

**Sentencing Reform Task Force
MINUTES**

June 8, 2022 / 1:30PM-2:10PM
Virtual Meeting

THIS MEETING DID NOT ACHIEVE A QUORUM

ATTENDEES

TASK FORCE MEMBERS

Michael Dougherty, *Task Force Co-chair*, District Attorney/20th Judicial District (JD)
Maureen Cain, Office of the State Public Defender
Valerie Finks, Victim Compensation Program/DA Office, 1st JD
Julie Gonzales, State Senator/Senate District 34
Jessica Jones, Defense Attorney
Brian Mason, District Attorney/17th JD
Andrew Matson, Colorado CURE
Greg Mauro, Denver Division of Community Corrections
Heather McClure, Adams County Division of Community Safety & Well-Being
Michael Rourke, District Attorney/19th JD
Glenn Tapia, Director, Div. of Probation Services/Judicial Branch
Lisa Wayne, Defense Attorney

STAFF

Richard Stroker, CCJJ Consultant
Jack Reed, Research Director, Division of Criminal Justice
Laurence Lucero, Sentencing Reform Task Force Staff, Division of Criminal Justice
Stephané Waisanen, Sentence Structure Working Group Staff, Division of Criminal Justice
Kevin Ford, CCJJ Staff, Division of Criminal Justice

ABSENT

Taj Ashaheed, Second Chance Center
Terri Carver, State Representative/House District 20
Daric Harvey, Adult Parole Board
Christie Donner, Colorado Criminal Justice Reform Coalition
Bob Gardner, State Senator/Senate District 12
Serena Gonzales-Gutierrez, State Representative/House District 4
Kazi Houston, Rocky Mountain Victim Law Center
Henry Jackson, Metro State University
Sarah Keck, Court Services/Judicial Branch
Rick Kornfeld, *Task Force Co-chair*/Defense Attorney
Tom Raynes, Colorado District Attorneys' Council
Dan Rubinstein, District Attorney/21st JD
Dean Williams, Colorado Department of Corrections

<p>Welcome & Agenda Welcome, Approval of Minutes, and Agenda <i>Michael Dougherty, Task Force Co-chair</i></p>	<p>Discussion</p> <p>Michael Dougherty, Task Force Co-chair welcomed attendees. Michael reviewed the agenda and noted that, in the absence of a quorum, the approvals of the February 9, March 9, April 6, and June 8 minutes are postponed until the Task Force meeting on July 6.</p> <p>Michael mentioned that Governor Polis signed <i>HB22-1131 – Reduce Justice Involvement for Young Children</i>, and a new Task Force to be created under the Colorado Department of Human Services. On the day of the signing of the bill, Governor Polis addressed a letter to the Colorado General Assembly in which he discussed the goals of the Pre-adolescence services Task Force and some concerns raised by stakeholders that the task force will be duplicative of the Colorado Commission on Criminal and Juvenile Justice (CCJJ). Governor Polis reiterated support for the work of CCJJ and encouraged criminal justice reform policies to move through CCJJ.</p>
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<p>Issue/Topic Working Group Updates Sentencing Alternatives/Decisions & Probation Working Group <i>Glenn Tapia, WG Leader</i> and Sentence Structure Working Group <i>Michael Dougherty, WG Leader</i></p> <p>ACTIONS The Sentencing Alternatives/Decisions & Probation WG will draft a preliminary proposal for early termination</p> <p>The Sentence Structure WG will hear a presentation on discretionary parole and its role in certainty in sentencing</p> <p>The Sentence Structure WG will continue its efforts to categorize felony offenses in its crime severity chart</p>	<p>Discussion</p> <p><u>Sentencing Alternatives/Decisions & Probation WG – Glenn Tapia, WG Leader</u> Glenn offered an update on the progress of the WG. The group discussed early termination on probation and outlined inconsistencies across the judicial districts regarding the accessibility and policies of early termination for people on probation. Richard Stroker, CCJJ Consultant provided a presentation related to probation supervision practices in the U.S. regarding probation terms imposed for misdemeanors and felonies, the impact of longer probation terms, earned credits, and early discharge and termination practices in different jurisdictions. Richard also discussed how “dosage probation” (a specific initiative supported by NIC) is explored in different jurisdictions.</p> <p>At last week’s meeting, the group discussed the elements of a preliminary proposal that addresses early termination. Glenn will draft and forward to the WG members a rough draft to obtain feedback from stakeholders before the next meeting. Glenn expect to present a preliminary proposal to the Task Force later this summer.</p> <p>Glenn mentioned an upcoming report from the Crime and Justice Institute that identifies data trends for probation.</p> <p><u>Sentence Structure WG – Michael Dougherty, WG Leader</u> The Sentence Structure WG and its Study Group (which typically meets weekly) will continue the review and analysis of the enhanced felony severity classification chart, felony sentencing grid, sentencing ranges, habitual sentence enhancers, mandatory consecutive sentences for crimes of violence, discretionary parole, and length of stay for felony offenses. At a future next WG meeting, Maureen Cain, Jes Jones, and Dan Rubinstein are scheduled to present on discretionary parole and its role in building more certainty in sentencing.</p>
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<p>Issue/Topic Working Group Updates Sentence Progression Working Group <i>Brian Mason & Greg Mauro, Co-leaders</i></p>	<p><u>Sentence Progression Working Group, Brian Mason & Greg Mauro, Co-leaders</u> Brian Mason, WG Co-leader informed members he met with the other Co-leaders, Emily Fleischman (State Public Defender’s Office) and Greg Mauro (Denver Division of Community Corrections) to acquire the historical context of the previous areas of work/issues discussed by the Sentence Progression Working Groups before it was placed on hiatus in July 2021. Brian re-affirmed that the goal for the WG is to re-examine end-of-sentence transition options. The first Sentence Progression WG will be held on Tue., June 28 at 9 am.</p> <p>Greg Mauro added the WG is waiting for further direction from the SRTF as it pertains to discretionary parole. Maureen mentioned that Jes, Dan, and herself continue to work on a presentation about discretionary parole and expect it to be completed in the upcoming weeks. She added the group is planning to present along with consultants and formerly incarcerated individuals.</p>
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<p>Issue/Topic Public Comment <i>Michael Dougherty, Task Force Co-chair</i></p> <p>Issue/Topic Next Steps <i>Richard Stroker, CCJJ Consultant & Michael Dougherty, Task Force Co-chair</i></p>	<p>Public Comment</p> <p>Michael solicited public comment, and hearing none, moved to the conclusion of the meeting.</p> <p>Conclusion</p> <p>Richard reiterated the details of the first meeting for the Sentence Progression WG to be held, Tuesday, June 28 from 9:00 - 11:30 am. The group will review information and data from the previous Sentence Progression WG.</p> <p>The Sentencing Alternatives/Decisions & Probation WG will continue discussing and developing a preliminary recommendation on early termination and revocation. The group expects to present a preliminary recommendation at the SRTF by late summer.</p> <p>The Sentence Structure WG will continue its work on categorizing felony crimes by severity level and finalize a presentation on discretionary/mandatory parole.</p> <p>Senator Gonzales asked about the timeline of these sentencing reform projects to prepare for the next legislative session.</p> <p>Michael reiterated that the Sentence Structure Study Group will meet this upcoming Friday (6/10/2022) to review timelines, goals, and recommendations, and will share timelines and goals with the Sentence Structure WG and the Task Force within the next month. The Sentence Progression WG will identify goals and establish its timelines after their first meeting on 6/28. The Probation WG is currently drafting the elements of a preliminary recommendation to finalize this summer.</p> <p>Jack shared that <i>House Bill 2022-1368</i> established a new Task Force within the CCJJ to examine access to community corrections for those convicted of misdemeanors and to be seated by the end of July 2022. Maureen asked whether members have been appointed to the Community Corrections Task Force. Jack stated that the Commission staff currently are assembling the statutorily-defined membership to be reviewed and appointed by Stan Hilkey, CCJJ Chair.</p>
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Issue/Topic	Conclusion
<p>Adjourn <i>Michael Dougherty,</i> <i>Task Force Co-chair</i></p>	<p>Michael asked whether there were any additional questions or comments, and hearing no further business, Michael adjourned the meeting.</p> <p>The next meeting of the SRTF is on July 6, 2022, at 1:30 pm.</p>

Next Meeting

Wednesday, July 6, 2022 / 1:30-4:00 pm

If at least 50% of attendees provide in-person RSVPs, a hybrid meeting will be scheduled (Choice of In-person or Virtual attendance). If that threshold is not met the meeting will be virtual only.

Meeting information will be emailed to members and posted at, colorado.gov/ccjj/ccjj-meetings.