

Colorado Commission on Criminal and Juvenile Justice
Sentencing Reform Task Force

Parole Working Group
Minutes

November 18, 2020 3:00PM-4:00PM
VIRTUAL MEETING

ATTENDEES

WORKING GROUP MEMBERS

Kristen Hilkey, Chair, Colorado State Board of Parole
Taj Ashaheed, Second Chance Center
Kazi Houston, Rocky Mountain Victim Law Center
Mollie Shultz, District Attorney, 2nd Judicial District
Susan White, Department of Corrections

STAFF

Richard Stroker, CCJJ Consultant
Kim English, Division of Criminal Justice
Stephané Waisanen, Division of Criminal Justice

ABSENT

Jeff Chostner, District Attorney, 10th Judicial District

Issue/Topic	Discussion
<p>Welcome, Introductions, & Updates on Membership <i>Kristen Hilkey</i></p>	<p>Working Group Leader Kristen Hilkey asked new members to introduce themselves.</p> <p>Kristen mentioned that next week there would be an additional member to the group, Michelle Aswad, who would be serving as a victim representative.</p>

Issue/Topic	Discussion
<p>Standard Conditions of Parole & Individual Conditions of Parole <i>Kristen Hilkey & WG</i></p>	<p>Kristen reminded the group that their homework was to review the STANDARD and INDIVIDUAL conditions of parole.</p> <p>After reviewing the conditions of parole and statutes, it appears that the language between the two do not always match, specifically the conditions related to use of drugs and alcohol.</p> <p>Susan White explained that a group from the Parole Division and the vice-chair of the Parole Board reviewed and modified the 41 INDIVIDUAL conditions last summer. She mentioned that not all 41 conditions are on an individual's parole agreement but, rather, these are options that the Parole Board can use. This group recommended reducing the number of INDIVIDUAL conditions.</p> <p>The wording for the alcohol and drug STANDARD condition was a challenge. In the end, the wording was not changed.</p> <p>Susan stated that she would send the modified INDIVIDUAL conditions to DCJ staff to distribute to the group.</p> <p>Richard asked the group about the INDIVIDUAL conditions. If these are not in statute, what would be the administrative process for identifying the additional conditions?</p> <p>Richard suggested the group review the language in the employment STANDARD condition - an individual must obtain employment or be in a full-time educational program, unless waived by the parole officer (emphasis added). Given the uncertainty of economic circumstances and an individual's vocational abilities, this may not be realistic condition as stated.</p> <p>Members agreed that they should review the STANDARD and INDIVIDUAL conditions, removing duplicative conditions, and conditions that may not apply to certain individuals.</p>

Issue/Topic	Discussion
Public Comment	<p>Kristen asked whether there was public comment for the Working Group.</p> <p>Linda Summers stated that individuals under the standard conditions are required to provide a substance screening that may not apply to them, and that the costs are sometimes too much for the individual. Why would they have to submit to a urine assessment (UA) when the crime had nothing to do with substance use?</p> <p>Susan mentioned that parolees no longer have to personally pay for the UA tests. There have been many administrative policy changes regarding UA testing. Susan will provide information on this topic at next week’s meeting.</p>

Issue/Topic	Discussion
<p>Next Steps</p> <p><i>Kristen Hilkey</i></p>	<p>Kristen asked members to think of the following for the next meeting:</p> <ul style="list-style-type: none"> • Standard parole conditions – these are imposed on every individual on parole, regardless of crime. What should these be, and what should be in statute? • The language of the INDIVIDUAL conditions. What about.... <ul style="list-style-type: none"> - Substance abuse - Mental health <p>Kristen suggested that, after the STANDARD conditions are addressed, the group could focus on the INDIVIDUAL conditions and discuss approaches that would allow addressing specific risks and needs of parolees.</p> <p>Richard reiterated that perhaps the group might make changes in statutory language regarding the STANDARD conditions of parole, and the Parole Board could impose additional INDIVIDUAL conditions to address the specific risks and needs of a particular case. The Working Group could then focus on addressing individual needs. Susan’s revised list of INDIVIDUAL conditions is a great starting point to address individual needs.</p>

Issue/Topic	Discussion
<p>Wrap Up & Adjourn</p> <p><i>Kristen Hilkey</i></p> <p>ACTIO</p> <p>Distribute Parole Conditions</p> <p><i>Susan White/DCJ staff</i></p>	<p>Kristen reminded the group that next week is Thanksgiving and asked whether members would be able to attend the next scheduled meeting (the day before Thanksgiving). All members stated they are available to attend.</p> <p>Susan agreed to send to DCJ staff the revised INDIVIDUAL parole conditions for distribution to the group.</p> <p>Kristen thanked the group for their time, and mentioned the next meeting will be Wednesday, November 25, from 3:00 – 4:00 pm.</p>