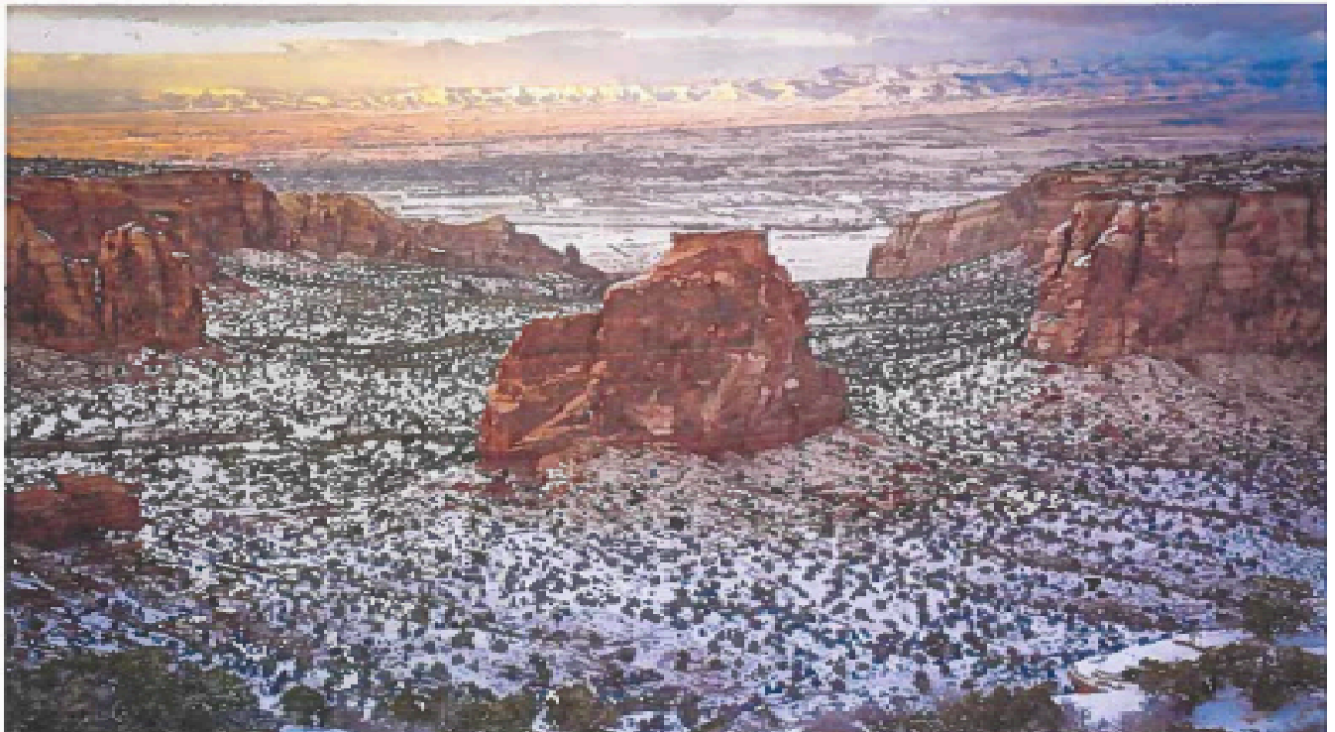




# Mesa County Non-Residential Client Handbook



Published 2023

To All Clients,

Congratulations on your progression to the Mesa County Community Corrections non-residential program. The transition to living outside the facility can be both exciting and challenging. By this time, you have learned to ask questions and use your problem-solving skills to accomplish your goals. We are providing you with this handbook as a resource, it is a summary of information that will be helpful in maintaining your path to success.

While participating in the Community Corrections program you have learned the expectations for your personal behavior in the community. Please take the time to review this handbook and talk with staff or your case manager about any questions you may have.

You have spent time and energy on your personal growth and the development of healthy relationships. Now is the time for utilizing those skills and your support network as you reenter the community and engage others as a pro-social person.

You have been assigned a case manager who will provide you with additional information and guidance to meet your individual program requirements. It is the goal of each case manager and coach to guide you toward successful program completion. Staff are on duty 24 hours a day, seven days a week, and are available for you. You should expect our staff to provide coaching toward your success as well as hold you accountable to the program expectations.

Although we have worked very hard to produce this manual, it is impossible to predict every situation you may encounter. We encourage you to read this handbook and ask any staff member for assistance or clarification. We hope this handbook will be a helpful tool in your success in the program.

**Michelle Cooley**

**Justice Services  
Director**

**Nick Brutosky**

**Community Corrections  
Director**

**Kara Kyle**

**Clinical Services  
Director**

# Table Of Contents

<b>Community Relationships</b>	<b>3</b>
<b>Program Rules</b>	<b>4</b>
<b>Agency and Social Contacts</b>	<b>4</b>
<b>Attendance Requirements and Behavior</b>	<b>4</b>
<b>Housing Expectations</b>	<b>5</b>
<b>Case Management, Contraband and Searches</b>	<b>6</b>
<b>Dress Code and Hygiene</b>	<b>7</b>
<b>Education &amp; Finances</b>	<b>7</b>
<b>Illness</b>	<b>8</b>
<b>Job Search and Employment</b>	<b>9</b>
<b>Mail, Meals and Medications</b>	<b>10</b>
<b>Out of County Travel and Appropriate Non-Residential Locations</b>	<b>10</b>
<b>Phones</b>	<b>11</b>
<b>Supervision</b>	<b>11</b>
<b>Technology and Transportation</b>	<b>12</b>
<b>Unauthorized Absence</b>	<b>13</b>
<b>Drugs, Alcohol, and Tobacco Usage</b>	<b>13</b>
<b>Prison Rape Elimination Act (PREA)</b>	<b>15</b>
<b>Pregnancy</b>	<b>16</b>
<b>Complaints/Grievances</b>	<b>17</b>
<b>Behavior Response Strategy to Support Change (BRSSC)</b>	<b>19</b>
<b>Violations</b>	<b>20</b>
<b>Disciplinary Hearings</b>	<b>23</b>
<b>Sanctions</b>	<b>25</b>
<b>Disciplinary Appeal Process</b>	<b>26</b>
<b>Removal Appeal Process</b>	<b>27</b>
<b>Independent Living Apartments and Resources</b>	<b>29</b>

## Community Relationships

*The purpose of a client handbook is to equip the client with the knowledge needed to make informed decisions when working through the program. In any situation where a client has concerns about what they read or how it applies to them, the client is encouraged to address their questions with staff.*

Each client needs to recognize that they are a member of a community within this program. Clients should recognize that other clients are dealing with many different issues. How clients treat each other does make a difference. Each member of the community has an opportunity to provide support, positive messages, and mentoring to their peers. Examples would include being:

- Helpful to staff and other clients
- Considerate of each other
- Thoughtful of behavior and emotions
- Do not use hurtful words
- Respectful of each other's personal space

Here are some tips for avoiding aggression or other harmful behaviors:

- Do not spread rumors and gossiping
- Never participate in or make false statements about others
- Refer to others with respectful words and do not label others
- Include others in the community to avoid isolating individual peers
- Do not engage or participating in controlling behavior
- Set and respect physical boundaries with others

Our goal is to encourage clients to be open and honest regarding their personal relationships. This includes relationships maintained in social networking sites. Social networking sites are not allowed unless specifically approved. Case managers or clients may request individuals to be involved in the clients program through counseling, meetings with staff, and pro-social activities.

When finding yourself in a problematic situation while in the program here are some steps that will help you through your situation:

- Be Quiet - stop talking and truly listen
- Calm Down - take some time, make some physical space
- Think Positive - use positive thoughts to counter the negative thoughts
- Ask for Help - no one is going through this program alone

“Creating an environment and opportunities for transformation through partnerships and innovation while prioritizing community safety.”

## **Program Rules**

### **Agency and Social Contacts**

In order to have an effective program, rules and processes are laid out in the client handbook. It is the goal of the program to address social, vocational, personal, and life needs of each client.

Clients shall have prior approval for any person that they are associating with on a consistent basis by their Case Manager.

Clients having contact with a law enforcement agency or officer shall report the contact to staff immediately following contact. Clients who are under criminal justice supervision should inform law enforcement of their program status immediately upon contact.

Male and female clients are not to associate with each other except in activities sponsored by the program or their employment.

### **Attendance Requirements**

Part of completing the program successfully is to demonstrate timeliness and participation in required education, employment, and treatment.

Clients are required to attend all scheduled appointments. Examples include but are not limited to case manager meetings, community meetings, treatment, doctor appointments, education, court dates, and employment.

Any client too sick to attend treatment, employment, or educational classes must notify staff and, their employer, or their instructor of the treatment group or class prior to the beginning of the session or scheduled employment shift. Clients will give a two-hour notification when canceling an appointment. It is the client's responsibility to reschedule or make up a missed appointment. Clients who are ill are required to stay at their residences for the duration of the illness. Clients may only miss treatment or educational groups for doctors' appointments and emergency medical care or illnesses. Clients who do not attend treatment groups are not allowed to participate in pro-social activities or employment.

### **Behavior**

Clients are required to model responsible behavior at all times. No fighting, arguing, horse playing, shouting, loud or boisterous conduct, nor any form of physical aggression with or against any other person is permitted.

Clients are encouraged to recognize their surroundings and use appropriate language. It is important that clients are respectful and courteous to those in their community. Clients are not to use vulgar, profane, or obscene language or actions/gestures.

Clients will not threaten any person with any form of physical behaviors or any act designed to be harmful to them. Clients will not create, participate in, or incite a riot or disruption of the program or encourage others to do so.

Clients are expected to treat CJSD staff, visitors, community members, and fellow clients with respect and consideration at all times. Clients are required to be cooperative and respectful with all CJSD staff. Disruptive behavior during educational and treatment groups and community meetings may result in disciplinary action.

Clients will obey all state and federal laws, ordinances, program rules, and rules of any referring agency and all directives of the CJSD staff at all times. Clients will not participate in any criminal activity.

Clients will not interfere with any CJSD staff member, law enforcement officer, authorized agent of any agency, or any person in the performance of their duties.

Clients will perform any court ordered or program mandated directive such as community service and sanctions within the time frame stipulated by the court or by CJSD staff.

Clients will not make any false statements or conceal or conspire to conceal any activity that is contrary to the program's policies or rules.

Clients will not own, use, possess, nor have control over any device, substance or creature which is readily capable of causing death or serious physical injury to any person.

Clients will adhere to all posted rules in any CJSD facility, including those listed in the general information and policies of this rule book.

## **Housing Expectations**

Upon intake, clients will provide an accurate and complete address of their residence to CJSD staff. Clients must maintain that address as a permanent residence for the duration of their time on the program unless otherwise approved.

Clients are expected to maintain a safe and sanitary household at all times. Flammable items must be stored in a safe and secure place away from ignition sources.

Clients will not have any weapon, device, material substance (other than normal household items), or creature/animal which is readily capable of causing death or physical injury to any person.

Approved visitors are allowed Sundays through Thursdays until 10 pm and Fridays and Saturdays until 12 am at both ILA and personal residences.

Attaching anything displaying any nude or lewd pictures or posters anywhere in the home is prohibited.

Clients shall maintain a working landline phone and/or a cell phone with monitoring abilities at all times for verification purposes and staff contact. Call forwarding service will not be allowed.

CJSD staff may conduct home visits and home searches any time of the day or night to ensure compliance with program regulations and court orders.

Clients may not have overnight guests at their residence unless it is approved in advance by their case manager.

Visitors may be asked to provide their identification to confirm that they are an approved contact.

If it is necessary for the client to move to another address, the client will notify their case manager in advance and get approval for the move. The new residence should be approved by CJSD staff prior to the client moving into the residence by doing an initial and a move-in home inspection.

Clients are responsible for doing their own laundry. Clients may request assistance from the program if they are unable to financially complete their laundry.

Clients shall be responsible for their own personal property. Staff accepts no liability for any client property that is lost, stolen, or damaged. It is the responsibility of the clients to keep their non-residential residence locked and safe at all times.

## **Case Management**

Clients will meet with their assigned case manager for individualized meetings on a regular basis, in addition to informal contacts that occur with staff. Individual meetings will be performed by the case manager for several purposes:

- To check the progress of the client in attaining the goals and objectives outlined in the individual case plans and/or behavior contracts.
- To discuss behavior and the causes of the changes in behaviors.
- To assist the client in resolving personal problems.
- To help clients succeed and act as a resource for client issues and challenges.
- To address issues concerning employment, academic, mental health, substance abuse therapies, and community living and to make appropriate referrals to outside agencies that might assist the client.
- To identify payment options for treatment and/or required programs that may be incorporated into the case plan, and.
- To reward progression in the program.

## **Contraband & Searches**

By agreeing to participate in any CJSD Non-Residential program the client is agreeing to submit, at any time, to a search, of their person, property, residence, or vehicle by any staff member or any law enforcement agency. Additionally, the client is agreeing to a search of property under the Technology section of the handbook such as cell phones and computers.

Clients will submit at any time to a search of their person, property, or vehicle by any staff member or any law enforcement agency. Clients DO NOT have to be present during any type of property search.

Clients will not possess or use any firearms, dangerous weapons, explosives, or other destructive devices or have them in their residence, without having specific prior approval from CJSD Administration.

Any item not specifically authorized or deemed unsuitable by staff is considered contraband and may be confiscated and destroyed.

Clients will not own, use, possess nor have control over any devices for the purpose of tattooing or any type of body piercing.

CJSD staff may conduct home visits and home searches any time of the day or night to ensure compliance with program regulations and court orders. Clients are required to comply with CJSD staff during all home visits including allowing staff onto the property and into the residence. Clients will inform any individuals they live with that CJSD staff will be completing home checks and conducting residence searches.

Contraband items confiscated may be disposed of through a process at the staff's discretion. Contraband items on a client's person or in their living area, or under their control are subject to disciplinary and/or criminal charges. Authorization for any non-approved item deemed contraband by staff must be approved by a manager before being in a client's possession.

## **Dress Code and Hygiene**

Standards for the CJSD Client Dress Code apply to clients at all times. Standards of dress are to be complied with by all clients. Standards exist for the purposes of health, sanitation, welfare, and prosocial integration. The following should be standard when reporting to all CJSD facilities and while CJSD staff is visiting a client's residence.

- The term "fully dressed" shall include appropriate undergarments, shoes/boots, shirt, and pants/shorts.
- Clothing must be clean and cover cleavage, back, stomach, midriff, and underarms. Bottom garments must cover down to six inches above the knee.
- Tank tops, muscle shirts, spaghetti straps, tube tops, or pajamas MAY NOT be worn in any common area on campus.
- Clothing made from fish net or sheer-type materials are not allowed at any time. No shirts, pants or any clothing may be torn or altered to expose skin.
- No obscene, profane, drug or alcohol-related messages, or wearing the same colored clothing items in any form or combination that may promote group activity.
- Clients whose clothing is deemed inappropriate or inappropriate or disruptive by staff will be asked to change. Any inappropriate attire will be considered unauthorized.
- Clients in the community should represent themselves and this program in a respectful and professional manner.
- Clients must keep their clothing laundered and in good repair.
- Clients should not wear gang-affiliated clothing.
- Clients are permitted to dye their hair outside of the facility after communicating with their case manager. They will need to also provide a new program picture.

## **Education**

Clients may pursue a high school diploma or General Equivalency Degree (GED) with their case manager's approval. Clients wanting to pursue educational goals beyond the 12th-grade level may do so only with approval. This privilege may be earned as clients demonstrate ongoing compliance with their case plan and program requirements.

## **Finances**

Clients are responsible for paying all medical expenses, treatment costs, child support, restitution, and fines ordered by the court. These should all be included in the client's monthly budget.

Clients are required to complete monthly budgets that include program fees, costs of treatment, restitution, all disbursements, spending, living expenses, and other miscellaneous costs. Disbursements or spending requests that are not included in budgets will not be allowed without prior approval from a case manager. All budgets must be approved by the assigned case manager. Clients must inform their case manager of any garnishments from their checks.

Clients will not enter into contracts of any sort, including, but not limited to, contracts such as: bank loans, car loans, mortgages, cell phones, etc. without being approved by a case manager. Clients also may not engage in business, or incur any indebtedness without the approval of their case manager.

If directed by CJSD staff, all money received by clients while on the Non-Residential program must be deposited in a non-interest-bearing account at a local bank. Clients may in accordance with Colorado Revised Statute CRS 18-1.3-106 put their money into the residential trust account until approval from their case manager to move monies into an outside checking and savings account. Clients will be issued a receipt for all money turned in. Money for personal spending and other needs will be addressed in individual case manager meetings and monthly budgets.

When a client is approved to move into their own outside checking/savings account, they will be required to show their bank statements to their assigned case manager. The bank statement should reflect what is budgeted for the month being reviewed unless otherwise approved by a case manager as a budget exception.

Clients are required to turn in pay stubs on a timely basis to ensure sufficient employment when their money has been released to their outside checking and savings accounts to be able to track taxes and child support deductions.

Generally, checks turned in by clients will not be available immediately. These checks are usually not available in your account balance until 14 days after the deposit. This is to ensure that the checks have cleared the bank successfully. However direct deposit paychecks are generally available one business day after the deposit as long as pay stubs are also turned in.

Clients work to be financially self-sufficient and are required to pay all fees. It is expected that clients will personally pay their own restitution, fines and costs, and program fees. Clients are not allowed to have family and or friends make payments on their behalf.

Clients will not engage in gambling (to include lottery and scratch tickets), bartering, selling, or loaning any item without staff permission.

Client obligations for room and board, restitution, treatment, and prescription medication costs may be automatically deducted from the client's residential trust account.

## **Illness**

Routine medical services will be dealt with through the client's personal physician at the client's cost. Local Emergency services will render emergency medical treatment which is also provided by the area hospitals, and the client assumes the cost of such services. CJSD will provide CPR and first-aid training to staff members.

Clients are responsible for the cost of all medications including prescription and nonprescription drugs. Any narcotic or addictive medication must be approved by a member of CJSD Administration.

All clients are required to have their physician complete a CJSD Medical Treatment form for any medical or dental appointment. Clients will provide a copy to CJSD staff once the form is completed to be kept in the client's medical file. Clients will be required to turn in their medical treatment form the same day and will be required to complete a Urinalysis after an Emergency Department visit.

Due to the serious nature of an emergency room visit, or a medical emergency, clients may not be allowed to leave their residence for work purposes until their medical situation is assessed and it is determined they are healthy enough to return to normal activities.

## **Job Search & Employment**

Clients will continue to actively maintain gainful employment in order to maintain financial stability.

CJSD has a full-time Community Resource Specialist (CRS) to guide and assist clients in finding gainful employment. Clients have the opportunity to learn job searching skills, resume preparation, interview skills, computer skills, and life skills.

Clients must receive at least minimum wage for their work and be paid hourly.

Employers are always advised of the client's correctional situation. Clients will make no change or terminate their employment without the permission of their case manager, Employment Specialist or Management. Any client who is unemployed shall accept any employment offer made available to him/her and may be placed in a job as directed by CJSD staff.

If a client is unemployed they may be required to attend a job search workshop daily prior to going on job search. All clients are expected to be employed or have an approved full-time program. A full-time program includes vocational programs, treatment, educational programs, community service, or a combination of these programs.

If a client is physically unable to work, the client must provide documentation of limitations to CJSD staff in order to remain on the program while temporarily unemployed.

Clients are responsible for their own appropriate transportation for job search and employment.

Clients are required to have an active Individual Employment Plan (IEP) by the Community Resource Specialist (CRS) and/or the Case Manager in order to be employed while in the CJSD program.

Clients must report to staff when calling in sick to work. Any client who has called in may be required to physically check in on a case-by-case basis.

Clients must obtain permission from CJSD administration to be employed by relatives or friends. Clients must be approved through administration before being self-employed. Any employer that willfully chooses not to cooperate with CJSD staff may result in the client's inability to be employed there.

No out-of-county employment will be permitted without prior authorization from CJSD administration.

Any client who is fired or laid off due to his/her negligence, actions, or poor performance on the job is subject to disciplinary action.

Clients may only work for employers who are willing to follow program guidelines and expectations. If an employer will not cooperate with CJSD staff the client's employment may be terminated.

Clients are responsible for notifying the CRS and their Case Manager regarding any changes to employment.

Clients may not terminate their employment without Case Manager and/or CRS approval and they must give appropriate notice; generally, this is two weeks. If clients terminate employment without CRS and/or Case Manager approval, they may be subject to disciplinary action.

Clients are not authorized to drive any motor vehicle or equipment unless otherwise approved through CJSD's guidelines.

Clients may not be in supervisory positions over another client without a CJSD Manager approval.

Clients are required to take off one day per calendar week.

## **Mail and Messages**

All non-legal mail may be opened by staff without the client present for inspection. Legal mail will not be opened by staff without the client present. Clients will not be allowed to mail or receive mail from other incarcerated individuals without prior approval.

Clients should check the client portal on a daily basis for any electronic messages.

## **Meals**

While on the Non-Residential program, clients are expected to budget for and personally purchase their own food/meals. If a gap in receiving funds for food arises, clients are welcome to utilize Community Corrections Meal Service as an alternative.

## **Medication**

Clients will immediately notify CJSD staff if and when they have been instructed to begin using medication by a licensed physician and must have the appropriate "Medical Treatment Form" completed. This form also acts as a release of information.

- Written prescriptions must be presented to staff when requested.
- Some medical treatment therapies may be disruptive to the community and the rehabilitative process and will be reviewed with the CJSD Administration for approval.
- Medications will be kept in a secure area within the Non-Residential location the client lives in.
- Prescriptions must be taken exactly as prescribed on the bottle or packaging. Changes to medication instructions must be provided in writing by a doctor.
- Clients on a Medical Assisted Treatment (MAT) program must adhere to their Behavior Contract.
- It is the client's responsibility to re-order medications or make arrangements for re-ordering prior to running out of medications.
- Clients shall be responsible for payment of any medical screening and all prescriptions.
- Dietary and/or sports drinks or supplements are not allowed. Clients should be aware that taking some of these will not be an acceptable defense for positive test results.
- Selling or giving away any medication, prescription medication, illegal drugs, or unauthorized substance is prohibited.
- If the client is being prescribed a controlled medication, they will be responsible for notifying their case manager immediately to be approved by CJSD administration.

## **Out of County Travel and Appropriate Non-Residential Locations**

Clients must obtain approval before traveling outside of Mesa County. A request to travel out of the county must be received by CJSD administration a minimum of one week in advance of the date of travel.

Requests for out-of-county travel will only be considered for short periods of time and for legitimate

reasons. Examples of appropriate reasons for out-of-county travel include employment, making a court appearance, or the death of immediate family.

Approvals will be based not only on the reason for the request but also on the client's case and how well they are doing in their program. Requests will be evaluated on a case-by-case basis with community safety risk as the primary determining factor. Clients will not be allowed to travel out of the state of Colorado.

Clients may go to most physical locations as long as they are within Mesa County, so long as the client is not restricted for other program reasons. The locations that should not be visited by clients include: bars, liquor stores, adult entertainment businesses, breweries or distilleries, any business or personal endeavor which sells drug paraphernalia, or import shops.

**Group Activities:** CJSD may offer clients the privilege to attend group activities away from the facility. Clients who choose to participate in a group activity, will do so at their own risk. Neither CJSD nor the staff will be responsible for any injury to a client while participating in any of these activities. Access to these programs is a privilege that may be withdrawn due to inappropriate client behavior.

**Pro-Social community involvement is critical for a positive and healthy lifestyle. Ask staff for assistance with identify and participating in activities in the community.**

## Phones

Clients are required to have a landline phone at their approved non-residential location. Cell phones or wearable technology, on or off CJSD grounds, may only be permitted through guidelines that CJSD has in place. Once clients have been approved to have a cell phone, they will follow the conditions listed on their cell phone agreement. Cell phones can be searched by staff at any time.

Random telephone and curfew checks will be performed by CJSD staff at any time of the day or night. It is the client's responsibility to be home and available for these phone checks.

Clients shall not forward their landline number to their cell phone at any time.

Clients must inform staff of any cell phones they possess and contact information. Cell phones are not allowed in place of a landline phone.

## Supervision

CJSD staff are well-trained and experienced in monitoring and supervision methods. The CJSD residential facilities are staffed 24 hours a day, 7 days per week, by competent and trained staff. The staff will make frequent security checks (including home checks, curfew checks, and employment checks) to ensure compliance with rules and for the safety of the clients.

Clients will input their weekly schedule through the client portal that is located in the Bridger building or via the TriTrak Portal. These passes are submitted to the client's case manager through the weekly schedule one week ahead. The client's schedule will include employment, treatment, prosocial activities and any curfew extensions that are approved.

CJSD staff will make frequent home checks to ensure compliance with rules. These checks may be scheduled and/or unscheduled.

CJSD uses a computerized check-in procedure to maintain accountability of all clients. It is the client's responsibility to follow all check-in procedures to ensure proper documentation is maintained.

Clients must check in with CJSD staff on the designated date and time as directed by staff. Clients must have specific authorization prior to changing or missing their designated check-in time. CJSD conducts routine and random client destination verifications by telephone and personal contacts.

Electronic Monitoring may be used while on Non-Residential status for daily check-ins or on a case-by-case basis. The client may be responsible for paying for electronic monitoring.

Clients on an Intensive Supervision level will be required to check in electronically or in person on a daily basis for at least 30-60 days. The client will be staffed for discontinuing daily check-ins between 30-60 days dependent on behavior or any missed check-ins. A client who is engaging in high-risk behaviors may be placed on daily check-ins.

## **Technology: Information and Multimedia**

Clients participating in the Program are required to disclose upon request from CJSD Staff their social media sites and technology devices. For some clients, program requirements may restrict or prohibit the use of social media and technology devices.

Clients are required to provide full access to account credentials including passwords, screen names, email addresses, instant messaging identities, and chat-room identities upon request from staff. This will include a client's phone password if staff require access to search technology owned by the client.

Any electronic property in a client's control will be subject to search and may be done at the expense of the client. All accounts are subject to search whether or not they have been approved in advance. Any client with an account that has not been disclosed to staff, any client obtaining access to or participating in inappropriate sites, and any client found to have content that is not deemed socially appropriate including any form of pornography may be subject to disciplinary action.

Any form of online gambling is strictly prohibited.

## **Transportation**

Transportation to and from the CJSD program is the responsibility of the client.

There is a public transportation system that clients may use.

Clients will not operate a motor vehicle without prior approval. Clients who obtain the privilege to drive a motor vehicle may not provide rides for other clients without prior staff approval.

If a client is approved for driving privileges on the non-residential program, they will be required to produce all pertinent documents for driving purposes. The client will then be placed on a driving privilege contract. All pertinent documents will be scanned and uploaded into the specific contract for that client in the electronic system. Clients will be responsible to produce any documents that expire while on the program.

Clients may not operate a motor vehicle without a valid driver's license, current registration, active vehicle insurance and approval from CJSD staff. These documents may include documentation for Interlock or SR-22 insurance if applicable.

## **Unauthorized Absence/Escape**

Failure to report to the CJSD Facility by scheduled times may result in the client being placed on escape status and notification to the court. This could result in termination from the CJSD Program. A client may be placed on escape status if he/she refuses or neglects to report to the CJSD Program when directed by staff. Clients may also be placed on unauthorized absence/escape status if he/she fails to return to their given address by their required curfew times.

CJSD staff will notify law enforcement of any client who has not reported as directed as an escapee.

Any client whose location is unknown will be placed on unauthorized absence/escape status. Placement on escape status may result in the filing of criminal charges with the District Attorney's Office per Colorado Revised Statute 17-27-106 and 18-8-208.

Any client who plans, attempts or aids in an unauthorized absence/escape will have new criminal charges filed. All property of a client who escapes from the program will be disposed of per policy after the client's escape. All money left by the client on escape will be used to pay any outstanding court ordered financial obligations such as restitution, support, fines and fees, court ordered surcharges and financial obligations (treatment and supervision). Any remaining funds will then be disbursed to the victims, witness assistance and law enforcement fund per state statute 17-27-104 and 24-4.2-103. Such property or money will no longer be accessible to the client. All property of a client placed on unauthorized absence status which is left at the Facility will be disbursed per policy.

Clients must return from all authorized activities and assignments within their assigned curfew hours unless otherwise approved by their case manager.

If a client is contemplating leaving the program, it is recommended they seek out the following problem-solving process that may include:

- Meeting with CJO's and/or a case manager to discuss difficulties.
- Contact key supportive individuals invested in client's treatment such as supervising agency, family members, and/or treatment staff.

## **Drugs, Alcohol, and Tobacco Usage**

Remaining drug and alcohol-free can allow you to be a productive member of society, restore healthy relationships, and to move forward in the program. Use or possession of substances compromises the recovery of the treatment community as a whole and will not be tolerated. Clients should not use any of the following:

- Alcohol
- Illegal substances
- Unauthorized medication

- Marijuana (or THC) in any form
- Psychedelic Mushrooms in any form
- Kratom, Spice, or Synthetic Marijuana
- Any substance that could cause dangerous or risky behavior

All clients are required to perform a urinalysis (UA) and a breathalyzer (BA) upon entry and exit from the program. Here are some important things to know about substance testing:

- Clients are subject to random testing that can occur at any time.
- Non-Residential clients are notified via e-mail and text of their substance test the day of. Client's must report to the Bridger Building by 5:30pm for their substance test.
- Should clients refuse to produce a urine sample or refuse to cooperate, they will be subject to disciplinary action and possible immediate removal from the program.
- It is the client's responsibility to report use of any substances that may affect the drug screen.
- Frequency of substance testing is defined by the client's drug or alcohol history.
- All substance tests will be kept as part of the client's record.

### **ATTENTION:**

- It is a criminal offense to bring any of these substances listed above into a correctional facility.
- Dilute urine samples will be treated as a positive UA. More than one dilute urine sample may result in disciplinary action.
- Use of alcohol-based cleaning supplies or other products IS NOT an acceptable defense in the event of a positive UA.
- Poppy seeds may sometimes cause drug screens to result in a positive result for opiate use. It is important to know that eating poppy seeds IS NOT an acceptable defense in a disciplinary hearing.

Any attempts to falsify or alter urinalysis samples will result in administrative action and/or new criminal charges, per Colorado Revised Statute 18-8-610 Tampering with Physical Evidence which is a Class 6 Felony or a Class 1 Misdemeanor.

### **Changes In Behavior**

When a person is under the influence of substances, that person may demonstrate behaviors that are extreme and dangerous. Others may show less obvious symptoms. On their own, symptoms and behaviors do not mean a person is high or under the influence, however; when a person displays several signs and behaviors there is a greater chance that those signs are due to substances. Some changes in behavior may include:

- Inability to stay focused during conversations
- Inappropriate laughter
- Changes in speech patterns
- Change in normal energy levels, including hyperactivity or being drowsy
- Mood swings
- Changes in appetite
- Paranoia

- Red or bloodshot eyes
- Respiratory symptoms
- Rapid Heart rate
- Hot flashes
- Dilated pupils

In cases where a client demonstrates the symptoms of drug or alcohol use, staff may take appropriate action regardless of drug screen results. Clients who display symptoms or behaviors of mood or mind-altering substances may be held accountable to substance use violations.

## **Prison Rape Elimination Act (PREA)**

Federal law regarding the Prison Rape Elimination Act (PREA) prohibits sexual contact between clients and/or staff. All inappropriate contact will be reported and responded to according to the law. It is important to ensure the safety of all parties involved in any behavior that can result in trauma. CJSD has a zero-tolerance policy regarding sexual assault/rape and sexual misconduct of any type including sexual harassment. CJSD clients have the right to be safe from sexual abuse, sexual assault, sexual harassment, or sexual misconduct regardless of whether the client's sexual identity. Clients have the right to be safe from unwanted sexual advances and acts. Clients also have the right to say "NO" to pressure to engage in any type of sexual activity. In addition, clients have the right to report any sexual attempt and/or sexual assault immediately and be free from retaliation of any kind.

All reports of sexual behavior will be initially investigated by CJSD staff. Any incident involving potentially criminal behavior will be immediately forwarded to the Grand Junction Regional Communication Center requesting a criminal investigation and prosecution if appropriate.

## **Reporting Procedures for Sexual Assault/Rape & Sexual Misconduct**

All staff members are required to keep any reported information confidential, except to report the information to CJSD Administration or to cooperate in an investigation or legal proceeding. Clients may make anonymous reports. In cases where a client may need to make a confidential report regarding being a victim, witnessing or has knowledge of any incident concerning sexual misconduct, harassment or assault; the client may report the information in writing or verbally in any one of the following ways:

### Internal Reporting

- Speak in person with a staff member
- Mailing a note or letter in a sealed envelope to a staff member;
- Send an email to Mesa County Criminal Justice Services at [CJSD-TIPS@mesacounty.us](mailto:CJSD-TIPS@mesacounty.us);
- Call the Criminal Justice Administration at (970) 244-1728;
- File a complaint with CJSD Administration. [See Complaints/Grievances](#)

### External Reporting

- Clients may call the Department of Corrections Tip Line at 1-877-362-8477 and may make anonymous reports;
- Notify the Grand Junction Regional Communication Center at (970) 242-6707 or 911

- Log a complaint with the 21<sup>st</sup> Judicial District Attorney, and/or at (970) 244-1730
- Call the Division of Criminal Justice at 1-303-239-4442.

Knowledge of any sexual activity or misconduct can also be reported by a third party through internal or external reporting options.

### **Advocacy and Support**

Victims of sexual abuse have the right to advocacy and support at no cost. Resource information is available throughout the facility and in the client portal in the dayrooms:

PREA: Client Acknowledgement and Summary of PREA Intake forms

PREA: Reporting Options and Advocacy/Support

## **Pregnancy**

As a condition of placement in a Criminal Justice Services Department (CJSD) program while pregnant, the client must be willing to participate in services and abide by the guidelines listed below. The client and the case manager will develop a contract of behavior, responsibilities and privileges that will outline the details related to pregnancy and infant care.

### **Prenatal Care**

Clients shall show proof of pregnancy, in writing, from a doctor to her case manager.

Clients shall show proof, in writing, that she is under a doctor or midwife's medical attention and ongoing care, outlining any restrictions due to her pregnancy.

Clients must follow all doctors' orders.

Clients shall not use any controlled substance without a doctor's written authorization and only with monitoring by CJSD staff.

Clients shall not possess, smoke, or use tobacco products while pregnant. Clients shall not use alcohol or abuse other substances, including toxic vapors, or other substances that may cause harm to the unborn child.

### **Support Programs**

Pregnant clients will participate in support and treatment programs that are recommended by her case management team, treatment counselors, and/or physician.

### **Responsibility and Safety**

It is the client's responsibility to keep the child's care and safety in mind at all times both while visiting inside the facility and while out in the community. The client will ensure that her child is under control and that the child's behavior is appropriate while visiting at all times. Mesa County, CJSD, and CJSD Staff shall not be held liable for any injury to the client, child, or any other person, occurring on the premises, or any part, including sleeping areas, offices, bathrooms, and outside areas.

## Complaints/Grievances

The Mesa County Criminal Justice Services Department (CJSD) will provide all clients access to a system to remedy legitimate complaints and grievances. These must be individual in nature and are not intended for groups. No retaliation or harassment of any kind will be taken against a client for submission of a complaint or grievance nor will attempts be made by staff to prevent or interfere with submitting a complaint. It is the policy of CJSD to resolve grievances as simply and swiftly as possible and therefore every effort will be made to handle grievances at the informal level. It is acceptable for a client to file a grievance regarding any incident that falls under PREA Guidelines.

### Elements of a Grievance

Grievances must adhere to the following guidelines:

1. Behavior responses, disciplinary actions, incentive program actions, room assignments, classification actions, program rules, procedures, and Department of Corrections rules and procedures are not considered matters for the Complaint/Grievance process.
2. Grievances are restricted to incidents which occur while the client is in the custody of CJSD.
3. Clients who knowingly make false or misleading claims in a Grievances may be subject to disciplinary action.
4. Grievances may be withdrawn at any stage of the procedure with a written statement from the client.
5. The grievance process ranges from informal staff-client interaction to formal Administrative reviews.
6. Clients may file a grievance regarding any incident that falls under the Prison Rape Elimination Act (PREA) Guidelines but it is not a required reporting system.

### Informal Resolution

Most Grievances can be resolved quickly by the client discussing the problem with the particular staff member involved or with the staff who are responsible for the particular area of the problem.

1. Client Responsibilities: A client must make every effort to resolve the problem informally. This may include: taking a time out, taking time to gather information, and/or discussing the problem with the following people:
  - a. The staff member that was directly involved in the incident;
  - b. The client's assigned case manager;
  - c. Other program staff, and/or;
  - d. The manager of the involved staff.
2. If the grievance cannot be resolved through the informal process, then the client will proceed to the formal process.

## **Formal Resolution**

Clients must submit a formal grievance promptly after the problem occurs and after the informal resolution attempt. Formal grievances must be filed within (14) fourteen days from the date the client knew or should have known of the facts of the incident or situation. Clients file a formal grievance through the client portal under “Complaints.”

If necessary, a written statement on a Grievance Form will be accepted in a sealed envelope addressed to “Administration.” The envelope will be given to a staff member who will deliver it promptly and without interference. Only one issue/complaint should be addressed at a time. Information on the grievance form MUST include:

1. The client's name, the date and time.
2. All facts related to the incident and circumstances involved, including time, date, name(s) of staff member(s), and any witnesses.
3. The client must substantiate that all informal remedies have been exhausted or would not have been appropriate.
4. The grievance must also specify what the client expects in order to resolve the grievance.

Group problems or questions that clients have may be dealt with during community meetings and not on a formal grievance.

## **Review of a Formal Grievance**

Upon receipt of the grievance, CJSJ Administration will review it and the seriousness of the complaint will be evaluated. Then one of the following will occur:

1. Designate an impartial manager to review the grievance material, investigate as needed, and who will provide a written response to the grievance within (14) fourteen days to the client. The manager may use all resources available to settle the grievance. The manager will document their findings in the client portal with the complaint marked as: Resolved, Dismissed, or Mediated.
2. If the client is not satisfied with the Manager’s finding, the client may file a second grievance with the Administration within (7) seven days for an additional review.
3. In this case the Administration will address the grievance directly by review of the grievance material, investigate as necessary, and may allow the client to present his/her grievance at a conference. The Administration will provide a written response to the client within (14) fourteen days to the client.

## **Grievance Disposition**

Grievance responses will include what action, if any, will be taken and will list reasons for denial, if any.

Clients will be notified of the disposition of the complaint/grievance.

# Behavior Response Strategy to Support Change (BRSSC)

## Introduction to BRSSC

Mesa County Community Corrections uses a behavior management model known as Behavior Response Strategies to Support Change (BRSSC). BRSSC utilizes evidence-based behavior management principles to positively affect behavior change. BRSSC is a model that balances discipline with incentives. The disciplinary portion of BRSSC is structured to encourage accountability and apply known, predictable outcomes of sanctions. The sanction process is designed to be objective, consistent, and reasonable.

The focus will be reinforcement of pro-social attitudes and delivering swift, predictable sanctions and rewards tailored to individual criminogenic needs.

## Incentives

As part of BRSSC, there is an incentive system that encourages and rewards positive behaviors. Incentives are obtained by meeting specific predetermined objectives. Incentives are grouped by the perceived level of effort and become more impactful through the levels. Incentives will be posted in the Non-Residential Case Manager's office and will also be provided to you upon release. Keep in mind that these incentives are subject to change based on the Department's ability to meet the needs/wants of the current population.

**Bronze:** These incentives would be received for completing a bronze-level objective, such as positive home checks or successful curfew checks.

**Silver:** Silver incentives are generally more impactful than bronze incentives. Silver incentives are associated with objectives of corresponding difficulty.

**Gold:** Gold incentives are more impactful than silver incentives.

## Overview of Responses to Violations

The Criminal Justice Services Department uses a behavior management model to address violations. CJSD has established rules to govern client behavior which are defined in writing and communicated to all clients and staff. Clients are subject to responses and discipline for any violation of the rules specified in the client handbook, posted operational rules, those established by the referring agency, and those prescribed by law. Generally, where a conflict exists between the referring agency rule and facility rules, facility rules take precedence. Staff will determine what violations are implemented, whether an offense is a minor or major offense, and if the hearing will be held through by Behavior Response or a Disciplinary Hearing. This will be done as determined by CJSD Supervisors or Managers. Rule violations are identified into four separate classes, depending on the seriousness of the violation in accordance with the following description.

Clients do not have the right to be represented by legal counsel for any program proceeding regarding program violations. If the violation committed also constitutes a criminal offense, then appropriate criminal charges may be reported in addition to "in-house" violations.

Classification actions such as program progression and program removal are dealt with in separate proceedings from the process described in the client handbook.

**Class 1 Violations:** These will result in a Disciplinary Hearing

1. Act of Violence: Causing Injury to another person or applying physical force or substance against any person or animal.
2. Assault: Assault on another client, staff member, the public or any person.
3. Sexual Acts: Engaging in any sexual act with another person through the use of force, coercion or intimidation.
4. Possession or a Weapon: This includes any chemical agent or any object that may be used as a weapon.
5. Arson: Arson or attempted arson.
6. Unauthorized Absence: This includes unauthorized absence, planning, or aiding in an unauthorized absence..
7. Engaging in a riot: Creating, participating in or inciting a riot or encouraging others to do so.
8. Distribution: Selling or giving away any illegal or unauthorized drug or substance including medication.
9. Violation of any law resulting in a misdemeanor or felony charge or similar level ordinance violation: Violation of any local, state, or federal law that results in a misdemeanor or felony charge.
10. Introduction of Unauthorized Substances: Introducing alcohol or unauthorized mind or mood altering substances in a CJSD owned or leased property.

**Class 2 Violations:** Generally these will result in Behavior Responses.

1. Interfering with staff duties: Interfering or disrupting any duty of a staff member including failing to comply with verbal directives during a safety and security function.
2. Fighting: Fighting or any form of physical aggression that results in physical contact with another person.
3. Intimidation: Extortion, blackmail or attempting to control the behavior or others through threats, coercion, force, physical posturing or intimidation.
4. Sexual Harassment: Subjecting another person to sexual interaction through physical action and/or verbal, written, or electronic transmissions or engaging in sexual acts on or off facility grounds to include indecent exposure.
5. Possession or Consumption: Possession or consumption of alcohol, intoxicants, inhalants, mind altering substances, unauthorized drugs or unauthorized retention or abuse of any medication.
6. Monetary Misconduct, \$500 or more: Failure to turn in received monies or receiving a pay advance of \$500.00 or more. Failure to pay budgeted restitution payment or failure to pay child support as ordered, in any amount.
7. Theft: Theft of anything or possession of stolen property, either of CJSD or another person.

8. Unauthorized Location: Being at an unauthorized location or not being at an approved pass and/or having unaccounted for time.

**Class 3 Violations:** Generally these will result in Behavior Responses.

1. Failure to Comply: Failure to comply with a verbal or written directive of any staff member, including behavior contracts.
2. Verbal Aggression: Directing abuse, profane, offensive, derogatory remarks, derogatory gestures or dehumanizing statements, including persistent verbal harassment, at any individual.
3. Monetary Misconduct, Less than \$500: Failure to turn in received monies or receiving a pay advance of less than \$500.00.
4. Unauthorized Possession of Contraband: Any item not specifically allowed by staff or listed in the handbook, including possession of animals or too much money.
5. Gambling: Gambling of any kind including purchasing or possessing lottery tickets.
6. Medication Misconduct: Failing to take medications as directed or failing to inform staff of use of prescription medications.
7. Curfew/Check-In Violations: Failure to be at approved address during curfew time, missing required check-ins or checking in late for a required check-in.
8. Employment Violations: Being disciplined, suspended, or fired from employment, including violating any CJSJSD Employment Rules and Regulations.
9. Treatment Misconduct: Failing to meet class obligations including but not limited to: attendance, punctuality, appropriate behavior and progression.
10. Entering Into a Contract: Entering into any contract without prior staff permission.
11. Unauthorized Driving: Unauthorized Driving.

**Class 4 Violations:** Generally these will result in Behavior Challenges.

1. Derogatory Language: Using profanity, derogatory remarks or gestures.
2. Bartering/Selling of Goods or Services: Bartering, selling, loaning, or giving any other client any time or service without prior staff approval.
3. Failure to Follow Operational Rules: Violations of any facility rule or regulation of which the client has, or through the exercise of reasonable diligence, should have knowledge of, to include posted rules or the client handbook.
4. Dress Code Violations: Wearing inappropriate attire in or out of the clients assigned room or in the community.
5. Sanitary Violations: Failing to keep one's room or person clean and odor free, failing to exercise proper hygiene.
6. Violation of Any Municipal Law Resulting in a Ticket: Violation of any municipal, petty or traffic offense.

7. Failure to Perform Routine Duties: Failing to maintain community cleanliness and/or completing assigned chores.
8. Unauthorized Visitation: Unauthorized visitation with family members or friends at any CJSD facility or at locations away from CJSD.
9. Explicit Material: Possession or display of alcohol, drug, gang related, sexually explicit or exploitive material.

## **Attempt & Complicity**

A client commits an ATTEMPT when, with intent to commit any violation s/he engages in conduct which tends to affect the commission of such violation. A client may be charged with COMPLICITY to any class of violation based upon the conduct of another person if, with the intent that the offense be committed, she/he commands, induces, encourages, or aids another person to commit the offense.

### **Behavior Challenge**

Class 4 violations are addressed with a behavior challenge. Behavior Challenges include extra duty assignments that range between 1 to 2 hours. Extra house duty assignments must be completed within 1 week of receiving the assignment. If not completed or not completed within 1-week further disciplinary action will be taken.

### **Behavior Response**

In-house rule infractions may be dealt with through an informal process called a Behavior Response. There is no appeal for this process. Clients may request a disciplinary hearing instead of going through the behavior response process, however this must be requested before the client acknowledges the behavior response.

### **Disciplinary Hearing**

Serious rule infractions or repeated minor violations will be dealt with through the disciplinary process.

## **Non Residential Behavior Response Matrix**

Class 1 Violations: There are no Behavior Responses for a Class 1 violation. All Class 1 violations will result in a Disciplinary Hearing

Class 2 Violations: Behavior Responses for Class 2 violations are:

- 1st Offense will result in Daily Checks In for two weeks and assigned Carey Guide(s) due to the case manager within two weeks of the violation.
- 2nd Offense will result in two days in the residential building and a Behavior Intervention Meeting within two weeks of the violation.
- 3rd Offense will result in four days in the residential building and an assigned presentation to the case manager team within two weeks of the violation.

Class 3 Violations: Behavior Responses for Class 3 violations are:

- 1st Offense will result in two hours of assigned extra duty and an assigned Thinking Report due to the case manager within one week of the violation.
- 2nd Offense will result in one week of daily check in and an assigned Thinking Report due to the case manager within one week of the violation.

- 3rd Offense will result in two days in the residential building and an assigned Carey Guide due to the case manager team within one week of the violation.

Class 4 Violations: Behavior Responses for Class 4 violations are:

- 1st Offense will result in one hour of assigned extra duty due to the case manager within one week of the violation.
- 2nd Offense will result in one hour of assigned extra duty due to the case manager within one week of the violation.
- 3rd Offense will result in two hours of assigned extra duty due to the case manager within one week of the violation.

## Disciplinary Hearings

The Criminal Justice Services Department (CJSD) will deal with major client rule violations and/or inappropriate behavior according to an established procedure to ensure all clients are treated fairly. Serious rule infractions or numerous minor rule infractions will be dealt with through a disciplinary hearing process. The disciplinary hearing process is detailed below.

### Disciplinary Hearing Team

The disciplinary hearing team will consist of staff members trained to complete hearings. Each hearing officer is at the level of Case Manager II, Shift Supervisor or higher. Disciplinary hearing officers must be impartial and must not be a witness to the alleged offense. The CJSD Administration will appoint hearing officers.

### Disciplinary Hearing Process

The hearing officer will review all reports and other evidence presented, including the client's evidence. The hearing officer will determine guilt or innocence on the charge or charges. If there is a finding of guilt, the hearing officer will then determine what sanctions will be imposed, including time frames to such. If the hearing officer determines that there is no evidence of guilt and finds the violation unfounded the hearing will be dismissed.

1. The determination of guilt or innocence will be based on the standard of "Preponderance of the Evidence." The hearing officer may find the client "guilty" or "not guilty" of the charges or may find the client "guilty of a lesser charge."
  - a. The standard "Preponderance of the Evidence" means there is a finding of guilt when it is determined by the hearing officer(s) that 51% or more of the evidence supports a guilty finding. In-house disciplinary proceedings are NOT based on finding the client guilty by the standard of "Beyond a Reasonable Doubt."
  - b. If the hearing officer finds the evidence does not support a finding of guilt all references to the charge will be removed from the client's record.
  - c. If the client is found guilty, the hearing officer will decide sanctions to be imposed and the specific length of the time the client is to remain on sanctions in accordance with guidelines outlined in the sanctions scheduled procedure.
  - d. With a guilty finding, the hearing officer may place the client on probation and/or suspend any or all of the sanctions as long as the probationary period is no longer than 2 weeks.
  - e. The primary purpose of sanctions is to help modify and manage client behavior, ensure staff and client safety, and to protect public property by motivating the client to comply

with CJSJ rules. In deciding sanctions, the following criteria will be considered: seriousness of the offense; client's program progress; past disciplinary violations; previous sanctions; the client's mental state.

2. The client will then be called back into the hearing for the decision and sanctions, if any. Any restriction periods imposed as a condition of a sanction must have a starting and ending date, as well as a listing of all conditions of the restrictions. If the client is found guilty he/she will be advised of the appeal process.
3. The hearing officer will document the hearing results on the Disposition of Charge form. The hearing officer will give the document to the Program Director to Affirm, Modify or Reverse. The document will also be distributed to the client, to the assigned case manager, and to the referring agency.

## **Client Rights**

The client will receive a copy of the Notice of Charge form within six (6) working days of the incident unless delayed for further investigation or good cause but at least twenty-four hours prior to the disciplinary hearing. The client will sign the form as having received a copy. The disciplinary hearing will be held within three (3) working days from the date the Notice of Charge form was served unless delayed for further investigation or good cause. The client will have the following rights:

1. The right to be given a written notice of charge which lists the charge(s) and the evidence used to determine the charge or charges.
2. The right to have an impartial hearing with a hearing officer who did not witness the incident leading to the charge(s).
3. The conditional right to be present during the hearing and to testify or rebut the charges as long as the client does not become disruptive at the hearing and the client's presence does not pose a threat to the security of the facility.
4. The right to receive written findings of the hearing decision including the reason(s) for such decision.
5. The right to appeal the decision of the hearing officer to the CJSJ Director within five working days of the hearings.
6. The client also has the right to request the following:
  - a. Assistance in presenting the client's case at the hearing if the hearing officer determines one or both of the following criteria are met: the client is illiterate to the English language or the client cannot comprehend the basic disciplinary procedures or the issues of the case. The hearing officers may, at their discretion, appoint either a staff member or another client to assist.
  - b. To call witness(s) on their behalf if the testimony to be given is relative and the presence of the witness(s) would not pose a threat to the security of the facility.
  - c. A continuance of the hearing may be ordered by the hearing officer if they determine there is good cause to continue the hearing.
7. The client does not have the right to cross-examine witnesses. The hearing officer may limit the number of witnesses if security is threatened or to ensure and to prevent unduly repetitive information. If the hearing officer denies a client's request to present a witness, the reasons will be

documented and explained. The client may be excluded during the testimony of any witness whose testimony must be given in confidence. The hearing officer will document the reasons for any exclusion and give the client the general basis of the testimony.

8. Both the officer presenting the case and the client may make a statement, (oral or written), present documentation as evidence, and review documents introduced as evidence unless such review will jeopardize the security or the safety of persons.
9. If a client makes no statement, that silence may be used as one element of the case in determining guilt or innocence by the hearing officer.
10. The client DOES NOT have the right to have professional legal assistance at the facility hearing.

## **Attempt & Complicity**

A client commits an ATTEMPT when, with intent to commit any violation s/he engages in conduct which tends to affect the commission of such violation. A client may be charged with COMPLICITY to any class of violation based upon the conduct of another person if, with the intent that the offense be committed, she/he commands, induces, encourages, or aids another person to commit the offense.

## **Modification of Charges**

The hearing officer shall have the discretion to modify the charge when the evidence presented supports another charge.

## **Sanctions**

If there is a finding of guilt, the hearing officer will determine what sanctions will be imposed per the BRSSC guidelines. The client will be told of the decision and sanction, if any. The client will receive a copy of the disposition form following the hearing. Any restriction period imposed must have a starting and ending date as well as a listing of all conditions of the restriction and other sanctions.

Clients may appeal formal disciplinary findings and sanctions in accordance with the process explained in the “Disciplinary Appeal Process” section.

### **The following MAY NOT be denied as imposed disciplinary sanctions:**

- ❖ Visits by attorneys for legal purposes
- ❖ Religious visitors approved to come into the facility
- ❖ Visits by mental health workers
- ❖ Phone calls to clergy or attorneys
- ❖ Adequate food or nutritional diet
- ❖ Adequate light, food temperature control and sanitation
- ❖ Medical care
- ❖ Proper clothing, bed and bedding, use of toilets, sinks and showers

## **Non Residential Disciplinary Hearing Sanction Matrix**

Class 1 Violations may include:

- 15 hours of assigned extra duty.
- 15 days in the residential program.

- A Special Assignment of two pages or less.
- Case Manager to refer or staff for appropriate classes.
- Staff for Appropriate Program Placement; including possible removal from the program.
- Cost equal to repair or replacement of damaged or stolen item(s).

Class 2 Violations: Behavior Responses for Class 2 violations are:

- 10 hours of assigned extra duty.
- 10 days in the residential program.
- A Special Assignment of three pages or less.
- Case Manager to refer or staff for appropriate classes.
- Staff for Appropriate Program Placement; including possible removal from the program.
- Cost equal to repair or replacement of damaged or stolen item(s).

Class 3 Violations: Behavior Responses for Class 3 violations are:

- 5 hours of assigned extra duty.
- 5 days in the residential program.
- A Special Assignment of two pages or less.
- Case Manager to refer or staff for appropriate classes.
- Staff for Appropriate Program Placement; including possible removal from the program.
- Cost equal to repair or replacement of damaged or stolen item(s).

## **Disciplinary Appeal Process**

The Mesa County Criminal Justice Services Department permits clients who have been found guilty of disciplinary violations in a disciplinary hearing to appeal the decision of the hearing officer. Such appeals by clients will not result in any type of retribution against that client. This appeal process can not be used for appeal of Director decisions related to classification, incentive phase level changes, or program rejection.

If a client wants to appeal the hearing officer’s decision, the appeal must be written on a “Disciplinary Appeal Form” within five (5) working days from the date of the hearing. The staff member to whom the appeal is given will deliver it to the program Director without delay.

### **Administrative Review**

The program Director will review the disciplinary hearing documentation including all incident reports and the “Notice of Disposition Form.” The program Director may also elect to interview the client who has appealed and do an additional investigation if deemed necessary. The grounds for the appeal must be based on one or more of the following:

1. Staff failed to comply with policy and procedure on client discipline.
2. The preponderance of the evidence does not support the hearing officer’s decision.
3. Newly discovered evidence has come to light which might have a significant impact on the findings of the hearing officer.

### **Administrative Action**

The client will be notified in writing of the program Director's decision within 15 days from the date of the appeal. The program Director can take the following action:

1. Either affirm or reverse the hearing officer's decision. If the hearing officer's decision is reversed then all references to the disciplinary charge(s) will be removed from the client's file.
2. Reduce or modify the sanctions imposed.
3. Remand the decision back to the hearing officer for further deliberation.
4. Order new proceedings be conducted.

## **Appeal of Administrative Decision**

The client may appeal the program Director's decision to the Criminal Justice Services Department Director (or a designee) by writing a letter to the Director within three (3) working days of the date of the Administration's decision. The letter will be forwarded to the Department Director without any unnecessary delay. The Director will use the same criteria as above to determine the validity of an appeal and will provide a written decision within 15 working days. The decision of the Department Director is final and there is no further appeal.

## **Removal Appeal Process**

The Mesa County Criminal Justice Services Department permits clients who have been removed from the Program to appeal the decision. Such appeals by clients will not result in any type of retribution against that client.

### **Appeal Process**

Clients who want to appeal removal from the program will submit a request in writing (letter or email) within five (5) business days from the date they are notified of their removal from the program. The staff member to whom the appeal is given will deliver it to the program Director without delay.

### **Administrative Review**

The program Director will review the Correctional Summary including all disciplinary hearing documentation, behavioral notations, and treatment progress reports. The basis for the client's appeal must be based on one or more of the following conditions:

1. Staff failed to comply with policy and procedure pertaining to the removal process which had a significant impact on the decision to remove the client from the program.
2. Further assessment of the case shows/reveals that further review of the case may result in a reversal of the decision to remove the client.
3. Newly discovered evidence has come to light which might have a significant impact on the decision for removal.

## **Director Action**

The program Director will respond to the client in writing within 15 business days from the date of a decision being made.

The Director's decision is final and there is no further appeal. The program Director can take the following action:

1. Uphold the removal decision, in which case the client is removed from the program and the referring agency will be notified.
2. Reverse the decision to reject the client, in which case the client may be returned to the program. A new case plan and/or behavior contract will be implemented to address the client's needs. The Director will be responsible for notifying the referring agency about the change of the client's status.
3. Refer the client's case back for another review of the case or for further assessment.

## Independent Living Apartments (ILA)

The Independent Living Apartments (ILA) are county-leased apartments or properties that are used to assist clients in transitioning back into a healthy and safe residence in the community. The ILA program assists clients in being able to continue to develop or learn skills of independent living in a sober and safe environment, with the assistance of continued staff presence and support. Below are some guidelines and resources.

### **Curfew Times:**

Case Plan Level 5: 9 pm-6 am  
Case Plan Level 6: 10 pm-6 am  
Case Plan Level 7: 11 pm-6 am  
Case Plan Level 8: 11 pm-6 am

Transitional Living: 9 pm-6 am

The only exceptions to these times are work, treatment, or pre-approved pro-social activity.

### **Visitors:**

Only approved visitors are allowed in the ILA's. They should be approved in advance by the client's case manager. Transitional Living/Courtesy clients must get approval from the Community Based Manager to reside in the ILA apartments. Visitors must abide by all house rules and are only allowed in the common areas and not in the bedrooms. Visitors must comply with providing staff proper identification at all times.

### **TIMES:**

Sunday-Friday: 6 am-10 pm  
Saturdays: 6 am-12 am

### **Furnishings/Other Housing Needs:**

All furnishings including a bed are provided by CJSD. Clients are not allowed to bring in their own furniture/furnishings without approval from the ILA Supervisor.

General housing needs including cleaning supplies, light bulbs and hygiene products will be provided by the clients themselves. CJSD will provide a washer, dryer, and vacuum for the house.

### **Maintenance:**

All maintenance concerns must be reported to CJSD staff immediately. CJSD is responsible for reporting these maintenance concerns/requests to property management.

### **Tobacco Use:**

Tobacco products may be kept in the apartments. The use of said tobacco products may not occur inside the home, including chewing tobacco or vapes. Some ILA locations prohibit tobacco use on the property entirely. Please speak to staff about where you can use tobacco products at your ILA location.

### **Clothing/Hygiene:**

A general rule is enough clothing to last two weeks. If you have too much clothing, staff has the discretion to require you to remove excess items from the apartment. Failure to abide by the given deadline by staff may result in items being removed by staff.

Typical hygiene items are allowed as long as they are not in excessive amounts and do not include alcohol as an ingredient (eg. mouthwash or cologne/perfume).

### **Personal Room Items**

Linens are provided by the clients. Nothing should be taped, tacked, glued, or nailed to the walls. Personal papers and all miscellaneous room items must be kept organized and preferably stored in drawers. Adult sexual toys are not allowed in the ILA apartments.

Televisions are allowed in the client's rooms as long as they don't exceed 40" in size. The TV provided by CJSD must remain in the living room and shall be the only TV in the living room. TVs should not be mounted and neatly organized within the room layout. If the TV in the client's room becomes an issue with staff or other roommates, this privilege may be revoked. Common reasons this may be revoked are noise and house/room cleanliness issues that persist.

Gaming stations are allowed in the apartment/ the client's room with case manager approval. This includes Xbox and PlayStation consoles. Personal computers are not allowed. Laptops are allowed with case manager approval. If the gaming station becomes an issue with staff or other roommates, this privilege may be revoked. Common reasons this may be revoked are noise and house/room cleanliness issues that persist.

WIFI is allowed in the ILA apartment at client's expense. This should be a temporary setup and should be taken with the client when they move out of ILA.

### **Bicycles:**

Bikes should not be inside the home. This is to ensure no further wear and tear to the existing carpet occurs. It is recommended to purchase a "U-Lock" bike lock as they provide the best security when storing your bike.

## **Resources**

### **Mesa County CJSD Contact Information:**

Powell Facility (24/7): 970-244-3301

Bridger Building (M-F, 8 am-6 pm): 970-244-3346

Community Resource Specialist (Employment Coordinator): 970-244-3896

ILA Supervisor: 970-244-3881

**Other Important Contact Information:**

St. Mary's Hospital: 970-244-2273  
Community Hospital: 970-242-0920  
Suicide/Crisis Hotline: 988  
Non-Emergency Dispatch: 970-242-6707  
Emergency Services: 911

**Community Resources (medical, mental health, legal):**

Health Solutions West: 970-241-6023  
Marillac Health: 970-200-1600  
Good Samaritan Clinic: 970-712-6518  
Medicaid: 970-248-6900  
Department of Human Services (DHS): 970-242-1211  
Mesa County Health Department: 970-248-6900  
Mesa County Workforce Center: 970-248-0871  
Victim Assistance: 970-244-3275  
Suicide Hotline: 9-8-8

**Local Laundromats:**

Washboard Laundromat: 2692 US-50  
Citi wash and Clean: 1910 N 12 St.  
Soap n Suds Laundromat: 2964 I-70BL Unit 3  
The Laundromat: Patterson Marketplace  
Holiday Cleaners: 1251 N 3rd St.

**Western Colorado 2-1-1 toll-free**

One-call access to program and service providers on the western slope, all services are free. The Western Colorado 2-1-1 program is designed to help those in need get easy and quick access to agencies/programs/services that can assist them including, but not limited to, mental health services, substance abuse treatment services, daycare providers, individual and/or family therapy, basic need assistance (i.e., food, clothing, & shelter), etc.