



## *State of Colorado*

### **LEGISLATIVE REQUEST FOR INTERIM STUDY COMMITTEE**

**To:** Legislative Council

**Requested by:** Representative Pete Lee  
**With support of:** Representative Cole Wist

**Re:** Request for Interim Study Committee Regarding Comprehensive Sentencing Reform in the Criminal Justice System

**Date:** 04/14/2017

#### **Information Required Pursuant to Section 2-3-303.3, C.R.S.**

I hereby request that an interim study committee be formed to study specific issues related to the Colorado sentencing scheme during the interim between the 2017 and 2018 legislative sessions. The interim study committee would be named the "Sentencing in the Criminal Justice System Interim Study Committee". The committee will consider the offenses and penalties associated with specific criminal categories in the Colorado sentencing statutes and how evidence-based and cost-effective changes could be implemented that would achieve the statutory goals of sentencing, simplify the sentencing structure, and allow for the use of prison resources for those offenders for whom imprisonment is necessary for purposes of punishment, accountability, and public safety.

The policy issues to be studied are:

- considering and evaluating the use of mandatory minimum sentences in Colorado;
- considering and evaluating the continued viability of extraordinary risk crimes;
- examining the current habitual offender scheme in light of current research, best
- sentencing and correctional practices, and the need to use limited correctional resources for the highest risk offenders; and
- considering the development of "Second Look" legislation that would address long sentences where prison placement is no longer in the interest of public safety and does not further the interest of justice. The interim study committee would need to meet eight times to study the issues.

The interim study committee should consist of six members of the General Assembly selected as follows:

- three members of the Senate, with two appointed by the President of the Senate and one appointed by the minority leader of the Senate.

- three members of the House of Representatives, with two appointed by the Speaker of the House of Representatives and one appointed by the minority leader of the House of Representatives.

The Speaker of the House of Representatives shall appoint the chair and the President of the Senate shall appoint the vice-chair.

The appointments must be made by June 1, 2017.

Nonlegislative members will not be appointed to the interim committee, but are encouraged to provide information, testify, and work with the committee. The committee may seek feedback from individuals and organizations with relevant experience in the criminal justice system and may take open testimony from the public. Further, the committee may constitute sub-committees composed of individuals with experience in sentencing and criminal justice to collect and analyze data, make policy recommendations, and report back to the interim committee.

The interim study committee will need five bills to address the issues it studies.

#### **Additional Information Related to the Interim Study Committee Request**

Individuals and organizations with the Office of the Attorney General, the Colorado Criminal Defense Bar, the Office of the State Public Defender, the Colorado District Attorneys' Council, the Division of Criminal Justice, and the Department of Corrections may be called upon to provide assistance or information to the interim study committee. Additionally, community reform groups, the ACLU, victim advocacy groups, and other local law enforcement agencies may be called upon to provide information and assistance.

Thank you for your consideration of this request.