

**Sentencing Reform Task Force
MINUTES**

January 20, 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
Christie Donner, Colorado Criminal Justice Reform Coalition
Valerie Finks, Victim Compensation Program, 1st Judicial District DA Office
Kristen Hilkey, Adult Parole Board
Kazi Houston, Rocky Mountain Victim Law Center
Jessica Jones, Defense Attorney
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
Michael Rourke, District Attorney, 19th Judicial District
Dan Rubinstein, District Attorney, 21st Judicial District
Glenn Tapia, Division of Probation Services
Lisa Wayne, Defense Attorney
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

Terri Carver, State Representative
Jeff Chostner, District Attorney, 10th Judicial District
Bob Gardner, State Senator
Julie Gonzales, State Senator
Serena Gonzales-Gutierrez, State Representative
Henry Jackson, Metro State College
Sarah Keck, Court Services

Issue/Topic	Discussion
<p>Welcome, Approval of Minutes, and Agenda <i>Rick Kornfeld and Michael Dougherty, Co-chairs</i></p>	<p>Michael welcomed everyone to the Sentencing Reform Task Force meeting and reviewed the agenda. 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>Sentencing Alternatives/Decisions & Probation Working Group Report <i>Glenn Tapia, WG Leader</i></p> <p>ACTION <i>Maureen Cain</i> Upon request, provide CJ Institute report to Probation WG</p>	<p>Glenn updated the Task Force with the following regarding the “Probation” Working Group:</p> <ul style="list-style-type: none"> • The group continued their work on defining the statutory purpose of probation. • The group will be exploring areas where probation may be at risk for over-supervision. <p>Glenn solicited the Task Force for input on areas where probation was at risk for over-supervision. The following areas were identified:</p> <ul style="list-style-type: none"> • Rigidity in reporting to probation officers. • Useful Public Service (UPS) as an evidence-based practice and its pros/cons as an alternative to a jail sentence. • Written probation reports lack contextual information on attempts of probationers to comply with conditions. • The ability for lawyers to be present with their clients during probation interviews is inconsistent across the state. <p>Maureen Cain offered to provide a Crime and Justice Institute report on probation to the Probation Working Group.</p>

Issue/Topic	Discussion
<p>Sentence Structure Working Group Report <i>Michael Dougherty, WG Leader & Members</i></p>	<p>The Sentence Structure Working Group presented recommendation elements to the SRTF that would be voted on at the February 10, 2021 meeting.</p> <ul style="list-style-type: none"> • 12 Felony offenses to be reclassified as misdemeanors <p>Michael initiated the voting procedure for recommendation elements that had been presented at the January 6th SRTF meeting; the following ELEMENTS were moved, seconded, and approved:</p> <ul style="list-style-type: none"> • 11 Felony offenses to be reclassified as misdemeanors • Contraband offenses • Title 18 Offenses (451 offenses)

<p>Issue/Topic Sentence Structure Working Group Report <i>Michael Dougherty, WG Leader & Members</i> (continued)</p>	<p>The following ELEMENTS raised concerns among the SRTF members and the Sentence Structure Working Group was requested to revise them before being voted on:</p> <ul style="list-style-type: none"> • POWPO offenses (Possession of a weapon by a previous offender) • Violations of Civil Protection Orders <p>The Sentence Structure Working Group agreed to meet and discuss these elements of their recommendation and revise them in accordance with feedback provided by the Sentencing Reform Task Force.</p>
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<p>Issue/Topic Parole Working Group Report <i>Kristen Hilkey, WG Leader</i></p>	<p>Discussion</p> <p>Kristen provided the Task Force with an update from the Parole Working Group, as follows:</p> <ul style="list-style-type: none"> • The group has completed their rework of the Standard AND the Additional (Individual) conditions of parole and are finalizing the recommendation pertaining to the statutory language of the Standard conditions of parole. • It is the intention of the working group to present the recommendation to the SRTF at the February 10th meeting.
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<p>Issue/Topic Sentence Progression Working Group Report <i>Dean Williams WG Leader & Rick Kornfeld, WG Member</i></p>	<p>Discussion</p> <p>The Sentence Progression Working Group yielded their time to the Structure Working Group in order to facilitate the discussion of their recommendation elements and the subsequent voting process.</p>
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<p>Issue/Topic Public Comment</p> <p>Next Steps & Adjourn <i>Rick Kornfeld, Michael Dougherty, Task Force Co-Chairs</i></p>	<p>Conclusion</p> <p>Rick invited additional comments from the public. No comments were offered.</p> <p>Michael asked if there were any objections to convening an additional SRTF meeting on January 20th to accommodate the review of recommendations from the Sentence Structure and Parole Working Groups. There were no objections and the next meeting date was set on January 20, 2021.</p> <p>Rick thanked the members of the Task Force and Working Groups for their efforts and, hearing no further business, adjourned the meeting.</p> <p>The next meeting of the Sentencing Reform Task Force: Wednesday, February 10, 2021 at 1:30pm</p>
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