



# **UPDATE**

## **Sentencing Reform Task Force**

Presentation to the Colorado Commission on Criminal and Juvenile Justice  
November 13, 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



## Sentencing Reform Task Force

### Work-to-date

The Sentencing Reform Task Force is developing Guiding Principles.

The Task Force decided upon critical areas that required the development of Working Groups.



## Sentencing Reform Task Force

### Working Groups

- **Sentence Structure WG**

*Michael Dougherty, Leader*

- **Sentence Progression WG**

*Dean Williams, Leader*

- **Sentencing Alternatives/Decisions & Probation WG**

*Glenn Tapia, Leader*

- **Parole WG**

*Kristen Hilkey, Leader*





# Colorado Commission on Criminal & Juvenile Justice Sentencing Reform Task Force

## *Structure Working Group*

### Membership

Michael Dougherty, District Attorney's Office, 20th JD

Maureen Cain, Office of the State Public Defender

Christie Donner, CO Criminal Justice Reform Coalition

Valarie Finks, Victim Compensation, DA Office, 1st JD

Jes Jones, Defense/ Private defense

Tom Raynes, Colorado District Attorney's Council

Dan Rubinstein, District Attorney's Office, 21st JD

Lisa Wayne, Defense/ Private defense





# Colorado Commission on Criminal & Juvenile Justice Sentencing Reform Task Force

## *Structure Working Group*

### Meeting Schedule

The Working Group will meet every other Monday at 3pm.  
Upcoming 2020 meetings:

Monday, November 16

Monday, November 30

Monday, December 14





## *Structure Working Group*

### Areas of focus

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





## ***Structure Working Group***

### **Initial Discussions/Priorities**

The Working Group will *initially* focus attention on:

- Misdemeanors and Traffic offenses and sentences ranges.
- Examining time credits awarded at the local level.







## ***Sentence Progression Working Group***

### **Membership**

Dean Williams, CO Dept. of Corrections

Valarie Finks, Crime Victim Comp., DA Office, 1st JD

Bob Gardner, State Senate, District 12

Rick Kornfeld, Defense/ Private defense

Andrew Matson, Colorado CURE

Greg Mauro, Denver Div. of Community Corrections

Amber Pedersen, CO Dept. of Corrections

TBD, County Commissioner representative

TBD, District Attorney representative





## *Sentence Progression Working Group*

### Meeting Schedule

The Working Group will meet every Tuesday from 3 - 4pm.  
Upcoming 2020 meetings:

Tuesday, November 17

Tuesday, November 24

Tuesday, December 1

Tuesday, December 8

Tuesday, December 15





## *Sentence Progression Working Group*

### Areas of focus

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





## ***Sentence Progression Working Group***

### **Initial Discussions/Priorities**

- Expanding opportunities for people under CDOC supervision who are in the last phase of their sentence.  
*“The last year of the sentence should be different from the first year of the sentence.”*
- Opportunities regarding Intensive Supervision Program-Inmate, home confinement, electronic monitoring and re-entry.





# Colorado Commission on Criminal & Juvenile Justice Sentencing Reform Task Force

## ***Sentencing Alternatives/Decisions & Probation WG***

### **Membership**

Glenn Tapia, Judicial Branch/ Probation Division

Terri Carver, State Representative, District 20

Kristin Heath, Jefferson County Justice Services

Kazi Houston, Victim Representative/ Rocky Mt. Victim Law Center

Heather McClure, Lived Experience/ Adams County CJ Council

Abigail Tucker, Behavioral Health Treatment Provider

Elaina Shively, Restorative Justice Colorado

TBD, Public Defender representative

TBD, Court/ Trial judge

TBD, Probation Officers (rural and urban)





## *Sentencing Alternatives/Decisions & Probation WG*

### Meeting Schedule

The Working Group will meet on the first Friday of each month from 9am - 11am. Upcoming meetings:

- 2020      Friday, December 4
- 2021      Friday, January 8
- Friday, February 5
- Friday, March 5
- Friday, April 2





## *Sentencing Alternatives/Decisions & Probation WG*

### Areas of focus

- 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 sentencing
- Define the purposes of probation and the impact of probation practices on the prison population





## *Sentencing Alternatives/Decisions & Probation WG*

### Initial Discussions/Priorities

- Examine Probation practices regarding the use of conditions, length of supervision, responses to violations and revocations
- Examine ethnic and gender disparities in probation outcomes/practices and recommend strategies to abate disparate treatment and/or outcomes.
- Examine impact on prison population
- Redefine statutory purpose of probation
- Evaluate probation level of supervision in the interest of proper dosage and approaches (e.g. avoiding over-supervision)
- Examine impact of Traumatic Brain Injury (TBI) in revocations and other outcomes and recommend strategies to better accommodate persons with TBI.
- Consider alternatives that can be utilized at the time of sentencing.







# Colorado Commission on Criminal & Juvenile Justice Sentencing Reform Task Force

## *Parole Working Group*

### Membership

Kristen Hilkey, Parole Board Chair

Jeff Chostner, District Attorney's Office, 10th J.D.

Taj Ashaheed, Second Chance Ctr. & Lived experience

Kazi Houston, Victim Representative/ RM Victim Law Ctr.

Valarie Finks, Crime Victim Comp., DA Office, 1st JD

TBD, District Attorney representative

TBD, Public Defender representative

TBD, Parole Officer

TBD, Lived experienced





# Colorado Commission on Criminal & Juvenile Justice Sentencing Reform Task Force

## *Parole Working Group*

### Meeting Schedule

This group will meet every Wednesday at 3 pm.

Upcoming 2020 meetings:

Wednesday, November 18

Wednesday, November 25

Wednesday, December 2





## *Parole Working Group*

### Areas of focus

- 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





## *Parole Working Group*

### Initial Discussions/Priorities

The Working Group is examining current Colorado and national practices regarding:

- Standard conditions of parole
- Special conditions of parole
- Length of parole supervision
- Abate disparate treatment





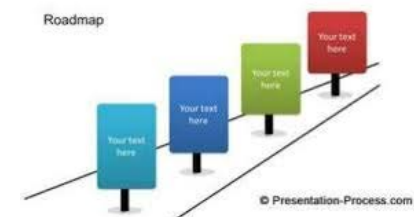
## Sentencing Reform Task Force

### Next Steps

The Task Force will complete its work regarding the development of guiding principles at its December meeting.

Working Groups will continue to present information to the Task Force regarding specific areas that may form recommendations.

All groups will continue to examine current practices for disparate impact within the assigned topics and to prepare ameliorative solutions.





## **Sentencing Reform Task Force**

