

*Colorado Commission on Criminal and Juvenile Justice*  
**Sentencing Reform Task Force**

**Parole Working Group**  
**Minutes**

March 17, 2021 / 3:00PM-5:00PM  
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  
Kim English, Division of Criminal Justice  
Stephané Waisanen, Division of Criminal Justice

**ABSENT**

Jeff Chostner, District Attorney, 10<sup>th</sup> Judicial District  
Kazi Houston, Rocky Mountain Victim Law Center

**GUESTS**

Chad Dilworth, Vice Chair, Colorado State Board of Parole

Issue/Topic	Discussion
<p>Welcome &amp; Agenda <i>Kristen Hilkey, WG Leader</i></p>	<p>Working Group Leader Kristen Hilkey welcomed members and focused the members on concerns that were expressed about the preliminary recommendation on Conditions of Parole when Kristen presented it at the Sentencing Reform Task Force meeting on February 24, 2021.</p>

Issue/Topic	Discussion
<p>Review &amp; Discuss Concerns with Recommendation on Standard &amp; Additional Conditions <i>Kristen Hilkey &amp; Members</i></p>	<p>DCJ staff provided a list of concerns raised by the Sentencing Reform Task Force regarding both the STANDARD and ADDITIONAL Conditions, as follows:</p> <ul style="list-style-type: none"> <li>• Addition of “destructive devices” (explosives, etc.) to the list of controlled weapons</li> <li>• Costs of parole (costs to parolees for electronic supervision, etc.)                             <ul style="list-style-type: none"> <li>- Existing programming to assist with costs associated with parole supervision</li> </ul> </li> <li>• Promoting compliance with protection orders among those discharged from parole</li> </ul> <p>Members engaged in a discussion and review of the STANDARD and ADDITIONAL Conditions, and agreed to the following revisions to the STANDARD Conditions (changes noted in bold):</p> <ul style="list-style-type: none"> <li>• Condition 2E – Parolee shall pay <b>costs associated with supervision, if financially able</b>, as directed by the Community Parole Officer.</li> <li>• Condition 3 – Parolee shall not own, possess, nor have under control or in custody any firearms, <b>explosive device</b>, or other deadly weapon(s).</li> <li>• Condition 4A- Parolee shall follow and comply with all terms of any protection orders (<b>NO CHANGE</b>).</li> <li>• Condition 4C – Parolee shall <b>make restitution payments during parole period</b>.</li> </ul> <p>ADDITIONAL Conditions – electronic monitoring will remain with no changes.</p> <p>Kristen will revise the statutory language section in the recommendation.</p>

Issue/Topic	Discussion
<p>Review &amp; Discuss Other Topic areas <i>Kristen Hilkey &amp; Members</i></p>	<p>The following additional topics unrelated to the Conditions of Parole were raised by Sentencing Reform Task Force members. The Working Group discussed these “Other” topics:</p> <ul style="list-style-type: none"> <li>• The statutory purposes of parole</li> <li>• Special-needs parole</li> <li>• The requirement of a parole plan in order to be released on parole</li> </ul>

<p><b>Issue/Topic</b>                  Review &amp; Discuss                  Other Topic areas  <i>Kristen Hilkey &amp; Members</i>                  (continued)</p>	<p>In discussing these “Other” topics, members agreed that these issues could be addressed during the presentation of the recommendation to the Sentencing Reform Task Force but that some of these points are not directly related and would not be appropriate as components of the recommendation itself:</p> <ul style="list-style-type: none"> <li>• Compare conditions against the statutory purposes of parole                         <ul style="list-style-type: none"> <li>- Kristen will review to see if recommendation language is aligned with the statutory purposes of parole</li> <li>- Kristen will address this issue in the presentation</li> </ul> </li> <li>• Address special needs of individuals on parole                         <ul style="list-style-type: none"> <li>- ADDITIONAL Conditions address a variety of special needs, S.B. 21-146 – Improve Prison Release Outcomes has been introduced this legislative session to address special needs</li> <li>- This issue is beyond the scope of the Conditions recommendation</li> <li>- Kristen will address this issue in the presentation</li> </ul> </li> <li>• Denying an individual for parole if they do not have a solid plan in place                         <ul style="list-style-type: none"> <li>- This topic is beyond the scope of parole conditions</li> <li>- The Sentence Progression Working Group will consider this issue in the future as a part of its work</li> <li>- Note, Kristen argues that the Parole Board does not deny parole based on the lack of or a weak parole plan, unless there is a specific public safety concern (e.g., individuals convicted of sex crimes). If the parole plan is problematic, parole can be granted without a release date, in effect, tabling an inmate’s release. Once the parole plan issue is resolved by the inmate, case manager and/or the Parole Division, the release date is set. Release is denied if an inmate’s parole plan issues cannot be resolved.</li> <li>- Kristen will address this issue in the presentation</li> </ul> </li> </ul>
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<p><b>Issue/Topic</b>                  Next Steps &amp; Adjourn  <i>Kristen Hilkey</i></p> <p><b>Action Items</b>                  See at right</p>	<p style="text-align: center;"><b>Discussion</b></p> <p>The next steps for the Working Group were summarized:</p> <ul style="list-style-type: none"> <li>• Kristen to modify the statutory section of the recommendation</li> <li>• Staff to distribute the Statutory Purpose of Parole to Working Group</li> <li>• Staff to send revised recommendation to Working Group and ensure that it is sent to Task Force members in advance of the April 7 meeting</li> <li>• Kristen to present revised recommendation and “other” prepared information to the Sentencing Reform Task Force on April 7, 2021.</li> </ul> <p>It is expected that this is the final meeting of the Parole Working Group.</p> <p>Kristen thanked Working Group members for all their efforts and adjourned the meeting.</p>
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