

Colorado Commission on Criminal and Juvenile Justice
Sentencing Reform Task Force

Parole Working Group
Minutes

December 30, 2020 / 3:00PM-4:00PM
VIRTUAL MEETING

ATTENDEES

WORKING GROUP MEMBERS

Kristen Hilkey, Chair, Colorado State Board of Parole, *Leader*

Taj Ashaheed, Second Chance Center

Michelle Aswad, Victim Representative

Mollie Shultz, DA's Office, 2nd Judicial District

Susan White, Parole Division, Department of Corrections

STAFF

Richard Stroker, CCJJ Consultant

Stephané Waisanen, Division of Criminal Justice

ABSENT

Jeff Chostner, District Attorney, 10th Judicial District

Kazi Houston, Rocky Mountain Victim Law Center

<p>Issue/Topic Welcome <i>Kristen Hilkey, WG Leader</i></p>	<p>Discussion</p>
	<p>Working Group Leader Kristen Hilkey thanked members for their attendance.</p>

<p>Issue/Topic Review of Condition Types</p>	<p>Discussion</p>
<p>Review of STANDARD Conditions Section II G – Language on Substance Use <i>Kristen Hilkey & WG</i></p>	<p>Kristen reviewed the revised STANDARD Conditions of Parole, <u>Section II</u>, Subsection G. She asked the group about their preferred language regarding substance use that is currently in the STANDARD Conditions, or the language that is in statute (C.R.S., 17-2-201):</p> <ul style="list-style-type: none"> • Current language - STANDARD Conditions of Parole – “An individual submits to a random urinalysis at the order of the Parole Officer (PO).” • Current language in statute - “Parolee shall not abuse alcoholic beverages or illegal drugs while on parole.” <p>Susan stated that the reason why the Parole Division no longer used the language “abuse alcoholic beverages or illegal drugs while on parole” was the definition of “abuse.” There is not a clear definition of “abuse.” Does it mean that an individual on parole can use alcohol as long as they do not abuse it? The Parole Division decided that, in the STANDARD Conditions, the language would state that no individual could have alcoholic beverages while on parole.</p> <p>After much discussion on the language on <u>Section II G</u>, Richard summarized the following:</p> <ul style="list-style-type: none"> • Use language for “no substance use” as defined by the Colorado statutes. • Remove “alcohol abuse.” • Use “drug screening” rather than “urinalysis.” <p>Section II G will read: “Parolee shall not use illegal drugs as defined under Colorado statute and parolee must submit to a random drug screening as ordered by the Parole Officer.”</p> <p>The group agreed that if an individual had issues with substance use, the condition of not using a substance while on parole could be added in the ADDITIONAL Conditions.</p> <p>Kristen stated that if a Community Parole Office identifies substance use as a problem for an individual, the individual would be required to have an assessment and then comply with any recommended treatment.</p>
<p>Review of ADDITIONAL Conditions <i>Kristen Hilkey & WG</i></p>	<p>Kristen reviewed the ADDITIONAL Conditions and wanted members to review/ recommend any modifications or eliminations for the next meeting.</p>

Issue/Topic	Discussion
<p>Next Steps & Adjourn <i>Kristen Hilkey</i></p>	<p>Richard informed the group to think of the following when creating the recommendation:</p>
	<ul style="list-style-type: none"> • Identify the purpose of changes to the STANDARD Conditions • Clarify the benefits • Outline statutory changes • Streamline ADDITIONAL Conditions (policy change not statutory)
<p>Action Item Kristen’s Staff to assemble proposed statutory language <i>Kristen Hilkey</i></p>	<p>The group agreed for a staff member in the Parole Division to create a preliminary draft outlining the proposed changes in statutory language.</p> <p>Richard summarized the main focus for the next meeting:</p>
<p>Action Item Distribute revised Standard Conditions and Additional Conditions to WG <i>DCJ Staff</i></p>	<ul style="list-style-type: none"> • Clarify the STANDARD conditions language in <u>Section II G.</u> • ADDITIONAL Conditions – identify sections to remain or eliminate. • Develop a preliminary recommendation for the Sentencing Reform Task Force at a future date.
<p>Action Item Kristen to Present WG Status to Structure Reform Task Force <i>Kristen Hilkey</i></p>	<p>Action Items:</p> <ul style="list-style-type: none"> • Kristen to provide group with the initial statutory language. • DCJ staff to distribute updated STANDARD and ADDITIONAL conditions. • Kristen to provide update on Working Group’s progress to the Structure Reform Task Force on Wednesday, January 6.
	<p>Kristen thanked everyone for their contributions and wished everyone a Happy New Year.</p> <p>Next meeting: Thursday, January 7 from 1pm-2pm.</p>