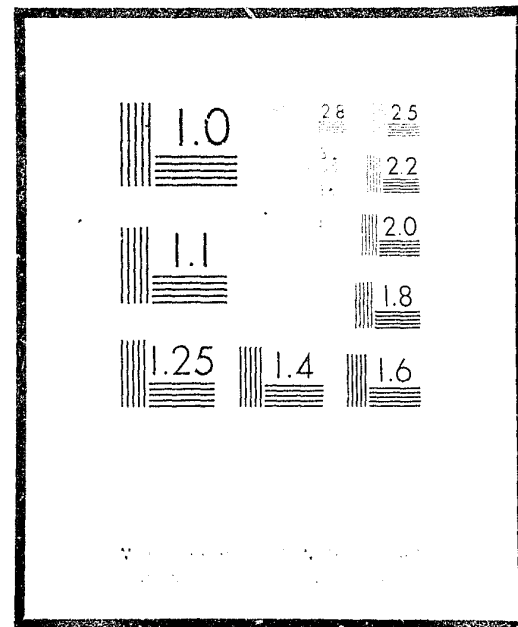


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COMMUNITY CORRECTIONS IN PLANNING AND MANAGEMENT REGIONS

#9, #10, AND #11 . . . PROGRAMS

AND ATTITUDES



A Staff Report

To

The Committee on Judiciary

By

The Legislative Council Staff

July 28, 1975

29983

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INTRODUCTION

During the 1974 legislative session, the Colorado General Assembly adopted Senate Bill 55, commonly referred to as the "community corrections bill," as it encourages the establishment of community correctional facilities and programs as alternatives to custody oriented institutionalization of offenders. The intent of the bill is to intensify the community approach to offender rehabilitation through offender placement and treatment in the community and through the maximum utilization of community programs and resources.

S.B. 55 directed the Legislative Council to appoint a study committee to develop a "...total system concept that encompasses the full range of offender's needs and the overall goal of crime reduction." To accomplish this objective, the appointed committee determined that an evaluation of existing community corrections programs and attitudes was necessary to determine the capacity of communities to marshal their resources to meet a broad range of rehabilitative needs of offenders.

A statewide evaluation of community corrections would be a massive undertaking. Therefore, this report is limited in geographic area to Planning and Management Regions 9, 10 and 11, (these three planning regions encompass a majority of the area of the western slope of Colorado) and in orientation to adult offenders incarcerated in county jails.

Community corrections involves a complex maze of programs servicing pre-trial detainees, convicted offenders, probationers, and parolees. There is no single agency or even a branch of government ultimately responsible for the full range of programs designed to rehabilitate offenders. Probation is the responsibility of the judicial branch of state government and parole emanates from the executive branch while the operation of county jails resides with local government as a duty of the county sheriff. Further, to one degree or another, judges, district attorneys, public defenders, probation and parole officers, mental health personnel, social services departments, employment specialists, county commissioners, teachers, volunteer counselors, employers, and others have been instrumental in developing various rehabilitative services for offenders. Beyond the administrative complexity present in the provision of community corrections, widespread differences of opinion exist among professionals in the criminal justice system regarding the best means of protecting society while attempting to rehabilitate offenders.

S.B. 55 expresses the General Assembly's intent to move in an evolutionary manner from traditional custody-oriented incarceration to a system of differential rehabilitation, which fully utilizes community resources. This report explores, in part, the applicability of the concepts exemplified in S.B. 55 to existing corrections programs in western Colorado. Emphasis is placed on description of present programs, problems encountered

by correctional professionals, the applicability of alternative approaches to local corrections programs, and the capacity of these western Colorado communities to provide rehabilitative services. The report will hopefully assist the study committee and the General Assembly to define what the relative state and local governmental responsibilities are in the provision of community corrections in western Colorado.

Pilot Study in Regions 9, 10 and 11

A pilot study of existing community corrections in Planning and Management Regions 9, 10 and 11 was initiated to determine the value of a legislative study encompassing a complete review of all local corrections programs throughout Colorado. Specifically, the purpose of the pilot study was to:

- (1) Identify and classify offenders incarcerated in county jails in Regions 9, 10 and 11;
- (2) Analyze the disposition of these offenders to determine the manner in which different classes of offenders are dealt;
- (3) Describe local corrections facilities in terms of total needs of the criminal justice system, including protection of society, motivation of the offender, pre-trial holding, post-trial confinement, and the capacity of community resources to serve as an integral part of rehabilitation and treatment programs;
- (4) Identify basic resources in the communities utilized in assisting accused and sentenced offenders;
- (5) Outline procedures used in making treatment services available to offenders;
- (6) Identify rehabilitative resource needs;
- (7) Evaluate the capacity of local communities to initiate or expand corrections programs; and
- (8) Explore corrections issues with community leaders, corrections professionals, law enforcement and jail staffs in order to identify the relative responsibility of state and local governments in maximizing community resources for the motivation and rehabilitation of non-dangerous offenders.

Although the emphasis of the report is on strengthening community corrections, it is not intended that local treatment options are the only panacea for the correction and rehabilitation of offenders in Colorado or that the local corrections programs described herein have meaningful application

in all Colorado communities. Furthermore, the report should not be interpreted to mean that local governments should assume responsibility for the incarceration and treatment of all offenders or the most dangerous offenders.

METHODOLOGY

Overview

On December 20, 1974, the Interim Study Committee on Criminal Justice authorized the appointment of a Legislative Council staff member to conduct a pilot study of community corrections in Planning and Management Regions 9, 10 and 11. Under Committee direction, the study was limited in geographic area to the three planning regions, (see map-Appendix A, page 71) and in orientation to the operation of county jails and to community correctional programs or facilities which deal primarily with adult offenders.

The methodology utilized in developing this report includes: (1) data-gathering via a brief county jail survey and an offender profile sheet on persons booked at such facilities; and (2) unstructured interviews with local officials, officials of the criminal justice system, and locally involved or interested persons.

Through the first procedure, Legislative Council staff sought to obtain an understanding of the operation of county jails and the local handling of offenders. Through the latter procedure, staff sought to identify community corrections attitudes, programs, and needs.

Data-Gathering at County Jails

County Jail Survey. The county jail survey summarizes the operating costs and various physical capabilities of each of the nine jail facilities at which offender profiles were utilized. The survey provides data on the: (1) original construction of the facility; (2) area served by the facility; (3) present holding capacity; (4) cost of operation; (5) number of staff; and (6) expected future use. Programs or services available through the use of jail staff, of a local supporting agency or individual, or by contractual agreement are presented in Table I page 65 .

Offender Profile. As the content of jail records differ substantially from one county to the next, an offender profile was developed and utilized for the four-month data-gathering period (from February to June, 1975) at nine of the fifteen county jails located in the study area. (Only these nine jails have full-time staff and operate on a full-time basis.)

Through the use of the offender profile, staff sought to obtain information on the nature of the offender caseload processed at and incarcerated in the county jails of western Colorado. The offender profile was also used to track the flow of accused offenders or convicted persons through at least their initial disposition from such facility. Further, the profile

sheets were used to record the following information concerning each accused or convicted offender: (1) arrest allegation; (2) the age, sex, and ethnic background; (3) employment status and job skills; (4) educational level; (5) marital status; (6) previous incarcerations; and (7) socio-economic status. Appendix B, page 73 contains a sample copy of the offender profile sheet.

Unstructured Interviews with Local Officials and Interested Persons

Through the use of an open-ended unstructured interview, Legislative Council staff reviewed issues in community corrections, jail operation, and related areas with local officials and interested persons. During the four-month data collection period, all county sheriffs in the study area and most county commissioners were contacted. Many district judges, district attorneys, chiefs-of-police, public defenders, and probation and parole personnel were interviewed.

The unstructured interview approach permitted local persons to identify existing community corrections programs and to assess local attitude and community capacity to initiate or expand local community corrections programs. Local officials identified basic resources in the community which could be or are utilized to meet the basic needs of offenders.

THE COUNTY JAIL

Questions Raised by the Jail Moratorium

The moratorium on the construction of new jail facilities contained in S.B. 55 and extended by S.B. 372 (1975 session) was designed, in part, to delay the construction of traditional maximum security facilities at a time when new techniques are evolving for dealing with non-violent offenders, i.e., community-based corrections. Through the adoption of S.B. 55, the General Assembly is asking local officials and interested citizens to take a closer look at the county jail and its present function in the community.

Should the county expand present facilities, or build additional facilities, to meet the increasing demand for short-term detention? Should county jails continue to serve as conglomerate facilities for all kinds of detainees? Should county jail staff actively enter into or expand operations in the area of rehabilitative services by providing work release, education release, vocational training, and various counseling programs designed to meet offender needs? If so, how can the county jail enter into rehabilitative programs in view of the traditional law enforcement and custodial approach of present jail staff? Or should county jails restrict their activities to short-term (72 hours or less) incarceration, and develop their holding facility function?

In order, to obtain partial answers to these questions, a study of the inmates of local jails was deemed essential. Further, such a study could provide information essential to determining whether alternatives to incarceration would be feasible for a significant percentage of the offenders being held for pre-trial and post-trial purposes.

The County Jail - A General Description

Although the above illustrates philosophical issues addressed by this study, one must first understand the present county jail situation. The county jail is a catchall for pre-trial detainees, convicted offenders, alimony defaulters, military AWOL's, escapees from other institutions, possible witnesses, federal hold-overs, and an occasional mental patient awaiting certification or transfer to a state mental hospital. The county jail is generally built as a maximum security facility, and yet primarily contains a caseload of petty offenders--drunks under protective custody, drunk drivers, shoplifters, disorderly persons, and various traffic offenders.

Administratively, county commissioners are charged with the responsibility of funding the operation of the county jail, and the county sheriff, in addition to law enforcement duties, is statutorily responsible for the operation of the county jail.

Sheriffs and county officials are frequently under pressure from state agencies to upgrade, re-construct, and possibly expand prisoner facilities. State agencies, such as the Department of Health, are directed by state statute to establish various standards (i.e., health, safety, fire, or ventilation) and to inspect county jails concerning compliance with these standards.

Yet, county commissioners, as funding agents, and county sheriffs, as jail operators, have little control over the nature or amount of incarceration at the county jail (i.e., no control over incarcerations by State Patrol, wildlife officers, local police, state probation and parole personnel). It is local law enforcement and county and district judges who exert prime control over the incarceration and release of county jail-prisoners. County commissioners and sheriffs state that because the general public seems to be unaware of the limited control they have over this portion of the operation of the county jail as the "responsible officials," they are frequently charged with negligence for situations over which they lack full control. Examples of such lack of control over jail admissions are: (1) occasional overcrowded conditions; (2) minimal segregation of prisoners; or (3) minimal classification and separation of convicted and unconvicted hardened offenders from "first time" offenders.

The Interrelationship of County Jails in Planning and Management Regions 9, 10 and 11.

Geographically, Planning and Management Regions 9, 10 and 11 comprise roughly three-fourths of the large rural area of Colorado which is located west of the continental divide and which is locally known as Colorado West. The counties located within each of the Planning Regions are:

<u>Region 9</u>	<u>Region 10</u>	<u>Region 11</u>
Archuleta	Delta	Garfield
Dolores	Gunnison	Mesa
La Plata	Hinsdale	Moffat
Montezuma	Montrose	Rio Blanco
San Juan	Ouray	
	San Miguel	

The three Regions are graphically outlined by the map in Appendix A, page 71.

Within Planning Regions 9, 10 and 11, a lack of funding, small prisoner caseloads, and limited law enforcement personnel have contributed to the development of several cooperative city-county and county-county jail operations. For example, of the fifteen counties surveyed in this report, only in one county--Montezuma--do local officials operate both a county jail and a separate city jail. For all other counties within the study area, where county jails are open on a full-time basis, local officials have adopted a cooperative city-county approach. Under this cooperative approach, the county provides the jail

facility and the sheriff's office staffs it, while the city compensates the sheriff's office for any city prisoner incarcerated at the facility. This cooperative city-county approach eliminates needless duplication of jail facilities and jail staff.

Concerning the present dual facility operation in Montezuma County, it should be noted that the City of Cortez and Montezuma County will soon be using the city-county approach once construction of a new jail/law enforcement/ court complex is complete. Completion is expected during September, 1975.

Another cooperative approach utilized by local governments in the operation of county jails involves the holding of all the prisoners from one county in the jail of a neighboring county. In several western slope counties which have very small prisoner caseloads, local officials find it more economical to transport their prisoners to a neighboring county rather than maintain a jail facility locally and pay a full-time jail staff. Other local officials indicate that they, because of limited budget resources, assign a higher priority to providing public safety than to the need to incarcerate offenders within the county.

Additional factors which also contribute to a county's decision to transport prisoners to a neighboring county's facility are: (1) lack of a jail kitchen; (2) need to repair, modify, or otherwise maintain the jail; or (3) inadequate security at the county jail, particularly when dealing with a more hardened offender or a person prone to escape attempts.

In order to understand the present operation of county jails in western Colorado, the following summary sets forth those counties which operate with a 24 hour per day jail shift staff, those which utilize live-in jailers, and those which operate as holding facilities only. The counties which operate with 24-hour per day jail staffs are La Plata (Region 9), Montrose (Region 10), Moffat and Mesa (Region 11). The counties which utilize live-in jailers are Montezuma (Region 9), Delta and Gunnison (Region 10), and Rio Blanco and Garfield (Region 11). (Montezuma will begin 24-hour staffing during September, 1975.)

County jails which function only as temporary holding facilities are Hinsdale, Ouray, San Miguel, and Dolores. For the purposes of this report, a holding facility means any facility used for the short-term (72 hours or less) incarceration of accused offenders prior to transporting to a county jail or to achieving some other disposition.

Since the county jails in Archuleta and San Juan counties have been condemned, these counties lack even a holding facility capability. An arrest in one of these counties means that local law enforcement must either resolve the situation on an immediate and most likely informal basis or must immediately transport the accused offender to another county.

Nine of the fifteen counties within the study area actually operate county jails on a full-time basis. Cross-county contractual agreements provide all fifteen counties with the capability to incarcerate accused offenders or offenders sentenced to county jail.

A quick review of county jail service areas indicates some regionalization in the operation of county jails. For example, the Montrose county jail serves the three counties of Montrose, San Miguel, and Ouray. The La Plata county jail serves the three counties of La Plata, San Juan, and Archuleta. The Montezuma county jail serves the two counties of Montezuma (county prisoners only) and Dolores. (Occasionally, however, minor non-violent low security risk offenders are sentenced to serve their sentence at the Dolores county jail.) Finally, the Gunnison county jail serves the two counties of Gunnison and Hinsdale, while the counties of Moffat, Rio Blanco, Garfield, Mesa, and Delta serve their respective counties only. (See map in Appendix C, page 75)

The County Jail in Western Colorado and Community-Based Corrections

The concept of community corrections is too narrowly defined if it is viewed only in terms of the "jail situation" or the "sheriff's operation". Yet, the manner in which many local officials frame their responses to questions concerning community corrections clearly reflects the present scope and orientation of the local corrections efforts in much of western Colorado. Many local officials spoke only of the county jail or of the arbitration or social work capability of local law enforcement, or of the services provided by probation staff as forming the whole of the local community corrections effort.

Few officials indicate that local corrections may or does involve the community in a broader context, while several persons state that the general citizenry has no conception of the meaning, let alone the existence or touted efficacy, of community corrections.

Designing community corrections programs and complementary or supportive facilities may only be effectively accomplished at the local level according to local officials, after local leaders determine what a majority of the people in that county feel should be the prime function of the county jail and what type of community corrections program the people are willing to back with tax dollars, community resources, and possibly even their time in the form of volunteer services.

Beyond developing a picture of the community correctional effort of various communities, or identifying the specific resources used or needed in such an effort, many philosophical questions arise concerning the function of the county jail within a community's local corrections effort: What is the prime

purpose of county jails? Pre-trial detention? Maximum security holding of sentenced offenders? What is the proper function of the county jail in terms of pre-trial detention? Community safety? Only absolutely necessary pre-trial incarceration? Or general pre-trial incarceration? And what is the proper function of jails in the corrections system with regard to sentenced offenders? Is the jail a punishment facility? Is it a rehabilitation facility? Or both? Can it be both?

When county sheriffs, jailers, and local officials are asked to think about how they are handling accused and convicted offenders they express such a diversity of views as to indicate that there is no clear notion as to what the primary purpose of the county jail is. The long-time liberal, recently turned conservative orientation of the U.S. Supreme Court, the lack of substantial legislative direction concerning the operation of county jails, and the conflicting arguments and approaches advanced by the public and the experts form a background for confusion.

Within the confusion, however, some of the basic functions which county jails serve may be identified. Although the order of importance varies from source to source, three commonly identified purposes for the construction and operation of county jails are: (1) retribution; (2) rehabilitation; and (3) deterrence.

In discussing these purposes, it is acknowledged that to punish an offender you must injure him or make him suffer in some way, and to reform or rehabilitate an offender you must improve him. Further, it is readily acknowledged that people are not frequently improved by injury and that proposing to punish and to help people in the same operation or facility appears paradoxical. The mixing of these purposes in the operation of county jails creates a seemingly unresolvable dilemma.

County sheriffs and other local officials state that the making of law, its strict enforcement, and forcing of the persons who break it to "serve time" in the county jails, acts as an effective deterrent to others. To many local officials, this means that persons who may be tempted to break the law see what the result could be and become afraid of breaking the law. Consequently, a greater degree of law and order is maintained, even among persons who may not understand the necessity for such order. Further, the threat of incarceration in the county jail or a state penal institution acts as a deterrent to those persons who do understand the necessity for law and order but who otherwise lack conscience enough to refrain from violating it.

Concerning the prevalence of offender recidivism, it is acknowledged that the threat of incarceration in county jails does not deter convicted offenders. Yet, according to local officials, the greatest efficacy of the county jail is not its deterrent effect on hardened offenders, but its deterrent effect on those citizens who would commit crimes but for their fear of punishment.

As there is a very complex maze of views throughout Regions 9, 10 and 11 on how accused and convicted offenders should be dealt with, it is difficult, if not impossible, to formulate a program for the treatment or handling of offenders which would have the required consensus and power base to protect and to promote its development across the entire three regions. The distinct advantage of a community-based approach to corrections is that it permits the development of programs which do have the support of a rough consensus of a given community, and consequently will also enjoy a power base which will protect and promote the development and effective operation of whatever correctional program or facility the community chooses to sponsor.

Differences in attitudes concerning the capability of community corrections programs to rehabilitate people, as well as various agencies within a county subscribing to different correctional philosophies, leads to conflicting community programs and a fragmented approach. For example, punishment-oriented persons may have methods or objectives which conflict with the methods or objectives of rehabilitation-oriented persons. Yet, each believes that they are providing a correctional service.

State Policy, Rules, and Regulations

Concerning community corrections and county jail operations, many officials state that the General Assembly should limit its management of county government to the formulation of general policy and should thus avoid becoming over-involved in the development of rules and regulations. Reasons advanced for this position are: (1) detailed rules and regulations are generally very difficult to apply on a statewide basis; and, (2) the General Assembly should grant local governments the authority to operate with a sufficient amount of freedom to deal effectively with the special needs and unique population of each county.

Beyond policy formulation, local officials indicate that those state agencies which are authorized to develop rules and regulations concerning jails or community corrections programs should adopt only whatever rules are absolutely necessary, and then should let such rules stand for a few years to permit county governments to have sufficient time to comply. Many officials indicate that they believe the rules and regulations which affect the operation of county jails change too quickly, or are applied arbitrarily. County officials allege that they do not know if the latest set of rules will be applicable or operative by the time they correct any previously identified deficiencies.

The variety of correctional approaches and philosophies which were encountered during this study illustrates the present degree of local autonomy. Yet such local differences also raise

questions: Should there be a clearer consensus as to the goals of community corrections? How much should a county's approach to community corrections be affected by the availability of resources? By local leadership? Who should have the human responsibility or authority to determine local community corrections goals or to formulate and articulate a community corrections plan? Should the goals be determined by community consensus? Or by local leaders? Should the state designate one person or one agency with the responsibility for developing and attempting to implement a community corrections plan within each county for each county?

The present study focuses on the county jail and the offender caseload incarcerated at these facilities. Although the county jail is only part of a community's corrections effort, it is according to some local officials a key contact point for the operation and development of non-jail community corrections programs or facilities.

Prior to examining existing or possible future non-jail community corrections efforts, one should, when thinking in terms of expanding the county jail function beyond its present custodial-oriented approach, consider problems which could arise in the operation of county jails.

Staffing Problems at County Jails

Pursuant to Colorado Statute, administration of the county jail is the responsibility of the locally elected county sheriff. As the operation of the jail is only one of the sheriff's many responsibilities, the sheriff generally must rely upon subordinates to operate the county jail. These subordinates ordinarily have had little or no training or preparation for the management of such a facility, particularly in terms of providing correctional services. Exceptions exist. For example, two staff members at the La Plata County jail possess extensive correctional training and experience.

Expecting present county jailers to have a college education or other training or experience in the field of corrections would be unfair, as correctional education or experience has not been, and still is not in most cases, needed to qualify for such positions. County sheriffs note that jailers are primarily hired as either law enforcement personnel who will at times be assigned to jail duties or as custodians of the jail. For a recent example of jailer job requirements see Appendix D, page 77.

At some facilities, a staffing problem arises when a person with a strong law enforcement-orientation applies and is hired for a jailer position, but who is, through employment at the county jail, seeking to develop better contacts and some job experiences which will improve the chances of obtaining a "patrol position" at a later date when an opening develops. This results in a high turn-over in jail personnel. Such a situation creates

a negative environment in which to attempt to develop a corrections orientation in the operation of county jails.

Further, the low salaries paid jail personnel does little to provide incentives for such personnel to obtain training in the field of corrections. Yearly salaries in the area surveyed range from \$4,800 to \$10,000 plus for full-time jail personnel. The mode salary is approximately \$7,200 per year. If county jails are to begin to serve a rehabilitative, as well as a punitive function, there will be a need to train present county jail personnel and to make rehabilitation training or experience a job qualification.

Training in Corrections--A State Corrections Academy. According to Mr. Rudy Sanfilippo, Director of Division of Corrections, Department of Institutions, Colorado does not have an academy for the training of county jailers in the field of corrections. There is a significant need for such training, for as noted above, few county jailers have any previous rehabilitation experience or training, and the policy formulated by S.B. 55 indicates that local sentencing facilities should develop this potential.

The budget submitted by Mr. Sanfilippo for the Division of Corrections for fiscal year 1975-1976 requested \$150,000 to establish a State Corrections Academy. The General Assembly, however, authorized the Division to spend up to \$50,000 in conjunction with LEAA grant money for such a corrections academy. As envisioned by Mr. Sanfilippo, such an academy would provide training to county jailers as well as divisional personnel.

County jail personnel, which in the area surveyed may consist of a single live-in county jailer or even a live-in county sheriff, are frequently undertrained in the field of rehabilitation and generally work too many hours to be effective as rehabilitation agents. Yet, the county jails which operate on a 24-hour a day basis would appear to have the greatest potential for providing rehabilitative services to inmates. This would particularly be the case if there could be a significant reduction of the jailer's workload in the area of the very short-term detainees. (This could possibly be achieved by the expanded use of summons to appear as discussed on page 23)

Minimum Salary Schedule for Local Jail Personnel. Professional jail personnel are not easily attracted by the low salaries offered by some rural communities, and many local governments are unable or reluctant to pay an adequate minimum wage to attract the type of jail personnel who are needed, particularly in view of expanding the jail function to include some rehabilitative programs. There may be a need for state legislation to establish a minimum salary (\$700-\$750/month) for jail personnel, and to subsidize local governments, if necessary, to assure the maintenance of a minimum caliber of jail personnel

throughout Colorado.

Funding the Operation of County Jails and the Development of Correctional Programs at Such Facilities. According to local officials, the increasingly high cost of operating county jails, even with the present custodial orientation, makes the contemplation of expanding the operations of such facilities to encompass a variety of corrections programs unthinkable. There is no way that local governments could pay the enormous costs of such an effort. Generally, for the area surveyed, city, county, or city-county development of correctional facilities or programs is seen as unrealistic, particularly when the high cost of community correctional programs is coupled with low community interest or involvement in the area of corrections.

Local officials indicate that if the state legislature wants to expand the operation of county jails into community corrections centers or to develop or expand non-jail community correctional programs or facilities, the state must be prepared to provide substantial subsidies for the cost of operating county jails as correctional centers and must supply additional funding for establishing or operating the non-jail programs or facilities. Even if the state were to adopt this recommendation by providing the basic funding needed for community corrections, local officials assert that county commissioners and county sheriffs should maintain some control over the development of any local correctional program, whether located at the county jail or elsewhere in the county.

Local officials indicate that the contractual agreement authority granted to the Division of Corrections in S.B. 55 represents a positive move toward state involvement in the funding of the development of local community corrections, but add that to be effective, the statutory provisions of S.B. 55 must be backed by state dollars. These officials assert that if the state legislature is unwilling to pick up the bulk of the cost for developing and operating community-based programs or facilities, then the state needs to establish special guidelines and standards which take into account the economic realities and small populations of rural counties.

County Jails and State Administration. Presently, the state's involvement in the administration of county jail facilities is almost entirely in the form of rules and regulations concerning state inspection of such facilities. These regulations require compliance with minimum standards for health, sanitation, safety, security, and ventilation. As an extreme exercise of its power, the Colorado Department of Health, under the statutory authority granted to it, may, if a jail facility is found to be in severe noncompliance with the established standards, close down a jail. Within the study area, the Archuleta and San Juan county jails have been closed under the exercise of this power. In practice, however, the necessity for some type of holding or jail facility in rural communities has prevented closing any but the most severely inadequate or

unfit facilities.

Other considerations advanced concerning state supervision of county jails and which apply to community corrections as well are: (1) the need for the state legislature and the various state agencies to be aware of and compute the non-permanent (tourist) and illegal alien population impact on the community corrections effort; and (2) the need to integrate mandated charges in county funding responsibilities with the time schedule under which the county budgetary processes are statutorily required to operate.

Classification of Offenders at County Jails.

Theoretically, classification of offenders is a process for determining the needs and requirements of those for whom correction has been ordered and for assigning them to programs according to their needs and within the limits of existing community resources. Stated more simply, classification is a goal-oriented process, the act of grouping people according to certain established criteria. Development of a meaningful offender classification system has been a difficult and slow process at the state level even though it is taking place within a single agency--the Colorado Division of Corrections. Development of a statewide classification system which encompasses local correctional efforts, is made more difficult and complicated as a result of the disbursement of the correctional functions among several governmental agencies and because of the existence of differing regional or county approaches and attitudes in handling offenders.

Due to original design and maximum capacity limitations, most county jails must limit the classification of offenders to the basic differentiations of sex and in the case of juveniles, age. When feasible, and when the facility design permits, the personnel at some county jails attempt to classify and segregate offenders on the basis of the alleged offense (felony or misdemeanor). In some situations jailers classify and segregate prisoners on the basis of violent versus nonviolent.

REGIONAL FACILITIES

One of the principal goals of the study was to gain information concerning the feasibility of developing regional correctional facilities or regional jails.

Regional Jails

A regional jail is envisioned as a jail in which a professional corrections staff coordinates or provides work release, education release, counseling, and other rehabilitative programs. Further, a regional jail would be a jail which not only meets the maximum security needs of several counties, but provides exercise and day room areas and permits classification and segregation of offenders by offense.

In considering the question of whether regional correctional facilities or regional jails present a feasible approach to expanding the correctional effort at the local level, one must also deal with other questions such as: What size of region should either type of facility serve? Should such facilities serve a judicial district? Or serve a planning region? Or could a single facility of either type possibly be designed to serve the entire western slope?

The input derived from interviewing local officials indicates almost unanimous opposition to the construction of regional jails. In explaining their positions, local officials frequently noted that presently county jails are generally located within the county courthouse complex, i.e., the jail is either a part of or adjacent to the county courthouse structure. For attorneys of inmates, for head and branch officials of district courts, for district attorneys and deputy district attorneys, for local law enforcement, and for county courts, this arrangement is very convenient and nearly ideal as it permits ready access to incarcerated persons.

This convenience of ready accessibility to the county jail, plus the "high risk" and high cost factors involved in transporting prisoners long distances to and from a regional jail for court appearances or for attorney consultations are advanced as strong arguments against the development and operation of regional jails. Other arguments which the General Assembly must consider in assessing the State's role in handling locally accused or sentenced offenders are: (1) the absolute separation of offenders from their home counties or communities by the use of regional jails (apparently working counter to the community corrections approach); (2) the loss of law enforcement potential while law enforcement personnel transport prisoners to and from regional jails; and, (3) the increased burden that distance places on family and friends who wish to visit or consult with an incarcerated person. The positive benefits to be achieved by establishing regional jails (such as greater economy of scale, or greater rehabilitative potential through the use of professional

corrections staff, and the provision of a full range of programs designed to meet offender needs) are, according to local officials, clearly outweighed by the problems the use of regional jails would create.

Regional Correctional Facilities

A regional correctional facility is generally envisioned as a post-trial facility in which a professional corrections staff provides a full range of rehabilitative services such as work release, education release, and vocational training to meet the special needs of sentenced or committed offenders. Such a correctional facility could serve as a regional correctional rehabilitation complex which: (1) serves juvenile as well as adult offenders; (2) provides comprehensive alcohol and drug treatment programs; and, (3) coordinates its programs and activities with local probation, parole, welfare personnel and other local services utilized by inmates. Western slope attitudes toward the development of regional correctional (post-trial sentencing) facilities are mixed. A majority of local officials appear to favor the creation of one or more regional correctional facilities within the fifteen counties surveyed. This support is based upon the assumption that such facilities would be built totally, or almost totally, with state funds. These officials indicate, however, that local governments should maintain some control over the site selection and operation of such facilities.

Reasons advanced for support of the development of one or more regional correctional facilities within the study region are: (1) it would provide a badly needed sentencing option to district judges; (2) it could significantly reduce the distance burden that present state penal institutions place on the family and friends of convicted offenders; and, (3) it could provide one or more facilities at which juvenile offenders from western Colorado could be detained rather than detaining juveniles at the county jail level, or transporting such juveniles to the Jefferson County Youth Center. Some local officials indicate that they consider the present state juvenile detention system which mixes juveniles from rural Colorado with urban east slope juveniles to be very detrimental. Most local officials favor the development of regional juvenile detention facilities on the western slope.

With regard to the first point in the above paragraph, local officials connected with the operation of the courts state that district judges presently have only a black-and-white sentencing option in many cases--state institutions or probation. Because of this hard-soft, either-or situation, these officials state there is a need for a regional correctional facility which could provide a greater gradation in the sentencing options.

Presently, some felons convicted of nonviolent crimes are sentenced to the state penitentiary because granting probation would be treating their offenses too lightly. Yet, it is felt that sentencing a nonviolent felon to serve time among what some consider the highly violent population of the state penitentiary

may be too severe a punishment.

To be effective, a regional correctional facility needs a highly trained and qualified staff which has the capability of influencing adult behavior by developing an impression on the sentenced offenders that there is a need to change. Further, regional correctional facilities should be designed to provide much more than the custodial holding function provided by county jails. In fact, regional correctional facilities could have greater rehabilitative potential than the major state institutions because the regional correctional facilities would not have to deal with the violent offender.

Some officials state they are opposed to the development of either regional correctional or regional jail facilities. Beyond the arguments advanced in opposition to regional jails earlier, these officials state that the present county jail approach is adequately meeting the needs of offenders and the community and that there is no need to change. Some officials also view the development of regional facilities of any type as a serious erosion of local control. Other arguments advanced in opposition are that there would be: (1) a problem of equitably sharing among several counties the cost of construction (if regional facilities are not constructed with state funds) and the cost of operation; and, (2) difficulty in determining which governmental agency has ultimate authority.

Arguments for Retaining the Local (County Jail) Sentencing Option

In the event regional jails or regional correctional facilities are developed, local officials state that the county jail sentencing option should be retained. Reasons advanced for retaining this option are: (1) it can provide specialized sentencing, such as permitting student offenders to serve out time on weekends and still continue their education uninterrupted; (2) local sentencing obviates the need to provide an extensive re-entry program, plus such a program is easier to develop with the offender retained in the community; and, (3) a county, district, or volunteer probation officer may begin during the period of local incarceration to develop a good probation officer-probationer relationship prior to the offender's release into the community.

ASSESSMENT OF LOCAL PUBLIC OPINION AND COMMUNITY CORRECTIONS

Western slope officials state that Colorado taxpayers believe that the state penal system seeks to provide treatment and rehabilitation for criminal offenders under their control through incarceration and that the system has not been overly successful. Further, these officials contend that only a few individuals in any community on the western slope have given much thought to the development of community corrections programs in their own communities, particularly to programs which offer an offender the opportunity to rehabilitate himself without suffering the penalty of maximum security confinement.

Local officials assert first that there is little expression of concern about the local handling of offenders, either by the public or local officials, and second, that rural communities are basically public-safety oriented whenever the matters of offender-handling and offender-treatment are brought to their attention. As implied above, the rural public believes that recidivism rate for offenders incarcerated at and released from state institutions is too high, but according to local officials the suggestion of an alternative to the continued use of incarceration at state institutions is rare.

These local officials state that corrections is a very low priority with a great majority of the public, particularly during the present recessionary period. For most persons, imprisonment in the county jail is something so unlikely to occur that they cannot be persuaded to take any significant interest in the matter.

What public interest there is in corrections is generally in the area of taking a tougher attitude towards the handling of offenders. (The reinstatement of the death penalty in Colorado is cited as an indication of how the people of Colorado believe severe violent offenders should be treated.) Local officials state that many people feel the courts have gone too far in protecting the rights of accused offenders and are too soft in the sentencing of convicted offenders.

Other people see the incarcerated offender as being freed from responsibility, with board, lodging, and clothing provided at local or state taxpayer expense. Accused and convicted offenders are seen as paying no taxes, and not being required to work, while an unconvicted person must work if he is to keep his job. Under such circumstances, according to local officials, it is very hard for many citizens to believe that accused and

convicted offenders are not better off than they deserve to be and that indeed such offenders are on the verge of being positively pampered.

Many local law enforcement officials and county commissioners state that they tend to share similar beliefs. Further, local officials note that consideration of community corrections programs is politically very sensitive. If such programs are initiated too quickly or are misunderstood by the public, there will be a clamor to the effect that criminals are better off than the honest, hard-working, taxpaying citizens. One question frequently asked is what right does the accused offender have to complain when he has brought the incarceration upon himself by his own misconduct.

From interviews with local officials who recognize the inability of the present correctional system to rehabilitate offenders, many will grant only qualified support for such promising rehabilitative alternatives as the array of community-based corrections programs currently being developed throughout Colorado and the entire United States. These officials indicate that there is a need to approach the development of community corrections alternatives in much the same manner that work release programs evolved in Mesa county--very slowly and carefully.

Awareness of the Return of Offenders to the Community. What the general public is not aware of, according to many local officials, is that essentially all offenders sentenced to county jail, and more than ninety-nine percent of all the offenders sentenced to state institutions, eventually return to the community. These officials state that because many persons assume an out-of-sight, out-of-mind approach to corrections, there is a need to make the public more cognizant of the fact that offenders do return to the community. A greater public awareness could substantially improve community recognition and support of local correctional programs or facilities. This awareness, however, needs to be coupled with the knowledge that with sufficient local attention and support community correctional efforts can not only reduce criminal recidivism but may result in a reduction of crime.

Views of the Value of Local Incarceration and Community Correctional Programs or Facilities. Other than momentarily keeping offenders away from the community, law enforcement and other local officials generally agree that the arrest and conviction of more criminals will do little good if such persons are only placed in custodial safe-keeping for a fixed period of time without requiring some correctional counseling or other treatment. Few offenders are rehabilitated by the mere experience of being incarcerated.

On the other hand, many jailers assert that a few days in jail (2-10 days) without counseling or treatment (which is generally the case in the county jails surveyed) frequently does gain the attention of many first time offenders and some repeaters who only received the "slap of probation" sentencing following their initial involvement with the criminal justice system. The unfortunate imperfection in using short-term incarceration is that there is no way to identify or screen out those offenders who may be helped by a few days in the "slammer" and those who will not so benefit. This inability to screen offenders effectively results in a tendency to use short-term sentencing in somewhat of a blanket fashion. Of the 271 offenders serving time in county jail during the four month study period, 166 or 61 percent served ten days or less.

Local officials note that for some offenders short-term sentences of incarceration may produce just the opposite effect. For these offenders a short-term sentence is an extremely embittering experience. The embitterment or alienation may result from the hardships the incarceration places on the offender's personal life, such as loss of a job, family embarrassment, or forcing the offender's family to apply for welfare assistance. Community programs or facilities could offer a much more effective method of dealing with some offenders and still meet the community's need to punish the offender to some degree.

Difficulty of Gaining Public Support for Community Correctional Programs or Facilities. Law enforcement officials state that one very important item in understanding the difficulty of developing local support, even for existing local correctional programs which have been demonstratively effective, is the fact that most crime goes undetected, unreported, or unsolved. These officials state that this fact dooms any local correctional program from having any significant impact on the crime rate of a given community. Consequently, the general public feels that community programs which are touted as being extremely effective are somehow inadequate because the crime rate continues to rise.

Local law enforcement personnel state that a large but unknown percentage of detected crime (some estimate as high as 80-90 percent) goes unreported to law enforcement. Reasons cited for this willful nonreporting are that the victim: (1) may be involved in criminal activity and does not want the police asking questions; (2) may want to avoid embarrassment and publicity; (3) may not want to be bothered; (4) may claim he does not have the time to prosecute; (5) may prefer to deal with the situation by some other means than involving the local law enforcement; or, (6) may feel it would not do any good to press charges as the authorities could never solve the crime.

Local officials assert that for the person who commits an undetected or unreported offense, crime most definitely does pay. These officials further assert that the more "intelligent" or more "successful" offender quite often remains undetected or detected but not apprehended, and if apprehended, the "intelligent" offender generally has the know-how to "work the system," i.e., tapping the necessary resources to "get off" the charge, or to plea bargain the charge down to a misdemeanor. If there is no other option, the offender will take whatever actions he can to minimize the amount of time he must serve.

A general description of the "average" county jail inmate differs significantly from the above "intelligent" offender. From analysis of the offender profile data forms, a majority of county jail inmates appear to be from the lower economic and educational strata of the community and frequently are unemployed at the time of arrest. For the offender caseload for which information was complete: (1) 39.7 percent were unemployed at the time of arrest; (2) 48.6 percent had yearly incomes of \$3,600 dollars or less; and (3) 45.3 percent had less than a high school degree or GED equivalent.

Many county jail inmates are persons who have failed at crime; yet from their associations, they see other persons who have committed similar or more severe offenses and who have escaped detection or punishment. This situation makes the delivery of effective correctional programs very difficult, particularly since one of the prime objectives of such programs seeks to change the offender's belief in the notion that crime pays.

PRE-TRIAL DIVERSION AND COMMUNITY-BASED CORRECTIONS

As noted in an earlier section, exploration of issues in corrections with local officials and interested persons frequently results in the discussion focusing on the operation of the county jail or the sheriff's office. In some counties with very small population, the totality of the local corrections effort is the county jail or the activities of the sheriff's office. In these counties, corrections is strongly maximum security law enforcement oriented.

In contrast, a basic principle of enhanced community corrections, as embodied in the language of S.B. 55, is that all efforts consistent with the safety of others should be made to minimize an offender's involvement with the maximum security incarceration aspect of the criminal justice system. In agreement with the language of S.B. 55 several community corrections programs (most of which originated on a very small, experimental basis) have evolved within the fifteen counties surveyed. The following notes some pre-trial diversion and pre-trial release programs which do exist and some possible alternatives.

Pre-trial Diversion

The Selective Use of Summons to Appear. One pre-arrest diversion tool is the selective use of summons to appear. The use of summons to appear, which is a law enforcement officer's order to appear in court for a specific offense, varies considerably throughout the area surveyed. In the 22nd Judicial District (Montezuma and Dolores Counties), however, a program for the expanded yet appropriate use of summons to appear is being developed. This program, initiated by the district attorney and receiving the full support of the Montezuma county sheriff and the Cortez chief of police, provides a significant alternative to the general procedure of arrest and booking in at the county jail. The program also seeks to entirely eliminate some short-term holdings.

Through the use of a training manual developed by the district attorney, (See Appendix E, page 79 for example) law enforcement personnel are briefed on the elements which must be present in order to constitute the offense of theft, criminal mischief, disorderly conduct, and other misdemeanor offenses. Further, the manual contains suggested summons and complaint forms to be used by the officer on the scene. Through a clear understanding of the elements necessary for the commission of minor offenses, the officer on the scene may competently make the

decision on whether or not to divert a minor offender from the stigma of an arrest, county jailhouse booking, and possible detention in the jail if such person cannot make bond. To the accused person, the use of summons to appear means complete avoidance of the question of bail, elimination of incarceration in the county jail prior to arraignment, and freedom from the stigma of arrest.

Provision for the training of local law enforcement in the proper use of summons to appear and its widespread implementation by law enforcement could significantly reduce the high volume of short-term pre-trial detentions at county jails.

At present there is some use of summons to appear in all the counties surveyed. Some counties, however, may be able to review their present use of this tool and may be able to identify areas in, or offenses for which, its use could be expanded. If the use of summons to appear is expanded significantly, local jailers would have more time to devote to providing services and tapping resources which meet the needs of the remaining county jail inmates.

From a review of the offender profiles developed at the several county jails, it is apparent that a considerable amount of time is devoted to booking and subsequently releasing many minor offenders. Local officials in the 22nd Judicial District who are seeking to increase the use of summons to appear state that even if a minor offender fails to appear as ordered by the summons, the county court can issue a bench warrant and local law enforcement and the county jail can be utilized to assure the person's presence in court.

Diversion of Persons with Medical and Social Problems. This idea, initiated in part by the Colorado General Assembly and which is still in an embryonic stage in terms of implementation in the western Colorado counties surveyed, is the diversion of certain types of medical and social problem persons from the county jail system. One such problem person is the public drunk. Recognizing that incarceration in a county jail provides little towards aiding a person experiencing problems with the use of alcohol, the General Assembly adopted legislation which decriminalized public drunkenness.

Although the legislation set up a framework for change, local officials report that there is a need for adequate state funding to support the development of detoxification alternatives to county jail incarceration if there is to be any meaningful change in the manner in which rural areas deal with public drunks.

In fact, many jailers report that the treatment of the homeless or otherwise incompetent person who is repeatedly

brought into the county jail for protective custody holding is less humane than the treatment such persons received prior to the adoption of legislation decriminalizing public drunkenness. These jailers report that public drunks are now detained for protective custody, but that such persons are now released as soon as they are sober. Frequently, such persons are released without receiving a single meal. Prior to the adoption of the decriminalization statute, public drunks were frequently detained at the county jail for a two- or three-day period until such persons had totally "dried out" and had received a few good meals. Jailers state that the major change resulting from the decriminalization of public drunkenness is the accelerated deterioration of many of the "down and out" type of alcoholics within the communities. The passage of the statute decriminalizing public drunkenness and the failure to adequately fund the development of needed detoxification programs and centers has increased the rate of rotation of public drunks in and out of county jails.

Jailers and other local officials do not quarrel with the need for local detoxification treatment programs or centers. But these officials believe that detoxification programs must be funded by the state if such programs are to be developed. Local interest and local funding is generally inadequate to do the job. Local officials state that development of detoxification centers without strong backing from the state generally will receive such a low priority in the maze of problems confronting local governments that little or no local funding will be developed.

Jailers and local officials recognize that the successful development of programs and facilities to divert public drunks from detention in jail facilities could free-up considerable jail space and jailer time. A reduction in the jailer workload in these terms could permit the development of a correctional orientation which goes beyond the present custodial approach of such facilities. Although medical and social problem persons presently represent a rather minor portion of county jail caseloads, these persons could be diverted to drug treatment programs or to the local mental health clinics which provide more appropriate treatment, thus eliminating a few needless incarcerations at the county jail.

In summary, two things are needed throughout the area surveyed to effectively divert medical and social problem persons: (1) the adequate funding and development of detoxification centers; and (2) the training of law enforcement and jailers in at least the identification of persons suffering from alcohol or drug abuse problems.

Pre-Trial Release

Bail Bond System. According to local officials, there is a great need to develop a bail bond system which treats all persons as equitably as possible. The problem with the present

system is that an indigent person who is forced to use a bail bondsman to obtain pre-trial release pays a premium for his release from incarceration, while another person who faces the exact same charge but who can post in cash or property an acceptable amount of security to meet the required bail pays no premium.

It has been suggested that whenever it may be determined that requiring bail prior to release will require a person to use the services of a bail bondsman as his only recourse in obtaining pre-trial release, then the judge should strongly consider the use of personal recognizance bonding, if at all appropriate. Such a procedure would promote more equitable treatment of all persons who are bailable before their court appearance and for whom such bail is to be set by the applicable rules of criminal procedure.

To illustrate one problem: Assume two persons are arrested for DWI--driving while intoxicated. The court date for each is set two weeks from the date of their arrest. Each has the right to bail. The bond schedule in Mesa County requires a \$300 bond as bail for persons arrested under this charge.

The person who has the means to post the full amount of the bond obtains immediate release from custody. The other person does not have the means of posting the full amount and has to rely on the arrival of a bondsman, who for a fee of ten percent of the total bond will post the \$300 for the indigent DWI offender.

Assuming that each person appears in court on the date required, the full \$300 is returned to the person who could afford to post the full bond, and the full \$300 is returned to the bail bondsman as it was he who posted the full bond for the indigent offender.

It is only the indigent offender who suffers an out-of-pocket loss for utilization of his right to bail. This person is out \$30 (his premium to the bail bondsman) for his two weeks' freedom, while his financially more capable counterpart is out nothing.

Local officials state that there is a need for the state legislature to review the operation of the bonding system, and to restructure its operation so that all persons are treated as equitably as possible.

Personal Recognizance Bonding. Personal recognizance bonding provides a mechanism by which financially indigent persons awaiting trial are released after entering into an agreement with the court or its delegated agent. This agreement obligates, usually under penalty of money forfeiture, an accused

person to appear in court. Similar to the use of summons to appear, if a personal recognizance bond is breached the county court can issue a bench warrant and the local law enforcement and the county jail can be utilized to assure the appearance of the accused in court.

Further, at the national level, President's Commission on Law Enforcement and Administration of Justice recommends that:

"...projects should be undertaken at the state, county, and local level to furnish judicial officers with sufficient information to permit the pretrial release without condition for all but that small portion of defendants who present a high risk of flight or dangerous acts prior to trial."*

The use of personal recognizance bonding in the area surveyed varies from county to county.

*U.S. President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society, Washington, D.C.: U.S. Government Printing Office, 1967, p. 132.

Pre-trial Release--Alternative Approaches: (1) Pre-trial release project--An accused person with strong community ties, such as family, residence, and employment, is released on his own recognizance based upon an objective point system which was designed to measure the ties of the accused to a community. (The Manhattan Bail Project in New York City has shown that defendants who are released on their own recognizance on the basis of an objective point system are at least as likely to appear for their court trial as those persons released on money bail.)*

(2) Pre-trial release (subjective approach)--An accused person is released on his own recognizance based upon the subjective judgment of the judge or upon the judge's reliance on the subjective judgments of others concerning the likelihood of the defendant's appearance for trial. (The subjective approach forms the basis for much of the personal recognizance bonding on the western slope.)

(3) Pre-trial release (the border-line defendant)--An accused which does not qualify on the point basis, or whose subjective judgments result in a toss-up situation, is released on his own recognizance with supervision and supportive services provided to him throughout the pre-trial period. The supportive services are aimed at strengthening a defendant's community ties. For example, an accused person is released with supervision and supportive services being provided by a volunteer group to the defendant during the pre-trial period. (This type of pre-trial release is available in Gunnison County Court through the services of Volunteer Counseling Services.)

(4) Pre-trial release (10 percent bond to court)--An accused person who cannot provide the amount of bond necessary for release is released after posting 10 percent of his bail with the court directly, rather than through a bail bondsman.

*Daniel Freed and Patricia Wald, Bail in the United States: 1964, Working paper for the National Conference on Bail and Criminal Justice (New York: Vera Institute of Justice and U.S. Department of Justice), pp. 62-63.

POST-CONVICTION PROCEDURES AND OPTIONS IN WESTERN COLORADO

Western slope officials report there has been a significant impact on county jails and their operation in recent years as a result of the introduction and implementation of non-traditional sentencing options. Since the time of the construction of the San Miguel County Jail in 1874, the principal disposition for the lesser offender has been a fine or a sentence of short-term incarceration at the county jail. In discussing sentencing options, one still occasionally hears the phrase "30 dollars or 30 days." Jailers note, however, that in some cases it makes little difference which sentencing option the court selects (fine or sentence), since some defendants have no money with which to pay the fine imposed and must serve time in the county jail anyway. (In most of the county jails surveyed, a prisoner receives a \$2 deduction from the fine imposed for each day served in the facility.)

Beyond the traditional sentencing options of fines or incarceration, a variety of post-conviction community-based alternatives have been proposed and established. Post-conviction community-based programs have been developed both to work with offenders subsequent to their incarceration at a state institution and to receive convicted offenders in lieu of incarceration at a state institution. (The work release program in Grand Junction is an example of a community-based program which deals with both classes of offenders.) Community-based programs designed to ease the transition from the institution to the community have been in existence for several years (such as parole), but during the last couple of years these and new approaches have received increased attention.

Sentencing Alternatives

Sentencing. In many of the counties surveyed county judges lack ready access to a full range of sentencing options. For these counties the prime sentencing alternatives are incarceration in the county jail or probation. Sentencing alternatives beyond these exist but are very informally structured and are generally developed on an individual basis to meet the needs of a particular case.

In discussing the sentencing of convicted offenders local officials advanced the following views:

(1) The county or district court judge generally knows more about a convicted offender than a Department of Institution's diagnostic team; therefore, the placement within the state penal system should continue to be the decision of the sentencing judge.

(2) Since the incarceration options open to a sentencing judge frequently are either incarceration in state penal institutions or in the county jail, there is a need to provide a greater gradation of incarceration options. Placing offenders in county jails, although it admittedly provides punishment for an offender, is not generally considered a rehabilitative option.

(3) Many local officials assert that an offender should be sentenced in terms of the offense for which he is convicted and not in terms of the offender's social, familial, or economic situation. These officials suggest that the General Assembly should review the sentencing process and should seek to develop specific or limited sentence ranges for each offense. Such a reworking of the criminal code would significantly reduce the discretion presently granted to sentencing judges.

Deferred Sentencing. Many judges and district attorneys prefer the use of deferred sentencing to deferred prosecution. Consequently, the adoption of legislation early in the 1975 legislative session which authorized the use of deferred sentencing as a sentencing tool has been enthusiastically received.

According to local officials the advantages of deferred sentencing over deferred prosecution are: (1) that a case may be continued for a two-year period rather than just a single year which is the case under deferred prosecution, thus permitting the court to exert more extensive supervision over offenders; (2) that a case is already built and evidence has been received for the record prior to the offender's release into the community on a probation-like status, thus eliminating the problems of locating witnesses or evidence if the decision is made at a later date to proceed with the prosecution of the case; and, (3) that it permits the courts to release an offender in less than two years as a reward if an offender has met the terms of the probation-like agreement with the court.

Deferred prosecution on the other hand permits only an initial six-month period of probation-type supervision. In order to maintain a full year's supervision of an offender, the judge must extend the supervision for another six months. The drawback to this procedure is that the offender who agrees to the initial six months will frequently interpret the extension of the probation-type status (particularly if he has been "straight" during the first six-month period) as additional punishment. This has a detrimental effect in terms of rehabilitative potential.

Prior to the adoption of the deferred sentencing statute, only a few judges in the area surveyed felt secure in the use of deferred judgment. Although he welcomes the statutory backing of the deferred judgment approach, the district judge in the 6th

Judicial District (Archuleta, La Plata, and San Juan Counties) used deferred judgment as a method of dealing with first-time offenders (including felons) for five years prior to its statutory embodiment. He considers it a valuable option in order to effectively and appropriately deal with many first-time offenders.

Probation. On the western slope, the most commonly used alternative to incarceration of convicted offenders is probation. The use of probation as a sentencing alternative to incarceration began in the United States in the 1840's, but it was not until 1970 that the state judicial office took over the funding responsibility for probation services. The primary responsibility of a district probation office is to meet the needs of the district court for which it was created to serve. Another function of the district probation office, however, is to assist the various county courts within a given judicial district.

Probation is, to most persons, the court placement of an offender (largely as a second chance opportunity) under the supervision of a counselor, i.e., a probation officer, rather than sentencing such person to a maximum security facility. Some probation officers state that they not only serve as counselors, but in some districts serve as a law enforcement arm of the court. Probation officers also conduct presentence investigations in which recommendations are made concerning the sentencing of offenders.

In western Colorado, probation officers generally have both adult and juvenile probation caseloads. These officers, in addition to the above duties: (1) may do crisis intervention work; (2) may investigate whether an accused offender who is being held in a county jail is eligible for personal recognizance bonding or some other form of pre-trial release; (3) may make custody or other domestic relations investigations; (4) may oversee money paid through the courts under the Reciprocal Support Act; and (5) may administer the collection and disbursement of moneys earned by probationers placed on work release programs.

According to recent estimates for Planning and Management Regions 9, 10 and 11, by the Research and Statistics Section of the State Judicial Department approximately 47 percent of all convicted adult offenders are placed on probation. (State-wide, approximately 45 percent of all adult offenders are placed on probation.) Through the use of the probation sentencing option, an offender is kept in the community and is generally under professional supervision at a cost far below that required to incarcerate the same offender. The statewide average cost of servicing an offender on probation is \$174. The average cost of keeping an adult prisoner in a state correctional institution for

a year is \$6,586. As computed from per diem cost figures, the average cost of keeping an adult prisoner in a county jail within the study region ranges from \$1186 at the Gunnison County Jail to \$4563 at the Montrose County Jail. In contrast, costs range from \$190 to \$303 to provide probation services to offenders sentenced to probation within the three Planning Regions.

Although local officials admit that there are still a number of problems associated with the use of probation, it appears that probation has had a very good success rate. Recidivism of probationers, meaning the commission of a probation violation or another criminal offense which leads to the revocation of probation, is reported to be very low. For the probation offices located within the 9th, 10th, and 11th Planning and Management Regions the recidivism rate is estimated to range from 0 to 7.6 percent.

In discussing the success rate of probation, many local officials have stated that the success has been achieved despite high caseloads and often undertrained personnel by the special efforts of dedicated people. Yet increasing the number of probation officers (an obvious and costly solution) in order to reduce the size of caseloads is only part of the answer according to persons closely involved in probation work.

According to probation officers, effective probation requires differential treatment which means that some probationers need greater supervision and assistance (such as locating a job, dealing with family problems, or maintaining an antabuse program, etc.) than other probationers. Consequently, not only is there a need to increase the total number of probation officers, but a need to increase their level of competence and expertise, and a need to increase the scope and quality of community services available to meet and effectively deal with the needs of probationers. Further, local officials assert there is a need to provide enough probation staff to have both juvenile and adult probation officers.

As indicated earlier many local officials acknowledge the considerable success of the probation sentencing option. Many others, however, assert that probation sentencing is not used to rehabilitate or counsel the many minor misdemeanants who could benefit from such programs. This latter group asserts that the use of probation appears to be reserved for the more severe misdemeanant and for minor felony offenders. Reasons cited for this selective use of probation are: (1) the limited amount of probation staff; (2) a hesitancy by sentencing judges to place severe misdemeanant offenders in custodial-oriented county jails for long periods of time; and, (3) a hesitancy by sentencing judges to commit persons convicted of lesser felony offenses to state penal institutions because of the possible detrimental rather than rehabilitative effects such an experience

(particularly for the first-time offender) could produce.

Local officials who assert that probation is under-utilized with regard to minor misdemeanants argue that it is the beginning misdemeanant for whom probation counseling could have the greatest preventive effect. In response to this need the Gunnison county judge, in cooperation with the deputy district attorney, local law enforcement, and with the financial backing of the Gunnison county commissioners, developed an agency to provide probation services to the county courts. (See explanation of Volunteer Counseling Services Inc., page 58.)

On the other hand, some local officials state that probation is over-utilized and that many offenders are getting off too easy. These officials indicate that their concern stems from what often appears as an either-or sentencing situation faced by trial judges. The two options are probation or incarceration at one of the two major state institutions. These officials indicate that often offenders should be sentenced to something in between the freedom and second-chance treatment of probation and the hardening experience of serving time at a state institution. It is at this point that some officials suggest there is a need to be strict with offenders and urge greater use of short-term jail sentences as a more effective way of dealing with offenders. Other officials suggest that development of regional correctional facilities could fill a significant gap. These officials envision a regional correctional facility as providing a much needed gradation of sentencing options for district judges.

Further, it is suggested that if the General Assembly wants to enhance and augment the trend away from institutionalization and toward community-based programs for low risk offenders, then it will have to fund the judicial department to the extent that it will be possible to reduce caseloads and to provide more personal contact between the correctional officer and the client. Judges have stated that they have dismissed cases rather than convict and sentence a person to an overburdened probation staff.

Some local officials and probation personnel believe that the trend away from institutionalization will continue as the collection of fines and restitution from probationers continues to improve and as the cost effectiveness of community-based programs becomes more evident.

Volunteer Probation Services. Attitudes toward the use of volunteer probation officers or counselors varies considerably throughout the area surveyed. Some district judges oppose the use of volunteer probation officers. They feel that since a volunteer has no statutory authority or power over a probationer,

the volunteer will not be able to provide any meaningful probation services. Further, it is stated that volunteers lack probation expertise or training and are semi-transient, resulting in a high turn-over rate which is not conducive to meeting an offender's need for a stable long-term relationship.

Other district judges utilize volunteer probation officers to ease the burden of high caseloads placed on district probation staff. These volunteers are trained by the probation staff and are considered quite capable of fulfilling a supervisory role for some probationers. These volunteers are restricted, at least in an official capacity, to assisting only persons sentenced to the probation department for supervision.

In another judicial district the probation department has acquired federal funding for a volunteer probation coordinator. Through the volunteer probation coordinator this probation department is seeking to locate and train volunteer probation officers who can act as service brokers to probationers and any other persons needing such services.

Most local officials agree however, that the use of volunteer probation officers would become more feasible if the state legislature developed and adopted legislation extending some statutory authority to persons serving in the capacity of volunteer probation officers.

Other Suggestions Concerning Probation. Some local officials urge that the state legislature consider stimulating community corrections through a probation subsidy program similar to the program operating in California. In short, this program provides that for every reduction in the commitment from a locality to the state, the state will pay \$4000 to the local probation department of such locality. In Colorado, some officials suggest that it might be possible to funnel state funds to the probation departments and other corrections agencies through the Regional Criminal Justice Councils or through local community corrections boards, if the latter exists.

Some probation officers and local officials state that preventive programs such as the development of a youth recreation center or a do-it-yourself auto repair garage at which juveniles may constructively expend some of their energies, should become a major function of probation departments. These officials assert that prevention often appears to be a more realistic goal than rehabilitation.

Work Release

In a work release program an offender retains a job or obtains a job within the community either through his own efforts or through the efforts of work release personnel. Work release may be used as a supplement to parole for persons who are nearing

completion of their prison terms, or used as an alternative to incarceration for persons needing some punitive and rehabilitative experience without requiring the more extreme treatment of total maximum security confinement.

Work and education release programs which were strongly urged in 1967 by the President's Commission on Law Enforcement and Administration of Justice have yet to be fully utilized throughout western Colorado. Work release programs on the western slope are primarily located at county jails and generally are implemented in one of three ways: (1) strict statutory implementation; (2) a partial statutory implementation; and, (3) informal work release via weekend sentencing.

Colorado statute requires the county sheriff or the district probation office to collect and distribute the earnings of work releasees according to terms of the offender's work release plan. Offender earnings may be disbursed to the following areas: (1) restitution; (2) support of the prisoner's dependents, if any; (3) court costs and fines; (4) room, board, and supervision costs; (5) other prison obligations; (6) the necessary travel and personal expenses of the prisoner; and, (7) the balance, if any, is returned to the prisoner upon discharge from the work release program.

The second work release approach permits the offender to retain control of his earnings, although possibly being billed for the per diem cost of his incarceration. The third approach is more informal and involves the sentencing of an offender to serve time on weekends or other days off while he retains his employment and other community and family ties during the regular work week. The last two approaches are primarily used with offenders who had employment prior to conviction.

Of the nine full-time county jails surveyed, seven provide some form of work release. In La Plata and Montezuma county jails, the statutory form of work release is used, while this approach and one or both of the more informal approaches to work release are utilized at the Garfield, Mesa and Montrose county jails. Only informal forms of work release are presently used at the Gunnison and Moffat county jails. There are no work release programs at the Rio Blanco and Delta county jails.

Work Release in Mesa County. As the work release program in Mesa county has evolved into a combined county-state venture and presently operates from both the county jail and a residential facility within the community, it is worthy of special note. Upon the urging of District Judge William Ela, and with the backing of the county sheriff and the Mesa county commissioners, a small self-supporting work release program operating from the county jail was initiated in September, 1971. (At this time, the program is still self-sufficient.) During the

first year the program dealt with ten offenders.*

Once the program achieved some initial success (no escapes or recidivism during the first year), it was felt that the community would accept a gradual expansion and horizontal enrichment of the work release program. Throughout the period from September 1971 to the present the program has increased its caseload and now provides academic and GED release programs as well. In terms of the source of the program's clientele, program records indicate that nearly 50 percent of the offenders who are or who have been in the program were sentenced to a term of work release by the district, county or municipal court, the remainder are persons who were sentenced to serve time in either state institutions or the county jail and who, after incarceration, applied for placement in the program.

Another expansion of the Grand Junction Work and Education Release Program was the opening of a residential facility to house work releasees outside the county jail. This move received some local opposition. Community concerns were resolved to some degree and the resident facility began operation in November, 1974.

Residents of the new facility are primarily from state institutions and are within 90 to 120 days of being paroled. They all work at area jobs in an attempt to ease the transition from incarceration to freedom. The majority of the residents were originally from the Mesa county area. Officials of the program indicate that there have been 21 parolees from state institutions, including five currently (May 22, 1975) in the program since the state's initial involvement in the program. All inmates placed on parole following work release are reported to be doing fine.

Both the county jail and the residential facility provide education release programs for student offenders. District Judge William Fla believes that there should be a greater emphasis placed on education and vocational release, as many inmates simply lack any employable skills. He asserts that it is far better for the community to provide and for the offender to receive training at Mesa College or elsewhere in the community than at Canon City.

One growing local concern, however, is that state involvement in the work release program might turn into state control. Presently, state-level work releasees are doubly screened before they are accepted into the Mesa county-state work release program. First, they go through a state institution's screening; then they are screened by local work release agents.

Local officials fear that the Department of Institutions' naming of a state coordinator for the Grand Junction work release

program may effectively destroy the local units present veto power concerning the acceptance of state inmates. Without this authority local officials believe the Mesa county-state program could become a "dumping ground" for unwanted state prisoners.

The 1974 Annual Report and the first Quarterly Report, 1975 of the Grand Junction Work of Educational Release Program are presented in Appendixes F and G, pages 83-87 to provide a more complete picture of the program's operation. Further, Appendix H, page 89 contains a statement on "The Philosophy of a Work and Educational Release Program as Seen and Compiled by Raymond E. Draper, Coordinator of the Grand Junction Work and Educational Release Program.

The Mesa county-state work release program is being used as a model for other communities to examine, adopt, and modify to meet their own unique situations. The Colorado Division of Corrections is seeking to develop additional work release centers throughout the state and will seek where possible, to utilize the county-state cooperative approach which has been so successful in Mesa county.

Work Release and the Payment of Board and Room at County Jails. County judges, county sheriffs and district attorneys who are familiar with the operation of work release programs express concern that the statutory requirement that a work releasee pay board and room costs while incarcerated at the county jail may in some cases be excessively burdensome. The per diem costs for room and board at county jails has risen significantly during the last year. The highest per diem charge within the study area is \$12.50 per day at the Montrose county jail. Local officials assert that requiring offenders who generally work for low hourly wages to reimburse the county at such high rates significantly reduces the incentive to participate in work release programs.

Local officials contend that the moneys to operate the county jail are already budgeted, so some flexibility should be possible concerning the payment of room and board. These officials contend that the payment of board and room should be scaled to the persons ability to pay. If some flexibility could be incorporated in the payment of board and room to the county jails, then there will be a greater chance of retaining sufficient incentive to encourage the greatest number of incarcerated offenders to participate in work release or related release-type programs.

SUMMARY OF THE DEVELOPMENT OF VOLUNTARY COUNSELING

SERVICES INC. IN GUNNISON COUNTY

In September, 1973, initial steps were taken to form a local probation service for the Gunnison County Court. Reasons for the development of Volunteer Counseling Services are: (1) the use of a single district probation officer to service the district court and six county courts; (2) the county court's need of the probation sentencing option for persons convicted in county court; (3) the difficulty for district probation staff to provide probation services from long distances (It is 65 miles from Montrose to Gunnison and it is frequently hazardous driving.); and, (4) heavy district court probation caseloads, many of which required considerable amounts of counseling and assistance.

These conditions minimized the county court's willingness to sentence to probation approximately 100 persons who were convicted in county court and who were eligible for probation. Without a probation sentencing option, the Gunnison county judge was faced with only two sentencing options: (1) unsupervised probation; or, (2) jail time. Local officials report that the two alternatives were not always appropriate and were ineffective to the extent that the recidivism rate in the Gunnison County Court was estimated to be approximately 25 to 30 percent.

In October, 1973, the Voluntary Counseling Service (V.C.S.) was organized and was assigned its first case from the Gunnison County Court. In this embryonic stage of the program's development, the V.C.S. administrator, as well as its counselors, served on a strictly voluntary basis. From October to January, 1974, V.C.S. supervised thirty probationers and utilized seven counselors.

Volunteer counselors generally worked on a one-to-one basis and received an average caseload of three probationers during this period. The V.C.S. administrator, who has training in social work and previous probation experience, supervised the remainder of the caseload.

Today the active caseload ranges from 70 to 80 probationers, and the number of volunteer counselors increased from seven in 1973 to 22 in 1975. The recidivism rate, meaning the number of probationers who commit a second offense or who commit a probation violation which results in the revocation of probation by the Gunnison County Court is presently estimated to be 1.5 percent for all the cases handled by V.C.S.

Further, approximately 1,800 prisoner days were saved during 1974 as a result of the county probation program. There

were 90 prisoner days served during 1974 for probation violations.

County Probation Services. Today V.C.S. provides a full range of probation services to the Gunnison County Court. These services include: (1) supervised probation by volunteer counselors and by the salaried V.C.S. administrator; (2) referral services for probationer needs; (3) pre-sentence investigations; and, (4) in-jail counseling services for both accused and sentenced offenders of the county court.

V.C.S. and LEAA Funding. The administrator of V.C.S. is presently seeking in excess of \$22,000 in the form of LEAA grant funding to increase the percentage (currently 12.7 percent) of all Gunnison County Court cases being handled by V.C.S., to approximately 20 percent. With this funding assistance, V.C.S. plans to develop additional volunteer counselors, to pay a full-time office staff, to provide clinical scrutiny of cases, to improve the quality of its training of volunteer counselors, and to increase V.C.S. contact with accused jailed persons prior to their extensive involvement with the criminal justice system. Further, if the LEAA funding is granted, V.C.S. plans to expand its referral activities concerning misdemeanor and juvenile offenders to those resources available in the community. The federal funding will also permit development of the following services: (1) family counseling; (2) crisis intervention counseling; and, (3) group therapy for probationers who have difficulty responding to one-to-one counseling.

V.C.S. and the 7th Judicial District Probation Office. V.C.S. cooperates with the district probation office on an informal basis through reporting activities and legal consultation on some cases. V.C.S., however, is limited to handling misdemeanor cases within Gunnison County only and therefore has not developed a formal working relationship with the district probation office. To date no referrals have been made from the 7th Judicial District Court to V.C.S.

Transfers to V.C.S. from Federal District Court, the Colorado Department of Institutions, and the 10th, 11th, and 20th Judicial District of Colorado. Five felons, four from the above noted judicial districts and one from the Colorado Department of Institutions, have been placed under the supervision of V.C.S., personnel. The Colorado Department of Institutions transferred on 25 year-old female parolee to V.C.S., for supervision during her parole period. All transfers receive individualized counseling with V.C.S. A monthly report is submitted by the V.C.S. to the transferring agency.

V.C.S.'s Relationship to Local Services for Alcohol and Drug Counseling in Gunnison. As approximately 20 percent of V.C.S.'s caseload has shown some need for specialized alcohol or drug counseling or treatment, V.C.S. has tapped the services of

Midwestern Colorado Mental Health Center's alcohol and drug treatment counselor. This is a new (June, 1975) community resource and has greatly enhanced the rehabilitative potential of V.C.S. The V.C.S. administrator indicates that V.C.S. will be utilizing this resource on a referral basis, as needed.

Volunteer Counselors--Approval and Training. Initially, all persons seeking to work with V.C.S. as volunteer probation counselors are required to complete a probation counseling orientation course (approximately 10 hours of classroom type of instruction) prior to receiving an assigned probationer. All volunteer applicants are carefully screened concerning their backgrounds and motivations for applying. As presently developed, the 10-hour training utilizes community expertise to provide training in several diverse areas. A professor from Western State College provides instruction on the basic concepts of counseling. A local attorney teaches the basic concepts embodied in the Colorado Criminal Code. The director of the Midwestern Colorado Mental Health Center in Gunnison trains volunteers in the recognition and referral of alcohol and drug abuse problems. The volunteer counseling administrator conducts role playing sessions which simulate various counselor-probationer situations. In addition, counselors are required to attend monthly in-service training programs. The in-service training deals in greater depth with the subjects noted above, and others such as value clarification, group therapy, and the juvenile code.

After successfully completing the orientation, a person, upon swearing in by the county judge, officially becomes a Voluntary Probation Counselor. Counselors carry identification cards and an accurate listing of all probation counselors is provided to local law enforcement. After assignment to a probationer, each counselor is required to submit a written report monthly. Such report is to detail the probationer's whereabouts, employment, attitude, and general progress. At bi-monthly meetings the Board of Directors of V.C.S., reviews each case report. Any changes in a counseling program must be approved by the Board.

As with the training program, the Board of Directors is drawn from a cross section of the community. For example the Board's present make-up consists of a bank president, a district attorney, a minister, a private attorney, an auto dealer, the president of the college and a member of the community.

Pre-Sentence Reports and the Conditions of Probation. Upon request by the county judge, a pre-sentence investigation is conducted. A pre-sentence investigation is reduced to a type-written report, copies of which are furnished to defendant, defendant's counsel, district attorney, and the county court judge. The pre-sentence report is often vital in assisting the

county judge to formulate sentencing which is appropriate to the nature of the offense and the offender's needs.

For example, if a pre-sentence report includes a psychological evaluation, the report may recommend that the offender be granted probation upon the acceptance of certain conditions. Examples of conditions imposed as a part of a probation program are: (1) to enter into an antabuse program under the supervision of the V.C.S. administrator; (2) to enter into group therapy (possible an Alcoholics Anonymous program); (3) to enter into or to continue with psychotherapy sessions at the Midwestern Colorado Mental Health Center in Gunnison; or, (4) to voluntarily enter the Colorado State Hospital for either further testing or for treatment.

In addition, a probationer may be required to meet weekly or even daily with an assigned volunteer counselor. As a result of this one-to-one supervision, which may be for as long as two years, close relationships are developed and very few violations of the conditions of probation occur. When a violation is reported, the counseling program of the probationer is reviewed, and if deemed necessary, the conditions of probation are altered to effectively deal with the problem either through better meeting the needs of the offender or through punishment for the violation.

As of May, 1975, there had been fifteen probation violations reported since the 1973 initiation of V.C.S. Two violations, upon Board review, resulted in the revocation of probation.

In-Jail Counseling. In some instances the county court will impose a short jail term prior to the onset of supervised probation. Whenever the county court utilizes this procedure, in-jail counseling, on a daily basis, if possible, is conducted to establish the counselor-probationer relationship and to prepare the offender for the eventual return to the community.

In-Jail Reading Program. V.C.S. has recently begun a reading program for all prisoners. The program allows the prisoner who has little or no formal education to gain reading skills. While in this program, prisoners learn how to fill out job applications, and through the use of role playing with the volunteer counselor, job interviewing situations with prospective employers are simulated.

PAROLE

Parole, the traditional transitional approach, is the conditional release of prisoners before their sentences are completed, and is used to provide supervision for such persons as they leave the correctional setting of a state institution. A paroled offender is assigned to a parole officer who supervises the offender and insures that a relatively extensive set of rules and regulations are obeyed. Although many parole officers provide substantial supportive service to their parolees, the primary focus of parole has traditionally been custodial.

According to the Office of Research and Planning and Program Development, Division of Correctional Services, in Colorado today roughly 83 percent of all adult offenders committed to state correctional institutions are eventually released on parole. The single adult parole office on the western slope is located in Grand Junction. This office is charged with the provision of adult parole services to the entire twenty-one county region west of the continental divide. From this office the three adult parole personnel, who have long standing ties in the rural communities of this region, generally operate by providing parole services through the informal use of local contacts to maintain surveillance on the conduct and activities of parolees.

The recidivism rate, meaning the commission of another criminal offense or a parole violation which leads to revocation of parole, for the parolees assigned to the Grand Junction office is estimated to be 4.5 percent. Mr. Bill Rutledge, district supervisor on the western slope, states that an important function of his office and the prime reason for the successful reintegration of offenders into their respective communities on the western slope is the obtaining and maintaining of meaningful employment; (i.e. employment which is better than the barest minimum that the economy of the area offers).

JUVENILE CORRECTIONS AND JUVENILE DETENTION ON THE WESTERN SLOPE

Although the prime focus of this report is the operation of adult community corrections programs in western Colorado, the following comments on the situation of juvenile detention and correctional facilities is believed to be necessary as a result of the strong local concern expressed to staff. For the counties surveyed, there are no juvenile detention or closed juvenile correctional facilities. Sheriffs and judges report that whenever it becomes necessary to hold a juvenile, they are detained as a "make-do" arrangement in the county jail. In many judicial districts the chief judge declared a portion of the existing county jail shall serve as the jail's juvenile section. This action is necessary as most of the jail facilities surveyed lack any provision, by design, for the separate incarceration of juveniles. Most local officials state that this is a thoroughly inadequate procedure, but note further that local governments lack the funding capability to change the situation. In some county jails the women's section is alternatively used for the detention of women and juveniles. Obviously jailers are confronted with difficult choices when both juvenile and women offenders are detained at the same time.

West Slope Juveniles and East Slope Detention. Local officials state that juveniles from western Colorado, who are sent to Lookout Mountain School for Boys in Golden or Mount View Girls School in Denver (the male and female statewide juvenile correctional institutions) are schooled in crime, rather than rehabilitated. Local officials assert that these juveniles return to their communities with a greater knowledge of crime than they would probably ever have learned if they had remained on the western slope, even if detained in the local county jail.

Local jailers, law enforcement and judicial officials believe the state should develop several small juvenile institutions within the region surveyed. Further, such institutions should provide both open and closed settings, and should have the capacity to treat and deal with a juvenile's problems at the facility, as well as provide support to probation or parole units who have under their supervision juveniles placed in the community.

Beyond local officials suggesting that it is the state's responsibility to fund the construction of juvenile institutions, opinion in this area begins to fracture. Concerning the level of government responsible for the operation of juvenile institutions, the following approaches have been suggested: (1) total state operation; (2) joint state-local operation; (3) total local operation; and, (4) contractual agreements with private individuals or agencies who have demonstrated a capability to provide the needed detention housing or counseling services.

Simplify the Children's Code

Many officials indicate that the operation of the Children's Code is confusing, and suggest that the General Assembly might review the Code, and seek to simplify its procedures and clarify its purpose. For example, some local officials point out that juveniles may be, and in some judicial districts frequently and repeatedly are, incarcerated for offenses that would not be classified as crimes if committed by adults (such as "truancy", "runaway", and being "uncontrolable") but that the same juveniles are released to their parents during the pre-trial period, or placed on probation after trial for offenses which if committed by an adult would result in that adult either securing a cash bond in order to obtain pre-trial release or serving time if convicted. Local officials state they are uncertain if the Children's Code is intended to treat juveniles more severely or less severely than adult offenders.

COUNTY JAIL SURVEY

Spring 1975

Prepared By

Legislative Council Staff

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name La Plata County Jail Officer in Charge Sheriff Denney Schilthuis
 Location County Courthouse Complex County La Plata City Durango
 Year Constructed 1963-64 Original Construction County Jail
 Estimated Ave. Daily Inmate Pop.: Pretrial 12-17 Post-trial 3-4 Total 15-21
 Designed Capacity 38 Male 30 Female 4 Juvenile 4
 Capacity Per Colorado Department of Health Standards: Male _____ Female _____
 Juvenile _____ Largest Inmate Pop. in 1974 35 Longest Stay during 1974:
 Pretrial 4 months Post-trial 6 months
 Exercise Areas No Padded Cell No Drunk Cell Yes
 No. of Meals per Day 2/male Source of Meals Jail kitchen
 Future Use of Facility City/County-multi-county jail
 Area Served Archuleta, La Plata & San Juan counties, and federal hold
 Most Recent Renovations from 1970 to Present:

Year	Cost
None	only general maintenance

Planned Construction Expenditures for CY 1976 \$250 (budgeted)
 Jail Operating Cost: CY 1973 N/A CY 1974 \$42,224 CY 1975 \$64,500
 No. of Employees April, 1975: Full Time 5 Part-time 1 (cook)
 Payroll April, 1975: Full-time \$3,238 Part-time \$1,000 but he provides the food
 Per Diem Cost for Inmate Maintenance \$5.00

Comment (La Plata County)

Several needs were identified by La Plata County officials concerning the La Plata county jail. These are:

- a need to have a more efficient separation of adult female, and male and female juvenile prisoners from the adult male prisoner population. (Present capacity of the facility becomes severely limited when confronted with the separation of a full mix of male and female adult, and male and female juvenile prisoners.)
- a need for a rally-port entrance to the jail for greater security in the picking-up and delivering of prisoners to and from the facility;
- a need to develop some form of exercise/recreation area for prisoners;
- a need to have a prisoner/lawyer interview conference room.

Other corrections needs identified at the county jail were:

- a need for more jail personnel;
- a need to provide a social worker to counsel persons incarcerated in the county jail; and
- a need to provide a services coordinator to tap local resources in order to treat and to meet offender needs while in incarcerated in the county jail. (By tapping local resources on an individualized basis, many services may be provided without the construction of additional facilities.)

Although the above needs were identified by jail staff and other local officials, the county commissioners state that the jail and its operation is a low priority concern at this time.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Montezuma County Jail Officer in Charge Sheriff Bob Hampton
 Location County Courthouse Complex County Montezuma City Cortez
 Year Constructed 1937-38 Original Construction County Jail
 Estimated Ave. Daily Inmate Pop.: Pretrial 7 Post-trial 7 Total 14
 Designed Capacity 27 Male 15 Female 6 Juvenile 6
 Capacity Per Colorado Department of Health Standards: Male 12 Female 2
 Juvenile 2 Largest Inmate Pop. in 1974 33 Longest Stay during 1974:
 Pretrial 6 months Post-trial 1 year
 Exercise Areas No Padded Cell NO Drunk Cell No
 No. of Meals per Day 3 Source of Meals Jail kitchen
 Future Use of Facility Unknown as Sheriff's Office is moving to a new facility during August, 1975
 Area Served Montezuma and Dolores Counties, and Ute Mountain Tribe

Most Recent Renovations from 1970 to Present:

Year	Cost
	None, only general maintenance

Planned Construction Expenditures for CY 1976 approx. \$200,000 (budgeted)
 Jail Operating Cost: CY 1973 n/a CY 1974 \$23,263 CY 1975 \$56,352
 No. of Employees April, 1975: Full Time 4 Part-time 1
 Payroll April, 1975: Full-time \$ 2310 Part-time \$400
 Per Diem Cost for Inmate Maintenance \$5.00

Comment (Montezuma)

The present Montezuma county jail will be abandoned during the summer of 1975. A new jail/law enforcement/ court complex is under construction and is expected to be operational by August, 1975. Sheriff Hampton asserts that the new facility and an increase in jail personnel to five full-time employees will significantly improve the rehabilitative capability of the jail staff in Montezuma county.

The new facility provides a greater capacity to meet offender needs as it contains an inmate exercise area, a separate juvenile holding area, and a work release section. Further the design will permit jailers to classify and segregate offenders according to the severity of offense as well as sex and age.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Delta County Jail Officer in Charge Sheriff Fred Pace

Location County Courthouse County Delta City Delta

Year Constructed 1958 Original Construction County Jail

Estimated Ave. Daily Inmate Pop.: Pretrial 2-3 Post-trial 5-6 Total 7-9

Designed Capacity 26 Male 23 Female 3 Juvenile 0

Capacity Per Colorado Department of Health Standards: Male 11 Female 1

Juvenile 0 Largest Inmate Pop. in 1974 18 Longest Stay during 1974:

Pretrial 7 months Post-trial 2 months

Exercise Areas No Padded Cell Yes Drunk Cell No

No. of Meals per Day 3 Source of Meals Jail Kitchen

Future Use of Facility City/County Jail

Area Served Delta County, including Delta Honor Camp

Most Recent Renovations from 1970 to Present:

Year	Cost
------	------

None, only general maintenance

Planned Construction Expenditures for CY 1976 None

Jail Operating Cost: CY 1973 \$15,763 CY 1974 \$16,238 CY 1975 \$27,050 (budgeted)

No. of Employees April, 1975: Full Time 2 Part-time 2

Payroll April, 1975: Full-time \$700 Part-time \$360

Per Diem Cost for Inmate Maintenance \$4.50

Comments (Delta County)

Although local officials identified no specific needs in terms of the structure or operation of the Delta county jail, there is some consideration of the practicality of combining a new jail facility with the planned construction of a new court building. A new jail facility, according to local officials, would be advantageous in handling the seasonal influx of illegal aliens.

Several local officials state that corrections is not a local concern, and assert that only pre-trial detention, which they view as the prime function of the county jail, is a county concern. According to these officials, if the state desires to enhance the development of community corrections it should provide funds to cover 100 percent of the costs of such programs or facilities.

Many Delta officials express strong opposition to the development of either regional jails or regional correctional facilities.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Gunnison County Jail Officer in Charge Sheriff Claude Porterfield
Location 200 No. Iowa County Gunnison City Gunnison
Year Constructed 1942 Original Construction County Jail
Estimated Ave. Daily Inmate Pop.: Pretrial 3 Post-trial 1 Total 4
Designed Capacity 15 Male 13 Female 2 Juvenile 0
Capacity Per Colorado Department of Health Standards: Male 8 Female 2
Juvenile 0 Largest Inmate Pop. in 1974 12 Longest Stay during 1974:
Pretrial 8 months Post-trial 6 months
Exercise Areas No Padded Cell No Drunk Cell Yes
No. of Meals per Day 2 Source of Meals Jail Kitchen
Future Use of Facility City/County Jail
Area Served Gunnison and Hinsdale Counties
Most Recent Renovations from 1970 to Present:
Year Cost
None, only general maintenance
Planned Construction Expenditures for CY 1976 None (budgeted)
Jail Operating Cost: CY 1973 \$10,627 CY 1974 \$12,871 CY 1975 \$13,075
No. of Employees April, 1975: Full Time 1 Part-time 1
Payroll April, 1975: Full-time \$ 425 Part-time -0-
Per Diem Cost for Inmate Maintenance \$3.25

Comment (Gunnison County)

Most local officials agree that the Gunnison county jail is inadequate. The facilities original design and construction seriously restricts the amount of improvement which may be achieved by remodeling the present structure. A new jail/ law enforcement/court complex is in the planning stages, but city and county officials are reluctant to grant any construction "go ahead" until the state legislature lifts the ban on new jail construction and makes a determination concerning the development of "Regional Facilities."

Through the cooperative efforts of the county judge, district attorney, county commissioners, and concerned private citizens, a county probation program entitled Volunteer Counseling Services (V.C.S.) was initiated in 1973. V.C.S. serves as both a probation supervising agency for sentenced offenders and as a pre-sentence investigation arm of the county court for all persons facing possible jail sentences by the county court judge. Local officials state that although the program enjoys strong local support, local funding has not been adequate. These officials assert that according to subsection 13-3-105(1), C.R.S. 1973, the funding of probation services is a state concern and consequently the state should subsidize the cost of the operation of the county probation program.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Montrose County Jail Officer in Charge Sheriff Tom Gilmore
Location Courthouse Complex County Montrose City Montrose
Year Constructed 1968 Original Construction County Jail
Estimated Ave. Daily Inmate Pop.: Pretrial 9 Post-trial 3 Total 12
Designed Capacity 55 Male 39 Female 4 Juvenile 12
Capacity, Per Colorado Department of Health Standards: Male 30+ Female 2
Juvenile 0 Largest Inmate Pop. in 1974 60 Longest Stay during 1974:
Pretrial 6 months Post-trial 9 months
Exercise Areas No Padded Cell No Drunk Cell No
No. of Meals per Day 3 Source of Meals Jail kitchen
Future Use of Facility City and County Jail
Area Served Montrose, Ouray, and San Miguel Counties, and Federal hold
Most Recent Renovations from 1970 to Present:
Year Cost
None only general maintenance
Planned Construction Expenditures for CY 1976 None (budgeted)
Jail Operating Cost: CY 1973 N/A CY 1974 \$53,020 CY 1975 \$77,310
No. of Employees April, 1975: Full Time 4 Part-time -0-
Payroll April, 1975: Full-time \$2,750 Part-time -0-
Per Diem Cost for Inmate Maintenance \$12.50

Comments (Montrose)

Concerning the Montrose county jail, local officials identified the following structural and program needs:

(1) A pressing need to construct an outdoor recreation area for inmates,

(2) A chronic need for office space for both jail staff and the sheriff's office,

(3) A need to air-condition the present facility, as it becomes stifling for inmates and personnel during the summer months,

(4) A need to increase and improve the jail library collection, as the present library is a haphazard collection of paperbacks, and

(5) A need to expand the use of person recognizance bonding, particularly for persons with long-term or established residence in the area.

In order to get community corrections going, some officials believe that strong direction from the state legislature is needed. According to these officials, part of this direction should come in the form of a lump sum appropriation to the State Court Administrator for the development of community-based corrections. Under this proposal, it would be the court administrator's responsibility to divide the funds among the various judicial districts of the state in such a manner as to stimulate the development of community corrections throughout the state.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Garfield County Jail Officer in Charge Ed Hogue
Location County Courthouse Complex County Garfield City Glenwood Springs
Year Constructed 1966 Original Construction County Jail
Estimated Ave. Daily Inmate Pop.: Pretrial 3 Post-trial 2 Total 5
Designed Capacity 32 Male 24 Female 4 Juvenile 4
Capacity Per Colorado Department of Health Standards: Male 18 Female 2
Juvenile 2 Largest Inmate Pop. in 1974 14 Longest Stay during 1974:
Pretrial 7 months Post-trial 4 months
Exercise Areas Yes* Padded Cell No Drunk Cell Yes
*used for storage area
No. of Meals per Day 3 Source of Meals Jail kitchen
Future Use of Facility City/County Jail
Area Served Garfield County and federal hold
Most Recent Renovations from 1970 to Present:
Year Cost
1975 \$1,500.
Planned Construction Expenditures for CY 1976 None (budgete
Jail Operating Cost: CY 1973 \$14,000 CY 1974 \$17,000 CY 1975 \$20,000
No. of Employees April, 1975: Full Time 2 Part-time 0
Payroll April, 1975: Full-time \$1,085 Part-time none
Per Diem Cost for Inmate Maintenance \$8.00

Comments (Garfield County)

Local officials noted only one specific need with regard to the operation of the Garfield county jail. There is a need to locate storage space for the sheriff's office. Presently Garfield county inmates are prevented from using the jail's exercise area, as the sheriff is utilizing it as a storage area. The jail staff states that the sheriff plans to clear the exercise area this summer once other storage space has been located.

Crime Prevention in Glenwood. Since October 1974, Glenwood Springs has been one of six mountain communities participating in a "mountain burglary program" funded through LEAA. After receiving a month's training, a Glenwood Springs police officer inspects businesses and recommends measures which could prevent a possible break-in.

The ultimate success of the program rests on the businessman's following the officers recommendations. (Residential homes are also inspected upon request.) Although not directly attributing the decrease to the new program, Glenwood Springs' Chief of Police, Bob Halbert notes that the number of reported burglaries of commercial operations dropped from twenty-six to nine for comparable six month periods.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Mesa County Jail Officer in Charge Sheriff Dick Williams
 Location 655 Ute Avenue County Mesa City Grand Junction
 Year Constructed 1963 Original Construction City and County Jail
 Estimated Ave. Daily Inmate Pop.: Pretrial 18-20 Post-trial 27-30 Total 45-50
 Designed Capacity 98 Male 74 Female 10 Juvenile 14
 Capacity Per Colorado Department of Health Standards: Male 52 Female 3
 Juvenile 1 Largest Inmate Pop. in 1974 69 Longest Stay during 1974:
 Pretrial 4 months Post-trial 2 years
 Exercise Areas No Padded Cell No Drunk Cell Yes
 No. of Meals per Day 3 Source of Meals Jail Kitchen
 Future Use of Facility City/County Jail
 Area Served Mesa county and federal hold
 Most Recent Renovations from 1970 to Present:

Year	Cost
1973	\$2,200

Planned Construction Expenditures for CY 1976 None (budgeted)
 Jail Operating Cost: CY 1975 \$78,825 CY 1974 \$99,792 CY 1975 \$136,301
 No. of Employees April, 1975: Full Time 11 Part-time 2
 Payroll April, 1975: Full-time \$7,833 Part-time unknown
 Per Diem Cost for Inmate Maintenance \$7.50

Comment (Mesa County)

The county sheriff reports that although the jail population averages only about half the facility's designed capacity, a significant increase in offender population, such as could result from an acceleration in oil shale development, could create a need to expand the present facility. No construction of an inmate exercise area is planned at this time.

An extensive work release program is in operation at the Mesa county jail. Two members of the jail staff have been permanently assigned to the coordination of the work release program. See page 35 concerning work release.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Moffat County Jail Officer in Charge Sheriff Bob Kelly
 Location County Courthouse County Moffat City Craig
 Year Constructed 1960 Original Construction County Jail
 Estimated Ave. Daily Inmate Pop.: Pretrial 3 Post-trial 7 Total 10
 Designed Capacity 24 Male 20 Female 4 Juvenile 0
 Capacity Per Colorado Department of Health Standards: Male 10 Female 2
 Juvenile 0 Largest Inmate Pop. in 1974 21 Longest Stay during 1974:
 Pretrial 6 months Post-trial 9 months
 Exercise Areas Yes Padded Cell No Drunk Cell Yes
 No. of Meals per Day 2 Source of Meals Local Cafe
 Future Use of Facility City and County Jail
 Area Served Moffat County
 Most Recent Renovations from 1970 to Present:

Year	Cost

Planned Construction Expenditures for CY 1976 None (budgeted)
 Jail Operating Cost: CY 1973 N/A CY 1974 \$40,000 CY 1975 \$48,000
 No. of Employees April, 1975: Full Time 4 Part-time 2
 Payroll April, 1975: Full-time unknown Part-time unknown
 Per Diem Cost for Inmate Maintenance \$4.50

Comment (Moffat County Jail)

As the only corrections facility in Moffat, the county jail is the center of attention when reviewing the local corrections effort. Locally concerned officials however, express divergent views concerning what community corrections should be.

The county commissioners, among other local officials, state they fear that many persons who are pushing for the development of community corrections programs or facilities, are looking only at the rehabilitative potential of such programs or facilities and are ignoring the need to protect the community.

These officials indicate there is a need to make local jail facilities more secure and to make people pay for the crimes they have been convicted of---rehabilitation of offenders is not enough. It is believed that if persons are made to pay for their crimes, there would be less need for large local law enforcement staffs.

In contrast, the district judge for this county, and others assert that sentencing an individual to serve time in the county jail generally does not provide much rehabilitation. It may, but only may, cause a person to think about his or her actions and consequently to "straighten out" their lives. For these officials, the county jail is more valuable for its threat potential, than for actual use for incarceration. All agree that the present design and construction of the county jail and the law enforcement orientation of staff are not appropriate to provide meaningful rehabilitation programs.

Beyond the difference expressed over the proper correctional orientation of the county jail, most indicate that the county jail is inadequate. Reasons cited for the need to expand the present facility or to construct a new jail include:

- (1) The present facility severely limits the staffs' ability to segregate and classify offenders;
- (2) The need for an inmate exercise area;
- (3) The need for a jail kitchen to improve the food service to inmates;
- (4) The need to alleviate overcrowding at the present facility; and
- (5) The need for an attorney/offender interview room and a family visitation area or room.

In terms of local resource utilization and development, local officials indicate that generally community resources, which are adequate to meet the special needs of an offender can be developed. Such resource development usually proceeds on an individual basis, and is achieved in a very informal manner.

COUNTY JAIL SURVEY SPRING 1975

GENERAL DESCRIPTION

Name Rio Blanco County Jail Officer in Charge Sheriff Bob Kracht

Location County Courthouse County Rio Blanco City Meeker

Year Constructed 1955 Original Construction County Jail

Estimated Ave. Daily Inmate Pop.: Pretrial 1 Post-trial 3 Total 4

Designed Capacity 24: Male 22 Female 2 Juvenile 0

Capacity Per ^{*Including 13 canvas hammocks} Colorado Department of Health Standards: Male 10 Female 1

Juvenile 0 Largest Inmate Pop. in 1974 19 Longest Stay during 1974:

Pretrial 6 months Post-trial 9 months

Exercise Areas No Padded Cell No Drunk Cell Yes

No. of Meals per Day 2 Source of Meals Sheriff's apartment

Future Use of Facility City and County Jail

Area Served Rio Blanco County

Most Recent Renovations from 1970 to Present:

Year	Cost
1975	\$2,000.

Planned Construction Expenditures for CY 1976 None

Jail Operating Cost: CY 1973 N/A CY 1974 \$ 8,245 CY 1975 \$10,166 (budgeted)

No. of Employees April, 1975: Full Time 2 Part-time 1

Payroll April, 1975: Full-time unknown Part-time unknown

Per Diem Cost for Inmate Maintenance \$5.00

Comment (Rio Blanco)

According to the county sheriff and other local officials, a person should serve time in the county in which he is tried and convicted, and the county should provide the necessary sentencing facility. Although local officials admit that the county lacks the specialized professional staff that could be developed at a regional correctional facility, the smallness of a county jail such as Rio Blanco's permits sentenced offenders to be dealt with on an individual basis. Local officials assert that large institutions because of the increased number of offenders, cannot treat prisoners in this manner.

Another reason advanced in support of the statement that the county should provide a sentencing facility for persons tried and convicted in the county is that the county sheriff knows the people of his county and knows how best to deal with them. Further, many local officials assert that a county jail is generally the best rehabilitative tool and provides a strong deterrent to the commission of crime.

Local officials did not note any specific needs at or for the Rio Blanco county jail. (It received the highest rating during the Colorado Department of Health's 1973 jail survey.) These officials urge that the state minimize as much as possible its involvement and interference with the operation of these local facilities.

Local officials state that most offenders break the law in order to get into the county jail, as people are attracted to it for the steady two meals a day and a warm place to sit out the winter. Local officials assert that the operation of a county jail should not be abusive of an offender's rights, but stress that the operation should in no way pamper an offender. These officials believe that detention or sentenced incarceration in a county jail can have a significant psychological effect; it can substantially change a person's behavioral pattern. They believe that the custodial detention of convicted offenders is a very effective rehabilitative tool.

TABLE 1
Availability of Services at County Jails

	Region 9		Region 10			Region 11		
	La Plata	Kontezuma	Delta	Gunnison	Kontrose	Garfield	Mesa	Rio Blanco
Visitation	Yes 1	Yes 1	Yes 2	Yes 2	Yes 2	Yes 2	Yes 1	Yes 1
Psychological Evaluation	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Counseling Services	Yes	No	No	Yes	Yes	Yes	Yes	Yes
Psychiatric Consultation	Yes	Yes 2	Yes	Yes	Yes	Yes	Yes	No
Recreation/Exercise Program	No	Yes 2	No	No	No	No	No	No
Legal Services	No	No	Yes	No	Yes	No	No	No
Public Defender	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Religious Program	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Medical Services	Yes 3	Yes 3	Yes 3	Yes 3	Yes 3	Yes 3	Yes 3	Yes 4
Public Works Programs	Yes	No	No	No	Yes	No	No	Yes 3
Trustee Work	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Academic Education	No	No	No	No	No	No	No	No
Vocational Training	No	No	No	No	No	No	No	No
Work Release	Yes	Yes	No	Yes	Yes	Yes	Yes	No
Education Release	Yes	Yes	No	Yes	Yes	No	Yes	No
Alcohol Abuse/Detoxification Treatment	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Drug Abuse Program	Yes	No	No	Yes	Yes	Yes	Yes	No
Library Services (Local Public)	No	No	No	No	Yes	Yes	Yes	No
In Jail Library Collection	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Classification of offenders (Other than sex and age)	Yes	No	No	No	Yes	Yes	No	No
Weekend Sentencing	Yes	No	Yes	Yes 5	Yes	Yes	No	No
Other	No	No	No	Yes	No	Yes	No	No

- 1) Twice a week
- 2) Once a week
- 3) On call
- 4) As needed
- 5) Reading Program, Therapy Sessions with County Probation Staff

Prepared by Legislative Council Staff, July 1975.

TABLE II

Distribution of Arrest Allegations by Geographic Area

	Region 9						Region 10								Region 11								GRAND TOTAL			
	La Plata		Montezuma		Total		Delta		Gunnison		Montrose		Total		Garfield		Mesa		Loffat		Rio Blanco		Total		#	%
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%		
Offenses Against Persons	4	.3	14	9	18	6	11	9	6	12	17	13	34	11	20	12	37	6	18	10	0	0	75	7	127	8
Offenses Against Property	21	15	22	13	43	14	8	7	18	34	14	10	40	13	27	16	149	23	9	5	4	14	189	19	272	17
Offenses of Fraud	9	6	10	6	19	6	0	0	3	6	5	4	8	3	5	3	24	4	9	5	0	0	38	4	65	4
Drug Offenses	4	3	5	3	9	3	7	6	6	12	3	2	16	5	16	9	26	4	4	2	2	7	48	5	73	4
Traffic Offenses	64	45	83	50	147	48	51	42	11	21	45	34	107	35	62	37	243	38	73	42	14	48	392	39	646	40
Public Disturbances and Protective Custody	25	18	5	3	30	10	6	5	1	2	8	6	15	5	21	12	27	4	31	18	3	10	82	8	127	8
Illegal Aliens	0	0	7	4	7	2	10	8	0	0	24	18	34	11	0	0	62	10	1	1	0	0	63	6	104	6
Other Offenses	14	10	19	12	33	11	28	23	7	13	18	13	53	17	19	11	69	11	28	16	6	21	122	12	208	13
All Offenses	141	100	165	100	306	100	121	100	52	100	134	100	307	100	170	100	637	100	173	100	29	100	1,009	100	1,622	100

Prepared by Legislative Council Staff, July 1975.

TABLE III

Offender Profile Summary

	Region 9						Region 10								Region 11								GRAND TOTAL					
	La Plata		Montezuma		Total		Delta		Gunnison		Montrose		Total		Garfield		Mesa		Loffat		Rio Blanco		Total		#	%		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%				
A. PERSONAL DATA																												
1. Sex																												
Male	113	92	126	83	239	90	106	93	46	94	113	96	270	94	131	39	548	90	144	93	23	100	850	91	1,360	91		
Female	10	8	17	12	27	10	8	7	3	6	5	4	16	6	17	11	60	10	11	7	0	0	83	9	131	9		
2. Race																												
Anglo-American	89	72	76	53	165	62	68	60	47	96	74	60	189	66	131	38	455	75	139	89	25	89	750	80	1,104	74		
Spanish-American	23	19	17	12	40	15	41	36	1	2	47	38	89	31	9	6	136	22	14	9	0	0	159	17	288	19		
Black-American	1	1	0	0	1	3	0	0	0	0	0	0	0	0	3	2	11	2	0	0	0	0	14	2	15	1		
American-Indian	10	3	50	35	60	23	5	4	1	2	0	0	6	2	1	1	1	2	1	1	1	4	4	4	70	5		
Asiatic-American	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	3	5	0	0	2	7	7	1	7	5		
Other	0	0	0	0	0	0	0	0	0	0	2	2	2	1	1	1	2	3	0	0	0	0	3	3	5	3		
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	1	1	0	0	2	2	2	2		
3. Age																												
18 - 20	30	25	30	21	60	23	30	26	19	39	27	22	76	27	28	19	175	29	25	16	9	32	237	25	373	25		
21 - 24	36	29	43	30	79	30	32	28	13	27	24	19	69	24	41	28	126	21	33	21	7	25	207	22	355	24		
25 - 30	23	19	34	24	57	21	12	11	3	6	16	13	31	11	27	18	121	20	27	17	2	7	177	19	265	18		
31 - 40	17	14	11	8	28	10	13	11	9	18	25	20	47	16	22	15	30	13	32	21	4	14	138	15	213	14		
41 - 50	6	5	15	10	21	8	15	13	3	6	13	15	36	13	19	13	56	9	24	15	3	11	102	11	159	11		
51 - 60	5	4	3	6	13	5	8	7	2	4	11	9	21	7	7	5	30	5	8	6	2	7	47	5	81	5		
61 and over	3	2	2	1	5	2	4	4	0	0	1	1	5	2	4	2	11	2	5	3	1	4	21	2	31	2		
Unknown	3	2	0	0	3	1	0	0	0	0	1	1	1	3	0	0	9	1	1	1	0	0	10	1	14	1		
B. RESIDENCE and FAMILY INFORMATION																												
1. Marital Status																												
Single	66	54	40	28	106	40	54	47	32	66	36	29	122	43	81	55	218	36	3	2	11	39	313	33	541	36		
Married	34	27	45	31	79	30	29	25	5	10	32	26	66	23	33	22	106	17	2	1	7	25	148	16	293	19		
Common Law	1	1	0	0	1	3	3	3	0	0	1	1	4	1	0	0	2	3	0	0	0	0	2	2	7	1		
Separated/Divorced	17	14	11	8	28	11	12	11	6	12	8	7	26	9	19	13	41	7	1	1	2	7	63	7	117	8		
Widow/Widower	4	3	0	0	4	1	1	1	0	0	3	2	4	1	12	8	4	7	1	1	1	4	18	2	26	2		
Unknown	1	1	47	33	48	18	15	13	6	12	43	35	64	23	3	2	237	39	148	95	7	25	395	42	507	34		
2. Number of Dependents																												
Persons With Dependents	45	36	48	34	93	35	37	33	9	19	32	26	89	31	51	34	131	21	2	1	7	25	200	21	382	26		
Persons Without Dependents	72	58	53	37	125	47	56	49	33	67	39	32	117	41	92	62	235	39	5	3	14	50	337	36	579	39		
Avg. # of Dependents/Unknown	2.3	6	2.3	42	2.3	48	2.6	21	1.9	7	2.5	42	80	28	4.6	5	3.3	242	1.0	148	3.0	95	7	25	402	43		
																											530	35

TABLE III (cont.)

	Region 9						Region 10						Region 11						GRAND TOTAL							
	La Plata		Montezuma		Total		Delta		Gunnison		Montrose		Total		Garfield		Mesa			Koffat		Rio Blanco		Total		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%		#	%	#	%	#	%	#
3. Length of Time at Present Address																										
More Than 5 Years	41	33	82	57	123	47	41	36	10	21	22	18	73	26	24	16	330	54	9	6	20	72	383	41	579	39
1 to 5 Years	27	22	16	11	43	16	19	17	6	12	20	16	45	16	8	6	85	14	2	1	2	7	97	10	185	12
6 Months to 1 Year	12	10	13	9	25	9	13	11	7	14	6	5	26	9	8	6	45	7	3	2	2	7	58	6	109	7
1 Month to 6 Months	23	19	2	2	25	9	15	13	5	10	11	9	31	11	14	9	28	5	1	.5	2	7	45	5	101	7
Less Than 1 Month	15	12	1	1	16	6	10	9	2	4	20	16	32	11	46	31	6	1	1	.5	1	3.5	54	6	102	7
Unknown	5	4	29	20	34	13	16	14	19	39	44	36	79	27	48	32	114	19	139	90	1	3.5	302	32	415	28
C. EMPLOYMENT																										
1. Employment Status																										
Employed	71	58	42	29	113	42	46	40	13	27	38	31	97	34	75	53	151	25	96	62	7	25	329	35	539	36
Unemployed	40	33	50	35	90	34	55	48	14	29	37	30	106	37	60	42	150	25	24	16	2	7	236	25	432	29
Student	9	7	6	4	15	6	1	1	15	31	1	1	17	6	2	1	70	12	2	1	12	43	86	9	118	8
Unknown	3	2	45	31	48	18	12	11	7	14	47	38	66	23	5	4	237	39	33	21	7	25	282	30	396	27
2. Income																										
0 to 3,600/yr.	38	30.9	34	23.8	72	27.1	51	44.7	33	67.3	19	15.4	103	36.0	65	43.9	198	32.6	1	.6	7	25.0	271	28.9	446	29.1
3,601 to 6,000/yr.	41	32.5	27	18.9	68	25.6	24	21.1	5	10.2	24	19.5	53	18.5	28	18.9	95	15.6	6	3.9	4	14.3	133	14.2	254	17.0
6,001 to 10,000/yr.	36	29.3	16	11.2	52	19.5	13	11.4	1	2.0	8	6.5	22	7.7	24	16.2	49	8.1	1	.6	8	28.6	82	8.7	156	10.5
Over 10,000/yr.	6	4.9	7	4.9	13	4.9	3	2.6	1	2.0	7	5.7	11	3.8	22	14.9	13	2.1	0	0	2	7.1	37	3.9	61	4.1
Unknown	2	1.6	59	41.3	61	22.9	23	20.2	9	18.4	65	52.3	97	33.9	9	6.1	253	41.8	147	94.8	7	25.0	416	44.4	574	38.5
3. Public Assistance																										
Unemployment Compensation																										
Unemployment Compensation	15	12	7	5	22	8	8	7	2	4	12	9	22	7	12	8	25	4	1	1	1	4	39	4	83	5
Social Security	4	3	18	12	22	8	6	5	2	4	5	4	13	4	2	2	9	1	0	0	0	0	11	1	46	3
Welfare	15	12	24	16	39	14	15	13	4	8	2	1	21	7	7	5	26	4	0	0	1	4	34	4	94	6
Unknown	7	5	65	42	72	26	28	24	13	27	94	70	135	45	0	0	280	46	151	97	7	25	438	47	645	42
No	88	68	39	24	127	45	61	52	27	56	21	16	109	36	130	87	267	44	3	2	19	68	419	45	655	43
D. EDUCATION																										
1. Highest Education Level Achieved																										
Less Than High School	28	23	37	26	65	25	54	45	9	18	26	21	89	30	46	31	208	33	5	3	6	21	265	27	419	28
GED	11	9	0	0	11	4	7	6	4	8	4	3	15	5	4	3	28	4	0	0	1	3	33	3	59	4
High School Graduate	68	57	47	33	115	44	36	30	32	63	24	20	92	31	77	52	107	17	3	2	14	48	201	21	408	28
Associate Degree	2	2	0	0	2	1	0	0	0	0	0	0	0	0	0	0	4	1	0	0	0	0	4	0	6	0
College Degree	8	7	2	1	10	4	0	0	0	0	0	0	0	0	13	9	5	1	0	0	1	3	19	2	29	2
Voc-Tech Certificate	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	3	0	4	0
Unknown or Other	2		58	40	60	23	22	19	6	12	69	56	97	33	8	5	279	44	147	95	7	24	441	46	598	39

Prepared by Legislative Council Staff, July 1975.

TABLE IV

Distribution of Pre-Trial Incarcerations

Number of Days Confined

	Less Than 12 Hours		12-24 Hours		2-5 Days		6-10 Days		11-30 Days		Over 30 Days		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Offenses Against Persons	30	2.2	19	1.4	27	2.0	14	1.0	11	2.3	11	0.8	112	8.2
Offenses Against Property	95	6.9	43	3.1	42	3.1	15	1.1	10	0.7	16	1.2	221	16.1
Offenses of Fraud	23	2.0	6	0.4	7	0.5	7	0.5	10	0.7	10	0.7	68	4.9
Drug Offenses	26	1.9	11	0.3	13	1.0	1	0.1	0	0	2	0.2	53	3.9
Traffic Offenses	324	23.6	119	3.7	76	5.5	15	1.1	6	0.4	0	0	540	39.4
Creating Public Disturbance or Malicious Mischief-Protective Custody	61	4.5	29	2.1	24	1.6	1	0.1	3	0.2	0	0	118	8.6
Illegal Alien	0	0	34	2.5	64	4.7	0	0	0	0	0	0	98	7.1
Other	58	4.2	24	1.7	53	4.2	14	1.0	5	0.4	3	0.2	162	11.8
TOTAL	622	45.3	285	20.3	311	22.7	67	4.9	45	3.3	42	3.0	1,372	100

Prepared by Legislative Council Staff, July 1975.

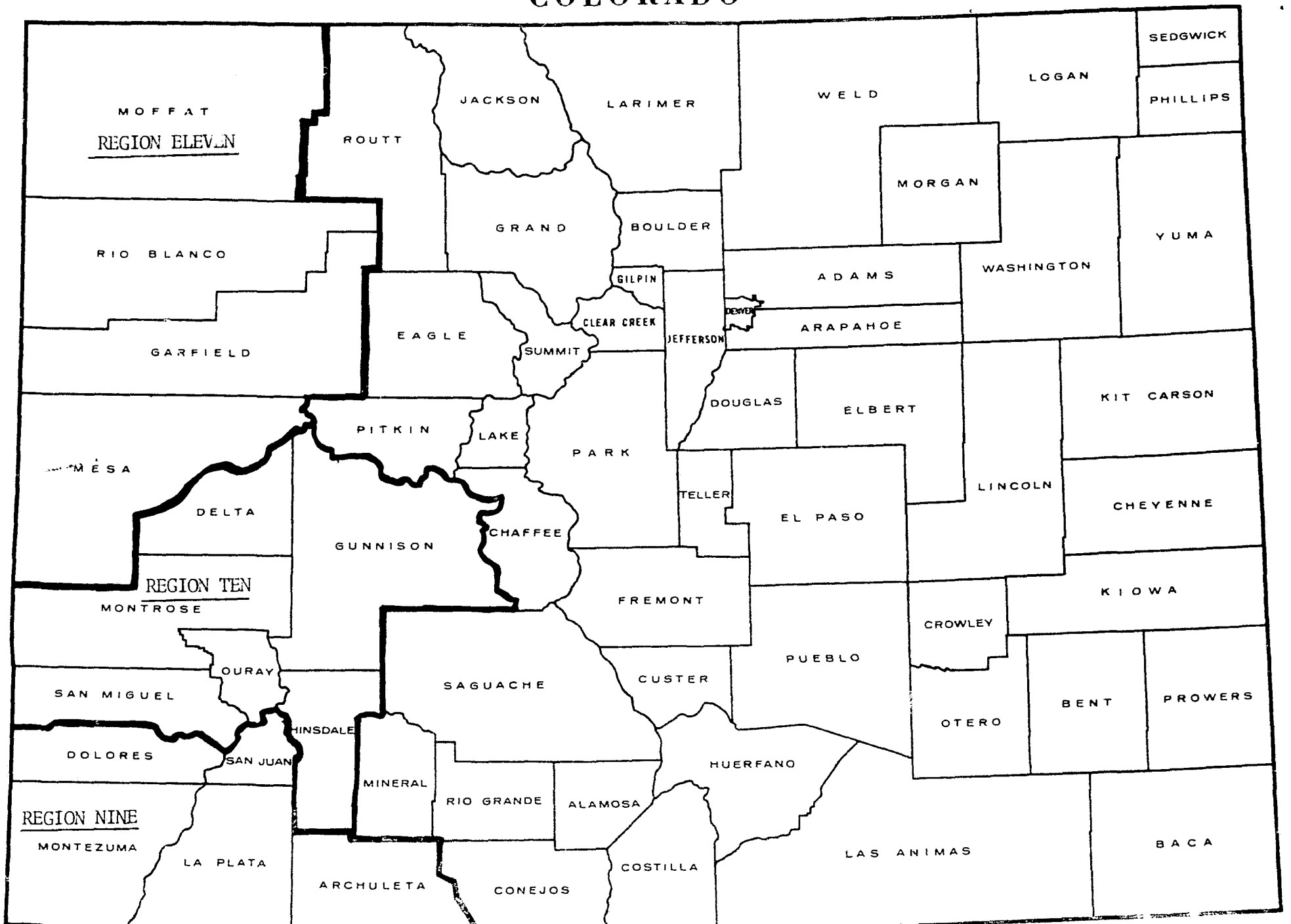
TABLE V

Distribution of Short-Term Post-Trial
Incarcerations - Number of Days Served

	<u>1 - 10 Days</u>	<u>20 - 30 Days</u>	<u>Over 30 Days</u>	<u>Total</u>	<u>% of Total</u>
Offenses Against Persons	10	6	8	24	8.9
Offenses Against Property	35	8	13	56	20.7
Offenses of Fraud	0	1	1	2	0.7
Drug Offenses	6	3	12	21	7.7
Traffic Offenses	94	24	11	129	47.6
Creating Public Disturbance or Malicious Mischief - Protective Custody	9	1	1	11	4.1
Illegal Alien	0	0	0	0	
Other	<u>12</u>	<u>8</u>	<u>8</u>	<u>28</u>	<u>10.3</u>
TOTAL	166 61%	51 19%	54 20%	271	100.0

Prepared by Legislative Council Staff, July 1975.

Appendix A
Planning and Management Regions 9, 10 and 11
COLORADO



Name _____
 Last First Initial

Institution _____

OFFENDER PROFILE

A. Intake Information

1. Code No. _____
 2. Address: _____
 County _____
 State _____

Length of time at this address:

- ____ More than 5 years
 ____ 1 to 5 years
 ____ 6 months to 1 year
 ____ 1 month to 6 months
 ____ Less than 1 month

3. Age: _____
 4. Sex: ____ Male ____ Female
 5. Ethnic Background:
 ____ Anglo-American
 ____ Spanish-American
 ____ Black American
 ____ American Indian
 ____ Asiatic-American
 ____ Other

6. Arrest Allegations:

- ____ a. Offenses involving violence to persons:
 ____ Murder and kidnapping
 ____ Manslaughter or recklessly causing the death of a person
 ____ Theft in which victim is beaten or otherwise brutalized
 ____ Theft involving the use of dangerous weapons or threat of physical violence
 ____ Assault with a deadly weapon or which caused serious bodily injury to the victim
 ____ Rape involving physical violence or threat of physical violence
 ____ Other -- explain arresting officer's allegations or charge _____

____ b. Offenses against property:

- ____ Arson
 ____ Burglary (unlawfully enters structure for purpose of stealing property - victim not present)
 ____ Motor vehicle theft
 ____ Motor vehicle parts stolen
 ____ Other theft - victim not present - explain _____

____ c. Offenses of Fraud

- ____ Bad check
 ____ Criminal use of credit card
 ____ Other - explain _____

- ____ d. Drug Offenses:
 ____ Illegal manufacture
 ____ Illegal sale
 ____ Possession
 ____ e. Creating public disturbance or malicious mischief
 ____ f. Illegal trespass
 ____ g. Illegal alien
 ____ h. Traffic offense _____
 ____ i. Other - explain arresting officers allegations or charges _____

7. Are there reasons to believe that this person has an alcohol, drug, or mental related problem? ____ Yes ____ No ____ Unknown
 If yes, specify: ____ Alcohol ____ Other - explain ____
 ____ Drugs
 ____ Mental _____

8. Status at time of arrest:

- ____ In no correctional program
 ____ In pre-trial program (released on own recognizance, etc.)
 ____ Probation
 ____ Parole
 ____ Wanted for non-adjudicated offense
 ____ Other - explain _____

9. Employment Status:

- ____ Employed
 ____ Student
 ____ Unemployed
 If employed, what is your occupation? _____
 If unemployed, what did you do on your last job? _____
 Do you have any other job skills?
 ____ Yes ____ No ____ Unknown
 What are they? _____

10. Education level:

- ____ High School Graduate
 ____ GED
 ____ Associate Degree
 ____ College Degree
 ____ Voc-Tech Certificate
 ____ Other - explain _____

6 7 8 9 10 11 12 13 14 15 16 17
 (Circle last year completed)

11. Marital Status:

- a. Single Separated/Divorced
- Married Widow/Widower
- Common Law Other

- b. Dependents: Yes No
- Number of Dependents _____

12. Previous incarcerations:

What state correctional institution have you been in? _____

What local jails have you been in? _____

13. Socio-Economic Status:

a. Income Level --

- 0 to 3,600/year
- 3,601 to 6,000/year
- 6,001 to 10,000/year
- over 10,000/year

b. At Time of Arrest

Do you have any money? Yes No
 Unknown

Do you have a place to stay?
 Yes No Unknown

c. At Time of Release

Do you have any money? Yes No
 Unknown

Do you have a place to stay?
 Yes No Unknown

d. During the last year have you received any:

- 1) Unemployment compensation
 Yes No Unknown
- 2) Social security
 Yes No Unknown
- 3) Welfare (including your immediate family)
 Yes No Unknown

B. Disposition -- Pre-trial Detainees

1. Length of time -- Pre-trial

Date and time of admittance to facility _____

Held on bond. Amount _____

Date and time of release or disposition _____

Total number of days detained _____

2. Disposition:

- Charge dropped by arresting authority
- Charge dropped by district attorney
- Charge dropped by citizen initially bringing charge
- Charge dismissed by ruling judge
- Release on personal recognizance
- Pre-trial release project
- Released on bail
- Referred to other facility
- Held until trial
- Other pre-trial diversion program
- Other _____

C. Disposition -- Post Trial Detainees

1. Length of sentence or detention -- post trial

Date and time of admittance as post trial commitment _____

Date and time of release _____

Total number of days of sentence served _____

Length of sentence _____

2. Disposition:

- Discharged
- Released on probation
- Released on parole
- Referred to other facility
- Released pending appeal

3. Special conditions attached to sentence, if any.

- Education furlough
- Drug or alcohol counseling
- Mental Health program
- Family counseling
- Financial counseling
- Other _____

4. Probation Report:

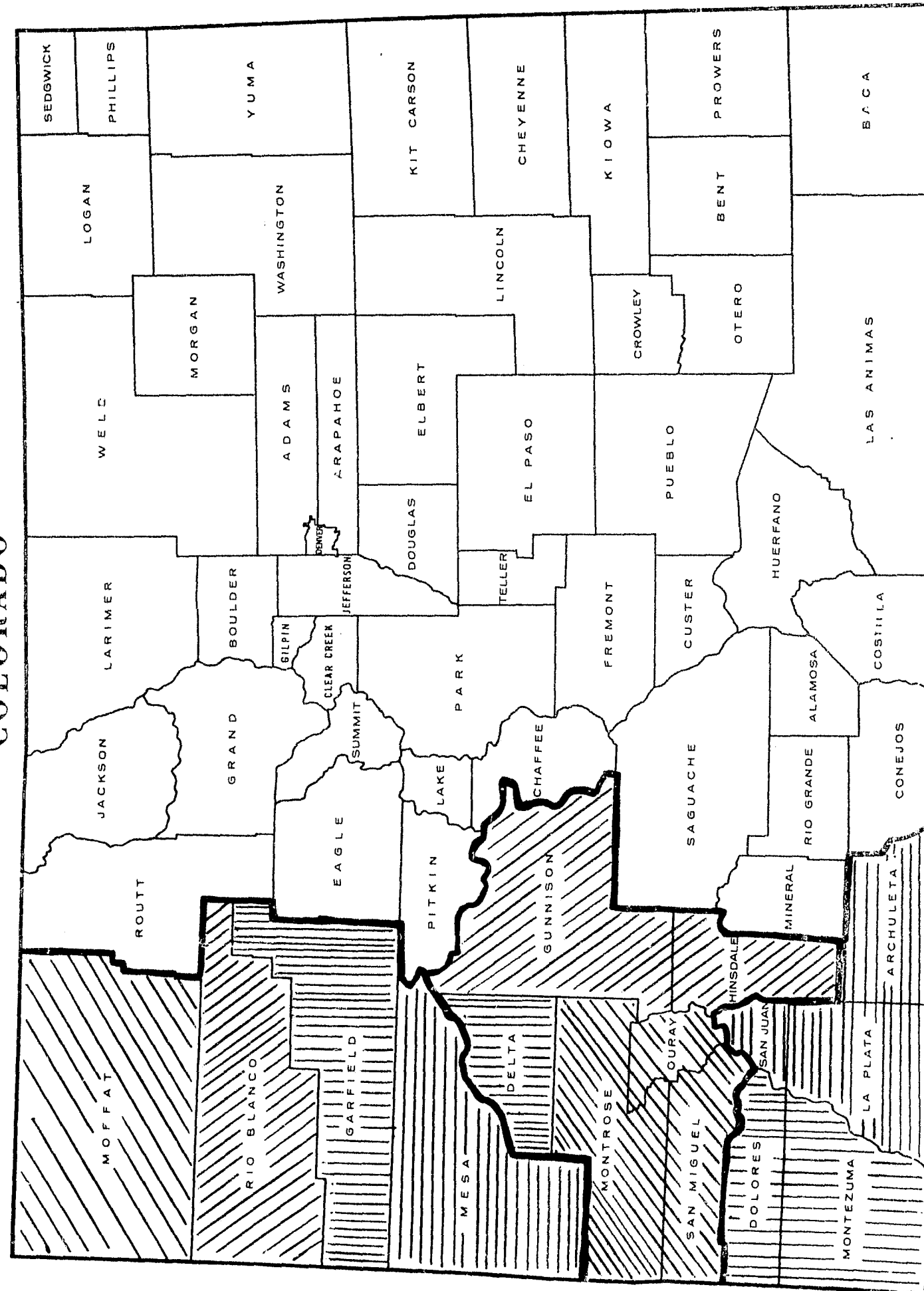
Is a probation report available?

Yes No Unknown

If yes, where? _____

Appendix C
Service Area of County Jails within Planning and Management Regions 9, 10 and 11

COLORADO



DEPUTY SHERIFF TRAINEE

4 positions to be filled. Salary \$805 mo. There will be shift hours. Min. height 5'7"; age requirements 21 yrs. or over. Job description: Performs duties which encompass training in the jail section. Will transport prisoners to various institutions, exercises custody and control of inmates and will transport prisoners to court proceedings. Performs bookings and finger printing processes. Some use of camera equipment. Education high school or GED. No experience necessary. Written tests will be given June 30, 1975 at the Waymire Bldg., Adams County Fairgrounds, Henderson, Colo. Polygraph exam will be given to those who pass the written test. Apply at the Adams County Sheriff's Dept., 1831 E. Bridge St., Brighton, Colo. on or before June 27.*

*From Rocky Mountain News, Tuesday, June 24, 1975, page 72.

SUMMONS AND COMPLAINT FORM MANUAL*

Alternative words that may be used in a pleading are placed in parentheses. If more than one is used, they should be jointed with the word "and," rather than "or."

Everything in parentheses which does not apply to a particular offense should be omitted.

When there are extensive alternates to be pleaded, they are set out in paragraph form.

Where a name is to be inserted, the space is normally underlined with parentheses and an indication of the type of name to be inserted.

The blank line at the beginning of each offense indicates that the defendant's name should be inserted, (exactly as it is written at the top of the Summons and Complaint form).

*From the "Summons and Complaint Form Manual", 22nd Judicial District, Montezuma and Dolores counties.

18-4-401 THEFT

_____ committed the crime of theft by unlawfully taking a thing of value, namely, (describe), of the value of less than One Hundred Dollars, of the personal property of (owner).

18-4-501 CRIMINAL MISCHIEF

_____ intentionally damaged (real) (personal) property of (victim) (s) in a single criminal episode, in an amount less than One Hundred Dollars.

18-4-509 DEFACING PROPERTY

_____ (defaced) (caused, aided in, permitted defacing of) (public) (private) property, without consent of the owner.

18-4-510 DEFACING POSTED NOTICE

_____ intentionally (marred) (destroyed) (removed) a posted notice authorized by law.

18-4-511 LITTERING

_____ unlawfully (deposited) (threw) (left) (one) (two or more) items of litter on (public) (private) (property) (waters).

THEFT

18-4-401

The elements of theft are:

- (1) Knowingly:
 - (a) obtaining or exercising control over
 - (b) anything of value of another
 - (c) which is the property of another
- (2) Knowing said thing of value to have been stolen, and
- (3) With specific intent to deprive such other person permanently of the use or benefit of the thing of value, and
- (4) The value of the thing involved is: less than one hundred dollars.

CRIMINAL MISCHIEF

18-4-501

The elements of Criminal Mischief are:

- (1) Intentionally damaging the real or personal property of one or more other persons,
- (2) In the course of a single criminal episode and
- (3) The aggregate damage to the real or personal property is less than one hundred dollars.

DEFACING PROPERTY - PUBLIC OR PRIVATE

18-4-509

The elements of defacing property are:

- (1) Defacing or causing, aiding in or permitting the defacing, of any public or private property, and
- (2) Without the consent of the owner of such property

DEFACING POSTED NOTICE

18-4-510

The elements of defacing posted notice are:

- (1) Intentionally marring, destroying or removing any posted notice,
- (2) Which posted notice is authorized by law.

LITTERING

18-4-511

The elements of littering of public or private property are:

- (1) Depositing, throwing, or leaving any litter on any public or private property or in any waters unless:

Such property is in an area designated by law for the disposal of such material and such person is authorized by the proper public authority to so use such property,

or

the litter is placed in a receptacle or container installed on such property for such purpose,

or

such person is the owner or tenant in lawful possession of such property,

or

such person first obtained written consent of the owner or tenant in lawful possession or the act is done under the personal direction of said owner or tenant, and

- (2) (only one item is deposited, thrown, or left) or (two or more items are thrown, deposited, or left).

GRAND JUNCTION
WORK & EDUCATIONAL RELEASE PROGRAM

ANNUAL REPORT
PERSONNEL RELEASED IN 1974

I Financial Summary

A. Gross Earnings & Withholdings

1. Work Release Gross Earnings	\$56,840.76
2. Taxes (Federal, State, FICA)	9,729.55
3. Miscellaneous Withholding (Other)	2,504.98
4. Net Earnings turned over to Mesa County Probation Dept. for Dispersal	32,665.99
5. Net Earnings turned over to Colorado State Reformatory for Dispersal	9,466.54
6. Net Earnings turned over to Colorado State Penitentiary for Dispersal	2,475.70
TOTAL NET EARNINGS-----	\$44,606.23

B. Disbursement of Funds by Mesa County Probation Department

1. Paid to Mesa County Sheriff's Department for Room, Board & Supervision	\$ 9,177.00
2. Weekly Allowances & Clothing	2,417.00
3. Court Costs & Restitution	4,038.77
4. Family Support	6,226.03
5. Creditors	1,178.52
6. Doctors & Lawyers	129.75
7. Other	1,172.69
8. Refunded to County Residents on Release	8,326.23
SUB-TOTAL----	\$32,665.99

C. Disbursement of Funds by Colorado State Reformatory

1. Paid to Mesa County Sheriff's Department for Room, Board & Supervision	\$ 4,168.00
2. Weekly Allowance & Clothing	827.00
3. Family Support	100.00
4. Doctors & Lawyers	28.50
5. Other	132.50
6. Refunded to Colorado State Reformatory Residents at Parole Time	4,210.54
SUB-TOTAL----	\$ 9,466.54

D. Disbursement of Funds to Colorado State Penitentiary Residents

1. Paid to Mesa County Sheriff's Department for Room, Board & Supervision	\$ 404.00
2. Weekly Allowance & Clothing	225.00
3. Doctors & Lawyers	30.00
4. Refunded to Colorado State Penitentiary Residents at Parole Time	1,814.70
SUB-TOTAL----	\$ 2,473.70

E. Total Funds Disbursed by Mesa County Sheriff's Department, Colorado State Reformatory & Colorado State Penitentiary \$44,606.23

II Administrative

1. Total number of Work Release Personnel on the Work Release Program in 1974	114
2. Total number of Released Personnel on the Work Release Program in 1974	104
3. Number of routine Releases from the Work Release Program in 1974	87
4. Number of Releases from the Work Release Program for Disciplinary reasons	12
5. Number of Releasees who failed to return to Jail (Walkaway) in 1974	5
6. Total number of Work Release Personnel presently on the Work Release Program	
a. At the Jail	3
b. At the Unit	7 + 1 (Permanent Help-CSP Cook)

III Comments

Of the 114 personnel placed on the Work & Educational Release Program during the past year, 22 were from Colorado State Reformatory and 1 individual was from Colorado State Penitentiary. The remaining Residents were from the County with 5 individuals participating in the educational part of the Program.

The total number of individuals reflects all of those Residents on Work Release during 1974. This includes 1 Resident who was on the Program at three separate times during 1974.

The minimum pay for all Work Release Personnel during this period was \$1.50 per hour and the maximum pay during this same period was \$7.54 per hour.

Some Residents only paid partial Room, Board & Supervision. This was due to the short length of their stay on Work Release, lack of securing employment while on Work Release, attending school, transferring to other programs or paying other indebtedness first.

Though all Residents are currently employed full-time, jobs are scarce locally. Prospective Residents are advised of this prior to their coming to the Work Release Program.

Two new State Agents were added to the Staff in November with another soon to be hired. Since the Staff is almost complete, the Work Release Unit was opened at 2985 North Avenue allowing for the operation of the Program at the Jail and at the Unit. Presently, there are 8 Residents living at the Unit. As soon as the new sewer is installed, the capacity will be expanded.

RAYMOND E. DRAPER, COORDINATOR
Work & Educational Release Program

Appendix G

GRAND JUNCTION
WORK & EDUCATIONAL RELEASE PROGRAM

1st QUARTER
January-February-March
3/31/75

I Financial

1. Work Release Gross Earnings	\$12,853.38
2. Taxes (Federal, State & FICA)	2,312.56
3. Other (Meals, Uniforms, Etc.)	383.60
4. a. Turned over to Probation Department for Dispersal	6,918.81
b. Turned over to Colorado State Reformatory for Dispersal	2,439.11
c. Turned over to Colorado State Penitentiary for Dispersal	799.30
5. a. Minimum Hourly Wage	1.66
b. Maximum Hourly Wage	7.15
6. a. Amount turned over to the Sheriff's Department for Room, Board & Supervision from Mesa County Probation Department	1,034.00
b. Amount turned over to the Sheriff's Department for Room, Board & Supervision from Colorado State Reformatory	176.00
7. a. Amount turned over to Work/Educational Center Fund for Room, Board & Supervision from Mesa County Probation Department	342.00
b. Amount turned over to Work/Educational Center Fund for Room, Board & Supervision from Colorado State Reformatory	1,024.00
c. Amount turned over to Work/Educational Center Fund for Room, Board & Supervision from Colorado State Penitentiary	252.00

II Administrative

1. Work Release Personnel carried over from previous Quarter	12
2. Work Release Personnel added during 1st Quarter 1975	35
3. Total number of Work Release Personnel on Program for 1st Quarter	47
4. Number of routine releases from the Work Release Program	24
5. Number of releases from Work Release Program for Disciplinary	1
6. Number of releasees who failed to return to Jail or Unit	0
7. Number of releasees presently at the Work Release Center (Jail)	13
8. Number of releasees presently at the Work Release Unit	9

III Comments

Of the 47 men on Work/Educational Release during the 1st Quarter, 2 were from CSP 12 were from CSR and the remaining 33 were from the County. Five of the County Residents were students.

There were no escapes and one CSR Resident was returned to the Institution for disciplinary reasons during the 1st Quarter.

Initial screening for the current vacant staff positions have been conducted by the State Personnel Office and hopefully the positions will be filled during the month of April, 1975.

Bids for the Unit's sewer expansion project have been submitted. If approved, the Unit will be able to accomodate more Residents.

Raymond E. Draper, Coordinator
County & State
Work/Educational Release Program

Appendix II

The Philosophy of a WORK/EDUCATIONAL PROGRAM

as seen & compiled by:

RAYMOND E. DRAPER

February 10, 1975

There are two aspects to be considered behind the philosophy of the Work/Educational Program:

- 1) It may be applied in the case of an individual who has been incarcerated for an extensive period of time, or;
- 2) It may be applied in instances involving a person who faces a period of confinement if he or she does not alter his or her behavior patterns.

The individual who has been locked-up, or required to live under strict rules and regulations for an extended period of time, frequently becomes incapable of thinking or acting in a manner either acceptable to society or which can be calculated to be ultimately beneficial to himself.

Therefore: The individual who can be assigned to work release gains the advantage of working with a trained staff and through conversation and counselling and other humanistic techniques learns to relate in a different manner than he was accustomed to during, and quite likely before, the period of his incarceration.

In the case of the person who has not been confined in an institution for an extended period, but who faces the strong possibility of such a sentence if his anti-social behavior patterns are not altered, it is quite common to observe a measure of cockiness and bravado. As soon as, however, the person realizes that he is due for a "trip over the hill" unless he makes a success of this so-called last chance, attitudes usually change markedly.

A large percentage of the people who go to court and are convicted of a crime, are by no means acceptable as work release material. When placed on work release, directly from court, many think they have beat the system. These men are, as a rule, very hard to work with or help. While on the other hand, the man who feels he is getting a second chance puts forth the effort to change his life and/or improve himself.

Through the example set by the work release staff and other persons who are functioning effectively on the program, the person begins to evolve into a person who can successfully earn a living, save money, and in other ways conduct himself in a manner which the general society will find productive and thus successful.

Perhaps for the first time in their life experience, residents who are on the program are working at a job, supporting themselves, practicing thrift, associating and being accepted in a fashion completely foreign to their way of living, thinking, playing or working prior to the time they ran afoul of the law.

The individual concerned acquires a completely new outlook on life; that outlook being the most precious, the confidence that there is a new, happy future over the horizon. Once that hurdle has been cleared, he learns to set for himself goals which he had neither contemplated nor attempted prior to his incarceration. Among these: self respect, pride, respect for others, clean living, obtaining a healthy family life, overcoming fear, developing confidence, acquiring worthwhile pastimes and a host of other things which prove quite beneficial to himself and to the community in which he lives.

Beyond the overriding rehabilitative aspects as they apply to the persons involved, there are some very pragmatic considerations which should be the concern of every taxpayer.

It is hardly a secret that confinement of a lawbreaker has become a very expensive proposition when such incarceration is of the "hard" nature. There is also the fact that problems of serious overcrowding exist in all of the state's long term penal facilities - to say nothing of the shorter term institutions.

Such situations not only compromise what rehabilitative programs as may exist, they also provide fertile ground for recidivism to thrive and tend to make hardened criminals out of those for whom there might, in the beginning, be some hope of salvaging.

As an example of the whirlpool of despair and hopelessness, expense and frustration thus created: consider a recent letter of appeal sent by the warden of the Colorado State Reformatory to all of Colorado's district judges.

That warden, nationally-recognized as an enlightened penologist of the "mend-rather-than-break" school of thought, reluctantly wrote the judges pleading with them not to sentence additional persons to the reformatory, in spite of the fact that Buena Vista has an enviable record due to its' 5-level incentive program and other efforts with rehabilitative design. They have proven successful far beyond state and national norms.

The reason behind the wardens tragic letter-writing mission was simply this: If his ongoing programs were to remain viable, overcrowding at the reformatory had to be alleviated. The choice was simple - bring the resident population back within manageable proportions or see the entire thing go down in flames. To use the warden's words: "go back to the 19th century concept of simply warehousing men." Thus, many persons in whom judges and probation officials felt the spark of rehabilitation still glimmering were denied the opportunity to have that spark fanned into flame, for sheer lack of physical plant, adequate budget and trained staff.

Regardless of the success of programs, such as those being conducted at Buena Vista, there is the fact that the per-day, per-inmate expense of maintaining such institutions is constantly increasing, so much that the day could come when costs for this sort of penal system could be considered prohibitive in a great number of instances. Contrast this situation, in which the lawbreaker constitutes a daily burden upon the taxpayers, with work release, in which an offender not only continues to be a productive part of society, but also pays his own way, so to speak. Every person on work release is required to pay \$4.00 per day for room, board and staff expense. The balance of wages earned goes for family support, past debt restitutions, personal expenses and savings. Thus: the economy is enhanced under work release, as opposed to the traditional confinement situation in which the individual is removed from working society and with such removal, society loses his earning power.

A former managing editor of the Salida Mountain Mail, who closely observed the work being done at the state reformatory for more than three years, recently commented: "Large additional expenditures for more prison bars (expanded physical plants) are about as popular a concept as another bond issue for a bigger sewage disposal plant. The average taxpayer-to say nothing of the

budget-conscious state legislators - is not likely to buy the idea. It just doesn't have the glamour or appeal that a new highway or swimming pool has. Prisons, jails and sewage plants are things we'd just as soon not hear, talk about or do anything more than 'damn-well-necessary' about."

If that editor's premise is valid, what then are the alternatives?

- 1) Accepting scarcely tolerable conditions of overcrowding on the grounds that life is cheap and lives are not worth salvaging.
- 2) Establish a new system of regional jails at tremendous capital expense.
- 3) Leave flawed and potentially dangerous personalities in society.
- 4) Keep persons convicted of crimes locked-up in city and county jails, where facilities and staff are woefully inadequate for even a modicum of reform and/or rehabilitation.
- 5) Continue and expand the work release program so that those who were once a crushing burden on society can begin to learn to shoulder a share of the load, and in so doing, become productive members of that society.

Given the options, work release appears to be the best practical answer we have.

In conclusion, I wish in no way to propose that Work Release is the only means of returning an offender to society. Quite the contrary: it is my firm belief that a person must have the desire to be helped; otherwise, he is incapable of being helped. If you have no water, it is hard to make a cup of coffee!

Thus: I feel extensive consideration should be extended toward the creation of a state-wide Diagnostic Center, a facility where all convicted persons can be sent for evaluation and disposition. The implementation of such a facility could easily prevent the many and varied problems presently affecting our institutions and inmates. With the aid of professional staff members, an individual's problems, needs and desires could be assessed prior to actual sentencing to an institution. After such evaluation, a planned and proscribed treatment program could be recommended and sentencing to a proper and adequate facility would be more effective for all concerned.

RAYMOND E. DRAPER
Coordinator
Grand Junction, Colorado
Work/Educational Center

END