

***Sentencing Reform Task Force***

**Sentencing Alternatives/Decisions & Probation Working Group**

**MINUTES**

February 05, 2021 / 9:00-11:00 AM

Virtual Meeting

**ATTENDEES**

**WORKING GROUP MEMBERS**

Glenn Tapia, Director, Probation Services/ Judicial Branch, *WG Leader*

Terri Carver, State Representative/ House District 20

Chris Gallo, Deputy District Attorney/ 18<sup>th</sup> JD

Kristin Heath, Assistant Director, Jefferson County Justice Services

Kazi Houston, Rocky Mountain Victim Law Center

Heather McClure, Adams County Division of Community Safety and Well-Being

Clay McKisson, Judge/ 3<sup>rd</sup> Judicial District

Jenifer Morgen, Chief Probation Officer/ 17<sup>th</sup> Judicial District

Greg Otte, Deputy Chief Parole Officer/ 8<sup>th</sup> Judicial District

Elaina Shively, District Attorney's Office/ 20<sup>th</sup> Judicial District

Abigail Tucker, Psychologist/ Mental health services provider and consultant

**STAFF**

Richard Stroker, CCJJ Consultant

Kim English, Division of Criminal Justice

Damien Angel, Division of Criminal Justice

Stephane Waisanen, Division of Criminal Justice

Laurence Lucero, Division of Criminal Justice

Kevin Ford, Division of Criminal Justice

**Absent**

Kathryn Herold, Public Defender Office/ Boulder County

Matthew James, Denver District Attorney's Office

<b>Issue/Topic</b>	<b>Discussion</b>
<p>Welcome &amp; Introductions <i>Glenn Tapia, WG Leader</i></p>	<p>Glenn Tapia, Working Group Leader, welcomed everyone and introduced the Working Group’s newest member, Judge Clay McKisson. Glenn then provided a brief overview of meeting agenda:</p> <ul style="list-style-type: none"> <li>• Continue work on defining the Purpose of Probation</li> <li>• Discuss potential areas of over-supervision</li> <li>• Public comment</li> </ul>

<b>Issue/Topic</b>	<b>Discussion</b>
<p>Presentation: Statutory Structure of Parole, Community Corrections, and Defining the Statutory Purpose of Probation <i>Glenn Tapia, All</i></p>	<p>Glenn presented information on the current statutory structure of, both, parole and community corrections.</p> <p>Glenn recapped the six areas that that the group had previously identified as purposes of probation.</p> <ul style="list-style-type: none"> <li>• Sentencing option in response to crime to prevent future criminal behavior and victimization,</li> <li>• Supporting individuals during the process of repair and restoration,</li> <li>• Behavior change,</li> <li>• Accountability,</li> <li>• Balancing reparation of harm, accountability, and behavior change, and</li> <li>• Cost savings as an alternative to incarceration.</li> </ul> <p>Glenn highlighted items that still needed consideration by the working group and opened the floor for comment. The following topics were discussed:</p> <ul style="list-style-type: none"> <li>• The inclusion of “public safety” language,</li> <li>• The role of victims (regarding notification, etc.),</li> <li>• Individualized terms and conditions, and</li> <li>• Identifying individuals who will succeed on probation.</li> </ul> <p>Following the discussion above, the group members began revising language for the statutory purpose of probation. The group agreed to provide stakeholders with the language they drafted for feedback.</p>

<p><b>Issue/Topic</b> Identify Examples of Over-Supervision <i>Glenn Tapia, All</i></p>	<p><b>Discussion</b></p> <p>Glenn solicited from the Working Group members ideas about when probation may be over-supervising its clients. The group agreed that a major driver of over-supervision was the disparity between the conditions placed on clients and the actual risks and needs of the clients. The following topics were also identified as areas for further discussion:</p> <ul style="list-style-type: none"> <li>• Risk/needs assessments, and whether a client’s charged crime is a sufficient indicator of risk</li> <li>• Preserving stabilization factors or appropriate clients (virtual meetings to accommodate those with long commutes, etc.)</li> <li>• Conditions for those convicted of sex offenses</li> <li>• Conditions for 2<sup>nd</sup> and 3<sup>rd</sup> time DUI offenders</li> <li>• Dialing back conditions for clients who are succeeding on probation</li> <li>• Probation alternatives for clients with low-risk, low-need, and low-level crimes</li> </ul>
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<p><b>Issue/Topic</b> Public Comment</p>	<p><b>Discussion</b></p> <p>Glenn opened the floor for public comment. There were no members of the public in attendance for this portion of the meeting.</p>
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<p><b>Issue/Topic</b> Summary of Work &amp; Adjournment <i>Glenn Tapia</i></p>	<p><b>Conclusion</b></p> <p>Glenn offered a brief meeting summary and the plan for the next meeting. Glenn confirmed the details for the next meeting and, hearing no further comment, he adjourned the meeting.</p> <p><b>Next meeting: Friday, March 5th, 2021, 9:00-11:00am</b></p>
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