

# **LOGAN COUNTY COMMUNITY CORRECTIONS BOARD**

## **ACCEPTANCE CRITERIA**

### **POLICY**

To preserve the interests of community safety, and to ensure that appropriate offenders are adequately served. The Logan County Community Corrections Board has established written criteria and guidelines governing the acceptance or rejection of offenders.

### **DEFINITIONS**

“Screening Committee” – a sub-committee of board members appointed to, by the chairman, review all *routine* cases that have been referred. (Note: Should non-routine factors be present or tie votes of the Screening Committee, the case will be referred to the full Board)

### **PROCEDURE**

The Logan County Community Corrections Board acceptance/rejection of offenders is governed by the following criteria:

- A) Utilizing all available information, the Screening Committee and/or full Board, if requested by any Board Member, shall make a decision regarding acceptance or rejection of the offender, taking into consideration all of the following factors:
1. The nature of the offense
  2. The defendant’s past criminal history
  3. The defendant’s escape proneness
  4. The defendant’s history of drug and alcohol abuse and amenability to treatment.
  5. Results of assessments of the defendant’s psychiatric stability

6. The defendant's employment history
7. Any restitution provisions of the sentence
8. The defendant's family ties and support system
9. The defendant's apparent motivation and participation in D.O.C. or other programs
10. The recommendation of D.O.C. personnel including the parole board and case managers.
11. The overall appropriateness of the defendant's placement at a community corrections program
12. Available programs in the community corrections facilities

B) All information analyzed in determining eligibility should focus on the following areas:

1. Low likelihood of further violence and/or risk to the community
2. Motivation to abstain from drugs and alcohol
3. Controlled mental health/medical/psychological problems
4. Consideration of behavior reports from Department of Corrections and other criminal justice staff
5. Consideration of presentence investigation report and recommendation of the probation department, assessments and information provided by D.O.C.

C) Mandatory Exclusion

Individuals falling into the following categories **cannot** be considered for placement:

1. Referrals of individual who are required to receive an initial sentence pursuant to Section 18-1.3-406, C.R.S. and all SVP cases.
2. Individuals convicted of misdemeanor offenses only. (This would apply to adults, "18 year old juveniles" shall be evaluated on a "case by case" basis)
3. Individuals convicted of two (2) or more crimes, separately brought and tried, involving any of the discretionary exclusions contained in E1 listed below within the past five (5) years or three (3) or more listed crimes, separately brought and tried, at any time.

4. One escape within the previous 12 months from jail, prison, ISP (parole) or community corrections or one escape with the use of force (non forcible escape is a person that walks away from parole, probation, or work release from a county jail) during their lifetime.
5. Regression from a community corrections facility in the last 90 days.
6. Anyone in the Country illegally.

**\*\* Transition clients within 18 months of MRD may be considered even if they meet a mandatory exclusion\*\***

D) Mercy Rule

If a defendant's application is rejected due to a Mandatory Exclusion any Board Member may request that the case be re-screened by a quorum of the LCCCB. The case will then be screened at the next full board meeting. To bypass a mandatory exclusion for the program the case must be approved with a unanimous vote by all Board members that are present.

E) Discretionary Exclusion

Individuals who meet the following criteria **may be** subject to rejection on a "case by case" basis:

1. Individuals who have been convicted of a crime involving any of the following (this includes any counts dismissed as part of a plea bargain):
  - a. Serious bodily injury
  - b. Use of a deadly weapon
  - c. Sexual Assault or Sexual Exploitation
  - d. Arson not included in C3 above
  - e. Selling of Drugs to Minors
  - f. Three escapes within their lifetime
2. Individuals who are unemployable
3. Individuals who have been convicted of a crime involving the following:

- a. More than one (1) Burglary of a private Dwelling in the past five (5) years
  - b. Special notoriety or community resistance
4. Federal or Out of State Referrals
  5. Prior Rejection by the Board or Rejection after Acceptance by either the Board or the placement programs.
  6. Individuals with an outstanding warrant
  7. Individuals with pending cases in other Jurisdictions

\*\*\*\*\*In considering Transition clients for acceptance, the Board may consider the criteria listed in sections C) and E), but the Board is not required to reject a Transition client if any of the criteria listed in sections C) and E) are present. Acceptance of a Transition client is at the discretion of the Board. \*\*\*\*\*

F) Statement of Non-Discrimination

The Logan County Community Corrections Board criterion for acceptance, rejection, or rejection after acceptance specifically prohibits discrimination on the basis of race, creed, sex, sexual preference, national origin, or disability.

G) Victim and Offender Statements

To comply with SB 159 and in accordance with C.R.S. 17-27-103.5 and 24-4.1-302.5(1)(j.5) the following rules have been put in place by the Logan County Community Corrections Board.

Transition Clients : Three (3) written letters may be presented to the board via e-mail or regular mail from the client or on the client's behalf.

Victims: Victims may provide written letters and or appear in person at the local screening committee meetings. If the victim or victims choose to appear before the board they will be given 10 minutes per case to speak to the board