



UPDATE

Sentencing Reform Task Force

Rick Kornfeld & Michael Dougherty, Co-chairs

Presentation to the Colorado Commission on Criminal and Juvenile Justice
October 09, 2020



Colorado Commission on Criminal & Juvenile Justice

Sentencing Reform Task Force

Members (CCJJ Members)

Rick Kornfeld, Co-chair	Defense/ Private defense
Michael Dougherty, Co-chair	Prosecution/ District Attorney's Office, 20th Judicial District (J.D.)
Chris Bachmeyer	District Court Judge/ 1st J.D.
Terri Carver	Legislature/ State Representative, District 20
Valarie Finks	Victim Representative/ District Attorney's Office, 1st J.D.
Bob Gardner	Legislature/ State Senator, District 12
Julie Gonzales	Legislature/ State Senator, District 34
Serena Gonzales-Gutierrez	Legislature/ State Representative, District 4
Kristen Hilkey	Parole Board/ Chair
Jessica Jones	Defense/ Private defense
Matt Lewis	Law Enforcement/ Mesa County Sheriff
Andrew Matson	Lived Experience/ Colorado CURE
Tom Raynes	Prosecution/ CO District Attorneys' Council
Glenn Tapia	Judicial Branch/ Probation Division
Dean Williams	Department of Corrections/ Executive Director
Taj Ashaheed	Lived Experience/ Second Chance Center
Maureen Cain	Defense/ State Public Defender's Office
Jeff Chostner	Prosecution/ District Attorney's Office, 10th J.D.
Christie Donner	Advocate/ CO Criminal Justice Reform Coalition
Kazi Houston	Victim Representative/ Rocky Mountain Victim Law Center
Henry Jackson	Sentencing Disparity Expert/ Metro State University
Sarah Keck	Judicial Branch/ Office of the State Court Administrator
Heather McClure	Lived Experience/ Adams County Criminal Justice Council
Dan Rubinstein	Prosecution/ District Attorney's Office, 21st J.D.
Lisa Wayne	Defense/ Private defense



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Initial Task Force Work

- Reviewed the Governor's letter
- Received update on sentencing reform discussions from an existing team working in the area of structural sentence reform
- Circulated guiding principles regarding sentencing-related work
- Established four Working Groups



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Working Groups

- ***Structure WG***
- ***Sentence Progression WG***
- ***Sentencing Alternatives/Decisions/Probation WG***
- ***Parole WG***



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Structure Working Group

- Felony and misdemeanor sentencing grids
- Sentencing ranges
- Enhancements (habitual, extraordinary risk)
- Promoting consistency and certainty in sentencing
- Simplify various aspects of sentencing



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Sentence Progression Working Group

- Examine the use of options and incentives to promote positive progress after incarceration
- Preparing individuals throughout incarceration for release and re-entry
- Review opportunities to expand alternatives



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Sentencing Alternatives / Decisions / Probation WG

- Examine the operation of probation regarding the use of conditions, the length of supervision, and responses to violations
- Consider alternatives that can be utilized at the time of sentencing



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Parole Working Group

- Examine the current operation of parole related to supervision length and conditions
- Explore risk information and protective factors as they relate to parole supervision options
- Examine parole eligibility options



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Next Steps

- Establish Working Group membership
- Setting up a Working Group meeting schedule
- Reach consensus on guiding principles



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Guiding Principles

- 1) Sentencing policy should encompass fairness, transparency, proportionality and consistency;
- 2) Sentencing should be consistent with the articulated purposes of sentencing as reflected in the criminal code, and related policies should be logical, understandable and transparent to stakeholders and the public;
- 3) Sentencing policies must be resource sensitive as they affect cost and public safety;
- 4) A continuum of sentencing options should be available, with imprisonment reserved for the most serious and dangerous offenders;
- 5) Sentencing policy should be based in part upon available justice and sentencing data;
- 6) Sentencing policy should reflect current needs and circumstances.
- 7) ***DRAFTING...sentencing and public safety statement***

Task Force Update 10/09/20

By request, this slide was added subsequent to the Commission meeting. The SRTF considers this statement of principles a "living document" that guides their work with revisions occurring as identified.



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QUESTIONS?