

**Sentencing Reform Task Force  
MINUTES**

October 12, 2022 / 1:30PM-2:15PM  
Virtual Meeting

**ATTENDEES**

**TASK FORCE MEMBERS**

Michael Dougherty, *Task Force Co-chair*, District Attorney/20th Judicial District (JD)  
Rick Kornfeld, *Task Force Co-chair*, Defense Attorney  
Taj Ashaheed, Second Chance Center  
Maureen Cain, Office of the State Public Defender  
Valerie Finks, Victim Compensation Program/DA Office, 1st JD  
Bob Gardner, State Senator/Senate District 12  
Serena Gonzales-Gutierrez, State Representative/House District 4  
Justin (JR) Hall, Colorado State Board of Parole  
Kazi Houston, Rocky Mountain Victim Law Center  
David Kaplan, Defense Attorney  
Jes Jones, Defense Attorney  
Andrew Matson, Colorado CURE  
Greg Mauro, Denver Division of Community Corrections  
Heather McClure, Adams County Division of Community Safety & Well-Being  
Tom Raynes, Colorado District Attorneys' Council  
Dan Rubinstein, District Attorney/21<sup>st</sup> JD

**STAFF**

Richard Stroker, CCJJ Consultant  
Jack Reed, Research Director, Division of Criminal Justice  
Laurence Lucero, CCJJ Staff, Division of Criminal Justice  
Kevin Ford, CCJJ Staff, Division of Criminal Justice  
Stephané Waisanen, CCJJ Staff, Division of Criminal Justice

**ABSENT**

Terri Carver, State Representative/House District 20  
Christie Donner, Colorado Criminal Justice Reform Coalition  
Julie Gonzales, State Senator/Senate District 34  
Henry Jackson, Metro State University  
Sarah Keck, Court Services/Judicial Branch  
Brian Mason, District Attorney/17th JD  
Michael Rourke, District Attorney/19th JD  
Glenn Tapia, Director, Div. of Probation Services/Judicial Branch  
Dean Williams, Colorado Department of Corrections

<p><b>Welcome &amp; Agenda</b>                  Welcome, Approval of Minutes, and Agenda  <i>Michael Dougherty &amp; Rick Kornfeld</i>  <i>Task Force Co-chairs</i></p>	<p><b>Discussion</b>                  Rick Kornfeld, Task Force Co-chairs welcomed attendees. Rick welcomed David Kaplan as a new member of the Task Force replacing Lisa Wayne who resigned from her position. David also volunteered to participate in the Sentence Structure Working Group and its Study Group. Rick reviewed the agenda and solicited any additions or corrections to the September 7 minutes. A motion was offered and seconded to approve the minutes. Task Force members unanimously approved the September 7 minutes.</p>
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<p><b>Issue/Topic</b>                  Working Group Updates</p>	<p><b>Discussion</b></p> <p><u>Sentence Structure WG - Michael Dougherty, WG Leader</u>                  The Sentence Structure Working Group continues the review and analysis of the felony sentencing grid and focuses on the development of a crime severity classification chart. The Colorado statute currently has six levels of felony class and the Working Group will recommend a five-level felony class model. The Working Group completed the review of the “General Felonies” and is about to complete an “Enhanced Felony” chart. The working document for the chart was presented for the Enhanced Felony crimes showing current classification and the recommended classification.</p> <p>The Working Group had robust discussions about the classification of second-degree assault, kidnapping, first degree murder, extreme indifference, and vehicular homicide. The group recently heard a presentation and recommendations from Colorado Mothers Against Drunk Driving and continues to discuss potential changes in classification and sentencing range for vehicular homicide. Michael Dougherty expected that the crime severity chart proposal will be presented at the Sentencing Task Force in November and submitted for a vote at the meeting in December.</p> <p><u>Sentence Progression WG - Greg Mauro, WG Co-leader</u>                  The Working Group focused on the progression of individuals from prison to the community and completed its examination of the current end-of-sentence options (Community Corrections, Parole, and Intensive Supervision Program-Inmate [ISP-I]).</p> <p>Greg Mauro shared some information related to the number of inmates transitioning from prison to the transitional options: in 2021, approximately 1900 inmates transitioned to community corrections, 215 transitioned to ISP-I program, 4000 were released on discretionary parole, and 2000 were released on their mandatory release date.</p> <p>Individuals are eligible for placement to Community Corrections at 19 months prior to their Parole Eligibility Date (PED) for non-violent offenses (9 months for violent offenses); ISP-I at 6 months prior to PED; Parole when individuals complete 75% of the time served for non-violent offenses (50% of the time served for violent offense).</p>
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<p><b>Issue/Topic</b> Working Group Updates</p>	<p>At the last Working Group meeting, the group had a robust discussion about the need for more synchronized options for the transition to the community, particularly regarding the timing of eligibility of the programs, individuals who received short sentences in prison and special needs population, and the need for additional off-ramp options. The goal for the group is to create more cohesion between the different options and an opportunity to match the right individuals to the right services. Greg expected the Working Group will produce a recommendation in the next few months.</p> <p><u>Sentencing Alternatives/Decisions &amp; Probation WG - Glenn Tapia, WG Leader</u> In the absence of Glenn Tapia, Richard Stroker presented an update on the Sentencing Alternatives/Decision &amp; Probation WG.</p> <p>The Working Group developed a preliminary proposal that was forwarded to the Task Force members prior to the meeting. The proposal would promote consistency across the judicial districts regarding the timing and criteria for early termination. The recommendation will be presented at the next Sentencing Reform Task Force meeting in November.</p> <p>The Working Group is now focused on the gender and race/ethnicity disparity in probation and heard presentations on the Community Law Enforcement Action Reporting Act (CLEAR Act) and Racial and Ethnic Disparities in Community Supervision.</p>
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<p><b>Issue/Topic</b> Recommendation: FY23-SR #01 Public Comment Vote</p>	<p><b>Discussion</b> Due to sudden and unforeseen circumstances, Mr. Tapia was unable to attend and present Recommendation FY23-SR #01. This presentation was postponed to the next Task Force meeting in November.</p>
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<p><b>Issue/Topic</b> Public Comment <i>Michael Dougherty, Rick Kornfeld</i> <i>Task Force Co-chairs</i></p>	<p><b>Public Comment</b> Rick solicited public comment, and hearing none, moved to the conclusion of the meeting.</p>
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<p><b>Issue/Topic</b> <b>Adjourn</b> <i>Michael Dougherty &amp; Rick Kornfeld</i> <i>Co-chairs</i></p>	<p><b>Conclusion</b> The next Task Force meeting is Wednesday, November 9 at 1:30pm</p>
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**Next Meeting**  
**Wednesday, November 9, 2022 / 1:30-4:00 pm**

Meeting information will be emailed to members and posted at, [colorado.gov/ccjj/ccjj-meetings](https://colorado.gov/ccjj/ccjj-meetings).