

Colorado Commission on Criminal and Juvenile Justice
Sentencing Reform Task Force

Sentence Progression Working Group
MINUTES

June 28, 2022 / 9:00 AM - 10:40 AM
VIRTUAL MEETING

ATTENDEES

WORKING GROUP MEMBERS

Emily Fleischman, *WG Co-leader*, Office of the State Public Defender
Brian Mason, *WG Co-leader*, District Attorney's Office/ 17th Judicial District (J.D.)
Greg Mauro, *WG Co-leader*, Denver Division of Community Corrections
Taj Ashaheed, Second Chance Center
Christie Donner, Colorado Criminal Justice Reform Coalition (CCJRC)
Andrew Matson, Colorado CURE
Meredith McGrath, Division of Parole/ CDOC
Richard Morales, Latino Coalition
Michael Rourke, District Attorney/ 19th J.D.
Emily Tofte Nestaval, Rocky Mountain Victim Law Center

STAFF

Laurence Lucero, Division of Criminal Justice
Jack Reed, Division of Criminal Justice
Richard Stroker, CCJJ Consultant

ABSENT

Joseph Archambault, Office of the State Public Defender
Daric Harvey, Parole Board Vice-Chair
Rick Kornfeld, (CCJJ member & SRTF Co-chair), Criminal Defense
Steve O'Dorisio (CCJJ member) Adams County Commissioner
Amber Pedersen, Exec. Director Office/ CDOC
Abigail Tucker (CCJJ Vice Chair), Mental health service provider
Catrina Weigel, District Attorney's Office/20th J.D.

Guests

Chystal Owin, OCC, Division of Criminal Justice
Terri Hurst, CCJRC

Issue/Topic	Discussion
<p>Welcome & Introductions <i>WG Co-leaders</i></p>	<p>Co-leaders Emily Fleischman, Brian Mason, and Greg Mauro welcomed everyone and prompted introductions for the other group members. Brian then provided a brief overview of the meeting agenda:</p> <ul style="list-style-type: none"> • Background and information presented by Jack Reed and Richard Stroker: <ul style="list-style-type: none"> ○ CCJJ 101/Task Forces/Working Groups ○ Previous activities of the Progression WG ○ Overview of current options, including Community Corrections, Parole, and ISP-I • Initial discussion of scope of work • Next steps

Issue/Topic	Discussion
<p>CCJJ Background and Information <i>Jack Reed, DCJ</i></p>	<p>Jack Reed (Research Director, Office of Research and Statistics in the Division of Criminal Justice) outlined the Commission and Task Force processes including membership, roles, and responsibilities. Highlights of the presentation are found below:</p> <ul style="list-style-type: none"> • The Colorado Commission on Criminal and Juvenile Justice is a multidisciplinary 30-member entity that was established in 2007 by C.R.S. 16-11.3-101 to improve “the effective administration of justice” by undertaking a comprehensive examination of the criminal and juvenile justice systems and making recommendations for reform. • The Sentencing Reform Task Force was seated in 2020 to address sentencing topics delineated in a 2020 Biennial Letter from Governor Jared Polis pursuant to House Bill 2018-1287. • Working Groups: <ul style="list-style-type: none"> ○ Receive direction from the Task Force ○ Have at least one Co-leader that is a Task Force member. ○ Members of the Working Group may include non-task force members. ○ Are staffed by DCJ and coordinated with DCJ staff. ○ Undertake careful study of an issue ○ Draft materials (proposals) for Task Force review and consideration ○ WGs do not vote on proposals but identify priorities and options ○ Report monthly to Task Force • Recommendations can be business practice, policy or legislation. Once approved by the Task Force, the recommendations are presented to the CCJJ for a vote. • All information pertaining to the CCJJ and Committees can be found on the CCJJ website at https://ccjj.colorado.gov/

Issue/Topic	Discussion
<p data-bbox="126 212 521 384">Overview of Community Reentry and Transition & Working Group History <i>Greg Mauro, WG Co-leader</i> <i>Richard Stroker, CCJJ Consultant</i></p> <p data-bbox="313 426 337 457" style="text-align: center;">&</p> <p data-bbox="180 495 472 562">Potential Scope of Work <i>All</i></p> <p data-bbox="272 1171 378 1203">ACTION:</p> <p data-bbox="147 1209 505 1308">Call on experts to present on Community Corrections, ISP-I, and Parole</p> <p data-bbox="272 1419 378 1451">ACTION:</p> <p data-bbox="142 1457 509 1598">Report to the SRTF and ask for direction regarding any developments affecting discretionary parole processes</p>	<p data-bbox="565 247 1495 422">Greg Mauro and Richard Stroker provided an overview of Community Reentry (Community Corrections, Parole, and Intensive Supervision Program-Inmate (ISP-I)) and the history of the pre-hiatus WG. The presentation is available on the CCJJ/SRTF webpage under “Materials-Working Groups” at ccjj.colorado.gov/ccjj-srtf.</p> <p data-bbox="565 464 1511 527">Following the “Overview” presentation, Working Group members discussed the following points and potential elements of the scope of work:</p> <ul data-bbox="581 541 1511 1871" style="list-style-type: none"> • Transition “off-ramp” options are mainly designed for people serving long sentences. • There is inequity of access for those incarcerated individuals with higher needs/risks and those with short sentences. • The eligibility for referral to prison transition off-ramp programs is based on a timeline from the parole eligibility date (PED). Inmates are referred to off-ramp programs based on the time served in prison. The criteria to accept people in these off-ramp options include employment, family support, housing, etc. The criteria for placement are established by local community boards and is inconsistent across jurisdictions. • There is no over-arching strategy associated with using one option or another for specific people with no real matching of people to these options. • How do we make better use of the options by targeting the way system works? We need to better understand each program to determine more appropriate uses of off-ramp options, and they should be individualized by the type of service provided and the needs of individuals. • Data requests <ul style="list-style-type: none"> - What is working and not working for each program? - Operation, capacity, and infrastructure of each program - Referrals, acceptance in off-ramp programs - Who remained to DOC at 12 months or less from their mandatory release date (MRD)? • Invite experts to present on ISP-I, Parole, and Community Corrections (Comcor). • Scope of work: Understand critical issues and improve existing off-ramp options (parole, ISP-I, Comcor). • It is important for the group to stay focused and not undertake too broad a scope of work. The timeline established by the group is to develop a proposal by the winter of 2022. • Greg Mauro will report to the Sentencing Reform Task Force (SRTF) that further direction from the Task Force is needed regarding any efforts by other WGs affecting discretionary parole processes. Also, in general, a better understanding is needed of the goals and coordination of efforts by the Sentence Structure WG and Sentence Progression WG.

Issue/Topic	Discussion
Public Comment	Brian Mason opened the floor for public comment. No member of the public offered public comment.

Issue/Topic	Discussion
Next Steps & Adjourn	<p>Richard recapped the major points of the meeting summarizing that the initial focus would be to explore the current system of transition-to-community “off-ramps” (Parole, ISP-I, Comcor). There seemed to be a consensus that people are referred to the current off-ramps simply based on time – and that there is no over-arching strategy associated with using one option or another for specific people with and real matching of people to these options. To develop a more strategic approach to placements, the group concluded that more information should be provided by experts in those programs and will ask the following:</p> <ol style="list-style-type: none"> 1. Provide available data about the program and help the group understand what the data means; focusing on trends, issues, interesting developments, areas of concern, etc. 2. Help the group identify what they believe is “working well” and what is not working well with each program. <p>The next meeting will be dedicated to the data and operations of each transition option.</p> <p>The next Sentence Progression Working Group meeting is on Tuesday, August 9, 9:00-11:00am. Details of the meeting will be forwarded to the group and posted on the CCJJ calendar (ccjj.colorado.gov/ccjj-calendar).</p> <p>The meeting adjourned at 10:40 pm</p>

Next Meeting
Tuesday, August 9, 2022 / 9:00am – 11:00am