

Colorado Commission on Criminal and Juvenile Justice
Sentencing Reform Task Force

Parole Working Group
Minutes

February 17, 2021 / 3:00PM-4:00PM
VIRTUAL MEETING

ATTENDEES

WORKING GROUP MEMBERS

Kristen Hilkey, Colorado State Board of Parole, WG Leader
Michelle Aswad, Victim Representative
Kazi Houston, Rocky Mountain Victim Law Center
Mollie Shultz, DA's Office, 2nd Judicial District
Susan White, Parole Division, Colorado Department of Corrections

STAFF

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

ABSENT

Taj Ashaheed, Second Chance Center
Jeff Chostner, District Attorney, 10th Judicial District

<p>Issue/Topic Welcome & Agenda <i>Kristen Hilkey, WG Leader</i></p>	<p>Discussion</p> <p>Working Group Leader Kristen Hilkey welcomed the members and asked to discuss the updated ADDITIONAL Conditions before reviewing and discussing the recommendation.</p>
<p>Issue/Topic Review & Discuss Additional Conditions of Parole - Electronic Monitoring <i>Kristen Hilkey & WG</i></p>	<p>Discussion</p> <p>Kristen stated that, after a discussion with Susan, the Division of Parole wanted to add a condition (#13) in the ADDITIONAL Conditions of Parole. Kristen defined each condition:</p> <ul style="list-style-type: none"> • 12 – Electronic Monitoring – Parolee shall participate in electronic monitoring – <i>an individual will remain on electronic monitoring until the parole officer feels the individual no longer needs monitoring and goes through the process of requesting to be removed by the board. (Not common).</i> • 13 – Electronic Monitoring: Parolee shall participate in electronic monitoring at the discretion of the CPO based on risk/needs assessment for a period of up to 180 days –<i>an intermediate sanction with specific condition/duration of time of 180 days, does not have to be continuous.</i> • 14 – Electronic Monitoring: Parolee shall participate in electronic monitoring throughout the duration of parole, per C.R.S 18-1.3-1004 - <i>individuals who receive an indeterminate sentence must have electronic monitoring for the duration of their parole. No exceptions statutory requirement.</i> <p>The group was unanimously in agreement to include all three electronic monitoring conditions.</p>
<p>Issue/Topic Recommendation <i>Kim English</i></p>	<p>Discussion</p> <p>Kim presented the preliminary recommendation, and stated that the revisions to the STANDARD Conditions will be a statutory recommendation and the revisions to the ADDITIONAL Conditions will be a policy recommendation. These are combined into a single recommendation, summarized as follows:</p> <p>The Parole Board issues two sets of parole conditions. The STANDARD Conditions, which apply to every person placed on parole supervision, are derived from statute.</p> <p>The ADDITIONAL Conditions consist of additional requirements that are selected by the Parole Board specifically based on the individual risks and needs of each person on parole.</p> <p>The language of the STANDARD Conditions of Parole was updated because it was antiquated, difficult to understand, and lengthy. To</p>

<p>Issue/Topic Recommendation <i>Kim English</i> (continued)</p>	<p>accomplish this update, the parole conditions from other states were reviewed, evidence-based practices were considered, and each condition was analyzed for its relationship to criminogenic needs.</p> <p>Members engaged in collaborative review of the recommendation, and agreed with the single recommendation addressing both STANDARD and ADDITIONAL Conditions. Both sets of conditions are referenced in Appendix A of the recommendation and the statutory language is referenced in Appendix B.</p> <p>Kazi mentioned that the protection order condition should be noted in the recommendation discussion since it was added in the STANDARD Conditions and was not in statute.</p> <p>The recommendation was modified to clarify that the following substantive changes were made to the Standard Conditions:</p> <ul style="list-style-type: none"> • The mandatory urinalysis-testing requirement is moved to the Individual Conditions. • The expectation that an individual on parole not associate with people with a criminal record is eliminated. • A requirement is added that mandates that the individual comply with all terms of any civil protection orders.
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<p>Issue/Topic Proposed Statutory Language <i>Kristen Hilkey</i></p>	<p style="text-align: center;">Discussion</p> <p>Kristen reviewed the draft outline of the statutory language with the group. Kristen stated that she would send Kim the updated statutory draft for incorporation into the recommendation.</p>
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<p>Issue/Topic Public Comment</p> <p>Next Steps & Adjourn <i>Kristen Hilkey & All</i></p> <p>*NOTE: Subsequently, another meeting was in fact scheduled for Wednesday, March 17, 2021 at 3:00-5:00pm.</p>	<p style="text-align: center;">Discussion</p> <p>No members of the public were present to offer comment.</p> <p>The remaining tasks to be undertaken include:</p> <ul style="list-style-type: none"> • Kristen to continue work on the statutory language • Kim to add additional language discussed • Kristen will present the recommendation and statutory language to the Structure Reform Task Force on Wednesday, February 24. • If approved, Kristen to present preliminary presentation to the Commission on March 12 • DCJ staff will send out preliminary recommendation to Working Group. <p>Kristen thanked members for their contributions. She mentioned that, depending on the outcome of the Sentencing Reform Task Force review and vote at the upcoming meeting on Feb. 24, this may be the last Parole Working Group meeting.* She stated how much she had enjoyed working with everyone. With no further business, Kristen adjourned the meeting.</p>
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