



*Approved
J. M. W. [unclear]
5-21-17*

State Board of Parole Full Board Review Policy

This policy supersedes policy dated December 6, 2016.

It is the policy of the State Board of Parole to conduct Full Board Reviews (FBR) on the crimes involving violence in our consideration of applications for parole in accordance with C.R.S. 18-1.3 - 406(2)(a)(I) and for any felony crime that is of a violent nature. The exception would be for offenders that have not incurred any further violent offenses for 10 years, or have been off supervision (probation and/or parole) for 20 years or more. Any conviction that resulted in death regardless of offense date s/he will be subjected to FBR.

C.R.S 18-1.3-406(2)(A)(I)

CRITERIA:

“Crime of violence” means any of the **CRIMES** listed below that were committed, conspired, or attempted to be committed during which, or in the immediate flight therefrom, the person:

- a. Used, or possessed and threatened the use of, a deadly weapon; or
- b. Caused serious bodily injury or death to any other person except another participant.

CRIMES:

- Any crime against an at-risk adult or at-risk juvenile;
- Murder;
- First or second degree assault;
- Kidnapping;
- A sexual offense
- Any unlawful sexual offense which caused bodily injury to the victim or in which the defendant used threat, intimidation, or force against the victim.
- Aggravated robbery;
- First degree arson;

- First degree burglary;
- Escape;
- Criminal extortion; or
- First or second degree unlawful termination of pregnancy.

“Crime of Violence” also means any unlawful sexual offense in which the defendant caused bodily injury to the victim or in which the defendant used threat, intimidation, or force against the victim. For purposes of this subparagraph (l), “unlawful sexual offense” shall have the same meaning as set forth in section 18-3-411(l), and “bodily injury” shall have the same meaning as set forth in section 18-1-901-(3)(c).

*Sexual Offenses pursuant to Part 4 or Article 3:

1. Sexual Assault as defined by C.R.S. 18-3-402
2. Sexual Assault in the Second Degree as defined by C.R.S. 18-3-403 (repealed)
3. Unlawful Sexual Contact as defined by C.R.S. 18-3-404
4. Sexual Assault on a Child as defined by C.R.S. 18-3-405
5. Sexual Assault on a Child by One in Position of Trust as defined by C.R.S. 18-3-405.3
6. Internet Sexual Exploitation of a Child as defined by C.R.S. 18-3-405.4
7. Sexual Assault on a Client by a Psychotherapist as defined by C.R.S. 18-3-405.5
8. Invasion of Privacy for Sexual Gratification as defined by C.R.S. 18-3-405-6

For purposes of FBR, the following crimes are also included:

9. Robbery
10. Vehicular Assault/Homicide
11. Menacing
12. Stalking
13. Domestic Violence
14. Habitual Criminal convictions (excluding traffic)
15. Child Abuse

The Board shall also refer to FBR any Inmate with a Colorado Department of Corrections (“CDoC”) sexual offender rating of four (4) or above.

PROCEDURE:

1. The Parole Board (“Board”) may conduct a Full Board Review (“FBR”) of any Inmate making application for Parole on a case-by-case basis, as recommended by the Board Member who conducts the Parole Application Interview.

2. The Board shall conduct a FBR of Inmates whose crimes involve violence, sexual offenses or any other offense the Board deems to warrant a FBR in the consideration of application for Parole.
3. The Board may decline to conduct a FBR for inmates:
 - a. Who have not incurred any further violent offenses for 10 years if the crime did not involve a sexual offense or did not result in death; or
 - b. Who have been off supervision (probation and/or Parole) for 20 years or more.
4. All FBRs shall be conducted by no less than four (4) Members of the Board, and shall be presided over by the Chairperson or Vice Chairperson. An Inmate's application must receive at least four (4) votes in favor of Parole for Parole to be granted.
5. Parole application interview decisions are not appealable. The mere fact that an Inmate received a FBR following a previous Application Hearing does not guarantee that he or she will receive a FBR following any such subsequent Hearing.
6. The official notification of the board's decision and its basis shall be transmitted within a reasonable time to the applicant and to CDoC officials and shall become a part of the Board's records. If Parole is granted such notification shall indicate that Parole is expressly conditioned upon compliance with all pre-release conditions imposed upon the Inmate.
7. The Board shall establish conditions of Parole as required by statute and, in addition, may establish any other conditions it deems appropriate.

CONDITION SETTING REQUIREMENTS:

1. For sex offenders with a S5 and higher rating:
 - a. The Board shall order Sex Offender Treatment and ISP @ CPO Discretion
2. For inmates with a CARAS which is considered HIGH:
 - a. 180 days ISP @ CPO Discretion
3. For inmates who have been convicted of Felony: DUI, DUI Per se, or DWAI:
 - a. Approved Ignition Interlock Device for Duration of Parole
4. For inmates released to ICE DETAINER:
 - a. No Return to USA if Deported
5. The Board reserves the right to set any conditions it deems necessary to maintain public safety.