

Drug Policy Task Force

Date: April 11, 2012 Time: 1:30 – 5:00

Attendees:

Members

Grayson Robinson/Arapahoe County Sheriff, CCJJ Member / Chair
Bill Kilpatrick / Golden Police Chief / CCJJ Member
Don Quick / District Attorney, 17th Judicial District / CCJJ Member
Regina Huerter / Denver Crime Prevention and Control Commission/ CCJJ Member (via phone)
Maureen Cain / Colorado Criminal Defense Bar
Evie Hudak / Colorado State Senator, Senate District 19
Kathleen McGuire / Douglas County Office of the Public Defender
Tom Raynes / Colorado District Attorney's Council
Chris Brousseau / District Attorney's Office, 1st Judicial District
John O'Dell / Parole Board

Absent:

Reo Leslie / Colorado School for Family Therapy / CCJJ Member
Eric Philp / Probation Services / Judicial Department / CCJJ Member
Greg Long / District Attorney's Office, 2nd Judicial District
Carmelita Muniz / Colorado Association of Alcohol and Drug Service Providers
Brian Connors / State Public Defender's Office
Terri Hurst / Colorado Behavioral Healthcare Council
Christie Donner / Colorado Criminal Justice Reform Coalition
Pat Steadman / Colorado State Senator, Senate District 31
Dan Rubinstein / District Attorney's Office, 21st Judicial District
Mark Hurlbert / District Attorney, 5th Judicial District
Tim Hand / DOC – Division of Parole
Mark Waller / State Representative, House District 15
Christine Flavia / Division of Behavioral Health
Katherine Spicer / Private Defense Counsel

<p>Issue/Topic:</p> <p>Welcome Action</p>	<p>Discussion:</p> <p>Grayson Robinson called the meeting to order at 1:53 and reviewed the day's agenda.</p>
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<p>Issue/Topic:</p> <p>Public Comment</p>	<p>Discussion:</p> <p>None.</p>
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<p>Issue/Topic:</p> <p>Next Steps - Sentencing Action</p> <p>The primary focus of the task force will be to continue working on the drug sentencing grid.</p>	<p>Discussion:</p> <p>What is the status of the drug sentencing grid? Tom Raynes said he is committed to a full review of the drug grid by November. However, as a result of the introduction of SB12-163, the working relationship between the district attorneys and the defense bar has been damaged. The Drug Task Force could not agree on changes to low-level drug sentences as presented in October. The Sentencing Work Group was tasked to go back and work on the grid. Senator Steadman introduced SB12-163 which reduces sentences on certain drugs. The introduction of this bill was an end-around the Task Force.</p> <p>Maureen Cain said that the decision to move forward on SB12-163 was a result of the rejection of the proposed changes by the Drug Task Force and the district attorneys. She feels that the district attorneys will never accept the drug grid. As the lower level crimes and sentences were discussed, suggestions were shot down.</p> <ul style="list-style-type: none"> • Are the district attorneys listening and learning about evidence based research? • Do district attorneys only need the felony so they can use them to get the offender to plea to a misdemeanor? <p>The purpose of reviewing the drug laws was to move the offender out of the prison system and into treatment. Treatment works. If research shows that the system gets better outcomes with misdemeanors and putting individuals in treatment, why do you need felonies?</p> <p>Violent crime has been decreasing for over ten years and yet the incarceration rate has been increasing. This was due to increases in offenders being sentenced for technical violations. The Commission suggested ways to reduce technical violations and the incarceration rate has begun to drop.</p> <p>Through last summer and fall, a lot of work was done by the Drug Task Force and the Structure Working Group with a huge amount accomplished. The Structure Group feels that there are still areas that can be worked on.</p> <ul style="list-style-type: none"> • Should Sheriff Robinson go before the CCJJ and say that the Structure Group is no longer viable? • Can the Structure Group develop a process to look at sentencing for a specific crime that can be applied to other crimes? <p>The examination of the sentencing grid has not focused on outcomes. If the sentence is reduced, what is the expected outcome?</p>
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On Friday Sheriff Robinson would like to tell the Commission that the Structure Group will continue to work on the drug sentencing grid.

Should others be invited to the table to expand the Structure Group's membership?. It was stated that the group expanded its membership and this is where the problem lies. The Structure Group would like to remain small and call in subject matter experts as needed. Before we become committed to sentencing reductions, we should be able to identify a goal. For example, for first time offenders, our goal is for them to go into treatment and to not reoffend. This is the outcome we want. Now, how can we write sentences with that outcome in mind?

Can we simplify some items? When you look at the C.R.S. you can see that there must be 10-15 different drug statutes.

Meeting adjourned at 3:15.