



# Legislative Interim Committees

Summary of drafts requested by the criminal justice-related interim committees

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# County Courthouse and Jails Underfunding & Overcrowding

## Bill #1 – Financial Assistance for County Jails and Courts

- Allows grants for up to 50% of a county's annual approved debt service on any approved financing of construction or remodeling costs of jails and courthouses
- Creates a low-interest loan program to finance construction or remodeling costs of jails and courthouses
- \$30 million GF until FY 2022-23 for debt service grants and low-interest loan program

# County Courthouse and Jails Underfunding & Overcrowding

## Bill #2 – Reform Pretrial Risk Assessment and Bonding

- No monetary bail for misdemeanor, petty offense, or municipal code violation
  - (exceptions to this include DV, 3<sup>rd</sup> degree assault, and a protection order violation)
- Right to hearing within 48 in hours instead of 96 hours
- Requires pretrial service programs in each city and county
- If bond is based on a bond schedule, requires an automatic hearing if an individual is unable to meet the monetary bond obligation

# County Courthouse and Jails Underfunding & Overcrowding

## **Bill #3 – State Fiscal Responsibility for Providing Courts**

- Beginning in 2019, shifts financial responsibility over a period of 20 years for maintaining courtrooms and facilities from the county to the state

## **Bill #4 – Increase DOC Reimbursement Rates to Jails**

- Increases the rate that DOC pays to jails to \$108.78 per day

## **Bill #5 – Court System for Remote Participation in Hearings**

- Requires DCJ to operate a program that allows court hearings to take place remotely

# County Courthouse and Jails Underfunding & Overcrowding

## Bill #6 – State Court Administrator Reminder Call Center

- Beginning in 2018, the State Court Administrator must administer a division that is charged with issuing county and district court reminders to criminal defendants

## Bill #7 – Nondiscretionary Parole Based on Risk Assessment

- Requires 50% of a non-COV sentence to be served and 75% of a COV sentence to be served
- Establishes mandatory parole periods based on assessed risk – 12 month for low-risk offenders, 18 months for medium-risk offenders and 24 months for high-risk offenders
- *Based on recommendations (FY16-MP#2 and FY16-MP#3) from the CCJJ Mandatory Parole Subcommittee*

# County Courthouse and Jails Underfunding & Overcrowding

## **Bill #8 – Encourage Criminal Justice Coordinating Councils**

- Establishes a grant program housed in DCJ to provide funding assistance to Criminal Justice Coordinating Councils in local communities for start-up costs and Council initiatives

## **Bill #9 - Health Care Cost Reimbursement for County Jails**

- Creates a program in HCPF to provide reimbursement to jails for uncovered medical costs of uninsured inmates who have not been convicted, are not eligible for Medicaid, and do not have private insurance

# County Courthouse and Jails Underfunding & Overcrowding

## **Bill #10 (Resolution) – Medicaid Eligibility for Detained Individuals**

- Requests federal action on Medicaid policies pertaining to inmates

## **Bill #11 – Increase Surcharge For Court Security Cash Fund**

- Increases the surcharge for the Court Security Cash Fund from \$5 to \$10. Revenue generated by the increase will be allocated to the court that collected the surcharge.

## **Bill #12 – Add Member To State Board of Parole**

- Increases membership of the Parole Board from seven to nine

# Sentencing in the Criminal Justice System

## Concept #1 – Determinate Sentence for Indeterminate Sex Offense

- Re-run of SB 17-087

## Concept #2 – Second Look Legislation

- Outlines criteria and circumstances for which an inmate's sentence could be re-evaluated by the court

## Concept #3 – Collateral Consequences

- As described in committee, this will focus on state licensure
- *This draft may include recently approved CCJJ recommendations from the Re-entry Task Force*



# Sentencing in the Criminal Justice System

## Concept #4 – Prison Release Date Determined by COV / Non COV

- Requires 50% of a non-COV sentence to be served and 75% of a COV sentence to be served
- *Based on CCJJ FY16-MP#02*

## Concept #5 – Change Mandatory Minimum for COV

- Changes mandatory minimum for COVs from the mid-point of the range to the bottom of the range
- *This includes a portion of CCJJ recommendation FY13-CS#3 “Eliminate Colorado’s Extraordinary Risk Statute”*

# Sentencing in the Criminal Justice System

## Concept #6 – Compassion Release

- Expand the compassionate release statute to apply to additional individuals who are elderly and low-risk or have a medical condition that lowers their risk

## Concept #7 – Referrals to IRT and RDDT

- Allow direct referrals for DOC offenders into IRT and RDDT programs

## Concept #8 – Habitual Offender Statute

- Identify offenses that can be sentenced under the habitual offender statute as well as determine mandatory minimums and when they should apply

# Sentencing in the Criminal Justice System

## **Concept #9 – Reauthorize CCJJ for Ten Years**

- Reauthorizes the CCJJ until 2028

## **Concept #10 – Victim Restitution**

- Make changes to victim restitution rate and allow offenders who still owe restitution to be eligible to end probation

## **Concept #11 – Mitigating Circumstances**

- Make statutory language more clear that judges can sentence below the presumptive range due to mitigating circumstances

## **Concept #12 – Mandatory Parole Periods**

- Reduce mandatory parole periods that are currently five years down to three years

# Sentencing in the Criminal Justice System

## Concept #13 – ComCor Reentry Referral Process

- Revises five elements of the process to refer inmates to community corrections
- *Based on CCJJ Recommendation FY17-CC#2*

## Concept #14 – “What Works” Update

- Authorizes the commission of another “What Works” report which was last published in 2007

## Concept #15 – Change Sentencing for DF 4

- Prohibit DF 4s from being sent to DOC and require that these offenders receive treatment in the community

# Sentencing in the Criminal Justice System

## **Concept #16 – Earned Time for Probation**

- Create an earned time program for probation

## **Concept #17 – Sex Offender Registry**

- Reform requirements for the sex offender registry

## **Concept #18 – Treatment Prior to Conviction**

- Allow Probation to spend money on drug treatment prior to conviction

## **Concept #19 – DOC Bed Cap**

- Establishes a bed cap for DOC

# Legislative Interim Committees

**Questions?**