

STATE OF COLORADO

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John W. Hickenlooper
Governor

April 29, 2013

Mr. James H. Davis
Executive Director
Department of Public Safety
700 Kipling Street #1000
Denver, CO 80215

Mr. Douglas K. Wilson
Colorado State Public Defender
1300 Broadway, Suite 400
Denver, CO 80203

Dear Mr. Davis and Mr. Wilson,

In recent weeks we have received various requests to consider legislation similar to the Jessica Lunsford Act, known as "Jessica's Law," enacted in Florida in 2005 in response to the tragic abduction, sexual assault and murder of nine year old Jessica Marie Lunsford. Jessica's Law was designed to reduce a sexual offender's ability to reoffend through stringent measures such as mandatory minimum sentencing, lifetime supervision and monitoring, and registration and reporting requirements.

In response to these requests, we believe it is in the best interest of the citizens of Colorado to thoroughly review the impacts the law's enactment would have on our state. As such, we are asking the Colorado Commission on Criminal and Juvenile Justice (CCJJ) to assess Colorado's current criminal laws applicable to sexual offenders to determine whether the passage of provisions in Jessica's Law would improve these laws. The General Assembly established the CCJJ in 2007 to enhance public safety, ensure justice and protect the rights of victims through the cost-effective use of public resources by focusing on evidence-based recidivism reduction initiatives and the efficient expenditure of the state's limited criminal justice funds. The CCJJ is comprised of experts in criminal justice, including law enforcement, corrections, mental health, drug abuse, victims' rights, higher education, juvenile justice, local government, state lawmakers and other pertinent disciplines.

Specifically, we ask that the CCJJ assess (i) the crimes and penalties applicable to sexual offenders, (ii) the sentencing guidelines and requirements applicable to sexual offenders, and (iii) the Colorado Lifetime Supervision of Sex Offenders Act and its goals, and make recommendations to the Governor and the General Assembly regarding any enhancements or changes that should be made to Colorado law, including those provisions of Jessica's law. In conducting its assessment, we ask that the CCJJ work with stakeholders to consider:

- the impacts that Jessica's Law has had in other states that have implemented it;
- any literature or documents available that evaluate Colorado's sexual offender programs based upon empirical analysis and evidence-based practices;
- the objectives of protecting the public, especially children, from dangerous sexual offenders while ensuring the most effective expenditure of Colorado's criminal justice resources; and
- any other issues that the CCJJ determines to be important and relevant to the goals of the CCJJ and its assessment of Colorado's criminal laws applicable to sexual offenders.

We ask that that the CCJJ provides a written report of its recommendations in regards to the changes needed, if any, to the sexual offender laws in Colorado to the Governor's Office of Legal Counsel and to the Colorado House and Senate Judiciary Committees no later than January 1, 2014. If the CCJJ is unable to bring forth any recommendations for the General Assembly to consider, we would ask it to provide the reasons that it could not make any recommendations and, if possible, describe the specific areas of disagreement that prevented the CCJJ from making recommendations.

We look forward to working with the CCJJ on this important issue.

Sincerely,



Governor John Hickenlooper



Senate President John Morse



House Speaker Mark Ferrandino