

# ***Garfield County Community Corrections***

## **Non-Residential Handbook**



The mission of Garfield County Community Corrections is to support offenders in the continued improvement of their lives by holding them accountable and providing them with the tools to make positive behavioral change while becoming law abiding citizens. Through these principles we strive to enhance and preserve public safety.

**Revised May 2024**



# **GARFIELD COUNTY COMMUNITY CORRECTIONS (GCCC)**

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## **NON-RESIDENTIAL HANDBOOK**

This handbook is made accessible to all clients of the Garfield County Community Corrections Department **NON-RESIDENTIAL** Program and is a summary of the rules, regulations, policies and procedures which relate to the clients while under the jurisdiction the Community Corrections Program.

Program rules provide a consistent approach to program management; enhance the day-to-day operation of the program and ensure that the rights of the clients are observed. The rules further provide clients with stands of conduct consistent with accepted social expectations and responsibilities and provide staff with a measurement of client performance.

It is each client's responsibility to read and study the contents of this handbook and become familiar with these policies. Should any additional clarification or information be necessary, it is the client's responsibility to inquire with your Case Manager or any GCCC staff member.

Policies contained in this handbook are subject to change, at which time appropriate revisions will be made and distributed to you. Non-Residential clients will be expected to travel to the facility to collect the revised handbook if necessary.

# PRISON RAPE ELIMINATION ACT (PREA)

Garfield County Community Corrections has zero tolerance toward all forms of sexual abuse/misconduct. Client on Client, Staff on Client and Client on Staff sexual assault, sexual abuse, and/or sexual relationships will not be tolerated. Clients will be free from fear of sexual assault and if a report of sexual assault is made, it will be investigated thoroughly and with respect to the client's safety, dignity, and privacy without fear of retaliation.

Client on Client, Staff on Client or Client on Staff sexual abuse or assault is defined as one or more clients engaging in or attempting to engage in a sexual act with one another or the use of threats, intimidating, inappropriate touching, or other actions and/or communications by one or more persons aimed at coercing and/or pressuring another to engage in a sexual act.

To ensure your safety, all clients are encouraged to report instances of sexual assault to any program staff member. Clients may also report a sexual assault/abuse through a grievance form or contacting the agency PREA coordinator. Clients will have access to the PREA accessible phone in each day room, or they may use the phone in the conference room or their personal cell phone. All allegations will be taken seriously and thoroughly investigated and staff shall take the necessary steps to separate the victim from the accused. Staff will make help available for the client to receive medical evaluation and care as well as needed mental health support.

Appropriate steps will be made to protect the client including, but not limited to; transferring to another facility where they can be housed more appropriately, moved to another room in the facility closer to the staff office, increased contact with case management to provide ongoing support, etc. Transgender and intersex clients may request individualized shower times by talking with Security personnel or their Case Manager.

Additional information regarding PREA can be found under the "Grievances regarding Sexual Abuse" section of this handbook.

## USEFUL CONTACTS

### **Garfield County Community Corrections Center**

0244 County Road 333A  
Rifle Colorado 81650  
(970)-625-0334 EXT 4400  
FAX (970)-625-4059

### **Probation Department**

109 8<sup>th</sup> Street, Suite #406  
Glenwood Springs Colorado 81601  
(970)-945-8635

### **District Attorney 9<sup>th</sup> Judicial**

109 8<sup>th</sup> Street, Suite #308  
Glenwood Springs Colorado 81601  
(970)-945-8635

### **Garfield County Combined Courts**

109 8<sup>th</sup> Street, Suite #104  
Glenwood Springs Colorado 81601  
(970)-945-5075

### **PREA Reporting Line**

1-(877)-362-8477

### **Public Defenders Office**

311 ½ 8<sup>th</sup> Street  
Glenwood Springs Colorado 81601  
(970)-645-5828

### **Grand River Medical Center (Rifle Hospital)**

501 Airport Road  
Rifle Colorado 81650  
(970)-625-1510

### **Valley View Hospital (Glenwood Springs Hospital)**

1906 Blake Avenue  
Glenwood Springs Colorado 81601  
(970)-945-6535

### **Garfield County Dispatch**

(970)-625-8095

### **Pitkin County Dispatch**

(970)-920-5310

## Table of Contents

PRISON RAPE ELIMINATION ACT (PREA) .....	4
USEFUL CONTACTS.....	5
GCCC NON-RESIDENTIAL RULES AND EXPECTATIONS.....	8
State and Federal Statutes .....	8
Agency Contacts and Association.....	8
Escape .....	8
Out of County Travel .....	9
Prescription Medication .....	9
Drug and Alcohol Usage.....	9
Services and Reporting .....	10
Cellular and Landline Phones .....	11
Finances .....	12
Job Search and Employment.....	12
Behavior.....	13
Attendance .....	13
RESIDENCE AND PUBLIC SUPERVISION .....	15
Residence .....	15
Home Visits.....	16
Curfew Times, Calls and Checks .....	17
Searches and Contraband.....	17
PROGRAM SUPERVISION LEVELS .....	19
Supervision Level Program and Goals .....	19
Supervision Level Progress.....	19
Case Management and Counseling.....	19
Supervision Level Factors.....	20
TRANSPORTATION.....	25
Personal Vehicle.....	25
Personal Bicycle.....	25
Facility Transportation Van.....	26
Community Provided Transportation.....	26

GRIEVANCES.....	27
Elements of a Grievance .....	27
Informal Resolution .....	27
Formal Resolution.....	28
Review of a Formal Grievance .....	28
Grievance Disposition.....	29
DISCIPLINARY OVERVIEW .....	30
Disciplinary Process.....	30
Disciplinary Conditions and Violations .....	31
Class 1 Conditions and Violations.....	32
Class 2 Conditions and Violations.....	33
Class 3 Conditions and Violations.....	36
Disciplinary Hearing Process.....	40
Client Rights .....	41
Disciplinary Sanctions .....	43
Level 100 Incident Sanctions .....	43
Level 200 Incident Sanctions .....	44
Level 300 Incident Sanctions .....	45
Disciplinary Terms and Definitions .....	46
DISCIPLINARY APPEAL PROCESS .....	48
Appeal Process.....	48
Administration Review .....	48
Administrative Action.....	48
Appeal of an Administrative Decision.....	49
Non-Residential Handbook Acknowledgment .....	49

# **GCCC NON-RESIDENTIAL RULES AND EXPECTATIONS**

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This section will address the general rules and expectations clients will need to follow while part of the Non-Residential Community Corrections Program. Clients should familiarize themselves with this section as it will give them a basic understanding of how they should conduct themselves while part of the Community Corrections Program.

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## **State and Federal Statutes**

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In addition to the rules of GCCC program, all clients are required to abide by all local, state, and federal laws. Federal clients will read and follow all Federal rules and guidelines. Clients are also required to abide by the rules and regulations which have been imposed by their court order, probation officer, and community corrections case management or administration.

## **Agency Contacts and Association**

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Clients shall not knowingly associate with any person having a criminal record, unless for employment or educational purposes, which must be pre-approved by the program.

Clients will not knowingly associate with, or contact in any manner, any current or prior client of the Community Corrections program, or any person known to have a criminal record, other than those with who contact must be made to carry out authorized activities (AA meetings, treatment sessions, education purposes, or employment).

Clients having any contact with law enforcement agency or officer shall report the contact to GCCC staff within 4 hours. Clients must inform law enforcement of their program status immediately upon contact. Clients are expected to comply with any search of their property or person by law enforcement.

Clients will not associate with, or contact in any manner, a victim or other person similarly associated with their offense, without the specific approval of your case manager. If a client wishes to contact an individual with a protection order, clients must gain a modified protection order allowing contact to give to their case manager before contact will be considered. Association with any individual in the community may be restricted at case management or administrations discretion, including in the event of a modified protection order allowing contact.

## **Escape**

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Failure to report to the GCCC Facility by scheduled times could result in client being placed on escape status, notification to client's Probation officer and/or the court. This could result in termination from the GCCC Program. A client may be placed on escape status if they refuse or neglect to report to the GCCC Program when directed by staff. Clients may also be placed on escape status if they fail to return to their given address by their required curfew time.



Failure to respond to OSM check ins, staff contact calls, or the client's failure to be present during a curfew check may result in the client being placed on escape status.

All property (including any money) of a client who fails to report as directed, which is left at any GCCC building, program or account will be confiscated and disbursed at the discretion of GCCC. Such property or money will no longer be accessible to the client.

## **Out of County Travel**

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

Requests for out of county travel will only be considered for limited periods of time and legitimate reasons. Examples of appropriate reasons include working out of county, making a court appearance or because of a death in the 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 as the primary determining factor.

Clients will not be allowed to travel outside of the State of Colorado unless they are required and given written permission from their sentencing judge.

## **Prescription Medication**

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Clients will notify GCCC staff within 1 hour after receiving a prescription from a licensed physician.

Non-Residential clients are generally allowed to retain their medications on their person or place of residence. However, if directed by Case Management or Administration, medications whether prescription or non-prescription shall be stored at the GCCC facility. Such medications shall be self-administered by the client and ingestion will be monitored by a staff member.

Selling or giving away any prescription, illegal drug or substance is prohibited. Such actions will result in disciplinary actions, program termination and possibly new charges against the client.

## **Drug and Alcohol Usage**

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Clients must remain free of chemical substances as a condition of all Community Corrections programs. Clients are not to use alcohol, illegal drugs, or any unauthorized medication. Clients will not possess any of these substances in their residence, vehicle or bring them to the GCCC premises. Doing so will be considered as an introduction of contraband to a correctional facility and is a felony offense.

Clients will not possess, consume, nor use any alcoholic beverage, drug, narcotic, or any other controlled substance which is not prescribed for their use by a licensed physician. Prescribed substances must be reported to GCCC staff within an hour after receiving the prescription. Clients will not abuse any forms of over-the-counter medication, dietary supplements, vitamins, or other substances.

A client under suspicion of drug or alcohol use may be required to return to the facility and placed back into residential status until such time that a clean UA sample is returned, or administration authorizes the client to return to non-residential status. Any new drug or alcohol use may be used as justification to return the client to residential status, a regression in program levels, or program termination. If it is determined that the client is a danger to themselves or the community, law enforcement may be contacted.

Clients should be aware of any products they consume and the possibility of such items resulting in positive UA results. Products such as melatonin, Benadryl (diphenhydramine), PM or cold/sinus medications, poppy seeds, diet pills, hemp products and various workout or exercise supplements have been known to show positive results on a UA test. These items will not be accepted as evidence or a viable excuse for positive UA results.

UA tests will not be completed at a client's request. UA tests and associated results not collected by Community Corrections staff will not be accepted as proof of non-use or as evidence against a positive result from the UA testing provider utilized by Community Corrections.

If staff has any suspicion of alcohol and/or drug use clients will be required to provide a urine specimen immediately. Tests for determination of alcohol consumption may be done in the form of an intoxilyzer test administered by staff.

Positive urine tests or intoxilyzer tests could result in termination from the program. A failure or refusal to submit to a urine analysis or intoxilyzer test will result in disciplinary actions in accordance with the sanctions grid. Positive results, along with a failure or refusal to submit to a test may result in a client being returned to the residential program, regression of program levels, or program termination.

A record of all collected and tested urine specimens and positive intoxilyzer tests will be kept in the client's file as part of their permanent record.

## **Services and Reporting**

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Clients in GCCC programs will be required to submit to random urinalysis tests throughout their program involvement. Non-Residential clients are required to call the GCCC facility (970-625-0334 EXT 4400) to check for services by 12:00 noon to inquire if they have any services. If staff does not answer, clients must leave a voicemail as evidence they attempted to call and should make continued attempts to contact the facility. Being busy, waking up late, or working will not be accepted as an excuse for not calling for services. Clients may also report in person to the facility prior to 12:00 noon to inquire if they have services.

If a client is informed they have services, they must report to the GCCC building by 1900 hours (7:00PM) the same day for completion of services. Failure to report will result in disciplinary actions including the client being returned to residential status, the regression of program levels, or program termination. When a client reports to the facility and is informed they will be required to provide a UA sample, they will be required to remain at the facility until they produce the sample. A client will have 2 hours to produce the sample before receiving disciplinary sanctions. If the client provides within one hour after the 2-hour time mark, the incident will be a level 300. If a client exceeds 3 hours, they will receive a level 200 incident report.

Any time a client returns to the GCCC facility they will be required to submit to an intoxilyzer test. Clients should retain their reusable BAC tube any time they are traveling to the facility, or they will be required to purchase a new BAC tube to complete the intoxilyzer test.

Clients who display any signs of drug or alcohol intoxication may be required to remain on-site at GCCC, be placed in a detoxification program (at the client's expense) or be placed in the Garfield County Detention Facility.

Clients may be required to pay for urine testing under some circumstances such as, but not limited to positive urinalysis tests, additional tests taken due to drug usage while a client of the program, or additional confirmation tests of a sample.

## **Cellular and Landline Phones**

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Clients must have and maintain working phone service at their residence or have the OSM app on their approved cell phone. Clients must notify GCCC staff immediately if there is a change in their phone number. If the client has a personal cell phone, this phone may be subject to search at any time by GCCC staff. Passwords or passcodes for the client's cell phone or any app, file, or folder on the client's cell phone must be provided upon request by GCCC staff. Failure to provide this information will result in the confiscation of the client's cell phone and possible disciplinary actions.

The cost of any cellular or landline services are the responsibility of the client. The cost of the OSM service is \$1.00 per day. If a client is determined to need a BAC device, they will be required to purchase the OSM BAC device through GCCC. This device currently costs \$125.00. The cost of OSM with the BAC device service is \$2.00 per day. If necessary, a client may be required to rent a cell phone from GCCC. These rented cell phones will cost \$2.50 for each day the client will require the use of the cell phone.

In the event a client's personal phone is damaged, disabled or otherwise rendered unusable they must travel to the GCCC facility to rent a phone until such time they are able to obtain an operable personal cell phone. An unusable personal phone will not be accepted as a valid excuse for failure to complete curfew calls or check ins.

Random telephonic, in person or OSM curfew checks will be performed by GCCC staff at any time of the day or night. To this end, clients will be expected to have a land line or cell phone that is always on and in operable order. Failure to be answer or be present for any curfew call or check in will result in disciplinary action.

## **Finances**

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Clients will not enter contracts, engage in business, or incur any debt without the approval of their case manager and administration. This includes but is not limited to contracts such as: bank loans, marriages, mortgages, rentals, and leases. Forms of credit, such as a credit card, must also be approved by Case Management and Administration. Clients are expected to be able to provide account statements for any personal account they maintain. Clients may be approved to utilize financial applications such as Chime, Wize or Cash App at the discretion of their case manager. Any such financial application or account is subject to review by GCCC staff at any time.

Program fees must be paid as determined by GCCC, unless otherwise approved by GCCC administration. Program fees will be paid with a money order or through the client services account. Court fees will be paid in accordance with court orders or directives.

Clients shall pay for all medical, dental and eye care expenses, and treatment costs.

Clients will support their dependents and meet all other financial responsibilities. This includes restitution, compensation, fines, and child or spousal support as ordered by the court.

## **Job Search and Employment**

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Clients will maintain, or actively pursue, gainful employment or an alternate program approved by GCCC. Clients will not make any willful changes in their employment without the permission of GCCC. It is expected that clients will communicate with their Case Manager if their place of work is placing them on furlough, going out of business, or any other similar situation. Clients must meet their financial obligations.

If a client is laid off, dismissed, placed in furlough or in any other way loses employment, they may request, or may be required to return to the residential program until such time as they obtain gainful employment. Clients who lose employment for any reason will be required to meet with their Case Manager twice weekly to review their job searches. Clients are expected to maintain employment during all stages of the GCCC Program.

If a client is physically unable to work, the client must provide documentation of limitations to GCCC to remain on the program while on medical leave or unemployed.

Clients must submit proof of employment or school to GCCC for verification. GCCC will then contact these employers to verify client's work. Client will notify GCCC if there are any changes in employment or school.

Clients must obtain permission from their Case Manager or an Administrator to be employed by relatives, friends or be self-employed. Any client whose employer willfully chooses not to cooperate with GCCC staff is subject to termination from that employment.

Clients must receive at least minimum wage for their work. Employers will always be advised of the client's correctional situation during the work verification process. Any client who is fired or laid off due to their own negligence, actions, or poor performance on the job is subject to disciplinary action including be returned to the residential program or regression of program level.

No out of county employment will be permitted without prior authorization from a case manager or administration.

## **Behavior**

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Clients will refer to all staff members by calling them Officer or Mr./Ms. (Last name). Clients will not refer to staff members by their first names, nicknames, nor any other term.

All clients are encouraged to engage in healthy behaviors while participating in, and after successful completion of the program. These behaviors include valuing oneself, maintaining balanced and nutritional diets, exercising regularly, and getting enough sleep.

It is expected of Non-Residential Clients to maintain professional and socially acceptable behaviors while in the community. Anti-social behavior can be a cause to return a client to the GCCC residential program, regression of program level, or other disciplinary actions.

## **Attendance**

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Clients are required to appear as scheduled for all court dates and appointments at GCCC throughout the client's sentence. Clients are required to report in at times specified by GCCC staff and as required by each program. Any variance from these times must be approved in advance by your case manager or by GCCC staff. Punctuality is expected and tardiness will not be tolerated.

A client's presence at any agreed upon release site or home is subject to frequent verification and/or visits by GCCC staff. These visits may be unannounced and random in nature, at the Case Managers or Administrators discretion.

If a client is ill, or otherwise unable to work, the client will notify their case manager or GCCC staff within 4 hours. Client will also notify their employer in accordance with rules of their place of employment. Clients who are ill are required to stay at their residence for the duration of the illness, only leaving for doctors' appointments or for emergency medical care. The client will contact GCCC staff if they must leave the residence for any reason while ill.

Clients will be required to submit a doctor's verification of illness or injury to their case manager.

Clients can expect random phone calls from GCCC staff throughout the week and weekends, during the day or night. It will be the client's responsibility to be available for these calls. Failure to comply will result in a residence check by staff or local law enforcement. The client will have to report to the facility and will have to produce a UA specimen, will be given a BAC test, and will have to fill out a statement (Client Incident report) prior to be able to return to their residence, which may require administrative approval.

Clients will attend and participate in any treatment programs identified as necessary by their Case Manager or as required by the court. Clients are responsible for the cost of such programs. Clients are required to attend treatment as scheduled with their counselor. Clients will only be excused from treatment sessions if they have contacted the treatment provider and have obtained approval from their Case Manager. Clients will not be excused from treatment for employment reasons.

# RESIDENCE AND PUBLIC SUPERVISION

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This section will address the various requirements and expectations in relation to the client's residence, their vehicles, and other locations they may visit in the community. Clients should use this section to determine acceptable possessions and interactions with staff during home visits or public interactions.

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## Residence

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Upon intake or transfer to the Non-Residential program, an accurate and complete address of a client's residence will be given to GCCC staff. Staff will visit and inspect the residence prior to the approval of intake or transfer of the client to the Non-Residential Program. Clients will be expected to maintain this location as their permanent address unless otherwise approved by Case Management or Administration. Any new residence is subject to a visit and inspection prior to approval.

GCCC staff may conduct home visits any time of the day or night to ensure compliance with program regulations and court orders. Clients are required to have a working landline telephone at their residence or have the OSM app on their approved cell phone. Clients are expected to answer staff contact calls and check-ins any time they are at their residence.

Clients will not stay at any other locations unless specifically approved in advance by GCCC staff. This includes such things as, but is not limited to, spending the night at a friend or family member's residence, at a hotel or a work provided lodging. If an emergency or other situation renders the client's residence unusable or inhabitable, staff may require contact from a property manager, homeowner, or emergency personnel to confirm the situation prior to approval to stay at another location. A client may request or be required to return to the Residential building in such a situation.

In the event where a client is unable to travel home due to unsafe conditions, road closures or other situations they must contact the GCCC facility and confirm with staff the location they will be staying for the night.

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

If a client must vacate their current residence but is unable to procure suitable residence as approved by GCCC, the client may return, or may be directed to return to the GCCC facility until suitable housing is secured.

Clients are required to comply with GCCC staff during all home visits including allowing staff onto the property and into the residence. Clients will maintain a safe and sanitary household.

## Home Visits

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Regular home visits will be required for all non-residential clients. The frequency of home visits will be determined by the client's Case Manager. A home visit may also be conducted at the request of a client's Case Manager or GCCC administration if there is reasonable suspicion to conduct a home visit. Clients must provide access to all personal areas of their residence. As an example, a client renting a room in a multi-family residence will only be required to provide access to their own room and personal bathroom, if applicable. Staff will be expected to return the residence to orderly fashion to the best of their ability, and as is appropriate.

The clients schedule will be taken into consideration concerning the chosen dates and times for home visits. Home visits will be conducted with the client being present. If any individual who is not approved to be at the residence, or who is not a known resident is present during a home visit, staff will not enter the resident and the home visit will be considered failed. If the visiting staff determine the residence to be unsafe or dangerous, staff will leave, and the home visit will be considered failed. Any client who fails to be present in the event of a home visit may be subject to disciplinary sanctions. Possible sanctions include regression to the residential program, regression of program level or program termination.

If it is determined to be necessary, GCCC may contact local authorities to conduct a welfare check on Non-Residential clients. This will be determined if staff believes the client to be in an unsafe or dangerous situation, or if staff conducting a home check feel they are in a dangerous or unsafe situation, and potential medical emergencies. Clients are expected to respond to and comply with any law enforcement agency that visits their residence.

If a client is under suspicion of being under the influence of any alcohol, drug or narcotics while out in the community or at their residence, they may be required to return to the GCCC facility to be placed on facility hold and provide a UA sample for analysis. If possible, staff will transport the client back to the GCCC facility. If it is determined the client poses a threat or danger to staff, the community or to themselves, law enforcement may be contacted.

Clients will be expected to provide access to any personal electronic devices within their possession, including cell phones, computers, or tablets. Any locked items or areas will be made accessible to staff during a home visit, such as safes, empty rooms or cabinets.

A picture of the residence will be taken to help staff identify the correct address and location during a home visit. Clients should ensure their residence has any house, suite or unit numbers properly displayed at all times. Clients who are renting must make their renter or property manager aware that GCCC staff may arrive at the location at any time to inspect the residence.



## Curfew Times, Calls and Checks

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Curfews are imposed on all clients based on their individual program and the client's progress or lack of compliance with the referral agency and the courts. The curfews are set by level in the Non-Residential program. Curfew times by level are:

- Level 5: 2000 Hours (8:00 PM)
- Level 6: 2100 Hours (9:00 PM)
- Level 7: 2200 Hours (10:00 PM)
- Level 8: 2200 Hours (10:00 PM)

Clients are expected to contact GCCC staff before or at the expected time for their curfew call. Clients may be allowed to extend their curfew at the discretion of their Case Manager. Compliance is mandatory and failure to abide by curfew will result in disciplinary action including the return to the residential program or regression of program level. Clients should refer to the ESCAPE section of this manual for further detail.

Curfew checks will randomly be completed after the client calls in for curfew. There is no time frame during the night these checks must be completed by staff. Clients should be prepared to receive and answer curfew checks at any time of the night.

Clients may work past their curfew at the approval of their case manager. If a client must extend their work pass, they must have a supervisor contact the facility to confirm with on-duty staff to be allowed to remain at work.

## Searches and Contraband

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By agreeing to participate in any GCCC non-residential program and electronically signing the acknowledgement for this handbook, 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.

Clients will not possess or use any firearms, dangerous weapons, explosives or other destructive device, or have them in their residence, without having specific, prior approval from the GCCC Program. Open access to these items will be considered equivalent to possession.

Any item not specifically authorized by staff or deemed unsuitable by staff is considered contraband and can be confiscated or destroyed. If the device could be used to harm another person, the police department would be notified.

The following items, if found within a client's residence, vehicle or on their person during a visit will be considered contraband, along with their associated categories:

- **Non-dangerous contraband:** this includes, products containing alcohol, electronic or physical reading material that describes the making of drugs or weapons, chemical substances and any supplements that could be identified to interfere with the UA process.
- **Major Contraband:** this includes pornography, sexual products or appliances, unauthorized computers, laptops, tablets, cameras, or cell phones and recording devices.
- **Dangerous contraband:** this includes weapons, non-utility or non-utensil knives, toxic substances, alcoholic beverages, prescription medication that has not been reported to GCCC, any narcotic, or prescription medications not belonging to a resident of the household.

Non-Residential clients should be aware of any items they bring up to the facility during a case manager visit or check in. Work items such as box knives, sharp tools and similar are not allowed at the facility. Recording devices are not allowed on facility grounds.

# PROGRAM SUPERVISION LEVELS

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This section will detail the Non-Residential program requirements and conditions for each level. Clients should use this section to determine program expectations and how they can advance and progress through the Non-Residential Program.

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## Supervision Level Program and Goals

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The goal of supervision levels is to enhance community safety, deter criminal activity, and encourage client behavior change. This will be accomplished by encouraging clients to progress through the levels by reinforcing positive actions and behaviors and by holding clients accountable for negative behavior.

Clients must involve themselves in approved self-help groups throughout their time on the Program. Groups such as Alcoholics Anonymous, Narcotics Anonymous, Problem Solving Techniques, Celebrate Recovery and others are available. Clients may be directed to attend one or more of these groups by their case manager or probation officer.

Each client accepted into the Non-Residential Program will begin on either maximum or regular supervision based on the Case Manager recommendations. Clients are progressed level to level based on the Case Manager recommendations and disciplinary actions.

## Supervision Level Progress

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Clients will progress through the supervision levels by meeting several predefined objectives. There are four levels in the Non-Residential program. All clients will participate in these levels. Movement from one level to another is considered when the client has completed all stabilization factors and case plan steps on their case plan.

## Case Management and Counseling

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Clients of the GCCC programs will meet with their assigned case manager for case meetings on a regular basis. The case manager will utilize individual case meetings for several purposes:

- To evaluate the progress of the client in attaining the goals and objectives outlined in the individual supervision plans and/or behavior contracts.
- To discuss behavioral and attitude problems.
- To assist the client in resolving personal problems.
- To address issues concerning employment, academic, mental health, substance abuse therapies or vocational pursuits and to make appropriate referrals to outside agencies that might assist the client.

It is the client's responsibility to schedule a day during the week with their Case Manager for their meeting. The client should schedule their meeting when it doesn't affect their obligations while participating in the Non-Residential program or affect the case manager's work schedule. Clients will report for scheduled meetings on time and will report to their case manager meeting on the scheduled day assigned. This date may be changed at the discretion of the Case Manager. Working late, traffic delays, or forgetfulness are not acceptable circumstances, and failure to report on time for a scheduled meeting will have disciplinary consequences. If Case Management must reschedule the meeting, GCCC will attempt to inform affected clients as soon as it is known by calling, through text on the OSM app or email.

Clients should refer to the following as a guide for the minimum amount of case meetings they can expect to complete monthly. Case Managers may require a client to attend more than this amount at their discretion.

- Level 5: One case meeting weekly
- Level 6: One case meeting weekly
- Level 7: Two case meetings monthly
- Level 8: One case meeting monthly

In-depth mental health and substance abuse therapies are available through various approved outside agencies. Participation in treatment and or self-help groups may be required, and clients are responsible for any costs associated with participation.

## **Supervision Level Factors**

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The Case Plan will consist of levels 5, 6, 7, and 8. Upon entry into the Non-Residential program, each client will be placed in level 5. Advancement of levels in the program is based on the completion of case plan steps. Once a client has completed all the steps in their case plan including all stabilization factors and behavioral factors, they will be eligible to be progressed to the next level. If the client does not complete the steps in their case plan they will not move to higher levels. If a client has uncompleted extra duty hours they will not be able to progress until they complete the extra duty hours.

Clients will be required to participate in level program to gain increased privileges while in the program. The level plan will enable clients to have later curfews and will reduce the number of services a client will need to complete monthly as they advance. Advancement in levels is also an indication of program compliance and success.

The following pages will define stabilization and behavioral factors that are used to determine a client's ability to advance in the supervision level program. The client's Case Manager will go over these items during case meetings to ensure the goals are being achieved. Certain items may need to be defined between the client and Case Manager in relation to their workplace, wages, and criminal history. These items will be identified during the client's case meetings.

### **Level 5 Stabilization Factors:**

- Maintain employment stability. Stable employment should be at least 40 hours per week and provide the client with sufficient wages to meet their financial obligations. Temporary work is not considered stable employment.
- Create and follow a restitution pay-off plan. Stay current with court ordered child support if required. This plan is to be discussed with CM and scanned into the system.
- Develop a budget that includes subsistence, fines and costs, treatment fees, transportation fees, medical fees, etc, and begin to rebuild savings. Maintain a positive bank balance of at least \$500.00.
- Continue to address medical/medication needs; explore health insurance eligibility options
- Comply with court ordered requirements (i.e. UPS Hours, Child Support, etc.)
- Have contact with Community Support at least 1 time per week.

### **Level 5 Behavioral Factors:**

- Maintain Program compliance
- No major rule violations for 2 weeks
- No repeated minor violations for 2 weeks
- All Sanctions completed
- Identify and create a plan for community give-back opportunities (i.e. Volunteer work) Church could be used if it involves more than attendance at weekly service.

### **Level 6 Stabilization Factors:**

- Create and follow employment plan; strive for professional improvement
- Pay off Restitution; Continue following court ordered child support if applicable.
- Follow budget and savings plan; reach a healthy savings amount. Maintain a balance of at least \$1,000.00
- LSI risk score is reduced by 10% from residential intake LSI score
- Actively engage in treatment receiving positive reports from the treatment provider. Complete required treatment
- Demonstrate effective accountability for medical/medication needs
- Identify educational/vocational needs/goals and create a plan
- Demonstrate effective responses to barriers/challenges
- Complete court ordered requirements
- Create a plan for additional community support activities. Plan will be discussed with CM and scanned into the system.

### **Level 6 behavioral Factors:**

- Maintain Program Compliance
- No Major Incidents for 30 days
- No repeated minor violations for 30 days
- All Sanctions completed
- Implement community give-back plan that was developed in Level 5.

### **Level 7 Stabilization Factors:**

- Continue to follow employment plan; maintain stable employment
- Continue making payments on subsistence, fines and costs, child support, etc.
- Identify outstanding financial obligations and modify budget and savings plan; develop long term financial management plan; maintain a balance of \$1,500.00 in savings account
- Demonstrate effective life management skills
- Continue to demonstrate accountability for medical/medication needs
- Begin implementing education/vocational plan
- Reassess barriers/challenges to successful progress; modify plan accordingly
- Review eligibility requirements for early termination
- Engage in community support activities identified in Level 6

### **Level 7 Behavioral Factors:**

- Attend pro-social activity (i.e. church, family, etc.)
- No Major Incident reports for 45 days
- No repeated minor violations for 45 days
- Complete all sanctions
- Continue to engage in community give-back plan

### **Level 8 Stabilization Factors:**

- Continue to follow employment plan; maintain stable employment
- Continue making payments on subsistence, fines and costs, child support, etc.
- Follow budget; maintain \$3,000.00 in savings
- Continue demonstrating effective life management skills
- Continue to demonstrate accountability for medical/medication needs
- Continue implementing education/vocational plan
- Demonstrate effective responses to barriers/challenges
- Resubmit for early termination; if applicable
- Continue to engage in community support activities

### **Level 8 Behavioral Factors:**

- No Major incidents for 60 days
- No repeated minor violations for 60 days
- Complete all sanctions
- Continue to engage in community give-back plan.



# TRANSPORTATION

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This section details allowable transportation methods for Non-Residential Clients. Clients should use this section to familiarize themselves with appropriate transportation methods and the requirements and conditions for those methods. Clients may have additional stipulations regarding transportation by Case Management or Administration.

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## Personal Vehicle

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Clients will not operate a motor vehicle without prior approval of the Case Manager and Administration. Clients may not operate a motor vehicle for work purposes, including on company property, without prior approval from the client's Case Manager and Administration. This includes heavy machinery, OHVs or any other motorized transportation.

Clients may not operate a motor vehicle without a valid driver's license, vehicle registration, appropriate vehicle insurance, and clear photos of the full vehicle. This information is to be provided to GCCC staff. This information can be expected to be checked randomly, at least once quarterly. Clients may not purchase or operate another vehicle without approval from their case manager. Clients may not operate a scooter or motorcycle without approval from their Case Manager. Clients who obtain the privilege to drive a motor vehicle may not provide rides for other clients without prior staff approval.

If a client's vehicle is determined unsafe for use by staff, the client may not utilize the vehicle for transportation. Factors that may be utilized to determine if the vehicle is unsafe include missing, broken or dim lighting, damaged, broken or missing windows, severely damaged or missing body panels or bumpers, significant leaks of any fluid, or any clearly obvious mechanical damage to the frame, driveline, steering or suspension systems.

## Personal Bicycle

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Non-Residential clients utilizing a bicycle for transportation must wear appropriate safety gear. This includes a helmet and reflective safety vest worn at all times. At dawn, dusk, or any time during the night a client must have an operable headlight and taillight mounted to their bicycle in a visible location. Clients failing to observe these requirements may be subject to disciplinary actions.

## **Facility Transportation Van**

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The transport van runs to and from the facility for residential clients is available for use by non-residential clients for the purpose of case meetings or required visits. The transportation van is not available for point-to-point travel in the community.

Non-Residential clients should contact on-duty staff if they need to know the current transportation schedule.

The transportation van will prioritize residential clients on work pass leaving the facility or returning to the facility. The number of clients allowed on the van at one time will be determined by the amount of seat belts available in the vehicle. If the vehicle exceeds capacity, then Non-Residential clients must wait for the next available transportation.

## **Community Provided Transportation**

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Clients may travel with a member of the community when necessary, so long as they contact on-duty staff and gain approval. If the client will be traveling with a member of the community consistently, they must inform their case manager and be approved to do so. Clients may be required to fill out a transportation plan for the individual, which will include a copy of their driver's license, insurance and registration for the vehicle that will be used. This information must be current and active.

Any vehicle provided by the client's employer must be documented with a copy of the insurance, registration and pictures of the vehicle. If a client must utilize a rental vehicle, a copy of the rental agreement must be provided to GCCC.

# GRIEVANCES

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Clients should utilize this section to understand grievances and their conditions while a client of the Non-Residential program. Clients should familiarize themselves with this section to better understand their rights while part of the program.

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## Elements of a Grievance

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Grievance must adhere to the following guidelines.

Non-grievable matters: Disciplinary actions, incentive program actions, room assignments, classifications actions, program rules and procedures and the Department of Corrections rules and procedures are not considered grievable matters.

- Grievances are restricted to incidents which occur while the client is in the custody of the Garfield County Community Corrections Department.
- Clients who knowingly make false or misleading claims in a grievance may be subject to disciplinary action.
- A grievance may be withdrawn at any stage of the procedure with a written statement from the client.
- The grievance process ranges from informal staff-client interaction to formal administrative reviews.

## Informal Resolution

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

Client Responsibilities: A client must make every effort to resolve the problem informally by discussing the problem with the following people:

- The staff member directly involved.
- The client's assigned case manager.
- Other program staff.
- The supervisor of involved staff member.

If the grievance cannot be resolved through the informal process, then the client will proceed to the formal process.

## Formal Resolution

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Clients must file a formal grievance promptly after the problem occurs and after the informal resolution attempt. Formal grievances must be filed within 14 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 a written statement on a Grievance Form. Only one issue/complaint should be addressed at a time. Information on the grievances form MUST include:

- The client's name, the date and time.
- All facts related to the incident and circumstances involved, including time, date, name(s) of staff member(s) and any witnesses.
- The client must substantiate that all informal remedies have been exhausted.
- The grievance must also specify what the client expects to resolve the grievance.

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

The client will place the written statement in a sealed envelope addressed to "Administration". The envelope will be given to a staff member who will deliver it promptly and without interference to the Administration.

## Review of a Formal Grievance

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Upon receipt of the grievance, the Program Director will review and consider the seriousness of the complaint will be evaluated. The following procedures will be followed in accordance with policy.

1. The Director will designate an impartial Manager to act as a mediator to try to resolve the problem. The mediator will review the grievance material, investigate as needed, and will provide a written response to the grievance within 14 days to the client. The mediator may use all resources available to settle the grievance. The mediator will report the findings to the administration in writing. If the client is not satisfied with the mediator's response, then the client may file the grievance with the administration within 7 days for a grievance review conference.
2. Conduct a grievance review conference. In this case the Program Director will address the grievance directly by review of the grievance material and investigate as necessary and may allow the client to present their grievance at a conference. The administration will provide a written response to the client within 30 days. If the client is not satisfied with the disposition of the grievance by the administration, the client may submit an appeal to the department Administration in writing, within 7 days of receipt of the Administration's response. The Community Corrections Department Administration will provide the client with a written response regarding their decision within 10 days. The decision of the Department Administrator is final.

## Grievance Disposition

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Grievance responses by staff will include what action, if any, will be taken and will list reasons for denial, if any. If the mediator addressed the grievance the response will also follow these guidelines.

Department of Correction's clients who are not satisfied with the formal grievance disposition may continue their grievance on through the DOC grievance process by completing the appropriate DOC form and turning it into the DOC liaison officer within 14 days after receipt of the formal grievance disposition.

## DISCIPLINARY OVERVIEW

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This section will describe the disciplinary process, along with the conditions and violations for the client's placement at Community Corrections. Clients should use this section for a clear understanding of the program's expectations, and as guidelines towards incident sanctions. The disciplinary hearing process is detailed in this section and should be utilized by any client wishing to take an incident to a hearing.

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### Disciplinary Process

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Failure to comply with GCCC conditions of placement, or failure to comply with any specific requirement, may result in program modifications, a change in supervision level, placement in jail or referral back to the sentencing court or the referring agency for disposition.

An incident report will be written for all disciplinary violations. The incident report will list the rule violations. The client will have 24 hours from the time they are notified of the report electronically to enter a plea of guilty or not guilty. All pleas of not guilty will require a hearing. Hearings will be held on Mondays, Wednesdays, and Fridays through the hours of 1500 (3:00PM) and 1900 (7:00PM).

A hearings Officer will administer the disposition of the incident report by disciplinary action, sanction, dismissal, or they may refer the case to a formal administrative staffing for disposition.

Administrative Reviews will be held on Tuesdays and Thursdays. The administrative staffing may continue the offender on the GCCC Program or recommend that the client be referred to the sentencing court or the referring agency for disposition. While waiting for this disposition, the client may be held in the Garfield County Detention Facility.

If a plea of guilty is entered within the 24 hours of being notified of an incident report the client will receive sanctions at a 50% reduction for the violation(s) that are listed in the sanctioning grid. If no plea is entered within 24 hours of being electronically served with an incident report a plea of guilty will be entered on behalf of the client and they will be sanctioned according to the sanctioning grid with no reductions.

The Garfield County Community Corrections Department follows a structured format for due process disciplinary hearings to ensure a fair and impartial process. The Program has established rules to govern client behavior which are defined in writing and communicated to all clients and staff. Clients are subject to discipline for any violation of the conditions of placement specified in the non-residential handbook, those established by the referring agency and those prescribed by law. Generally, where a conflict exists between the referring agency rule and facility rules, the referring agency guidelines will prevail.

Staff will determine what violations are charged, whether an offense is a minor or major offense.

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

Classification actions, such as advancing in program levels, supervision levels, earned time credits, and program removal are dealt with in separate proceedings from the disciplinary process described here. Such proceedings are not subject to the same guidelines as those described here.

## Disciplinary Conditions and Violations

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Rule violations are divided into three categories: Class 100, Class 200, and Class 300 offences depending on the seriousness of the disciplinary offense in accordance with the following descriptions:

- **Class 100** – These violations are major in nature, and may pose a threat to the community, the program, or the client.
- **Class 200** – These violations consist of serious acts which have potential harm to the community, the program, or the client.
- **Class 300** – These violations consist of acts that affect the stability of the program, but there is little or no risk to the community.

These classifications serve to determine the sanctions that will be associated with each violation. More specific entries for each individual violation type will be detailed in the following section. They will describe the expected behavior of Community Corrections Clients, and what behavior may constitute a violation of each condition.

Clients should understand that the conditions and violations listed within this handbook cannot cover every situation or incident that may happen involving a client. Clients with any questions about the conditions or violations of the Community Corrections program should contact a staff member. Clients will also abide by any conditions placed upon them by their Case Manager or Administration. Any violation may result in the Non-Residential client being placed back into residential status, the regression of program level or potential rejection from the Community Corrections program.

If the violation committed also constitutes a criminal offense, then appropriate criminal charges may be filed in addition to “in-house” disciplinary charges.

## Class 1 Conditions and Violations

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### #100 Non-Violent Behavior

**Condition:** Individuals placed in community corrections shall behave in a manner that is respectful to the safety and security of all other persons.

**Violation; Violent Behavior:** Individuals commit a violation of this condition of placement when, through negligence or recklessness, they cause injury to another person or apply any physical force against any person regardless of whether any injury occurs. This includes engaging in a physical altercation, not limited to the exchange of punches, shoves, kicks, or any offensive physical contact.

### #101 Law Abiding Behavior

**Condition:** Individuals placed in community corrections must comply with local, state, and federal law and shall always demonstrate pro-social and non-criminal behavior.

**Violation; Law Violation:** Individuals commit a violation of this condition of placement when they violate any state or federal law (felony or misdemeanor) which could result in jail time.

### #102 Possession of Safe and Secure Property

**Condition:** Individuals placed in community corrections shall possess only physical property that is deemed safe and secure by GCCC.

**Violation; Possession of Contraband (Dangerous):** Individuals commit a violation of this condition of placement when they introduce illegal or dangerous contraband into the facility or when they physically possess dangerous contraband on one's person, within their residence or vehicle, or their place of work. A client is also in violation if they actively refuse to submit to a person or property search based on the assumption that client is in possession of dangerous contraband. Dangerous contraband is defined in client handbook.

### #103 Accountable Whereabouts

**Condition:** Individuals placed in community corrections shall always be accountable for their whereabouts in the community and shall only be at locations in the community that are approved by the community corrections program.

**Violation; Unauthorized Absence Greater Than 70 Minutes (Major):** Individuals commit a violation of this condition of placement if they are unavailable for phone monitors when staff attempts a verification call, if they are not at their place of resident for a home visit, or if staff is unable to verify the client's location in the community.



## **#104 Compliance with Appropriate Sexual Behavior**

**Condition:** Individuals placed in community corrections shall demonstrate sexual behavior that conforms to the requirements of the Program. If discovered, clients will report any instances of inappropriate sexual behavior to the appropriate authorities.

**Violation; Engaging in Sexual Acts or Harassment:** Individuals commit a violation of this condition of placement when one subjects another person to sexual contact, through physical action and/or verbal or written statements with or without consent; engaging in sexual acts in the facility or on facility grounds; indecent exposure; inappropriate sexual advances or comments directed to staff, clients, or visitors. This includes any behavior of a sexual or romantic nature whether verbal, nonverbal, or physical.

## **#105 Completion of Program Assignment**

**Condition:** Individuals placed in community corrections shall complete their assigned sentence or period of placement as determined by their respective referral and/or regulatory agency.

**Violation; Escape:** Individuals commit a violation of this condition of placement when one leaves the confines of the facility and fails to return or fails to return to the facility from a sign-out location according to the current community corrections standard timeframe.

## **Class 2 Conditions and Violations**

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### **#200 Sobriety**

**Condition:** Individuals placed in community corrections shall remain substance free.

**Violation; Substance Use:** Individuals commit a violation of this condition of placement when they submit a positive breathalyzer test or a urine sample that contains any quantity of unauthorized substances to include alcohol, illicit drugs (to include synthetic substances), inhalants, or prescription medications to which the individual is not prescribed to by a physician. This condition violation also includes urine sample testing that detects a non-typical result, is determined untestable, deemed dilute or tampered with, and includes a client's admittance to new use.

### **#201 Prosocial Driving Behavior**

**Condition:** Individuals placed in community corrections are expected to have a valid driver's license and insurance and permission from appropriate staff to obtain driving privileges. Client's will only operate a motor vehicle for the express purpose of which it was approved.

**Violation; Unauthorized Driving:** Clients commit a violation of this condition when they are found to be operating any motor vehicle without prior approval by Community Corrections staff and any regulatory agency staff as required or found to be operating a motor vehicle in an inappropriate or unsafe manner.

## **#202 Possession of Safe and Secure Property**

**Condition:** Individuals placed in community corrections shall possess only physical property that is deemed safe and secure by the community corrections program.

**Violation; Possession of Contraband (Moderate):** Individuals commit a violation of this condition of placement when they introduce contraband into the facility or when they physically possess contraband on one's person, in their residence or vehicle or their place of work.

## **#203 Accountable Whereabouts**

**Condition:** Individuals placed in community corrections shall always be accountable for their whereabouts in the community and shall only be at locations in the community that are approved by the community corrections program.

**Violation; Unauthorized Absence greater than 45 less than 70 minutes (Moderate):** Individuals commit a violation of this condition of placement if they are unavailable for phone monitors when staff attempts a verification call, if they are not at their place of residence for a home visit, or if staff is unable to verify the client's location in the community.

## **#204 Pro-Social Financial Behavior**

**Condition:** Individuals placed in community corrections shall meet their required financial obligations as defined by program requirements.

**Violation; Financial Misconduct:** Individuals commit a violation of this condition of placement when one actively refuses to meet financial obligations and demonstrates anti-social financial behavior. This includes refusing to meet their individualized financial obligations such as: restitution payment/subsistence/fees, refusing to turn in a paycheck, or being in possession of a credit or debit card without case manager approval. The improper or unauthorized use of any financial instrument will be considered under this violation.

## **#205 Safe, Secure, and Pro-Social Communications and Behavior**

**Condition:** Individuals placed in community corrections shall communicate with others in a manner that is respectful to the safety and security of all other persons. Both verbal and non-verbal communication shall be respectful to the safety and security of all other persons.

**Violation; Abusing or Threatening Behavior:** Individuals commit a violation of this condition of placement when their verbal or non-verbal behavior towards another person(s), or aggressive behavior towards property causes fear of injury, intimidation, or compromises the general safety and security of staff, residents, or members of the community.

## **#206 Respect of Others Property**

**Condition:** Individuals placed in community corrections shall respect the physical property of all persons and refrain from damaging the property of others.

**Violation; Property Damage (Major):** Individuals commit a violation of this condition of placement when their behavior, either intentionally or through recklessness, results in the damage of any property of another. This includes damaging the property of the facility that compromises the safety or security of others, or any property damage that occurs even if no criminal charges are filed.

## **#207 Pro-Social Employment Behavior**

**Condition:** Individuals placed in community corrections shall demonstrate pro-social, compliant, and productive behavior to obtain and maintain employment.

**Violation; Employment Misconduct:** Individuals commit a violation of this condition of placement when one is terminated, demoted, or suspended from employment due to anti-social or disruptive behavior or due to behavior that violates the policies of their employer. This violation includes a pattern or refusal to abide by job search requirements.

## **#208 Pro-Social Behavior in Treatment**

**Condition:** If determined applicable through standardized assessment, individuals are expected to enroll in and attend treatment and remain engaged by cooperating fully with the treatment provider until successful program completion is achieved. Individuals placed in community corrections shall demonstrate pro-social, compliant, and productive behavior during treatment of any kind.

**Violation; Treatment Misconduct:** Individuals commit a violation of this condition of placement when one is terminated or suspended from treatment due to anti-social or disruptive behavior or due to behavior that violates the policies of the treatment agency, fails to schedule an intake appointment, or misses a scheduled treatment appointment.

## **#209 Pro-Social Influences upon Others**

**Condition:** Individuals placed in community corrections shall demonstrate pro-social influence upon others behavior.

**Violation; Bribery or Solicitation:** Individuals commit a violation of this condition of placement when their behavior actively influences another person to commit an unlawful or prohibited act in the facility or in the community. This includes offering anything of value to any staff member or other residents with the intent to influence that person's discretion or actions in any way. This includes a resident who attempts or participates in an act(s) where the goal is to persuade, intimidate or influence, or to elicit any staff into an unlawful act and/or violation of policy for any reason.

## **#210 Pro-Social Influences upon Self**

**Condition:** Individuals placed in community corrections shall, with staff permission, associate only with persons that have a positive or pro-social influence upon themselves.

**Violation; Anti-Social Associations:** Individuals commit a violation of this condition of placement when they voluntarily engage in an anti-social interaction(s) with an anti-social peer (gang affiliation, co-defendants, victims, etc.) This includes any purposeful deception or false statements made by the client about situations that may pose a moderate risk to the community, GCCC staff or its facility, or the client themselves.

## **Class 3 Conditions and Violations**

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### **#300 Respecting Operational Rules and Procedures**

**Condition:** Individuals placed in community corrections are expected to always follow all facility operational rules. It is also expected that the client's behavior is supportive of the orderly operations of the facility and programs. Clients are expected to respect staff duties and in no way obstruct or interfere with staff when conducting daily job duties and requirements.

**Violation; Violation of an Operational Rule:** A client commits a violation of this condition when they violate any facility rule or regulation of which they have, or through the exercise of reasonable diligence, should have knowledge of the rule.

### **#301 Following Staff Directive**

**Condition:** Individuals placed in community corrections are expected to follow any order or instruction given by a staff member that is reasonable in nature and gives reasonable notice of conduct expected.

**Violation; Failing to Follow a Staff Directive:** A client commits a violation of this condition when they refuse to obey a verbal or written order or instruction given by a staff member, which is reasonable in nature, and which gives reasonable notice of the conduct expected or they violate any special condition(s) of their placement to include their program plan/level's review.

### **#302 Proper Use of Allowable Items**

**Condition:** Individuals placed in community corrections are expected to possess only physical property that is deemed allowable by GCCC on their person or in their room. Food and drinks are only to be kept and consumed in the designated food areas. Inappropriate items could include (but are not limited to) clothing, over the counter medications, magazines/books/or pictures that are deemed inappropriate due to the nature and content of said item. Minor contraband is further defined on the contraband list.

**Violation; Possession of Contraband (Minor):** A client commits this offense when they are found to have on their person, within their residence or vehicle or place of work any item that is considered to be minor contraband within this handbook or staff.

### **#303 Job Search Accountability**

**Condition:** Individuals placed in community corrections are expected to complete job search requirements as deemed necessary by program; this includes turning in completed job search forms and related documents to facility staff to ensure it is completed accurately and appropriately.

**Violation; Violation of a Job Search:** A client commits a violation of this condition when they fail to complete job search requirements, fails to turn in completed job search forms, fails to turn in daily job search logs, or fails to turn in any related job search document.

### **#304 Respectful Attire**

**Condition:** Individuals placed in community corrections are expected to dress with respect to self and others. Non-Residential clients are expected to wear appropriate clothing while in the community. Inappropriate clothing includes revealing clothing, if the client is not fully clothed, and/or any clothing that promotes drugs, alcohol or slogans that are deemed inappropriate or disrespectful by staff.

**Violation; Failure to Comply With Dress Code:** A client commits a violation of this condition when they are on GCCC property and not fully clothed, wears any clothing that violates the dress code, wears a hat withing indoor facility areas, wears any clothing that promotes drugs or alcohol, inappropriate slogans, that depicts firearms or any clothing that is deemed to be gang related or otherwise determined inappropriate by staff.

### **#305 Use of Only Authorized Areas**

**Condition:** Individuals placed in community corrections are expected to respect facility rules regarding restricted areas.

**Violation; Unauthorized Area:** A client commits a violation of this condition when they are found to be in any staff office/program room without staff approval.

### **#306 Appropriate Use of Prescribed Medications**

**Condition:** Individuals placed in community corrections are expected to take all medication as prescribed. Medication must be turned over to staff prior to ingesting any of it. If a resident is no longer required to take a prescribed medication a doctor's note discontinuing the medication must be provided to the resident's Case Manager.

**Violation; Medication Misconduct:** A client commits a violation of this condition when they, in any way, stores, saves, gives away, possesses, or removes prescription medications or non-prescription medication without authorization or fails to take medication as prescribed or ordered. This includes failing to inform staff that prescription medication has been prescribed.

### **#307 Respect to Others**

**Condition:** Individuals placed in community corrections are expected to act pro-socially and demonstrate respect to others in the facility. This includes but is not limited to respecting others needs for a quiet and calm environment as well as prosocial verbal communications with other residents and staff.

**Violation; Noise and Language Violation:** A client commits a violation of this condition when they play music too loud, is yelling, pounding, or creating unnecessarily loud noises to include using vulgar language. This includes any purposeful deception or false statements made by the client that pose little to no risk to the community, GCCC staff or its facility, or the client themselves.

### **#308 Facility and Service Cleanliness**

**Condition:** Individuals placed in community corrections are expected to respect others needs for cleanliness and sanitary living conditions. It is the expectation for all residents to keep the place in which they live clean and organized.

**Violation; Sanitary Violation:** A client commits a violation of this condition when they fail to keep their personal residence and/or vehicle clean to staff's satisfaction. Examples include excessive dirty dishes, mold or mildew growth, or an excessive amount of items lying about that could pose a safety hazard during a home visit.

### **#309 Respecting Financial Management and Avoiding Financial Risk**

**Condition:** Individuals placed in community corrections are expected to abide to financial awareness. This includes submitting weekly budgets sheets with documented proof of income and expenses. Individuals may not gamble or play for money while a client of the Community Corrections program.

**Violation; Bartering or Gambling:** A client commits this offense when they bet in any way on the outcome of an event, or is in possession of lottery tickets, betting pools, betting slips or records, any other similar gambling item or device, purchasing items without staff permission, or failing to turn in budget sheets as directed by staff. Individuals may also violate this by bartering, selling, or buying any item without the prior knowledge and permission of a staff member.

### **#310 Accountable Whereabouts**

**Condition:** Individuals placed in community corrections shall always be accountable for their whereabouts in the community and shall only be at locations in the community that are approved by the community corrections program.

**Violation; Unauthorized Absence under 45 minutes:** A client commits a violation of this condition when they fail to return to the facility by their stipulated return time, departs from their approved sign-out location without proper authority or is not available for phone monitors, to include the phone being busy when staff attempts to call. The time frame for this violation is greater than 0 minutes but less than 45 minutes. This also includes being at an unauthorized location in the community.

## Disciplinary Hearing Process

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The Garfield County Community Corrections Department will resolve client rule violations and/or inappropriate behavior according to an established procedure to ensure all clients are treated fairly and consistently. All rule infractions will be handled in a similar fashion.

If a client pleads not guilty to the charges a hearing is required. The staff member(s) assigned to the hearing will conduct the hearings on Mondays, Wednesdays, and Fridays between 1500 hours (3:00PM) and 1900 hours (7:00PM). Non-Residential clients will be expected to make themselves available for the hearing hours they are scheduled. Hearings will be scheduled during the next available hearing within three business days. There will be no exceptions to this rule.

Any client that enters a not guilty plea will be required to present evidence that would prove they are not guilty of the alleged charge(s). The following is a list of evidence that will be accepted in a hearing:

- Time Sheets from employer
- Testimony from Staff members
- Notes from approved Supervisors or Treatment Providers (may need to be verified by hearing officer)
- Video Surveillance Footage (must be requested prior to the date of the hearing)

Any testimony from other clients or clients' family members will not be used as credible testimony. If the client does not bring any evidence to the hearing, the hearing Officer will utilize any evidence discovered during the investigation to determine the guilt or innocence of the client.

The client will be allowed to speak on their behalf and may be allowed to call witnesses or present other evidence as determined by the hearing staff. The incident report will be presented as evidence supporting the charge(s). After reviewing the report and other evidence including the client's evidence, the hearing officer may excuse the client so that the hearing officer may deliberate. The hearing officer will determine guilt or innocence on the charge or charges based upon the preponderance of evidence standard.

If there is a finding of guilty, the hearing officer will impose full sanctions according to the sanctioning grid. The client will then receive a copy of the imposed sanctions.

The program Director has the right to override any decision made by the hearing officer and remove any client from the program if the Director determines that the client is a risk to the community, staff, other clients, or to themselves. Clients will have 5 working days to appeal any decision that is made by the hearing officer within five working days after the informal or formal disciplinary hearing.



If a client is found to have engaged in client-on-client sexual abuse at an administrative hearing, they will be subject to disciplinary sanctions in accordance with GCCC's disciplinary process.

- A. Sanctions shall be imposed commensurate with the nature and circumstances of the abuse committed, the client's disciplinary history, and the sanctions imposed for comparable offenses by other clients with similar histories.
- B. During this evaluation, GCCC will consider whether a client's mental disabilities or mental illness contributed to their behavior when determining what type of sanction, if any, should be imposed.
- C. GCCC will discipline a client for unwanted sexual contact with a staff member.
- D. A report of sexual abuse made in good faith based on a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate an allegation.

## **Client Rights**

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The client will be electronically notified of the Incident report that list the charges against them within one (1) working days from the date of discovery of the violation unless delayed for further investigation or good cause. The client will have the following rights:

- The right to be given a written Incident Report that lists the charge(s) and the evidence used to determine the charge or charges.
- The right to have an impartial hearing before a Hearing officer who did not witness the incident leading to the charge(s).
- The conditional right to be present during the hearing and to testify or rebut the charges, so 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.
- The right to receive written findings of the hearing decision, including the reason(s) for such decision.
- The right to appeal the decision of the Hearing Officer to GCCC administration within five days of the hearing.

The client also has the right to request the following:

- Assistance may be requested by the client in presenting their case at the hearing and/or the hearing officer determines one or both of the following criteria are met. The hearing officer will appoint either another staff member or client at their discretion.
  - a. The client is illiterate to the English language.
  - b. The client cannot comprehend the basic disciplinary procedures or the issues of the case.
- To call witness(es) on their behalf if the testimony to be given is relative and the presence of the witness(es) would not pose a threat to the security of the facility. Witness testimony will only be accepted in person or by verified written statement. The hearing officer will be required to verify any written statements from witness(es).
- A continuance of the hearing may be granted by the hearing officer if they determine there is good cause to continue the hearing.

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 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.

1. 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 security or the safety of persons. Any client that enters a plea of not guilty will be required to present evidence at the hearing. If no evidence is presented at the hearing the hearing officer will utilize any information discovered during the investigation to determine guilt or innocence.
2. 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.
3. The client does not have the right to have professional legal assistance at any facility hearing.

Clients may appeal disciplinary hearing findings and sanctions in accordance with the process explained in the "Disciplinary Appeals" section.

## Disciplinary Sanctions

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The sanction grid below was developed to be more consistent, predictable and fair with consequences. It is a guideline, but staff may make exceptions for a number of reasons, including program termination for the first offense. Any violation that indicates similar behavior as prior criminal behavior which involved a victim will be treated as a Class 100 violation with its associated consequences.

### Level 100 Incident Sanctions

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#### **1<sup>st</sup> Incident:**

- 12 Hours Extra Duty
- 12 Days Disciplinary Restriction
- Assignment of a Behavioral Intervention
- Assignment of an investigative Facility Hold
- Assignment of Community Support Contact - Call
- Administrative Review for Program Termination

#### **2nd Incident**

- 24 Hours Extra Duty
- 24 Days Disciplinary Restriction
- Assignment of a Behavioral Intervention
- Assignment of an Investigative Facility Hold
- Assignment of Community Support Contact - Meeting
- Administrative Review for Program Termination

#### **3<sup>rd</sup> Incident and Beyond**

- Assignment of an Investigative Facility Hold
- Administrative Review for Program Termination
- Additional incident sanctions will be determined on a case-by-case basis.

#### **Clean Slate**

- Level 100 incidents have no clean slate process.

## Level 200 Incident Sanctions

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### **1<sup>st</sup> Incident**

- 10 Hours Extra Duty
- 10 Days Disciplinary Restriction
- Assignment of a Behavioral Intervention

### **2<sup>nd</sup> Incident**

- 12 Hours Extra Duty
- 12 Days Disciplinary Restriction
- Assignment of a Behavioral Intervention
- Assignment of an Investigative Facility Hold

### **3<sup>rd</sup> Incident**

- 14 Hours Extra Duty
- 14 Days Disciplinary Restriction
- Assignment of a Behavioral Intervention
- Assignment of an Investigative Facility Hold
- Assignment of Community Support Contact – Call
- Administrative Review for Program Termination

### **4<sup>th</sup> Incident**

- 16 Hours Extra Duty
- 16 Days Disciplinary Restriction
- Assignment of a Behavioral Intervention
- Assignment of an Investigative Facility Hold
- Assignment of Community Support Contact – Meeting
- Administrative Review for Program Termination

### **5<sup>th</sup> Incident and Beyond**

- Assignment of an Investigate Facility Hold
- Administrative Review for Program Termination
- Additional sanctions determined on a case-by-case basis

### **Clean Slate**

- 60 Days with no new level 200 incidents

## **Level 300 Incident Sanctions**

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### **1<sup>st</sup> Incident**

- Formal Verbal Warning

### **2<sup>nd</sup> Incident**

- 2 Hours Extra Duty

### **3<sup>rd</sup> Incident**

- 4 Hours Extra Duty
- 4 Days Disciplinary Restriction

### **4<sup>th</sup> Incident**

- 6 Hours Extra Duty
- 6 Days Disciplinary Restriction
- Assignment of a Security Intervention

### **5<sup>th</sup> Incident**

- 8 Hours Extra Duty
- 8 Days Disciplinary Restriction
- Assignment of a Security Intervention

### **6<sup>th</sup> Incident**

- 10 Hours Extra Duty
- 10 Days Disciplinary Restriction
- Assignment of a Security Intervention

### **7<sup>th</sup> Incident and Beyond**

- 10 Hours Extra Duty
- 10 Days Disciplinary Restriction
- Assignment of a Security Intervention
- Additional Sanctions as determined on a case-by-case basis.

### **Clean Slate**

- 15 Days with no new level 300 incidents

## Disciplinary Terms and Definitions

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**Guilty Plea:** Clients will receive a 50% reduction in Extra Duty and Disciplinary Restriction on a plea of guilty to an incident report.

**Guilty With Explanation:** Clients will receive a 50% reduction in Extra Duty and Disciplinary Restriction on a plea of guilty to an incident report. Clients will have a meeting with their Case Manager to discuss the Incident Report

**Not Guilty Plea:** The Incident will progress to a hearing. Details to the Hearing Process can be found in the Disciplinary Hearing Process section of this handbook.

**Extra Duty Hours:** The amount of Extra Duty the client must complete. Extra Duty consists of chores, tasks or assignments from staff. Extra Duty may also be completed through the WorkEnders program at the discretion of Staff.

**Extra Duty Restriction:** Clients who accumulate 14 hours Extra Duty or greater will be placed on Extra Duty Restriction. Clients on Extra Duty Restriction will only be allowed passes to work and to treatment. This will be in effect until the client reaches 0 hours Extra Duty. Clients who accumulate 28 hours Extra Duty or greater will be additionally denied outside privileges. If a client does not leave the facility for the day, they will be allowed one five-minute break not to be taken before 0600 hours and not after 2100 hours and not during regular break times. This additional restriction will last until a client is below 14 Extra Duty Hours.

**Disciplinary Restriction:** Clients placed on Disciplinary Restriction will only be allowed work and treatment passes. Clients will not be allowed regular outside privileges. If a client does not leave the facility for the day, they will be allowed one five-minute break.

**Behavioral Intervention:** The client will be required to discuss the Incident Report with their Case Manager.

**Security Intervention:** The client will be required to discuss the incident with a member of Security Staff.

**Investigative Facility Hold:** The client will be denied any leave of the facility. This hold will be placed any time a client returns a positive BAC or UA result. This hold can be placed on any client for any reason as determined by Administration or the on-call Supervisor.

**Clean Slate:** The Clean Slate process allows clients to “reset” the number of incidents in relation to the sanctioning grid. The days listed are how long a client must not get a new Incident Report of the same level before the incident count is reset.

**Administrative Review for Program Termination:** An administrative team meeting to determine whether the current violation, in context to the client's overall history, behavior and progress, warrants program termination. Administrative reviews will be conducted within 1 week after the client pleads guilty or is found guilty at a hearing.

**The following privileges MAY NOT be denied as imposed sanctions:**

Visits by attorneys.

Visits by clergy approved to come into the facility.

Visits by mental health workers.

Phone calls to attorneys and clergy.

Adequate food and nutritional diet.

Adequate light ventilation, temperature control and sanitation.

Medical care.

Proper clothing, bed and bedding, use of toilets, lavatory and showers.

# DISCIPLINARY APPEAL PROCESS

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The Garfield County Community Corrections Department permits clients who have been found guilty of disciplinary violations in a 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 cannot be used for appeal of administrative decisions related to classification, incentive phase level changes or program rejection.

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## Appeal Process

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The Garfield County Community Corrections Department permits clients who have been found guilty of disciplinary violations in a formal hearing to appeal the decision of the hearing board. Such appeals by clients will not result in any type of retribution against that client. This appeal process cannot be used for appeal of administrative decisions related to classification, incentive phase level changes or program rejection.

If a client wants to appeal the formal disciplinary hearing decision, the appeal must be written on a “Disciplinary Appeal Form” within (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.

## Administration Review

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The Program Director will review the disciplinary hearing documentation including all incident reports and “Notice of Disposition Form.” The administration may also elect to interview the client who has appealed and do 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 board’s decision.
3. Newly discovered evidence has come to light which might have a significant impact on the determination of the hearing.

## Administrative Action

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The client will be notified in writing of the decision within 15 days from the date of the appeal. The facility administration can take the following action:

1. Either affirm or reverse the hearing board’s decision. If the hearing board’s decision is reversed, then all references 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 an Administrative Decision**

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The client may appeal the administration's decision to the Community Corrections Department Director (or a designee) by writing a letter to the Director within three (3) working days of the date of the administrative decision was received. 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.

### **Non-Residential Handbook Acknowledgment**

Clients will be required to sign an acknowledgement after their acceptance into the non-residential program. Signing this acknowledgement will mean the client has read or has had read to them the Non-Residential Program Policies. Clients will fully understand their obligations in these matters and will abide by all these rules, and any other policies that may occur in further. If a client fails to comply, they may be placed back into the residential program or be brought back before the sentencing court for removal of the program.

Clients will be required to meet with the non-residential Case Manager. Together they will have discussed what will be expected of them, what programs they will be involved with, and the importance of following the Policies and Procedures of GCCC.