



# Colorado Commission on Criminal and Juvenile Justice

## Legislative Recommendation Status

2008-2017

The following is a summary of the status of CCJJ recommendations approved between 2008 and 2017. The focus of the summary is the status of the subset of recommendations that suggest statutory revision(s) (especially, the recommendations that have not been introduced or been passed by the General Assembly).

Fiscal Year	Total of All Recommendations	Legislative Recommendations Only			Percent Complete
		Total	Complete	Incomplete (Reason Below)	
2008	68	11*	9	2*	82%*
2009	-				
2010	65	37	34	3	92%
2011	43	32	30	2	94%
2012	22	7	7	0	100%
2013	22	13	10	3	77%
2014	7	7	7	0	100%
2015	16	7	2	5	29%
2016	5	2	2	0	100%
2017^	7	4	3	1	75%
<b>Total</b>	<b>255</b>	<b>120</b>	<b>104</b>	<b>16</b>	<b>87%</b>

\* In FY 2015, CCJJ/Bail Subcommittee withdrew and replaced three of the FY08 Bail recommendations.

^ References only the FY 2017 recommendations finalized prior to the FY 2017 legislative session.

FY 2008: Incomplete recommendations		
FY08-L10	<b>Rec:</b>	<b>INCREASE "GATE MONEY":</b> Increase "gate money" for first-time parolees upon release.
	<b>Reason:</b>	The <i>fiscal challenges</i> currently facing the state inhibit the ability to move forward on this recommendation at this time. The Department of Corrections estimates that an increase in gate money from \$100 per offender to an inflation-adjusted \$390 per offender would cost \$1,560,000 (4,000 offenders x \$390).
FY08-L11	<b>Rec:</b>	<b>PROMOTE PARTNERSHIPS FOR CORRECTIONAL FACILITIES:</b> Encourage the General Assembly to provide funding that promotes partnerships between local and state public or private entities for the construction on publically owned lands of multi-purpose correctional supervision and re-entry facilities.
	<b>Reason:</b>	The current <i>fiscal challenges</i> facing state and local governments inhibits the ability to move forward on this recommendation. A 200 bed facility is estimated to cost on average \$8,000,000 with \$4,000,000 to be provided by the state and \$4,000,000 to be provided by local government.

## CCJJ Legislative Recommendation Status: 2008-2017

FY 2008: Incomplete recommendations (continued)		
FY08-L07 (Not included in count)	<b>Rec:</b>	<b>BOND-TO-THE-COURT SYSTEM:</b> Draft legislation to permit judicial districts to develop a percentage bond-to-the-court (see HB 08-1382), as is provided by the federal court system. Such percentage bond does not eliminate other types of bonds.
	<b>Reason:</b>	Upon further study the <i>CCJJ/Bail Subcommittee decided to pursue a different plan of action.</i> See the FY13 Bail recommendations for further information.
FY08-L08 (Not included in count)	<b>Rec:</b>	<b>COURT RETENTION OF BOND IN BOND-TO-THE-COURT SYSTEM:</b> When courts use the percentage bond-to-the-court, per Recommendation L-7, and the court plays the role of the surety, it shall retain a percentage of the bond.
	<b>Reason:</b>	Upon further study the <i>CCJJ/Bail Subcommittee decided to pursue a different plan of action.</i> See the FY13 Bail recommendations for further information.
FY08-L09 (Not included in count)	<b>Rec:</b>	<b>BOND APPLIED TO PRIORITY OF PAYMENTS:</b> Before any refund to the defendant at the conclusion of the case, the bond held by the court shall be applied according to the priority of payments per C.R.S. 18-1.3-204(2.5).
	<b>Reason:</b>	Upon further study the <i>CCJJ/Bail Subcommittee decided to pursue a different plan of action.</i> See the FY13 Bail recommendations for further information.

FY 2010: Incomplete recommendations		
FY10-D13	<b>Rec:</b>	<b>NON-ALCOHOL RELATED TRAFFIC OFFENSES AND LICENSE REVOCATION:</b> Eliminate non-alcohol related Driving Under Revocation (DUR), Driving Under Suspension (DUS) and Driving Under Denial (DUD) as a major offense for consideration by the Division of Motor Vehicle (DMV) for a habitual traffic offense (see C.R.S. 42-2-203).
	<b>Reason:</b>	<i>No legislation</i>
FY10-D14	<b>Rec:</b>	<b>NON-ALCOHOL RELATED TRAFFIC OFFENSES AND HTO:</b> Eliminate non-alcohol related Driving Under Revocation (DUR), Driving Under Suspension (DUS) and Driving Under Denial (DUD) as a major offense for consideration by the DMV as a predicate offense to classification as a Habitual Traffic Offender (HTO). Eliminate mandatory jail sentences for non-alcohol related DUR, DUS and DUD while still retaining them as discretionary (see C.R.S. 42-2-202).
	<b>Reason:</b>	<i>No legislation</i>
FY10-D23	<b>Rec:</b>	<b>CONTROLLED SUBSTANCES: DISTRIBUTION AND POSSESSION WITH INTENT TO DISTRIBUTE:</b> Limit to 100 feet the current 1,000 foot zone that pertains to the sale, distribution, and manufacture of controlled substances.
	<b>Reason:</b>	<i>No legislation</i>

## CCJJ Legislative Recommendation Status: 2008-2017

FY 2011: Incomplete recommendations		
FY11-SO17	<b>Rec:</b>	<b>ADDRESS INCONSISTENCIES IN THE UNLAWFUL SEXUAL CONTACT STATUTE:</b> Repeal the current mandatory prison sentence provisions for commission of unlawful sexual contact by force, threat, or intimidation, 18-3-404(3), CRS.
	<b>Reason:</b>	<b><i>FY 2011 - House leadership does not support going forward</i></b> with this bill at this time and has asked that we reconsider the recommendation in the context the Comprehensive Sentencing Task Force. <b><i>FY 2017 - Legislation attempted, but no sponsor was identified.</i></b>
FY11-SO18	<b>Rec:</b>	<b>AMEND THE PERIOD OF DEFERRED JUDGEMENT AND AVAILABLE TREATMENT LENGTHS FOR SEX OFFENSES:</b> Extend the amount of time available on a deferred judgment and sentence for a sex offense requiring treatment, and clarify when the period of the deferred begins.
	<b>Reason:</b>	<b><i>No legislation</i></b>

<b>FY 2012: All recommendations completed</b>
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FY 2013: Incomplete recommendations		
FY13-DP04	<b>Rec:</b>	<b>EXPAND IRT AVAILABILITY IN DOC:</b> Encourage the General Assembly to provide funding to the DOC to develop or expand an intensive residential treatment program for inmates who have relatively short sentences who are assessed to need that level of treatment.
	<b>Reason:</b>	<b><i>No legislation</i></b>
FY13-DP06	<b>Rec:</b>	<b>EXPAND ACCESS TO TRAUMA-INFORMED SUBSTANCE ABUSE TREATMENT:</b> If there are projected cost-savings from legislation reforming the Colorado Controlled Substances Act, the Drug Policy Task Force recommends that the General Assembly prioritize expanding access to trauma-informed treatment services for people with a substance abuse disorder to the extent that is appropriate and available.
	<b>Reason:</b>	<b><i>No legislation</i></b>
FY13-CS03	<b>Rec:</b>	<b>ELIMINATE COLORADO'S EXTRAORDINARY RISK STATUTE:</b> Colorado's Revised Statutes pertaining to Crimes of Violence, Extraordinary Risk Crimes, and Aggravated Ranges are complex, convoluted and often duplicative.
	<b>Reason:</b>	<b><i>FY 2013 - No legislation.</i></b> <b><i>FY 2017 - Legislation attempted, but no sponsor was identified.</i></b>

## CCJJ Legislative Recommendation Status: 2008-2017

### FY 2014: All recommendations completed

FY 2015: Incomplete recommendations		
FY15-CC01	<b>Rec:</b>	<b>DEVELOP AND IMPLEMENT COMMUNITY CORRECTIONS BOARD MEMBER TRAINING.</b> The Colorado Department of Public Safety shall work with local community corrections boards and key stakeholders to develop and implement a mandatory introductory orientation and an annual continuing education curriculum to ensure appropriate and consistent community placement decisions by board members.
	<b>Reason:</b>	<i>Was included in SB15-007 that was PI'd due to costs.</i>
FY15-CC03	<b>Rec:</b>	<b>STANDARDIZE COMMUNITY CORRECTIONS BOARD MEMBERSHIP AND COMPOSITION.</b> Colorado community corrections boards from every judicial district must have a mandatory minimum membership that includes representatives from the offices of the district attorney, public defender, law enforcement, probation, the Department of Corrections, a victim or survivor representative, and a citizen member. Board membership should strive to reflect the composition and values of the local community.
	<b>Reason:</b>	<i>Was included in SB15-007 that was PI'd due to costs.</i>
FY15-CC04	<b>Rec:</b>	<b>REVIEW COMMUNITY CORRECTIONS BOARD MEMBER REAPPOINTMENT PROCEDURES.</b> Each judicial district and appointing authority (see C.R.S., 17-27-103) shall review how often each community corrections board member should apply for reappointment to the board.
	<b>Reason:</b>	<i>Was included in SB15-007 that was PI'd due to costs.</i>
FY15-CC06	<b>Rec:</b>	<b>DEVELOP AND IMPLEMENT PROFESSIONAL JUDGEMENT AND RESEARCH-BASED DECISION MAKING PROCESS.</b> Community corrections boards shall develop and implement a structured, research-based decision making process that combines professional judgment and actuarial risk assessment tools. This structured decision making process should sort offenders by risk, need and appropriateness for community placement. The Division of Criminal Justice shall receive resources to assist local boards in developing these processes.
	<b>Reason:</b>	<i>Was included in SB15-007 that was PI'd due to costs.</i>
FY15-CS01	<b>Rec:</b>	<b>EARLY DISCHARGE FROM LIFETIME SUPERVISION PROBATION FOR SEX OFFENDERS DUE TO DISABILITY OR INCAPACITATION.</b> Amend C.R.S. 18-1.3-1008 to provide that offenders sentenced to the Lifetime Supervision Act, who suffer from a severe disability to the extent they are deemed incapacitated and do not present an unacceptable level of risk to public safety, may petition the court for early discharge from probation supervision. Also, if necessary, make conforming amendments to the Colorado Victims' Rights Act regarding a "critical stage" for victim notification.
	<b>Reason:</b>	<i>FY 2015 - No legislation. FY 2017 - Legislation attempted, but no sponsor was identified.</i>

## CCJJ Legislative Recommendation Status: 2008-2017

<b>FY 2016: All recommendations completed</b>
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<b>FY 2017: Incomplete recommendations *</b>
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<b>FY17-CC02</b>	<b>Rec:</b>	<p><b>NEW COMMUNITY CORRECTIONS REENTRY REFERRAL PROCESS.</b> The referral process will include revisions to these five elements of the process to refer inmates to community corrections: 1) COV and Non-COV offender referrals, 2) Community referral packets, 3) COV and Non-COV offender program acceptance/approval process, 4) community corrections boards utilize structured, research-based decision-making, and 5) Repeal the statutory definition of Intensive Supervision Program-Inmate. (See "Referral Process" in the "Recommendation Text" or "Status" documents.)</p>
	<b>Reason:</b>	<b><i>No legislation.</i></b>

\* References only the FY 2017 legislative recommendations finalized prior to the FY 2017 legislative session.