



Colorado Commission on Criminal and Juvenile Justice

2018 Legislation Update

March 9, 2018

CCJJ Recommendation ( <u>Bill Number</u> )	Sponsor(s)	Status
<p><b>FY17-RE #01</b>  <b>Allow Orders of Collateral Relief after the time of sentencing.</b>            Update orders of collateral relief in statute to:</p> <ul style="list-style-type: none"> <li>• Allow eligible individuals to request an order of collateral relief after the time of sentencing,</li> <li>• Eliminate duplicative statutory language regarding orders of collateral relief; and</li> <li>• Create an order of collateral relief in the Children’s Code.</li> </ul> <p>Encourage the judiciary to develop a mechanism that will allow the identification of instances when orders of collateral relief are requested, granted, or denied.</p>	<p>Representative Weissman</p>	<p>Late bill request has been approved.            Awaiting drafting and introduction.</p>
<p><b>FY17-RE #02</b>  <b>Prevent adverse private employment actions on the basis of non-conviction, sealed, and expunged records.</b> Promote community safety and economic growth by preventing adverse employment action on the basis of arrests that did not result in a conviction, or criminal justice records that have been sealed or expunged.</p>	<p>Representative Weissman</p>	<p>Late bill request has been submitted.            Rep. Weissman was planning to follow up on this.</p>
<p><b>FY17- RE #03</b>  <b>Revise statutory guidance on state licensure and employment.</b>            Promote community safety and economic growth by:</p> <ul style="list-style-type: none"> <li>• Preventing consideration of arrests that did not result in a conviction, and convictions that have been pardoned, sealed, or expunged, in state licensure and employment decisions;</li> <li>• Empowering the Department of Regulatory Agencies to delist certain conditional licenses;</li> <li>• Collecting data;</li> <li>• Encouraging the elimination of mandatory collateral consequences;</li> <li>• Incentivizing opportunity expansion by state contractors; and</li> <li>• Increasing transparency of agency policies.</li> </ul>	<p>Representative Weissman</p>	<p>Late bill request has been submitted.            Rep. Weissman was planning to follow up on this.</p>
<p><b>FY17- RE #04 (S.B. 18-057)</b>  <b>Promote housing opportunities for people with non-conviction, sealed, and expunged records.</b> Promote community safety and economic growth by:</p> <ul style="list-style-type: none"> <li>• Preventing adverse housing action on the basis of arrests that did not result in conviction, or criminal justice records that have been sealed or expunged.</li> <li>• Allowing prospective tenants denied housing due to a criminal history or credit record to obtain a copy of the record.</li> <li>• Correcting a statutory omission regarding landlords’ inquiry into sealed records.</li> <li>• Enacting protections for landlords in civil cases.</li> </ul>	<p>Senator Kagan</p>	<p>Postponed indefinitely by State, Veterans &amp; Military Affairs.            (2/7/2018)</p>
<p><b>FY17- RE #05 (S.B. 18-057)</b>  <b>Provide statutory guidance on public housing decisions.</b> Promote community safety and economic growth by:</p> <ul style="list-style-type: none"> <li>• Preventing public housing authorities from taking adverse action against individuals on the basis of arrests that did not result in a conviction, or convictions that have been pardoned, sealed or expunged.</li> </ul> <p>Requiring public housing authorities to consider other convictions using the same criteria the state currently applies for licensure and employment decisions.</p>	<p>Senator Kagan</p>	<p>Postponed indefinitely by State, Veterans &amp; Military Affairs.            (2/7/2018)</p>

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CCJJ Recommendation	Sponsors	Status
<p><b>FY17-JCC #01 (S.B. 18-154)</b>  <b>Create a plan to formally recognize and address the needs of crossover youth.</b> Define <i>crossover youth</i> and <i>crossover plan</i> in statute and require each local Juvenile Services Planning Committee, established in C.R.S. 19-2-211, to devise a crossover plan for the identification and notification of cases involving crossover youth.</p>	<p>Senator Fields /  Representative  Salazar</p>	<p>Passed Senate  34-0.  Introduced and  assigned to  House Judiciary.  (2/21/18)</p>
<p><b>FY17-JCC #02 (S.B. 18-154)</b>  <b>Utilize existing funds for local crossover youth plans and services.</b> Authorize the utilization of existing marijuana tax revenue distributed to Senate Bill 1991-94 entities to allow these funds to be used to support the development and implementation of local crossover youth plans and services.</p>	<p>Senator Fields /  Representative  Salazar</p>	<p>Passed Senate  34-0.  Introduced and  assigned to  House Judiciary.  (2/21/18)</p>
<p><b>FY18-CCJJ #01 (H.B. 18-1287)</b>  <b>Continue the Colorado Commission on Criminal and Juvenile Justice</b>  The critical mission of the Commission – to study and make recommendations that ensure public safety, respect the rights of crime victims, and reduce recidivism, and that are evidence based, cost-effective, and sensitive to disproportionate minority overrepresentation – requires ongoing effort. The need for collaboration among multidisciplinary stakeholders and subject matter experts to study complex issues and recommend improvements in the administration of justice has not diminished. §16-11.3-105, C.R.S., should be amended to extend the Commission beyond the statutory termination date of June 30, 2018.</p>	<p>Representatives  Weissman</p>	<p>Introduced and  assigned to  House Judiciary.  (3/8/18)</p>
<p><b>FY17- RE #07</b>  <b>Support pretrial diversion programs</b>  Continue or expand financial support of Colorado’s adult pretrial diversion programs.</p>	<p><i>Method for advancement or support?  The advancement of this  recommendation is dependent  on JBC action.</i></p>	
<p><b>MANDATE TO CCJJ (S.B. 18-018)</b>  <b>Sentencing in the Criminal Justice System - Interim Study Cmte.</b> The bill directs the Colorado commission on criminal and juvenile justice (commission) to contract for a study of the most effective criminal sentencing practices available. The commission must establish an advisory committee to review the study and make recommendations regarding changes to the Colorado sentencing scheme based on the study.</p>	<p>Senator Kagan</p>	<p>Passed Senate  Judiciary 5-0;  Sent to Senate  Appropriations  1/22/2018</p>
<p><b>MANDATE TO CCJJ (S.B. 18-040)</b>  <b>Substance Use Disorder Harm Reduction.</b> Concerning measures to address the opioid disorder in Colorado, and, in connection therewith, providing immunity for individuals who provide clean syringes through a clean syringe exchange program, creating a supervised injection facility pilot program, allowing school districts to develop policies for the supply and administration of opiate antagonists, and requiring the commission on criminal and juvenile justice to study certain topics related to sentencing for opioid-related offenses.</p>	<p>Senators Lambert,  Jahn &amp;  Representative  Singer</p>	<p>Postponed  indefinitely by  State, Veterans &amp;  Military Affairs.  2/14/2018</p>

The list of CCJJ recommendations above includes those with suggestions for statutory modifications that were approved subsequent to the FY 2017 Legislative session. The Commission also tracks the status of and promotes recommendations with statutory elements that have yet to receive attention in previous legislative sessions. The Commission also produces non-statutory, policy-oriented recommendations and monitors their implementation status. **All of the recommendations approved by the Commission be found at, [colorado.gov/ccjj/ccjj-recs](http://colorado.gov/ccjj/ccjj-recs).**