



Colorado Commission on Criminal and Juvenile Justice

Minutes

September 9, 2022 / 1:30pm-2:40 pm

Virtual Meeting

Commission Member Attendance

| | | |
|---------------------------------------|---------------------------|-------------------------|
| Stan Hilkey, Chair | Julie Gonzales | Patrick Murphy - ABSENT |
| Abigail Tucker, VC - ABSENT | Serena Gonzales-Gutierrez | Steve O'Dorisio |
| Taj Ashaheed - ABSENT | Justin (JR) Hall | Angie Paccione – ABSENT |
| Terri Carver (<i>appt. pending</i>) | Dave Hayes | Tom Raynes |
| Minna Castillo-Cohen | Kristiana Huitron- ABSENT | Megan Ring |
| Shawn Day | Jes Jones | Michael Rourke - ABSENT |
| Janet Drake | Kira Jukes - ABSENT | Gretchen Russo |
| Valarie Finks | Rick Kornfeld | Glenn Tapia |
| Jaime FitzSimons - ABSENT | Greg Mauro | Dean Williams |
| Bob Gardner - ABSENT | Derek McCoy - ABSENT | Joe Thome, ex officio |

Guests: Michael Dougherty, Mike Tessean, Anne Andrews

Call to Order and Opening Remarks

Stan Hilkey, CCJJ Chair, Executive Director/Colorado Department of Public Safety

Mr. Hilkey, Commission Chair and Executive Director of the Department of Public Safety, called the meeting to order at 1:34 pm and thanked Commissioners and members of the public for attending. Mr. Hilkey announced the recent appointments of Chief Dave Hayes and Ms. Kira Jukes to the Commission and acknowledged the reappointment of Sheriff Jaime FitzSimons for a first full term.

Mr. Hilkey reviewed the agenda and solicited any additions or corrections to the August minutes. A motion was offered and seconded to approve the minutes; Commissioners unanimously approved the August minutes.

UPDATES: TASK FORCES AND WORKING GROUPS

The Task Forces and Working Groups updates presentation can be found on the Commission website under the September 9, 2022 meeting tab at ccjj.colorado.gov/meetings/meetings-2022.

SENTENCING REFORM TASK FORCE (SRTF)

Rick Kornfeld & Michael Dougherty, SRTF Co-chairs

Mr. Kornfeld started his update by mentioning that he and Mr. Dougherty, Co-chairs of the Sentencing Reform Task Force, meet regularly with the Governor's Chief Legal Counsel who reiterated that the Governor remains committed and supportive of the work of the Commission and the Sentencing Reform Task Force (SRTF).

The Task Force continues to receive updates and presentations on recommendation concepts from its three Working Groups. Working Groups will present proposals to the Task Force in the fall and winter of 2022 for subsequent review by the Commission. All groups will continue to examine current practices for disparate impact within the assigned topics and prepare ameliorative solutions.

SRTF WORKING GROUPS

- ***Sentencing Alternatives/Decisions & Probation Working Group - Glenn Tapia, WG Leader***

The WG is currently focused on probation sentence length and particularly on early termination for qualified people on probation. A preliminary proposal that would promote consistency across the judicial districts regarding the timing and criteria for early termination will be presented to the Task Force in October. At the next WG meeting, the group will focus on ethnic and gender disparities in probation outcomes and practices and will receive presentations from the Division of Probation and the Division of Criminal Justice.

- ***Sentence Progression Working Group - Greg Mauro, WG Co-leader***

The Working Group completed its first examination of the current end-of-sentence options (Community Correction, Parole, and Intensive Supervision Program-Inmate [ISP-I]) and will start defining and prioritizing its scope of work. The timeline established by the group is to develop a proposal during the winter of 2022. At the last WG meeting, the group had a robust discussion about integrated and streamlined options for the transition to community to provide more consistency and certainty for the end of sentences.

- ***Sentence Structure Working Group - Michael Dougherty, WG Leader***

The Sentence Structure WG continues the review and analysis of the Enhanced Felony severity classification chart, felony sentencing grid, sentencing ranges, habitual sentence enhancers, mandatory consecutive sentences for crimes of violence, certainty in sentencing, and length of stay for felony offenses. The immediate focus is on the crime severity chart and Mr. Dougherty expected that the crime severity chart proposal will be presented to the Task Force in the fall.

UPDATE: COMMUNITY CORRECTIONS TASK FORCE (CCTF)

Glenn Tapia, Task Force Chair

The Community Corrections Task Force [2022] was seated by the Commission and conducted its first planning meeting in July 2022. A full Task Force meeting was held on August 22 during which members heard a presentation on Misdemeanor Offenses in Colorado. The scope of work will be discussed at the next meeting on September 12.

The mandates for the Task Force are to examine and make findings and recommendations to the Commission concerning whether it is appropriate to expand access to community corrections programs for persons convicted of misdemeanors. The elements of such study are outlined in *House Bill 2022-1368 (Concerning Opportunities for Persons to Access Community Corrections Programs)*. Pursuant to H.B 22-1368, a report of findings and recommendations will be submitted to the Commission by July 1, 2023.

House Bill 2022- 1368 - Elements of Study

- (a) an analysis of the population convicted of misdemeanors, including crimes of conviction, and assessed risk by gender, age, race, and ethnicity;

- (b) the services provided by community corrections programs that may be beneficial to persons convicted of misdemeanors;
- (c) which persons convicted of misdemeanors, based on their assessed risk, would benefit from services provided by community corrections programs;
- (d) the ability to provide services to persons convicted of misdemeanors that align with their assessed risk using existing community corrections program resources;
- (e) parameters for persons convicted of misdemeanors to access services at residential and nonresidential community corrections programs;
- (f) what costs persons convicted of misdemeanors are responsible for at community corrections programs;
- (g) what funding is necessary for community corrections programs to serve persons convicted of misdemeanors; and
- (h) what changes, including legislation, are necessary for community corrections programs to better serve persons convicted of misdemeanors.

PUBLIC COMMENT

No members of the public offered comment.

ADJOURNMENT

Mr. Hilkey mentioned the November Commission meeting was rescheduled to November 18 due to Veterans Day. Mr. Hilkey thanked the Commissioners for their attention and participation. With no further business, Mr. Hilkey adjourned the meeting at 2:38 pm.

**The next meeting of the Commission is Friday, October 14, 2022, at 1:30 pm.
Information on all Commission-related meetings can be found at, ccjj.colorado.gov/ccjj-meetings.**