

2019

Regulatory Agenda Report



**COLORADO**

Department of Corrections

## Overview

The Colorado Department of Corrections submits the following 2018-19 Regulatory Agenda in fulfillment of the statutory requirements set forth in Colorado Revised Statute 2-7-203(4). Pursuant to state law, annually on November 1, executive branch agencies must file a Departmental Regulatory Agenda containing:

- A list of new rules or amendments that the department or its divisions expect to propose in the next calendar year;
- The statutory or other basis for adoption of the proposed rules;
- The purpose of the proposed rules;
- The contemplated schedule for adoption of the rules;
- An identification and listing of persons or parties that may be affected positively or negatively by the rules; and
- A list and brief summary of all permanent and temporary rules adopted since the previous Departmental Regulatory Agenda was filed.

The Departmental Regulatory Agenda also includes, pursuant to Colorado Revised Statute 24-4-103.3, rules to be reviewed as part of the Department "Regulatory Efficiency Reviews" during 2018-19 (which are denoted in the "purpose" column). The Departmental Regulatory Agenda is to be filed with the Legislative Council staff for distribution to Committee(s) of reference, posted on the department's website, and submitted to the Secretary of State for publication in the Colorado Register. Each department must also present its Departmental Regulatory Agenda as a part of its "Smart Act" hearing and presentation pursuant to the Colorado Revised Statute 2-7-203(2)(a)(III)(A).

The following constitutes Colorado Department of Corrections Departmental Regulatory Agenda for 2018-19 and is provided in accordance with Colorado Revised Statute 24-7-203(2)(a)(IV):

Schedule Month, Year	Rule Number and Title	Division/ Board/ Program	New rule, revision, or repeal	Statutory or Other Basis	Purpose	Stakeholders
August 2018	AR 1350-02, Victim Notification Program	Executive Director	Revision	SB 18-014, Disclose Location of Out-of-State Inmate	The department will notify the prosecuting attorney and any registered victim of crimes for which the inmate is serving his or her sentence of the name and location of the penal institution where the inmate is to be housed.	Victims, District Attorneys

July 2019	AR 250-51, Office Visits and Intake Packets	Division of Adult Parole	Revision	SB 18-150, Voter Registration Individuals Criminal Justice System	Requires the division of adult parole to facilitate the voting rights of people being discharged from parole.	Division of Adult Parole, Office of Information Management, Parole Officers, Parolees
July 2018	AR 700-19, Sex Offender Treatment and Monitoring Program	Clinical and Correctional Services / Finance and Administration	Revision	HB 18-1040, Inmate Treatment Incentive Plans	<p>The bill requires the department of corrections to:</p> <ul style="list-style-type: none"> <li>• Monitor the number of inmates who need sex offender treatment or services and the number who are not receiving such treatment or services;</li> <li>• Develop an incentive plan to contract for more mental health professionals to provide sex offender treatment or services in difficult-to-serve geographic areas; and</li> <li>• Report to the joint budget committee the number of inmates needing treatment or services, the number not receiving the treatment or services, and the impact of the incentive plan.</li> </ul>	Office of Planning and Analysis, Clinical/Mental Health, Budget, Human Resources, Offenders
July 2018	AR 550-13, Special Needs Parole	Prison Operations / Parole Board	Revision	HB 18-1109, Discretionary Parole Of Special Needs Offenders	<ul style="list-style-type: none"> <li>• Changes definition of special needs offender from 60 years' to '55 years'.</li> <li>• The bill also adds a third definition by which such an offender may be considered a 'special needs offender'.</li> <li>• The parole board must also make a finding that granting parole would create a threat to public safety and that the offender is likely to commit an offense.</li> </ul>	Parole Board, Offenders, Case Management, Clinical
August 2018	AR 550-01, Integrated Case Management System	Parole Board / Prison Operations	Revision	HB 18-1251, Community Corrections Transition Placements	Requires the state board of parole to submit a list of offenders for community corrections transition placement referrals to the department of corrections staff.	Parole Board, Offenders, Case Management, Community Corrections