court in the same manner as a probationary sentence. Previously, 120 days after imposition, there appeared to be no way to modify a community sentence. This left some inmates on non-residential status for years, often unnecessarily. Now a community sentence can be modified as needed on request of the prosecution, probation department or defendant.

For some time, the courts have wrestled over a mechanism to deal with offenders who allegedly violate the terms of their community placement. In 1987, the law was interpreted to require a hearing prior to revocation of the inmate's placement and transfer into the D.O.C.

In 1989, CRS § 17-27-114 (2) was amended to disallow such a hearing. That left the question as to whether a hearing was required as a matter of constitutional due process. The court in *People v. Wilhite* held that there was no constitutional right to a hearing. The 1993 reenactment states that the court is not required to hold such a hearing, but if there is no hearing, the sentence length cannot exceed that originally imposed. In practice, this cap on the length of the sentence seems to be imposed whether or not there is a hearing.

A recent Court of Appeals case holds there is a right to counsel when the court considers a change of placement.

C.R.S. 17-27-103

Current through all Laws passed and signed in the First Regular and First Extraordinary Sessions of the 71st General Assembly (2017)

- [Colorado Revised Statutes](#)
- [TITLE 17. CORRECTIONS](#)
- [CORRECTIONAL FACILITIES AND PROGRAMS](#)
- [ARTICLE 27.COMMUNITY CORRECTIONS PROGRAMS](#)

17-27-103. Community corrections boards - establishment - duties

(1) A community corrections board may be established by resolution or ordinance of a governing body, or a combination of governing bodies. Any community corrections board which is established may be advisory to the governing body or bodies which created such board or it may be functionally independent from the governing body or bodies. Pursuant to subsection (8) of this section, the governing body or bodies may delegate to the community corrections board the authority which such governing body or bodies have to approve or disapprove the establishment and operation of

community corrections programs within the jurisdiction of such governing body or bodies. In addition, the governing body or bodies may delegate such other powers which the governing body or bodies possess to the community corrections board to accomplish the purposes of this article.

(2) A community corrections board shall have the authority to enter into contracts with the state of Colorado, receive grants from governmental and private sources, and receive court-authorized expense reimbursement related to community corrections programs. A community corrections board may designate a community corrections program or programs within the jurisdiction of such board to contract with the state of Colorado to provide services and supervision for offenders.

(3) A community corrections board may establish programs to be operated by a unit or units of local government, or an agency of state government, to accomplish the purposes of this article, or such board may contract with other units of local government, other community corrections boards, any agency of state government, or any community corrections program to provide supervision of and services for offenders.

(4) A community corrections board may establish and enforce standards for the operation of any community corrections program located within the physical boundaries of the jurisdiction of the governing body or bodies which created such board. The standards established by a community corrections board may exceed, but shall not conflict with, standards established for community corrections programs by the division of criminal justice of the department of public safety pursuant to section 17-27-108. The community corrections board shall, in coordination with state and local agencies, monitor community corrections programs within the jurisdiction of such board and oversee compliance with state and local standards. The community corrections board's oversight of the community corrections programs within the board's jurisdiction shall include the following:

(a) Making an assessment of the number of offenders who have escaped from custody as such term is described in section 17-27-106, which assessment shall be based on the reports prepared by the administrators of community corrections programs in accordance with section 17-27-104 (11);

(b) Determining compliance by community corrections programs with the recommendations made in audit reports prepared by the division of criminal justice in accordance with section 17-27-108.

(5) A community corrections board has the authority to accept or reject any offender referred for placement in a community corrections program under the jurisdiction of such board. The community corrections board shall provide, in writing, acceptance criteria and screening procedures to each referring agency.

(6) A community corrections board may establish conditions or guidelines for the conduct of offenders placed in any community corrections program operated within the physical boundaries of the jurisdiction of the governing body or bodies which created such board. Written copies of such conditions or guidelines shall be made available to offenders placed in community corrections programs under the jurisdiction of the community corrections board.

(7) A community corrections board has the authority to reject after acceptance the placement of any offender in a community corrections program within the jurisdiction of such board. If the referring agency does not provide an administrative review process relating to such rejection after acceptance, the community corrections board shall provide an administrative review process for any offender who is rejected after acceptance by such board. The community corrections board shall provide written notification of the rejection after acceptance of any offender to the referring agency and the administrator of the community corrections program in which the offender is placed.

(8) A governing body shall approve or disapprove the establishment and operation of all community corrections programs within the jurisdiction of such governing body, but such authority may be delegated to the community corrections board created by such governing body.

(9) A community corrections board may serve in a planning and coordinating capacity by advising the governing body which created such board and consulting with officials of state criminal justice agencies to improve local community corrections services.

(10) A community corrections board, and each individual member of such board, shall be immune from any civil liability for the performance of the duties of such board or such individual member as specified in this article, if such person was acting in good faith within the scope of such person's respective capacity, makes a reasonable effort to obtain the facts of the matter as to which action was taken, and acts in the reasonable belief that the action taken by such person was warranted by the facts.

Case Notes

ANNOTATION

Annotator's note. Since § 17-27-103 is similar to § 17-27-104 (3) as it existed prior to the 1993 repeal and reenactment of this article, relevant cases construing that provision have been included in the annotations to this section.

Corrections board has power to reject an offender initially accepted into one of its programs or facilities. A trial court is powerless to dismiss for lack of evidence the termination of an offender from a community corrections facility and to return the offender to such facility; the court's only option is to resentence the offender by adopting an alternative sentence. *People v. Akin*, 783 P.2d 267 (Colo. 1989).

A person's sentence to community corrections may be revoked before or after acceptance to a program for any reason or for no reason at all. *People v. Holt*, 874 P.2d 410 (Colo. App. 1994).

Under subsection (5), a community corrections sentence can be revoked for any reason or for no reason at all. *People v. Rodriguez*, 55 P.3d 173 (Colo. App. 2002).

The sentencing court, as the referring agency, may conduct the administrative review process if the community corrections board or program has not done so. *Benz v. People*, 5 P.3d 311 (Colo. 2000).

This section and § 17-27-102 entitle any person who is rejected after acceptance in a community corrections program to an administrative hearing. However, the eight-year prison sentence imposed on a defendant without a previous administrative hearing would not be overturned where he failed to raise the issue before the trial court and records in evidence showed sufficient grounds for defendant's termination from community corrections. *People v. Pauley*, 42 P.3d 57 (Colo. App. 2001).

Upon termination from community corrections, an offender must be provided with: (1) Written or actual notice of rejection from community corrections and the reasons for rejection, and (2) an informal review of the facts underlying the rejection. *People v. Kitsmiller*, 74 P.3d 376 (Colo. App. 2002).

Informal review requires the trial court to either: (1) Review on the record the facts underlying the rejection, or (2) demonstrate a familiarity with those facts through documentation in the record regarding the rejection. *People v. Kitsmiller*, 74 P.3d 376 (Colo. App. 2002).

17-27-103.5. Statements relating to a transitional referral to community corrections

(1) Pursuant to the provisions of section 24-4.1-302.5 (1)(j.5), C.R.S., a victim shall have the right to provide a written victim impact statement and a separate oral statement to a community corrections board considering an offender's transitional referral to community corrections.

(2) (a) (I) A community corrections board shall allow, within the parameters set by the board, an offender who is under consideration for transitional placement in a community corrections program under the board's jurisdiction to provide a written statement to the community corrections board concerning the offender's transition plan and community support and the appropriateness of placing the offender in a community corrections program.

(II) If an offender elects to submit a written statement to a community corrections board pursuant to subparagraph (I) of this paragraph (a), and the offender provides a written statement to the department pursuant to the procedures and time frame established by the department, the department shall include the statement with any referral to a community corrections board considering the offender's transitional referral to a community corrections program.

(b) A community corrections board may allow, within the parameters set by the board, an offender to designate a person other than the offender to submit a written statement or give an oral statement on

the offender's behalf to a community corrections board considering the offender's transitional referral to a community corrections program.

(3) A community corrections board shall develop written policies and procedures consistent with the provisions of this section and section 24-4.1-302.5 (1)(j.5), C.R.S., that are available to the public concerning the parameters for written and oral statements by victims and the permissibility of and the parameters for a written or oral statement by a person designated by an offender.

(4) Nothing in this section shall be construed to require the department or a community corrections board to provide transportation or make arrangements for the appearance at a community corrections hearing of an offender or, if permitted by a community corrections board, the person designated by the offender pursuant to paragraph (b) of subsection (2) of this section to give an oral statement or to submit a written statement on the offender's behalf.

(5) The department shall not be required to provide notice to any person, other than a registered victim, of a community corrections board hearing relating to the offender.

History

Source:

L. 2010: Entire section added, (SB 10-159), ch..306, p. 1443, § 1, effective August 11.

ADDENDUM II: Boulder County Commissioner's Resolution

RESOLUTION NO. 2014-33

A RESOLUTION CONFIRMING AND RATIFYING THE FORMATION AND CREATION OF THE BOULDER COMMUNITY CORRECTIONS BOARD ("BCCB") AND DELEGATING AUTHORITY TO THE BCCB TO ACT AS A COMMUNITY CORRECTIONS BOARD FOR THE 20TH JUDICIAL DISTRICT/BOULDER COUNTY CRIMINAL JUSTICE SYSTEM

WHEREAS, Article 27 of Title 17 of the Colorado Revised Statutes authorizes the establishment of community corrections programs to provide a broad range of correctional options for offenders, specifically provides for participation by local units of government in the creation and operation of community corrections facilities and programs, and authorizes counties to establish corrections boards and appoint their members; and

WHEREAS, in accordance with C.R.S. § 17-27-103(1), the Board of County Commissioners ("BOCC") desires to ratify the prior formation and creation of a community corrections board which is a functionally independent board, as described in C.R.S. § 17-27-103(1), and the county commissioners desire to ratify the delegation to such corrections board of any powers necessary to accomplish its purposes, except for those specifically reserved by the BOCC; and

WHEREAS, pursuant to C.R.S. § 17-27-103(4) a corrections board may establish and enforce standards of operation and monitor and oversee compliance with state and local standards; and

WHEREAS, pursuant to C.R.S. § 17-27-113(2) a county community corrections board shall have the right to accept, reject or reject after acceptance any offender placed by the department in any facility within the community where said placement is transitional, as defined in the Act.

NOW, THEREFORE, BE IT RESOLVED that:

1. The BOCC confirms the prior creation and establishment of a functionally independent community corrections board, known as the BCCB, pursuant to C.R.S. § 17-27-103(1), subject to the powers reserved by the BOCC contained in this resolution. The BOCC ratifies the actions taken by the BCCB prior to this resolution, and acknowledges that the BCCB has been duly organized.

2. The BCCB shall have at least 13 members appointed by the BOCC. The composition of the BCCB is set forth in the attached Bylaws. The BOCC shall make all appointments to the BCCB, both initially and when vacancies occur.

3. The BCCB shall oversee the community corrections programs for the 20th Judicial District/Boulder County criminal justice system and advise the Community Justice Services Division on Division policy related to community corrections. The BCCB is specifically

accomplished by budget requests being made to and approved by the BOCC according to law and County procedures and subject to lawful appropriations therefor. The BOCC shall not be required to provide funding despite requests to do so.

10. At least annually, the BCCB shall report in writing to the BOCC regarding its activities.

11. All client records and similar records made or obtained by the BCCB shall be maintained in accordance with County procedures and policies. As to those records, the BCCB shall respect all rights of privacy of individuals as required by the laws and regulations related thereto, and it shall obtain any necessary consent prior to disclosure of any information contained in such records. All records maintained by the BCCB shall be available for inspection by the BOCC without notice to ensure compliance with the terms herein.

ADOPTED this 24 day of April, 2014.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**



Cindy Domenico
Cindy Domenico, Chair

Deb Gardner
Deb Gardner, Vice Chair

(Excused)
Elise Jones, Commissioner

ATTEST:

Cecilia G. Lacey
Clerk to the Board

ADDENDUM III: State/BOCC Contract to provide Community Corrections services.

ALLOCATION LETTER

CT #

Date: 7/1/2018	Original Contract CMS #: 68077	Allocation Letter # 5	CMS Routing #
--------------------------	---------------------------------------	------------------------------	----------------------

TO: Boulder County Board of Commissioners

In accordance with Section 7.A of the Original Contract between the State of Colorado, Division of Criminal Justice, Community Corrections, and Boulder County Board of Commissioners July 1, 2018 and ending on June 30, 2019, the undersigned commits the following funds to the Grant:

1. Payment for the period July 1, 2018 through June 30, 2019, will be made as earned, in whole or in part, from available State funds encumbered in an amount not to exceed **\$1,480,479.19** to be allocated as follows:

\$1,101,460.50 for Residential services for community corrections offenders which include Diversion, Transition and Condition of Parole Placements. These funds are payable at a daily rate of \$43.11 per offender, per day. **The intent of these funds is also to increase Transition placements and overall community corrections utilization in FY19 in order to meet goals set by the Joint Budget Committee of the Colorado General Assembly;** and,

\$ 34,383.00 for Non-Residential Diversion services for offenders not to exceed an average of \$6.28 per day per offender; and,

\$ 40,000.00 for Treatment Support

\$ 5,861.75 for Subsistence Support

\$239,707.77 for Facility Payments to be disbursed as outlined in
Statewide Facility Payment Policy for FY19 and,

\$ 59,066.17 for Community Corrections Board Administration by the
Contractor,

2. Financial obligations of the State of Colorado payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted and otherwise made available.
3. Funds allocated in this Allocation Letter are for services rendered during the current contract period and cannot be used to pay for community corrections services provided in prior or future fiscal years.
4. Any unexpended funds allocated or advanced to the Contractor by the Allocation Letter shall be reverted to the State no later than August 31, 2019.

This Allocation Letter does not constitute an order for services under this Grant.

The effective date of hereof is upon approval of the State Controller or July 1, 2018, whichever is later.

<p style="text-align: center;">STATE OF COLORADO</p> <p style="text-align: center;">John W. Hickenlooper, GOVERNOR</p> <p style="text-align: center;">Colorado Department of Public Safety</p> <p style="text-align: center;">Stan Hilkey Executive Director</p> <hr/> <p style="text-align: center;">By: Joe Thome, Director</p> <p style="text-align: center;">Date: _____</p>
--

<p style="text-align: center;"><u>ALL GRANTS REQUIRE APPROVAL BY THE STATE CONTROLLER</u></p> <p>CRS §24-30-202 requires the State Controller to approve all State Grants. This Grant is not valid until signed and dated below by the State Controller or delegate. Grantee is not authorized to begin performance until such time. If Grantee begins performing prior thereto, the State of Colorado is not obligated to pay Grantee for such performance or for any goods and/or services provided hereunder.</p>
--

<p style="text-align: center;">STATE CONTROLLER</p> <p style="text-align: center;">Robert Jaros, CPA, MBA, JD</p> <p style="text-align: center;">By: _____</p> <p style="text-align: center;">Colorado Department of Public Safety</p> <p style="text-align: center;">Date: _____</p>

ADDENDUM IV: Community Corrections By-laws

Community Corrections Board By Laws

Article I – Membership

The Community Corrections Board shall consist of up to fifteen (15) members to include up to nine (9) citizen members appointed by the Board of County Commissioners. The Board shall oversee the Community Corrections programs and advise on program policy. The board is authorized to make eligibility and funding decisions on offenders for Article XXVI (CRS 17-27-101 *et seq*, Community Corrections Act) in the 20th Judicial District/Boulder County criminal justice system.

A. Composition

1. The District Attorney or designee from that office.
2. The Chief Public Defender or designee from that office.
3. The Chief Probation Officer for the Twentieth Judicial District or designee from that department.
4. The Sheriff or designee from that department.
5. A mental health professional from Mental Health Partners of Boulder County.
6. A DOC representative
7. Nine (9) Citizens who are residents of Boulder County.

B. Terms

1. Those persons composing the membership of the Board shall serve at the pleasure of the Boulder County Board of Commissioners.
2. The length of time for citizen members to serve is 3 years with the option to reapply for up to ten years.
3. If any appointee is found by the Chair to be consistently absent from meetings, a recommendation shall be made to the BOCC by the Chair to assign an alternate or to request the member's resignation, with a replacement to be appointed by the BOCC. Consistently absent is defined as missing over 25% of the Full Board Meetings in a rotating calendar year. Exceptions will be considered by the Chairperson of the Board.

C. Alternates

Citizen members may not appoint alternates to serve in their absence.

System Board members may send an alternate to represent their office.

D. Vacancies

Citizen member vacancies shall be filled by the Board of County Commissioners.

Article II – Meetings

A. Regular Meeting

The Board shall convene at the call of the Chair. A notice of the meeting time, place and agenda shall be provided to all members at least four days prior to all such meeting. All meetings shall be open to the public, except for executive session meetings, as provided by state statutes.

B. Public Posting of Full Board Agenda

The agenda for each full board meeting, including the names and docket numbers of all cases being reviewed, shall be posted in a public place at least two business days prior to the meeting.

B. Special Meetings

Special meetings may be called by the Chair of the Board or shall be called upon consensus of seven or more other members of the Board. Only those subjects specifically listed on the special meeting agenda will be considered at that meeting. An agenda, together with time and place, of any special meeting must be provided to all the membership at least 24 hours prior to said meeting unless waived by the Chairperson.

C. Quorum

Eight (8) of the non-Chair members shall constitute a quorum for voting on cases at regular or special meetings. If a quorum is not present when the meeting is called to order, then any member of the Board may make a motion that the Chair will also vote and the meeting may proceed if the motion is seconded. If there is still not a quorum of eight (8) voting members, even with the addition of the Chair voting, then the Chair of the Board will decide on whether or not to proceed.

D. Voting

Decisions of the Board shall be determined by a majority vote of those members present and voting. In the event that there are an even number of voting Board members, and a given vote results in a tie, and the Chair is not currently voting, then the Chair will cast the deciding vote on the recommendation. In the event that the Chair is voting per the above paragraph C above (Quorum), and the number of voting members is even, and a given vote results in a tie, then any board member may motion that the then present Community Corrections subcommittee representative will be asked to cast the deciding vote, if the motion is seconded. System Board alternates may vote for the entire meeting. If the Board member or alternate is the attorney of record or otherwise has a prior relationship with a client that would impact objective assessment of risk, that member should abstain from voting on that particular case. If the DA or defense owns a case being presented to the Board they can have an alternate for the entire meeting or they can attend the meeting and abstain from the vote on that particular case.

Article III – Officers

Only public members may serve as elected or appointed officers. Officers shall be elected annually by the following process:

Nominations, acceptance and optional presentations will be held during the first CCB meeting in March.

CJS staff will prepare ballot sheets for anonymous voting to be held the first CCB meeting in March.

Results will be tabulated and Officers will be announced at the start of the meeting, effective immediately, for the next twelve months.

CJS Staff, System Board members and service provider personnel can be present, but will not participate in the process or voting.

The term of Officers is for one calendar year, when the process will be repeated

The Board shall have the following officers:

A. Chair

The Chair shall be elected by majority vote of the membership of the Board. The Chair shall:

1. Preside at all meetings
2. Perform all duties usually pertaining to the office.

B. Vice Chair

In the absence of the Chair, perform the duties of the Chair.

In the absence of the Chair and Vice Chair, a temporary Chair shall be appointed at, or just prior, to the meeting by the presiding Chair. Such appointee shall be a member of the Board and shall preside at such meeting.

If a leave of absence of either officer will exceed 60 days, a special election will be held to select an interim officer.

Article IV – Expense Compensation

Expenses incurred by the Board members are reimbursable for-exceptional situations at the discretion of the Community Justice Services Division Manager.

Article V – Staff

A. Composition

The Manager of Community Justice Services shall be the primary liaison between the Board and the Department and shall determine staffing patterns to support the administration of community corrections funding and contracts.

Article VI- Amendments

The by-Laws may be amended by a vote of two-thirds (2/3) of the membership of the Board. Prior notice of the proposed amendments shall be incorporated into the minutes and the amendments shall not be voted on until the next regularly scheduled meeting.

Article VII – Rules of Order

Unless otherwise indicated herein, the Board shall be governed by Robert’s Rules of Order.

Article VIII – Adoption

The by-Laws shall be adopted by a vote of two-thirds (2/3) of the members of the Board.

Article IX - Policy and Procedures review

The Community Corrections Policies and Procedures manual will be updated annually by CJS staff. Additions and changes will be voted upon annually by the board.

Article X - Leave of Absence for citizen board members

Board member may request a temporarily leave of absence for health reasons.

Member must express continuing commitment to the Board's mission and the resulting duties and responsibilities. Conditions include physical or mental impairment and are not to exceed (6) months. Conditions excluded include personal convenience and other external commitments. The requested duration must be contained within the board member appointment period as authorized by the County Commissioners. The appointment period will remain 3 total years.

The process is as follows:

2. A written request will be submitted to the Board Chair and CJS staff.
3. The request, after review, will be presented to the full Board and approval rendered by majority vote of those present.

ADDENDUM V: Terminology Reference

ABEL ASSESSMENT	an empirically-validated, comprehensive evaluation and treatment assessment system for clinicians to use with adult men and women with sexual behavior problems
ACRONYMNS	http://www.acronymatic.com/
ADD	Attention Deficit Disorder that has many symptoms one of which is impulse control.
ADJUDICATE	The Judgment given as a result of a finding of guilty of the allegations of a juvenile petition.
ADS	Alcohol Dependence Scale provides a quantitative measure of the severity of dependence.
ADVISEMENT	The first hearing before a judge (in most cases), where an arrestee is informed of his rights and bond conditions for release from custody are set forth.
AFFINITY ASSESSMENT	An assessment of sexual interest designed to enable reporting the age and gender of sexual preferences.
ALFORD PLEA	A guilty plea, even though defendant denies responsibility, but admits that the prosecution's evidence, if presented, would establish guilt.
ANTABUSE	A drug (causes extreme discomfort when one drinks alcohol) used as an adjunct in the treatment of the alcoholism to encourage sobriety, but is not a permanent or effective method of maintaining lifelong sobriety.
APPEAL	A request by either the defense or prosecution that the results of a completed trial be reviewed by a higher court. Or in the case of Community Corrections, a defense attorney, pro se defendant or District Attorney can appeal a case the subcommittee denied to be heard by the full board.
ARRAIGNMENT	A court appearance where defendants are notified of their rights and the criminal charges the prosecutor has filed against them. At the arraignment, the defendant must enter a plea (guilty or not guilty).
ARREST	When a person, is detained and held under authority of law.
ARTICLE 27	The authorizing legislation for community corrections boards and payment for diversion and transition placements (also called Senate Bill 4).
ASSESSMENT	Batter of diagnostic tools to assist in planning programs for Community Corrections offenders
ASSOCIATION	When used in community corrections board minutes, this refers to the Colorado Association of Community Corrections Boards (CACCB)
ASUS-R	Adult Substance Abuse Survey-Revised is designed to differentially screen and assess alcohol and other drug use involvement. It also measures the degree of disruption that results from the abuse of alcohol and drugs. The ASUS-R also provides a mental health screen, a scale that measures social non-conformity, a scale that measures legal non-conformity, and scales that measures motivation, treatment readiness, defensiveness and resistance to self-disclosure.

BCTC	Boulder Community Treatment Center
BENCH WARRANT	Warrant issued by the court for the arrest of a person.
BIND OVER	Transfer from the jurisdiction of a lower court (county) to a higher court (district).
BOND	An obligation signed by an arrested person, with sureties, to secure his or her presence in court. An arrestee may be released on his or her own promise to return to court, personal recognizance bond, or by a licensed bondsman posting an agreement to pay a certain amount, bond; or by personally depositing money in cash, bail; or by encumbering property, property bond. The court may allow the amount of bail posed in cash to be a percent of the total amount of bail set. However, in the event of default, the entire amount set is forfeited and becomes due to the state.
BOP	Bureau of Prisons
BOULDER COUNTY BAR ASSOCIATION BAR MEDIA MANUAL	http://www.boulder-bar.org/bar_media_manual/glossary/16.1.html
BREATHALYZER	An instrument, blown into, that estimates a person's breath alcohol level that is not admissible in court.
BRIEF	A written or printed document prepared by counsel to file in court usually setting forth both facts and law in support of an Individual case.
BURDEN OF PROOF	In the law of evidence, the necessity or duty of affirmatively proving a fact or facts.
CACCB	Colorado Association of Community Corrections Boards
CARAS	Colorado Actuarial Risk Assessment Scale. The CARAS is a nine-item instrument which predicts the following events for those released from prison: re-arrest for crime, re-arrest for a violent crime and new court filing.
CCI	Coolidge Correctional Inventory. The CCI is a self-report psychological and neuropsychological inventory based on the current Diagnostic and Statistical Manual of Mental Disorders (DSM). It was created to be a cost-effective measure of psychological problems, memory problems, inattention, language dysfunction, adult ADHD and executive function deficits in correctional inmates and juvenile offenders.
CCIC	Colorado Crime Information Center. CCIC is a computerized information system established for all Colorado criminal justice agencies. It provides and maintains accurate and timely documented criminal justice information in an effort to prevent crime by enabling the rapid exchange of valid and complete information among criminal justice agencies.
CIRT	Community Intensive Residential Substance Abuse Treatment

CJIS	Criminal Justice Information Services. CJIS equips law enforcement, national security and intelligence community partners with the information needed to protect the security of the United States. It is the largest division in the FBI and includes the National Crime Information Center, Uniform Crime Reporting (UCR) and Fingerprint Identification.
CJS	Community Justice Services. CJS is a division of Boulder County Community Services which provides constructive community-based Interventions, education, alternatives to incarceration and reparation to the community for criminal behavior. Community Corrections is one of these programs.
CLASS	Criminal charges are defined by category and number representing their level of offense. The letter indicates the type of crime F= Felony Misd= Misdemeanor T = Traffic P=Petty 1 is the most serious offense and ascending levels are less serious. For example, F1 is more serious than F2 and F2 is more serious than F3, etc.
CLIENT	The term is often used by community corrections and probation to describe the offenders under their supervision or served by their programs (rather than terms such as criminal, offender, inmate or prisoner).
CMI	Correctional Management, Inc.
CMC	Case Management Classification
COALITION	When used in reference to community corrections, this usually refers to the Colorado Community Corrections Coalition, an organization of community corrections service providers.
CODE	Refers to <i>the Colorado Revised Statutes (CRS)</i> , a compendium of Colorado laws into chapter, table of contents and index, and promulgated by legislative authority. Frequently, the word "statute" is used interchangeably. When citing specific law, the abbreviation CRS is followed by the chapter, section, and paragraph, numbers of the specific law.
CODE OF PENAL DISCIPLINE	The <i>body of regulations</i> governing the behavior of an Inmate sentenced to the Department of Corrections. The COPD has authority over transitional inmates in community corrections, but not parolees. https://www.wcl.american.edu/endsilence/documents/inmate_conduct_doc_colorado.pdf
COLORADO DEPT OF CORRECTIONS	https://www.colorado.gov/cdoc
COLORADO DIVISION OF COMMUNITY CORRECTIONS	http://dcj.occostate.co.us
COMMIT	A legal action to confine a person in prison, a mental health facility or juvenile institution by lawful authority.

COMMUNITY CORRECTIONS BOARD	A group of citizens, public officials and agency representatives appointed by the governing body of a unit of local government that is responsible for the review and approval of adult and juvenile offenders in a community setting. CRS 17-27-102 uses the term "Corrections Board" and CRS 17-27-103 authorizes such boards to "establish and enforce standards for operation of (community correction programs), and the conduct of offenders, and shall establish <i>procedures for screening</i> offenders who are to be placed. . . the corrections board has the authority to accept, reject, or reject after acceptance the placement of any offender in Its community correctional facility or program pursuant to any contract or agreement with the Department (of Public Safety) or a judicial district. . ."
CORRECTIONS BOARD	A board, authorized by state and usually appointed by County Commissioners, that approves funding for diversion/transition offender placement in the community and advises the 130CC in community correction matters.
COMMUNITY CORRECTIONS PROGRAM	A community-based program, which may be operated by a governmental unit or private agency that provides residential or non-residential accommodations and supervision for offenders and provides programs and services to aid offenders in obtaining and holding regular employment, in enrolling in and maintaining academic courses, in participating in vocational training programs, In utilizing the resources of the community in meeting their personal and family needs and providing treatment and in participating In whatever specialized programs exist within the community.
COMMUNITY SERVICE	This is a sentence or sentencing enhancer that requires the performance of work that contributes to the improvement of the community without the benefit of payment. Services may be provided to a non-profit organization or a unit of government. This is an alternative sentence and may be accompanied by other conditions such as probation, fines and rehabilitative treatment.
CONCURRENT SENTENCING	Sentences for the conviction of more than one crime at which the sentencing judge allows the time of sentence for each conviction to be served together rather than successively.
CONSECUTIVE SENTENCING	Sentences for two or more crimes which must be served with one sentence following the other (the opposite of concurrent sentences).
CONTEMPT OF	An act determined by a judge, to embarrass, hinder, or obstruct a court in COURT administration of justice or calculated to lessen Its authority or dignity. Contempt pertains to two kinds of behavior: direct and indirect. <i>Direct</i> contempt is that committed in the immediate presence of the court. <i>Indirect</i> is the term chiefly used with reference to the failure or refusal to obey a lawful order of the court.
CONTINUANCE	A postponement of a trial or hearing to a later date which can be granted only by the court.
COP	Condition of Parole is set by the Colorado Board of Parole to ensure public safety through evaluation of inmate potential for re-integration into the community. The Board sets conditions of parole for discretionary and mandatory parole releases in order to assist parolees in successful transition.

CORECIVIC	As of January 2017, CMI was purchased by CoreCivic to be the operating vendor on the BCTC and LCTC facilities. Then vendor is a wholly-owned subsidiary and will continue doing business as CMI.
CORRECTIONS	Usually used in reference to the function and operations of the Colorado Department Corrections of (DOC) in their control and management of inmates sentenced to prison. This is also a general term for a wide variety of legal sanctions imposed by the court for the commission of a crime. They range from probation to a maximum-security prison, but generally involve some sort of restriction of movement on the convicted person.
COURT INFORMATION FOR 20TH JUDICIAL DISTRICT CRS	https://www.courts.state.co.us/Courts/District/Index.cfm?District_ID=20 Colorado Revised Statutes. CRS are the legal code of Colorado , the codified general and permanent statutes of the Colorado General Assembly .
CWR	County Work Release. CWR is a correctional program under which inmates may leave jail unescorted to work at outside employment. Inmates may work and participate in community programs to aid in their transition back into the community upon release.
DAST	Drug Abuse Screening Test
DBS	Decisional Balance Scale
DCJ	Division of Criminal Justice (State) which is a division of the Department of Public Safety.
DD	Developmental Disability is a cognitive, emotional or physical impairment, especially one related to abnormal sensory or motor development that appears in infancy or childhood and involves a failure or delay in progression through normal developmental stages of childhood.
DEFENDANT	The person formally charged with a crime.
DF	Drug felony. New Colorado drug possession/distribution laws that apply to crimes committed on or after Oct 1, 2013. DF2, DF3 and DF4 convictions may be reduced to misdemeanor charges after successful completion of a sentence. DF1 convictions are guaranteed prison sentences and are not eligible for this reduction.
DISPOSITION	The final judicial outcome of a criminal proceeding consisting of an acquittal or dismissal; or a conviction or dismissal; or a conviction and sentence. Probation, Community Corrections and commitment to DOC are dispositions.
DIVERSION	The status of an offender in community corrections which refers to a term in community corrections, imposed by the court, thereby “diverted” from a cell in a Department of Corrections prison.
DIVERSION DIRECT SENTENCE	The type of sentence to community corrections that involves an offender who would otherwise be sentenced to prison (if a community corrections option did not exist).

DOC	Department of Corrections (State)
DOC Public Facilities	ACC - Arrowhead Correctional Center AVCF - Arkansas Valley Correctional Facility BVCC - Buena Vista Correctional Complex CCC - Colorado Correctional Center (Camp George West) CCF - Centennial Correctional Facility CSP - Colorado State Penitentiary CTCF - Colorado Territorial Correctional Facility DCC - Delta Correctional Center Department of Corrections Central Office DRDC - Denver Reception & Diagnostic Center DWCF - Denver Women's Correctional Facility FCF - Fremont Correctional Facility FMCC - Four Mile Correctional Center LCF - Limon Correctional Facility LVCF - La Vista Correctional Facility RCC - Rifle Correctional Center SCC - Skyline Correctional Center SCCF - San Carlos Correctional Facility SCF - Sterling Correctional Facility TCF - Trinidad Correctional Facility
DOC Private Facilities	BCCF - Bent County Correctional Facility CCCF - Crowley County Correctional Facility CMRC - Cheyenne Mountain Re-entry Center
DOC Contract Facilities	KCCC - Kit Carson Correctional Center
DOCKET	Each case is given a docket number with the year, class, and a sequential number. Example 2014CR592 (Felony), 2014M402 (Misdemeanor) 2014T98 (Traffic)
DOI	Department of Institutions (State)
DPO	District Parole Offices
DPS	Department of Public Safety (State)
DRC	Day Reporting Center
DRDC	Denver Reception and Diagnostic Center – A facility that is responsible for the intake process and evaluation of offenders prior to permanent placement. Evaluation includes medical, dental, mental health, personal needs, academic and vocational. Based on evaluation, DRDC makes a custody level recommendation.
DUI	Driving Under the Influence of alcohol; more points than a DWAI

DUID	Driving Under the Influence of drugs.
DUR	Driving Under Revocation
DUS	Driving Under Suspension
DWAI	Driving While Ability Is Impaired: refers to alcohol; fewer points than DUI.
DYS	Division of Youth Services (State). Entity responsible for operating juvenile detention. CRS, Section 19-2-203 formally creates DYC and places it within the Colorado Department of Human Services.
EARNED TIME	Time, usually in days, subtracted from an offenders' sentence that is awarded for particular activities the inmate undertook for self-improvement during incarceration.
ELECTRONIC HOME MONITORING	See HOME DETENTION
ER	Enhanced Risk is a <i>sentence enhancer</i> for certain crimes committed against at-risk victims (adults over the age of sixty or juveniles with a disability) who are entitled to added protection under the law. Because the at-risk victim is considered to be more vulnerable, the impact of the crime may be greater. The sentence will be more aggravated than if the crime were committed against a victim who was not considered at-risk.
FACILITY	The community corrections program site where community corrections services (such as residential treatment or non-residential services) are provided.
FED	Federal
FELONY	A crime more serious than a misdemeanor. Defined by the fact that they are punishable by prison sentences. The most serious type of offense defined by Colorado State laws which can result in imprisonment or death by execution
FEDERAL OFFENDER	An offender in the halfway house who is making a transition to the community from a federal prison.
FORM 52J	The informal term for Department of Corrections Community Release Form 1250-52J which lists ten special identity issues, any of which may pertain to the offender being referred to community placement.
FTA	Failure to appear for a court hearing.
FTP	Failure to pay.
GUARDIAN AD LITEM	A person appointed by the court to look after the interests of a juvenile or person deemed incompetent to manage his or her own affairs.

GOOD TIME	Time reduction credit usually calculated in days subtracted from a sentence for good behavior. Typically, it is one day off for one day served without any behavioral problems, if the offender is in prison or under the jurisdiction of the Department of Corrections.
HOME DETENTION (ELECTRONIC HOME MONITORING)	A monitoring procedure that involves scheduling of activities and surveillance with an ankle bracelet.
HTO	Habitual Traffic Offender
IBAAP	Inmate Benefit Assistance Application Program. IBAAP oversees inmate's applications for different types of assistance. The IBAA program communicates with the Social Security Administration, the Department of Health Care Policy and other agencies to determine if offenders meet eligibility requirements.
INMATE	A person convicted of a crime and committed to serve their sentence in a place of incarceration (state prison or county jail). The exception is inmates placed in community corrections as a transitional placement.
INTERMEDIATE SANCTIONS	Alternatives to incarceration, such as electronic monitoring for in-home detention; any form of non-institutional corrections.
IOP	Intensive Outpatient program. IOPs are treatment programs for substance abuse and mental health issues and are a higher level of treatment than outpatient programs which may only be weekly.
ISP	Intensive Supervision. ISP refers to non-residential community supervision for probationers, DOC inmates, and parolees. ISP entails close monitoring of offenders who live and work independently in the community. Offenders must report frequently to their supervising agents and follow rules regarding curfew and limited non-work activities. Offenders may also be placed on electronic home monitoring. DOC inmates and parolee cases are presented by our Vendor to the board. ISP Probation cases are presented by CJS staff
ISP-I	Intensive Supervised Parole Inmate (ISP-I) refers to an inmate who is on intensive supervised parole, but remains on inmate status with the Department of Corrections. The inmate may reside at home on an ankle monitor. Community Parole Officer presents these cases to the board.
ITC	Integrated Treatment Court. ITC is a combination of judicial oversight, intensive probation supervision and substance abuse and mental health treatment designed to increase public safety, reduce crime and promote offender responsibility. The purpose of the ITC is to reduce substance abuse among nonviolent substance abusing offenders and to increase the offender's likelihood of successful rehabilitation through early, continuous, and intense judicially supervised treatment, mandatory periodic drug testing, community supervision, and use of appropriate sanctions and other rehabilitation services.
	<i>Adult Integrated Treatment (AITC) is designed for offenders who are failing to comply with sentences because of alcohol or drug abuse issues and who pose a risk to the community.</i>
	<i>DUI Integrated Treatment Court (DITC) is designed for offenders with multiple convictions for DUI and/or DWAI. The purpose of the DITC is to help offenders develop skills necessary</i>

for long-term sobriety.

Family Integrated Treatment Court (FITC) is designed for offenders and families suffering from severe drug and alcohol addiction.

Dependency and Neglect Integrated Treatment Court is designed for drug and alcohol abusing parents whose child or children has/have been removed from the home by court order or as a result of a protective order imposed by the court.

JAIL TIME	Any time served in jail prior to and during a trial which may be applied to reduce the subsequent sentence in prison.
JBBS	Jail Based Behavioral Services. JBBS is a program in the jail that supports County Sheriffs in providing screening, assessment and treatment for substance use disorders and co-occurring substance use and mental health problems in adults, age eighteen and older.
JI-R	Jesness Inventory-Revised. The JI-R is a self-reported measure of personality and psychopathology for adolescents and children with behavioral problems and with whom the potential for violence is a concern.
JPAY	JPAY is a company which provides services to family and friends of inmates, parolees and probationers. JPAY facilitates the sending of money, email, video visitation and music options and assists with other post-release services.
LEVEL SYSTEM	A motivational system used at CMI that “promotes” offenders to high levels that have increasingly more privileges.
LCTC	Longmont Community Treatment Center
LOOK ASSESSMENT	A tool that provides useful clinical/evaluative information about healthy and non-healthy sexual interest.
LSI	Level of Supervision Inventory – is a quantitative risk/need assessment instrument used to identify an offender’s risk of committing criminal behavior and need for clinical services. The 54 items are based on legal requirements and include relevant factors needed for making decisions about risk and treatment.
MADD	Mothers Against Drunk Driving whose mission is to stop drunk driving, support the victims of this violent crime and prevent underage drinking.
MCMI	Millon Clinical Multiaxial Inventory. MCMI is a psychological assessment tool designed to provide information on psychopathology in adults, age eighteen and older with an eighth-grade reading level, who are seeking mental health services. The MCMI Correctional Report classifies an offender’s probable need with regard to mental health and substance abuse treatment and anger management.
MI	Motivational Interviewing consists of open ended questions designed to strengthen person’s own motivation and commitment to change.
MISDEMEANOR	A less serious charge than a felony, generally punishable by a fine or term of up to 2-years in jail. For a list of types/classes of crimes, please

see the Colorado Revised Statutes.

MITTIMUS or MITT	An official document, issued by the court after a finding of guilty, setting forth the conditions of the sentence to be imposed.
MRD	Mandatory Release Date is the date of discharge from a sentence in to DOC.
NCIC	National Crime Information Center – An electronic clearinghouse of crime data entered by criminal justice agencies that can be tapped into by every criminal justice agency nationwide twenty-four hours a day. NCIC helps criminal justice professionals apprehend fugitives, recover stolen property, identify terrorists and find missing people.
NON-RESIDENTIAL	This is the status of an offender in a community corrections program during which the diversion client is supervised by facility staff, follows facility rules, but lives in his or her own residence, maintains a job and does not re-offend. This status usually comes at the end of a period of residential placement.
OBSTRUCTION OF JUSTICE	Intimidating or tampering with a witness or juror to influence their actions.
PACE	Partnership for Active Community Engagement. Pace is a collaborative outpatient program with Mental Health Partners of Boulder and Broomfield Counties, Boulder County Probation, Community Justice Services and the Boulder County Sheriff and is designed to assist individuals with mental illness, substance abuse issues and criminal behavior who are in the legal system.
PAROLE	The conditional release from prison of a person before the expiration of his or her sentence granted by the state parole board in which the offender is under the supervision of a state parole officer. A parolee who has violated the terms of their parole may be regressed by the parole board to a community corrections program. In this situation, the parole board maintains jurisdiction over the offender. (Note: Parolees are not inmates.)
PCL-R	Psychopathy Checklist- Revised (use to be Hare Psychopathy Checklist-Revised). The PCL-R is a psychological assessment tool most commonly used to assess the presence of sociopathy which is traditionally defined as a personality disorder characterized by enduring antisocial behavior, diminished empathy and remorse and disinhibited behavior. It is an inventory of perceived personality traits and recorded behaviors.
PED	Parole Eligibility Date. PED is the date in an offender’s sentence when, as a result of the award of sentence reduction days, the individual is eligible for review by the parole board for parole release.
PEER 1	An intensive substance abuse program operated by the CU Health Services Center on the Ft. Logan campus.
PERJURY	Deliberate lying under oath which is a felony.
PLACEMENT SUBCOMMITTEE	The subcommittee of the community corrections board.

PLEA	In court, the defendant's formal response to the charges.
PLEA BARGAINING	The process by which the prosecutor, in consultation with the defendant and defense counsel, attempts to reach compromise that satisfies the wishes of both sides.
POLYGRAPH	An instrument, used with operator interpretation, to estimate the veracity of individual's statements.
PPN	Promising Practice Network. PPN is an inventory of evidence-based, research-based practices and services.
PR BOND	Personal Recognizance Bond. A PR bond allows the release of an arrested person from jail by the judge based on the arrestee's promise to appear at a later date. This decision is based on the defendant's stability in the community and seriousness of the offense.
PRELIMINARY HEARING	The hearing given a person charged with a crime by a magistrate or judge to determine whether he or she should be held for trial. At a preliminary hearing, the prosecutor is required to provide evidence to establish that a crime occurred and that there is reason to believe the accused person committed the crime.
PRETRIAL CONFERENCE	A meeting between officers of the court, prosecutor, judge, and defense counsel to determine the outcome or method of a criminal proceeding.
PRETRIAL SERVICES	A variety of services provided to the officers of the court (i.e. judge, district attorney, and defense counsel) designed to facilitate the release from jail of arrestees prior to criminal case processing who show the greatest likelihood of appearing at future court hearings and not re-offending during court's processing of their case. The services can include arrestee evaluations for the offices of the court, bond release recommendations, jail release decision-making, and community supervision for released arrestees.
PROBATION	The release, under conditions of good behavior, of a person convicted of a crime, as an alternative to imprisonment and under supervision of a probation officer. In some cases, a short jail sentence or "work-release" program is included as a condition of probation. (Probationers are under the control of the sentencing court. Inmates and parolees are under the control of the executive branch of government.)
PSAP	Psychiatric Substance Abuse Program (formerly Circle).
PSE	Psychosexual Examination. A psychosexual court evaluation focuses on an individual's sexual development, sexual history, paraphilic interests, sexual adjustment and recidivism risk level.
PSI	Pre-sentence Investigation Report. The PSI, prepared by a probation officer for a judge prior to a felony offender's sentencing, contains information regarding the current offense, the criminal and social history of the offender, and often includes a sentencing recommendation.
PROGRAM	After assessment, the activities in a correctional program that are planned for an offender.
PUBLIC LAW	Federal offenders are sentenced under these statutes.

RECIDIVISM	The return to criminal activity following an earlier conviction; a statistical measure of “failure” of offenders previously convicted of a crime.
REGRESSION	The process of moving an offender back in his or her program due to non-compliance.
RESIDENTIAL PROGRAM	A community corrections program that requires the client to live within the facility that will provide the program services and direct supervision of the client’s movement.
RESTITUTION	To “make the victim whole.” The amount of money to be assessed against the offender that reflects his share of the actual monetary loss to the victim. Reimbursement for pain and suffering, time missed from work and other claims are handled through victim compensation and civil court.
REVOCACTION	The court orders a revocation hearing when a probation violation has been reported and makes a decision whether to revoke the privilege of probation and resentence to a correctional facility, community corrections or to reinstate probation.
SCAO	State Courts Administrative Office
SCRAM	Secure Continuous Remote Alcohol Monitoring. SCRAM bracelets are worn around a person’s ankle and monitors for the presence of alcohol in sweat. SCRAM is a form of continuous alcohol monitoring with the benefit of not requiring frequent in-person check-ins to test for alcohol use.
SDD	Sentence Discharge Date. SDD is the date that an inmate or parolee’s sentence will terminate and all DOC supervision is done.
SENATE BILL 4	The authorizing legislation for community corrections boards, and payment for diversion and transition placement. (Also called Article 27.)
SENATE BILL 94	State statute which place funding at the county level for Juvenile Diversion practices.
SENATE BILL 1173	The legislation that intends to provide a consistent response to substance abuse at all points of the State’s criminal justice system, both in terms of initial assessment and post-conviction sanctions.
SERVICE PROVIDER	Service provider refers to a private corporation or governmental agency that has contracted to provide community corrections services. As of December 2015, 20 th Judicial halfway house facility and program management provided by CoreCivic. http://www.corecivic.com/
SJD	State Judicial Department
SOA-R	Standardized Offender Assessment Revised. A collection of assessment tools which determine the level of substance abuse treatment for offenders. It is comprised of Simple Screening Instrument Revised (SSI-R), the LSI (Level of Supervision score), Adult Substance Use Survey Revised (ASUS-R), and the Service/Treatment Recommendation Worksheet (TxRW).
SOCS	Stage of change scale

SOISP	Sex Offender Intensive Supervision Probation is the highest level of supervision available to probationers and is designed to minimize risk to the community and victim. This may include severely limited activities, daily contact between sex offender and probation officer, monitored curfew, home visitation, employment visitation and monitoring, drug and alcohol screening, treatment referrals and monitoring, and payment of restitution.
SOMB	Sex Offender Management Board. The SOMB is a board in the Division of Criminal Justice that is charged with developing standards and guidelines for the evaluation, treatment and behavioral monitoring of sex offenders. It is comprised of members of the judiciary, department of corrections, law enforcement, public defender's office, criminal defense attorneys, department of public safety, district attorneys, polygraph examiners and licensed mental health professionals who have expertise in the treatment of sex offenders.
SOTIPS	Sex Offender Treatment Intervention and Progress Scale. The SOTIPS is measure of assessing risk, treatment, supervision needs and progress among adult males who have been convicted of one or more qualifying sexual offenses and who committed at least one of these offenses after the age of eighteen.
SSI-R	Simple Screening Instrument- Revised is a screen designed for use with clients receiving or seeking treatment for substance abuse.
STATIC-99R	A risk assessment for adult male sex offenders who are at least eighteen years of age; it is administered at the time of their release into the community.
STIPULATED SENTENCE	Prosecutor and defense agree in exchange for a guilty plea.
SUHM	Substance Use History Matrix
SUBSISTENCE PAYMENT	A fee charged by a community corrections program to be collected from the client (offender) for services rendered to that client. The legislature sets the maximum daily subsistence fee.
SURETY BOND	An obligation, signed by an arrestee to insure his or her presence in court, that provides cash or property as collateral should the arrestee fail to appear for a court hearing.
SVP	Sexual Violent Predator is a person who has been convicted of or charged with a sexually violent offense against one or more victims. An SVP must be diagnosed with a mental abnormality or personality disorder that makes the person a danger to the health and safety of others in that it is likely that if not confined in a secure facility he or she will engage in sexually violent criminal behavior. A sexually violent offense refers to acts committed by force, violence, duress, menace, fear of immediate and unlawful bodily injury on the victim or another person, or threatening to retaliate in the future against the victim or any other person, and that are committed on, before, or after the effective date of this article and result in a conviction or a finding of not guilty by reason of insanity. A diagnosed mental disorder includes a congenital or acquired condition affecting the emotional or volitional capacity that predisposes the person to the commission of criminal sexual acts in a degree constituting the person a menace to the health and safety of others.

TC	Predatory refers to an act that is directed toward a stranger, a person of casual acquaintance with whom no substantial relationship exists, or an individual with whom a relationship has been established or promoted for the primary purpose of victimization. Therapeutic Community. TC is a participative, residential, group-based therapy approach for treatment of long-term mental illness, personality disorders and alcohol/drug addiction.
TRANSITION	The status of an offender in community corrections that provides for the transitional movement from a Department of Corrections prison to a community corrections facility before being placed on parole by the Parole Board. While in the community program, these offenders remain under the Jurisdiction of the Department of Corrections (Inmates) and must abide by the DOC's Code of Penal Discipline.
UA	Urinalysis
VASOR	Vermont Assessment of Sex Offender Risk. VASOR is an instrument composed of two scales – one for re-offense and one for violence. The interaction of these two scales is considered important for determining an individual's overall risk.
Victim Prone	The degree of an individual's likelihood of victimization.
WRIT	A written order from the court.
35B	The State statute that allows offenders to be considered for sentence modification after they have been in the Department of Corrections.
20TH JUDICIAL DISTRICT	The judicial district representing Boulder County.

ADDENDUM VI: Executive Session

PUBLIC MINUTES OF EXECUTIVE SESSION OF

(Name of Board)

(NOT Attorney/Client)

[Use this form in the written public minutes when the meeting is not taped and there is an executive session item discussed that is not attorney – client. The information on this form MUST BE READ AND ELECTRONICALLY RECORDED as part of the executive session.]

- At this public meeting held on _____, an executive session was called by a majority vote of the Board.
- The matter that was discussed in executive session, in as much detail as possible without compromising the purpose for which the executive session was authorized, was:

The statutory citation that allows an executive session for this purpose was:

- Confidential documents:** Consideration of documents that are protected from disclosure by the mandatory nondisclosure provisions of the Open Records Act. 24-6-402(4)(c). The specific type of document is indicated below: [Documents that are not public because they are “work product” or come within the “deliberative process” privilege alone cannot form the basis of an executive session, and another provision must be specified]:
 - Applications** for executive positions of persons who are not finalists (24-72-204(3)(a)(XI)).
 - Criminal justice records:** Various records are excluded from disclosure. See 24-72-301, et seq. relating to criminal matters and juvenile records.
 - Disabled** - Licenses or other information indicating that a person is disabled (24-72-204(3)(a)(XII)).
 - Letters of reference** (24-72-204(3)(a)(III)).
 - Library and museum contributions** by private parties if restrictions are placed on them by the contributor (24-72-204(3)(a)(V)).
 - Library records** disclosing the identity of a library user (24-72-204(3)(a)(VII)).
 - Medical**, psychological and scholastic achievement data (24-72-204(3)(a)(I)).
 - Personnel files**, except employment and severance agreements, which are public (24-72-204(3)(a)(II)).
 - Public Facilities Users** - Addresses/phone numbers/personal financial information of past or present users of public facilities/utilities/recreational facilities unless requested by law enforcement (24-72-204(3)(a)(IX)).
 - Sexual harassment** complaints and investigations (24-72-204(3)(a)(X)).
 - Trade secrets**, privileged information, and confidential commercial, financial, geological, or geophysical data or social security number (24-72-204(3)(a)(IV)).
- Confidential matters:** Matters required to be kept confidential by federal or state law or rules and regulations. 24-6-402(4)(c). The specific citation to the statute or rule that is the basis for such confidentiality is _____.
- Executive session minutes:** Meeting to adopt last session’s minutes. 24-6-402(4).

- Negotiations** – determining positions and strategy relative to negotiations or directing negotiators. 24-6-402(4)(e).
- Personnel matters**, if specific to individual employees, unless the person who is the subject of the meeting has requested an open meeting. Executive session is not allowed for discussion of general personnel policies, or discussion concerning any member of the Board, or any elected official or appointment of an elected official. 24-6-402(4)(f).
- Property**: Purchase, acquisition, sale, lease or transfer; real or personal. 24-6-402(4)(a).
- Security arrangements or investigations**. 24-6-402(4)(d).
- Students** – discussion of individuals where disclosure adversely affects them. 24-6-402(4)(h).
- Other**: _____ Statutory citation: _____.

ADDENDUM VII: Subcommittee versus Full Board case screening criteria

Diversion and Condition of Parole cases

Diversion Referrals

Full Board criteria:

CHARGE	LSI SCORE	CARAS SCORE	CONDITIONS
All DV charges -- Felony	Regardless of LSI		Bypass Subcommittee
Animal Cruelty – Aggravated	Regardless of LSI		Bypass Subcommittee
Assault - Serious Bodily Injury	Regardless of LSI		Bypass Subcommittee
Burglary – Dwelling (home invasion)	Regardless of LSI		Bypass Subcommittee
Egregious cases and/or SC uncomfortable as sole reviewer	Regardless of LSI		SC can send to Full Board
High Profile cases	Regardless of LSI		Bypass Subcommittee
Home Invasion	Regardless of LSI		Bypass Subcommittee
Homicide – all	Regardless of LSI		Bypass Subcommittee
Extensive Criminal History (threat or harm to person)	Regardless of LSI		Bypass Subcommittee
Sex Offense charges	Regardless of LSI		Bypass Subcommittee
Out of County Diversion	All		Bypass Subcommittee
Stalking	Regardless of LSI		Bypass Subcommittee
Trespass – Dwelling (home invasion)	Regardless of LSI		Bypass Subcommittee
Victims wanting to speak	All		Bypass Subcommittee
Weapons	Regardless of LSI		Used in commission of crime

Diversion Referrals:
Subcommittee criteria:

CHARGE	LSI SCORE	CARAS SCORE	CONDITIONS
Assault – vehicular, stranger	Maximum		Non DV related
At-risk	Maximum		Non-violent
Burglary – Building	Maximum		Non-violent
Contributing to a minor	Maximum		
Drugs	All LSI scores		Non-violent
DUI - felony	Maximum		
DUI - multiple	Maximum		
Eluding – felony	Maximum		Low risk – little harm to person/community
Fraud	Maximum		Including at-risk
Escape	Maximum		
No Prison Stipulations	All LSI scores		
Robbery	Maximum		Non-violent
Theft – Identity	Maximum		Non-violent
Theft - MV	Maximum		Non violent
Theft – At risk victim	Maximum		Non violent
Trespass	Maximum		Non-home invasion
Weapons	Maximum		Low risk – little harm to person/community

DOC Parole & Transition Referrals

Full Board criteria:

CHARGE	CARAS SCORE	CONDITIONS
DOC Parole	Very high	Sex offenders, homicide, murder, SBI, use of weapon in commission of crime, high profile, victim/guests attending, community concern
DOC Transition		

Subcommittee criteria:

CHARGE	CARAS SCORE	CONDITIONS
DOC Parole		Any referral that meets Discretionary Exclusions .. .

CHARGE	LSI SCORE	CARAS SCORE	CONDITIONS	SC	FB
All DV charges -- Felony	Regardless of LSI		Bypass Subcommittee		X

Criteria Matrix for Diversion and DOC Parole/Transition

CHARGE	LSI SCORE	CARAS SCORE	CONDITIONS	SC	FB
All DV charges -- Felony	Regardless of LSI		Bypass Subcommittee		X
Animal Cruelty – Aggravated	Regardless of LSI		Bypass Subcommittee		X
Assault – vehicular, stranger	Maximum		Non DV related	X	
Assault – serious bodily injury, vehicular if DUI related					X
At-risk	Maximum		Non-violent	X	
Burglary – Building	Maximum		Non-violent	X	
Contributing to a minor	Maximum			X	
DOC - Parole		Low, Med, High	Meets Discretionary Exclusion Criteria All referrals excluding those meeting FB criteria	X	
DOC - Parole		Very high	Sex offenders, homicide, murder, SBI, use of weapon in commission of crime, high profile, victim/guests attending, community concern		X
DOC – Transition		Low, Med, High	Meets Discretionary Exclusion Criteria All referrals excluding those meeting FB criteria	X	
DOC - Transition		Very High	Sex offenders, homicide, murder, SBI, use of weapon in commission of crime, high profile, victim/guests attending, community concern		X
DUI - felony	Maximum			X	
DUI - multiple	Maximum			X	
Drugs	All LSI scores		Non-violent	X	
Egregious cases and/or SC uncomfortable as sole reviewer	Regardless of LSI		SC can send to Full Board		X
Eluding – felony	Maximum		Little harm to person /community	X	
Fraud	Maximum		Including at-risk	X	
Escape	Maximum			X	
High Profile cases	Regardless of LSI		Bypass Subcommittee		X
Extensive Criminal History (threat or harm to person)	Regardless of LSI		Bypass Subcommittee		X
Home Invasion	Regardless of LSI		Bypass Subcommittee		X
Homicide – all	Regardless of LSI		Bypass Subcommittee		X
No Prison Stips	All LSI scores			X	
Out of County Diversion cases	All		Bypass Subcommittee		X

Robbery	Maximum		Non-violent	X	
Sex Offense charges	Regardless of LSI		Bypass Subcommittee		X
Stalking	Regardless of LSI		Bypass Subcommittee		X
Theft – Identity	Maximum		Non-violent	X	
Theft - MV	Maximum		Non-violent	X	
Theft – At risk victim	Maximum		Non-violent	X	
Trespass	Maximum			X	
Victims or advocates wanting to speak	All				X
Weapons	Maximum		Not used in commission of crime	X	
Weapons	Regardless of LSI		Weapon used in commission of crime		X