

**Legislative Subcommittee  
Minutes**

March 10, 2022 / 9:13AM-10:20AM  
Email Exchange/Vote

**PARTICIPANTS**

**SUBCOMMITTEE MEMBERS**

Stan Hilkey, CCJJ Chair and Legislative Subcommittee Chair; Colorado Department of Public Safety  
Abigail Tucker, CCJJ Vice-Chair and Legislative Subc. Vice-Chair; representing mental health treatment providers  
Shawn Day, Aurora Municipal Court  
Janet Drake, Attorney General's Office  
Tom Raynes, Colorado District Attorneys' Council (CDAC)  
Megan Ring, Office of the State Public Defender

**STAFF**

Joe Thome, *ex officio*, Division of Criminal Justice  
Joel Malecka, *ex officio*, CDPS Legislative Liaison  
Jack Reed, Division of Criminal Justice  
Kevin Ford, Division of Criminal Justice

Issue/Topic	Discussion
<p>Regarding a Potential Amendment to H.B. 2022-1257 <i>Stan Hilkey, Legislative Subcommittee Chair</i></p>	<p>Stan Hilkey requested an email vote by the CCJJ Legislative Subcommittee at the request of Subcommittee member Tom Raynes. Mr. Raynes requested the consideration of members regarding the consistency between one proposed amendment (see below) to <i>House Bill 2022-1257 (Concerning the adoption of 2022 recommendations of the Colorado Criminal Juvenile Justice Commission regarding sentencing provisions for offenses)</i><sup>1</sup> and the related CCJJ <i>Recommendation FY22-SR #09 (Revise Felony Offenses Eligible for the Crime of POWPO [Statutory])</i>.<sup>2</sup></p> <p>As Mr. Raynes described via email, the amendment would add a victim notification right for cases where juveniles with POWPO convictions are petitioning to restore the right to possess, use or carry a firearm. Mr. Raynes reported that members of the Sentence Structure Study Group (<i>a recommendation drafting and advisory group to the Sentence Structure Working Group of the Sentencing Reform Task Force of the Commission</i>) felt the amendment was within the intended philosophy of the recommendation and a good amendment on behalf of crime victims.</p> <p>Proposed amendment: Insert in 24-4.1-302.5 (1)</p> <p style="padding-left: 40px;">(b.10) For a victim of an offense resulting in a juvenile felony adjudication, the right to be informed of the filing of any petition or motion to legally possess, use or carry a forearm or other weapon pursuant to C.R.S. 18-12-108(3)(b)</p> <p style="padding-left: 40px;"><i>The provision regarding juvenile petitions related to Possession of Weapons by Previous Offenders (POWPO) may be found in the reengrossed version of H.B. 2022-1257 on page 15, line 23 through page 16, line 15.</i></p> <p>In accord with CCJJ “Legislative-Related Policies,”<sup>3</sup> <u>the Legislative Subcommittee members (Stan Hilkey [Chair], Shawn Day, Janet Drake, Tom Raynes and Megan Ring) submitted votes by email, 5-0 unanimously in the affirmative, that the proposed amendment continued to reflect the intent of Recommendation FY22-SR #09.</u></p> <p>The consideration request was sent via email by Mr. Raynes on Wed., Mar. 9, 2022 at 1:14pm and the email vote was requested by Mr. Hilkey on Thu., Mar. 10, 2022 at 9:13am. The vote process was completed with a vote result notification forwarded to members on Thu., Mar. 10, 2022 at 10:20am.</p>

<sup>1</sup> House Bill 2022-1257 may be found at, [leg.colorado.gov/bills/hb22-1257](http://leg.colorado.gov/bills/hb22-1257).

<sup>2</sup> CCJJ Rec. FY22-SR #09 may be found at, [ccjj.colorado.gov/ccjj-recyr-fy22](http://ccjj.colorado.gov/ccjj-recyr-fy22), and the related POWPO statute is found in §18-12-108, C.R.S. *Possession of Weapons by Previous Offenders* (see also, “Rights Afforded to Victims” in §24-4.1-302.5, C.R.S.).

<sup>3</sup> The CCJJ Legislative Subcommittee may be found at, [ccjj.colorado.gov/ccjj-legsubc](http://ccjj.colorado.gov/ccjj-legsubc) and the CCJJ “Legislative-Related Policies” document is available from, [ccjj.colorado.gov/ccjj-bylaws-policy](http://ccjj.colorado.gov/ccjj-bylaws-policy), and specifically at, [cdpsdocs.state.co.us/ccjj/About/2018-05-31\\_LegislativePolicy-Subc.pdf](http://cdpsdocs.state.co.us/ccjj/About/2018-05-31_LegislativePolicy-Subc.pdf).