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MEMORANDUM

Date: January 8, 2016
To: Members of the Joint Budget Committee
From: Joe Morales, Colorado Board of Parole, Chairperson
Subj.: Colorado Board of Parole Annual Report to the Joint Budget Committee

I. Introduction:

This memorandum is presented to the Joint Budget Committee of the Colorado General Assembly. The memorandum is divided into three parts: (1) Parole Board Operations, (2) Parole Board 2016-17 Budget Request, and (3) 2015 Performance Measures.

II. Parole Board Operations

Parole Board. The Colorado Board of Parole (“Parole Board” or “Board”) consists of seven members who are appointed by the Governor and confirmed by the Senate. Board members serve three-year terms at the will of the Governor. Board members may be re-appointed for more than one term.

Chairperson/Vice-Chairperson. The Chairperson is the administrative head of the Parole Board. It is his or her responsibility to enforce the rules and regulations of the Board, and to assure that parole hearings are scheduled and conducted properly. The Vice-Chairperson assumes these responsibilities in the absence of the Chairperson. Joe Morales was designated Chairperson on September 10, 2015. Rebecca Oakes was designated Vice-Chairperson on the July 15, 2013.

Mission. The mission of the Parole Board is to increase public safety by critical evaluation, through the utilization of evidence-based practices of inmate potential for successful reintegration to society. The Board determines parole suitability through the process of setting conditions of parole and assists the parolee by helping to create an atmosphere for a successful reintegration and return to the community. (Colorado Board of Parole Strategic Plan, 2013-2015; created in accordance with the SMART Government Act, section 2-7-201, C.R.S. (2015))

Office. The Parole Board office is located at 1600 W. 24th Street, Building 54, Pueblo, Colorado. Remote offices are also provided for Board members at the Division of Adult Parole located at 940 Broadway Street, Denver, Colorado.

Staffing. The Parole Board is supported by ten (9) full-time employees (FTE). The Board support staff is structured as follows:

- Parole Board Administrator (1 FTE)
- Office Manager, Pueblo (1 FTE)
- Revocation Unit, Pueblo (3 FTE)
- Application Unit, Pueblo (2 FTE)
- Administrative Support Staff, Denver (2 FTE)

During FY 2015, the Board also utilized several contract employees, including: (a) two (2) Administrative Hearing Officers to conduct revocation hearings pursuant to 17-2-202.5, C.R.S. (2015); (b) a defense attorney to represent parolees who are not competent to represent themselves during revocation hearings; (c) a Release Hearing Officer to conduct application interviews pursuant to section 17-2-202.5, C.R.S. (2015); and (d) two (2) temp-workers in Pueblo to help scan files for the Board’s automation project.

Budget. The following illustrates appropriations made to the Board of Parole from FY 2010-11 through FY 2015-16.

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-2016
Personal Services	\$1,348,408 (17.5 FTE)	\$1,197,526 (12.5 FTE)	\$1,197,526 (13.5 FTE)	\$1,197,526 (13.5 FTE)	\$1,376,891 (16.2 FTE)	\$1,376,891 (16.2 FTE)
Operating Expenses	\$101,545	\$99,545	\$104,890	\$104,890	\$106,390	\$106,390
Contract Services	\$152,000	\$228,637	\$288,437	\$272,437	\$272,437	\$272,437
Start-Up Costs	0	0	0	0	\$14,109	0
Total	\$1,601,953	\$1,525,708	\$1,590,853	\$1,574,853	\$1,769,827	\$1,769,827

II. Parole Board Budget Request 2016-17

The Board of Parole was able to stay within its budget appropriations during FY 2014-15. With standard adjustments for inflation and cost-of-living increases, the Board anticipates being able to maintain its level of operations under the same appropriations it received during FY 2015-16.

III. Performance Measures

1. What types of hearings are conducted by the Parole Board?

Answer: The Parole Board conducts a wide variety of hearings: (1) parole application interviews, (2) full board reviews, (3) parole rescission hearings, (4) parole revocation hearings, (5) early release reviews, (6) special needs parole hearings, (7) interstate parole probable cause hearings, (8) sexually violent predator designation reviews, and (9) reduction of sex offender supervision level requests.

Statistics: During FY 2015, the Parole Board conducted:

- 16,697 Application interviews
- 1,875 Full Board reviews
- 670 Rescission hearings
- 7,428 Revocation hearings
- 556 Early Release reviews
- 40 Special Needs Parole hearings
- 30 Interstate Parole Probable Cause hearings
- 61 Sexually Violent Predator Designation hearings
- 38 Sex Offender Supervision Level Reduction requests

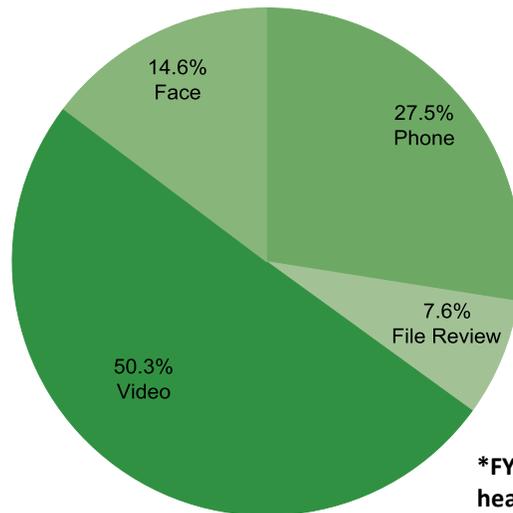
Total: 27,395 hearings

The Parole Board also:

- Issued 2,025 arrest warrants
- Granted 716 waivers
- Conducted 1,811 File Reviews in lieu of hearings

2. The Board conducts the majority of its hearings by video conferencing. It also conducts hearings by telephone and face-to-face. Most of the video conferencing occurs with the larger correctional institutions (i.e., Colorado State Penitentiary, Sterling Correctional Facility, Limon Correctional Facility, etc.). Telephone hearings are generally used to reach smaller facilities in rural parts of the state. Face-to-face hearings generally occur in and around the Denver metro area at parole offices and local jails.

Statistics: Percentage of hearings conducted by hearing method in FY 2015: video 50.3%, phone 27.5%, face 14.6%, and 7.6% by file review.*



*FY 2015 finalized hearings by hearing method.

3. Is there a different procedure for violent offenders versus non-violent offenders?

Answer: Yes. Individual Board members do not have the authority to parole offenders convicted of a violent crime. Instead, if a Board member believes an offender is a good candidate for parole, the member refers the offender to the entire Parole Board for consideration. The Board sits as a “Full Board” at least once a week and votes on parole applications for violent offenders. An offender needs at least two affirmative votes to be released on discretionary parole. In contrast, individual members retain the authority to make final discretionary release decisions for non-violent offenders.

Statistics: In FY 2015, the Board conducted 1,875 Full Board hearings. Forty-eight percent (48%) of those seen were released, and fifty-two percent (52%) were denied parole. The recidivism rate after the first year on parole for offenders considered and released by the Full Board is just over twelve percent (12.4%).

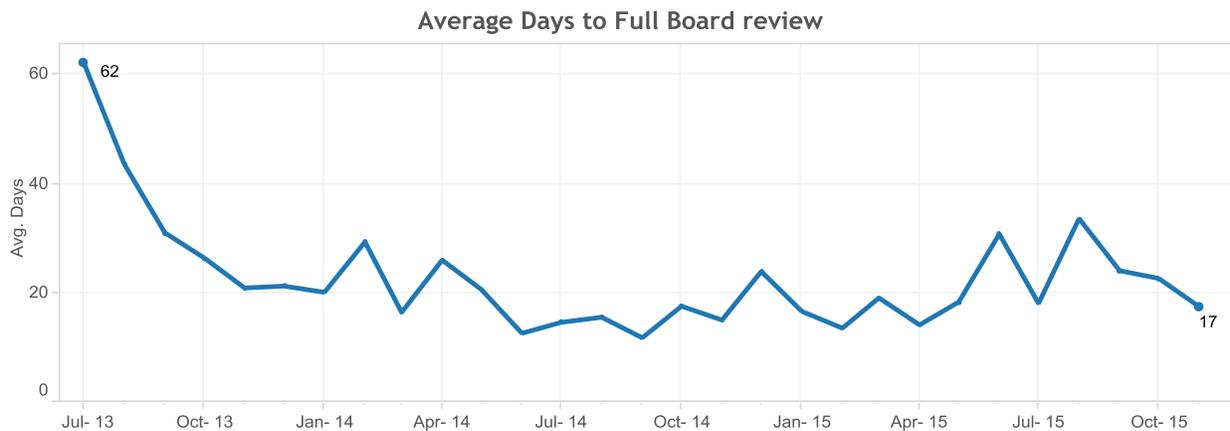
Full Board Release Decisions



4. How long does it take for the Full Board to consider offenders?

Answer: The Board has made a concerted effort to shorten the time from the initial application interview to the final Full Board review. Increased response times from the Board add certainty and predictability to the process. Currently, the response window for most reviews is approximately two weeks from the time an offender receives an application interview to the time he/she receives a response from the Full Board.

Statistics: The following graph compares the average review times from initial application interview to Full Board review from July 2013 to October 2015.



5. What is the Parole Board Release Guideline Instrument (“PBRGI”)?

Answer: As per 17-22.5-404(6)(a) and 17-22.5-107(1) C.R.S. (2015), the PBRGI was developed by the Division of Criminal Justice and the Board of Parole and offers an advisory release decision recommendation for parole applicants who are not sex offenders. “The goal of the parole release guideline is to provide a consistent framework for the Board to evaluate and weigh specific release decision factors and, based on a structured decision matrix, to offer an advisory release decision recommendation for parole applicants” (*Analysis of Colorado State Board of Parole Decisions: FY 2014 Report* published by DCJ, April 2015). The Board considers all the factors specified in section 17-22.5-404, C.R.S. (2015) in making parole decisions; however, it pays particular attention to the PBRGI, which incorporates the Colorado Actuarial Risk Assessment Scale.

Statistics: During FY 2015, the Parole Board was in concurrence with the PBRGI recommendation 66% of the time. When the PBRGI recommended RELEASE, the Board was in concurrence 43% of the time; when the PBRGI recommended DEFER, the Board was in concurrence 92% of the time.*

*Sample from FY 2015 hearing data with non-sex-offenders whose hearing was finalized. Deferrals due to non-appearance/absence and Mandatory Reparoles (MRPs) are excluded. Overall counts and percentages of Parole Board release and defer decisions by PBRGI release and defer recommendations.

6. How often do you revoke an offender’s parole?

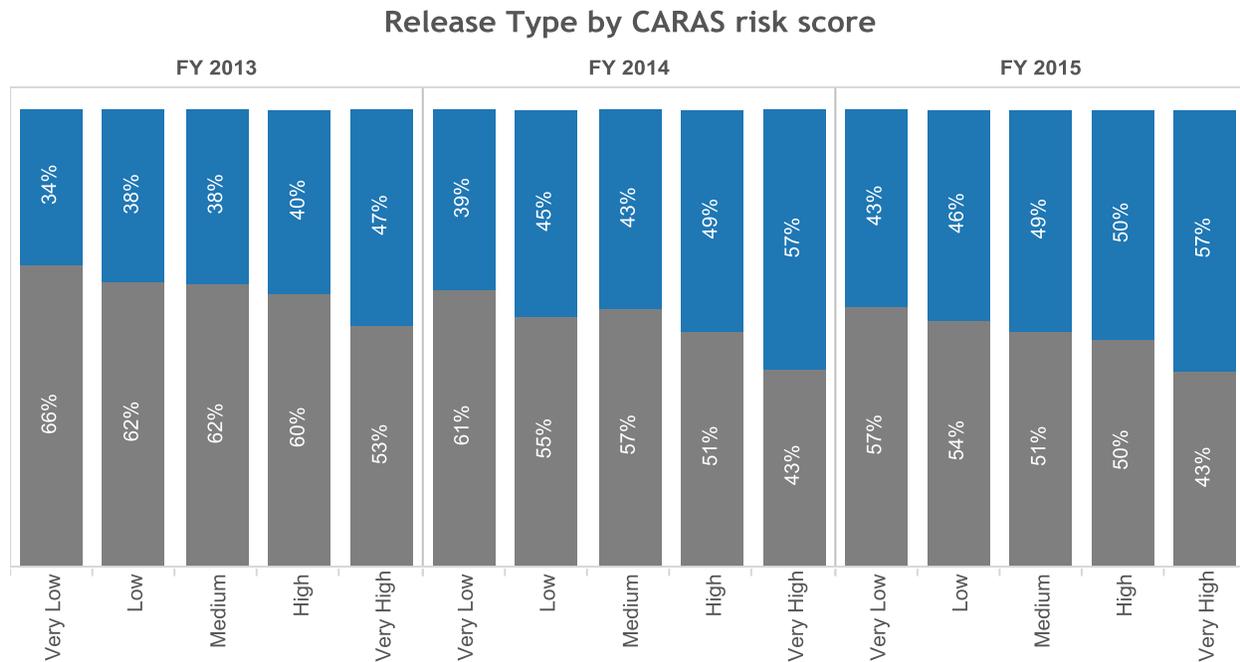
Answer: The Parole Revocation process is governed by section 17-2-103, C.R.S. (2015). Each hearing is an independent event. The Parole Board member conducting the hearing is an objective hearing officer and accepts testimony and evidence from the Parole Officer and Offender. After reviewing all pertinent information, the Board member determines if parole should be revoked. For “new law violations,” the Board member has the discretion to revoke an offender back to DOC for the remainder of his or her sentence. For most “technical violations,” the Board member has the discretion to continue an individual on parole with prescribed treatment or revoke back to DOC or a Community Return to Custody Facility (CRCF) for up to 180 days.

Statistics: During FY 2015 the total number of revocation hearings continued on parole was 477 (11.3%), and the total number revoked back to a DOC facility was 3,727 (88.7%). During the same period of time, 20% of parole returns were for a new felony conviction, and 80% were for a technical violation.

7. What is the difference in release rates between discretionary and mandatory paroles?

Answer: The Parole Board releases fewer offenders on discretionary parole than on mandatory parole.

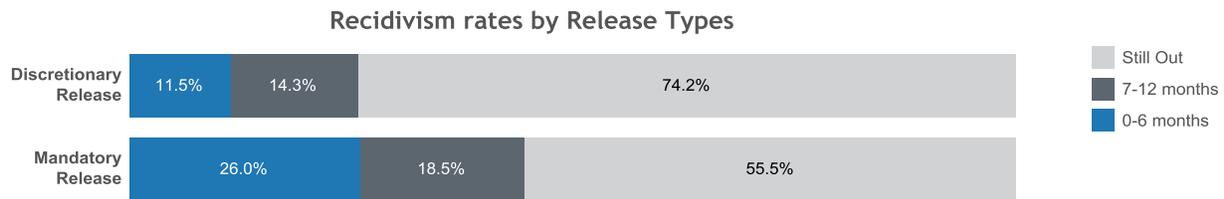
Statistics: In FY 2015, the Parole Board voted to release 2,831 (47%) offenders on discretionary parole and 3,146 (53%) on mandatory parole. The average risk assessment for offenders who were granted discretionary parole in FY 2015 was 34 (Medium Risk). The following graph breaks down mandatory/discretionary release percentages by risk assessment scores.*



*CARAS risk used is score taken most recently at the time of release to parole. MRPs are excluded. ■ Mandatory Release ■ Discretionary Release

8. What are the 6-month and 12-month recidivism rates for the Parole Board?

Answer: Although the Board releases fewer offenders on discretionary parole than mandatory parole, those selected for release on discretionary parole have lower recidivism rates than those released on mandatory parole. The 6-month recidivism rate for all offenders released on parole, both mandatory and discretionary, is 19%; the 12-month recidivism rate is 34%. The 6-month average recidivism rate for discretionary releases is approximately 11.5%; the average recidivism rate after 12 months is approximately 25.8%. Comparatively, the 6-month recidivism rate of mandatory releases is approximately 26%, and the 12-month rate is approximately 44.5%.



*2013 release cohort data not including MRPs. The 12-month rate is the combination of the 0-6 months and the 7-12 months recidivism rates.