

**Sentencing Reform Task Force
MINUTES**

January 6, 2021 / 1:30PM-4:00PM
Virtual Meeting

ATTENDEES

TASK FORCE MEMBERS

Michael Dougherty, Co-chair/District Attorney, 20th Judicial District
Rick Kornfeld, Co-chair/Defense Attorney
Taj Ashaheed, Second Chance Center
Maureen Cain, Office of the State Public Defender
Terri Carver, State Representative
Christie Donner, Colorado Criminal Justice Reform Coalition
Valerie Finks, Victim Compensation Program, 1st Judicial District DA Office
Bob Gardner, State Senator
Serena Gonzales-Gutierrez, State Representative
Kristen Hilkey, Adult Parole Board
Kazi Houston, Rocky Mountain Victim Law Center
Jessica Jones, Defense Attorney
Sarah Keck, Court Services
Matt Lewis, Mesa County Sheriff
Andrew Matson, Colorado CURE
Heather McClure, Adams County Division of Community Safety & Well-Being
Tom Raynes, Colorado District Attorneys' Council
Dan Rubinstein, District Attorney, 21st Judicial District
Glenn Tapia, Division of Probation Services
Dean Williams, Department of Corrections

STAFF

Richard Stroker, CCJJ Consultant
Kim English, Division of Criminal Justice
Damien Angel, Division of Criminal Justice
Laurence Lucero, Division of Criminal Justice
Kevin Ford, Division of Criminal Justice

ABSENT

Julie Gonzales, State Senator
Henry Jackson, Metro State College
Jeff Chostner, District Attorney, 10th Judicial District
Lisa Wayne, Defense Attorney

Issue/Topic	Discussion
<p>Welcome, Approval of Minutes, & Agenda <i>Rick Kornfeld & Michael Dougherty, Co-chairs</i></p>	<p>Michael welcomed and thanked everyone for participating in the Sentencing Reform Task Force meeting. Rick reviewed the agenda and asked for any additions or corrections to the November minutes. A motion was offered and seconded to approve the minutes. Task Force members unanimously approved the minutes.</p> <p>Michael informed members of the public that they were welcome to leave comments in the chat and that there would be time at the end of the meeting for additional public comment.</p>

Issue/Topic	Discussion
<p>Parole Working Group Update <i>Kristin Hilkey, WG Leader</i></p>	<p>Kristin provided the Task Force with an update for the Parole Working Group, as follows:</p> <ul style="list-style-type: none"> • The group continued their evaluation of the language in the standard parole conditions. <ul style="list-style-type: none"> ○ Kristin finalized the statutory language and would be distributing it to the Parole Working Group for review. • The group would also be exploring additional conditions that could be set by the parole board (non-statutory). <p>Kristin stated that it was the intent of the Parole Working Group to present its recommendation at an upcoming SRTF meeting for consideration (1/20/21 or 2/10/21)</p>

Issue/Topic	Discussion
<p>Sentencing Alternatives/Decisions & Probation Working Group Update <i>Glenn Tapia, WG Leader</i></p>	<p>Glenn updated the Task Force with the following regarding the Sentencing Alternatives/Decisions & Probation Working Group:</p> <ul style="list-style-type: none"> • The group would be exploring results from a survey completed by its members on the statutory purposes of probation. <ul style="list-style-type: none"> ○ The results of this survey are intended to further inform their scope of work. <p>Glenn stated that the assignment of a district court judge to the working group would likely occur soon.</p>

Issue/Topic	Discussion
<p>Sentence Progression Working Group Update <i>Rick Kornfeld & Dean Williams, WG Leader</i></p>	<p>Rick provided the Task Force with an update on the activity of the Sentence Progression Working Group. The group is working to define an additional release/reentry program (“Transitional Confinement” with a focus on home confinement options) to implement as another option to placements in community corrections (Comm. Corr.) or the Intensive Supervision Program-Inmate (ISP-I). In regard to this new program, the group is considering:</p> <ul style="list-style-type: none"> • The implications of including individuals with VRA convictions versus those with non-VRA convictions. (<i>VRA-Victim Rights Act</i>)

<p>Issue/Topic Sentence Progression Working Group Update <i>Rick Kornfeld & Dean Williams, WG Leader</i> (continued)</p>	<ul style="list-style-type: none"> • The point at which individuals should be released into the program (how much time is left before their mandatory release date). • Specific eligibility criteria (in addition to VRA/non-VRA convictions). • The incorporation of language that would allow for pilot programming and sunseting the program after a program evaluation. <p>Rick and Michael fielded questions from the Task Force members and discussed the following issues:</p> <ul style="list-style-type: none"> • Who has authority to releases/revoke individuals into/out of this new program? (CO Dept. of Corrections) • How does this new program compare/differ from Comm. Corr./ISP-I. • Local level buy-in regarding who gets released into the community. • Number of inmates who would currently meet eligibility.
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<p>Issue/Topic Sentence Structure Working Group Update <i>Michael Dougherty, WG Leader</i></p>	<p style="text-align: center;">Discussion</p> <p>The Sentence Structure Working Group presented recommendation elements for consideration. Due to the complexity of the recommendation under development, the WG preferred to present individual elements of the recommendation as they are completed for discussion and vote. Michael initiated the voting procedure; after the discussion of each, the following ELEMENTS were moved, seconded, and approved:</p> <ul style="list-style-type: none"> • Misdemeanor Grid (Approved) • Title 42 (Traffic offenses--Approved) • Title 1 (Election offenses--Approved) <p>The following ELEMENTS will require additional discussion at a subsequent meeting:</p> <ul style="list-style-type: none"> • Title 18 (Criminal offenses--Delayed/No Vote) • Felony-Misdemeanor Reclassifications (Delayed/No Vote) <p>Members requested that the Sentence Structure Working Group revise the Title 18 recommendation elements to include prior sentence classifications for each offense. Voting to approve the Title 18 and the Felony-Misdemeanor Reclassification recommendation elements are scheduled to occur on January 20, 2021.</p>
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Issue/Topic	Discussion
<p>Public Comment, Next Steps & Adjourn <i>Michael Dougherty & Rick Kornfeld,</i> <i>Co-Chairs</i></p>	<p>Michael stated that the comments submitted in the chat by members of the public would be recorded and distributed to all Task Force members. He then invited additional comments from the public. No public comment was offered.</p> <p>Michael asked if there were any objections to the addition of a Sentencing Reform Task Force meeting on January 20th to accommodate the review of additional recommendation elements and/or recommendations. There were no objections and the next meeting date was set for 1/20/2021 at 1:30pm.</p> <p>With no further business, Michael and Rick thanked the group for their attention and hard work and adjourned the meeting.</p>

Next Meeting

Wednesday, January 20 1:30-4:00pm ***Virtual - details forthcoming***

Wednesday, February 10 1:30-4:00pm ***Virtual - details forthcoming***