



# COLORADO

## Commission on Criminal & Juvenile Justice

Department of Public Safety  
Colorado.gov/CCJJ

MEMO

August 10, 2020

To: Commissioners, Commission on Criminal and Juvenile Justice  
From: Stan Hilkey, Chair, Commission on Criminal and Juvenile Justice  
Abigail Tucker, Vice-Chair, Commission on Criminal and Juvenile Justice  
Re: Amendment to Commission *Bylaws* concerning voting procedures

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**Abigail Tucker**

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- Kristen Hilkey
- Nancy Jackson
- Jessica Jones
- Bill Kilpatrick
- Richard Kornfeld
- Matt Lewis
- Andrew Matson
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- Angie Paccione
- Tom Raynes
- Cliff Riedel
- Megan Ring
- Gretchen Russo
- Jennifer Stith
- Glenn Tapia
- Anne Tapp
- Dean Williams

On July 10, 2020, the Commission engaged in a process that allowed members to amend their recommendation votes prior to the close of the meeting because new information became available after the initial votes were completed. This was the result of the notable lack of discussion following the motions to proceed with voting such that Commissioners' various views were not voiced until after the votes were counted. This led, later in the meeting, to requests to amend the original votes. The *Bylaws* are silent on the issue of vote revision, and the group decided to allow members to recast their votes before the meeting was adjourned.

Since its inception in 2007, the Commission has voted on more than 250 recommendations, and the issue of vote revision has never surfaced. However, the vote revisions on July 10 seemed prudent given the circumstances: the lack of discussion of the pros and cons of the recommendations prior to voting. We believe the lack of discussion may be the unfortunate result of teleconferencing. That is, individuals are more likely to remain silent during a video meeting compared to an in-person meeting. Nevertheless, in the future we will encourage greater discussion prior to the vote. In addition, DCJ support staff will ask, immediately following the vote, if all votes have been recorded correctly, after which time the vote results will be announced.

Because we believe the issues leading to the vote revisions on July 10 were related to the process rather than protocol, we would like to ask Commissioners to consider the following amendment to the *Bylaws* (Amendment in **BOLD CAPS**):

Section 7.4: Decisions shall be made, as defined in the *CCJJ Process and Protocols* document, by majority or supermajority vote of Commission members present at any scheduled Commission meeting. **UPON THE ANNOUNCEMENT OF VOTE RESULTS, VOTES ARE CONSIDERED FINAL.**





The Commission's *Bylaws* and the *Process and Protocols* document (which describes Commission voting procedures) may be found here: [colorado.gov/ccjj/ccjj-bylaws-policy](http://colorado.gov/ccjj/ccjj-bylaws-policy).

Amending the *Bylaws*, according to Article IX, Section 9.1, requires written notice 30 days prior to the motion to amend. Amending the *Bylaws* requires a vote in favor by a majority of Commissioners. **Please consider this memorandum the written notice of the *Bylaws* amendment motion to occur at the September 11 CCJJ meeting.**

Finally, we would like to remind Commissioners that the design of the two-month voting process—a preliminary recommendation presentation in Month One, followed by a presentation for final vote in Month Two—was intentional, and implemented at the request of early Commissioners. During the ensuing month, following the preliminary recommendation presentation, Commissioners are able to discuss issues with their stakeholders and ask questions of task force members or staff. This allows Commissioners to take this information into consideration when casting their vote at the Month Two presentation.

As you know, as time allows the recommendations are distributed to Commissioners prior to the preliminary presentation. In years past, Commissioners engaged in significant discussion during the preliminary presentations and, on a few occasions, actually amended the recommendation during the preliminary presentation. We hope you use the time allowed by the two-month voting process to study the recommendations and consult your stakeholders and other experts as necessary to inform your vote.

In sum, we hope you see value in this proposed clarification to our *Bylaws*. We are committed to facilitating a lively discussion of each recommendation prior to voting. Thank you for your consideration.

