

Colorado Commission on Criminal and Juvenile Justice

Legislative Subcommittee

MINUTES

April 25, 2023 / 12:00 – 12:15PM

Virtual Meeting

ATTENDEES

SUBCOMMITTEE MEMBERS

Stan Hilkey, CCJJ Chair and Legislative Subcommittee Chair/ Colorado Department of Public Safety

Shawn Day, Aurora Municipal Court

Tom Raynes, Colorado District Attorneys' Council (CDAC)

ABSENT

Abigail Tucker, CCJJ Vice-Chair and Legislative Subc. Vice-Chair/ representing mental health treatment providers

Megan Ring, Office of the State Public Defender

Janet Drake, Attorney General's Office

GUEST

Maureen Cain, Office of the State Public Defender

STAFF

Joe Thome, *ex officio*, Staff/ DCJ Director

Jack Reed, Division of Criminal Justice

Laurence Lucero, Division of Criminal Justice

Kevin Ford, Division of Criminal Justice

Issue/Topic	Discussion
<p>Regarding Rec. FY23-SR #04 and House Bill 2023-1292</p> <p>Stan Hilkey, Legislative Subcommittee Chair</p>	<p>Stan Hilkey convened the Legislative Subcommittee at the request of Subcommittee member Tom Raynes. Mr. Raynes requested the meeting to discuss a possible legislative amendment to <i>Senate Bill 2023-097 (Concerning the adoption of the 2023 recommendations of the Colorado commission on criminal and juvenile justice regarding motor vehicle offenses committed by a person who is not the owner of the motor vehicle)</i>¹ which was derived from CCJJ Recommendation FY23-SR #02 (<i>Amend and Append Motor Vehicle Theft Provisions</i>).²</p> <p>Mr. Raynes and guest Maureen Cain had not seen the proposed amendment but understood that it was to clarify the motor vehicle theft crime in relation to the value of the vehicle. The statute should be applied equally whether the car is of low or high dollar value and the theft charge should not be compounded by combining “general theft” (18-4-401, C.R.S.) and motor vehicle theft (18-4-409, C.R.S.) crimes. Statutory language, previously approved by the Commission to accomplish a similar intent, was identified and would be suggested to the bill sponsor.</p> <p>Members agreed with the proposed amendment language to be offered to the bill sponsor. The amendment language the bill sponsor will ultimately choose would not be known until later in the day. In accordance with CCJJ “Legislative-Related Policies,”³ an email vote was planned to decide consistency in intent.</p> <p>With no further business, Mr. Hilkey adjourned the meeting at 12:15 pm.</p> <p>ADDENDUM</p> <p>Later in the afternoon, Mr. Raynes forwarded the final amendment language to Legislative Subcommittee members to determine whether the language was consistent with the intent of CCJJ Rec. FY23-SR #02. That amendment to <i>Senate Bill 2023-097</i> was as follows: [18-4-409, C.R.S., new paragraph (7)]</p> <p>(7) A PERSON WHOSE CONDUCT IS LIMITED TO THE ELEMENTS OF THIS SECTION IS NOT SUBJECT TO PROSECUTION PURSUANT TO SECTION 18-4-401.</p> <p>By email vote, Stan Hilkey, Shawn Day, Megan Ring, and Tom Raynes agreed that the amendment language was consistent with the intent of the Commission recommendation.</p>

At the direction of the CCJJ the Legislative Subcommittee meets on an as-needed basis, often under conditions of urgency, sometimes virtually by Zoom, by phone or by e-mail. The Legislative Subcommittee meets almost exclusively during the Colorado legislative session between January and May.

***Details of meetings are forwarded to the group and posted on the CCJJ web and calendar as soon as the need for a meeting is known.
(ccjj.colorado.gov/ccjj-meetings & ccjj.colorado.gov/ccjj-calendar).***

¹ *Senate Bill 2023-097* can be found at, leg.colorado.gov/bills/sb23-097.

² CCJJ Rec. FY23-SR #02 can be found at, ccjj.colorado.gov/ccjj-recyr-fy23.

³ The CCJJ “Legislative-Related Policies” document is available from ccjj.colorado.gov/ccjj-bylaws-policy, specifically at, cdpsdocs.state.co.us/ccjj/About/2018-05-31_LegislativePolicy-Subc.pdf.