



Colorado Commission on Criminal and Juvenile Justice

**2024 SMART Government Act Hearing
Presentation to the Joint Judiciary Committee
January 10, 2024**



The Colorado Commission on Criminal and Juvenile Justice was not reauthorized during the 2023 legislative session by the Colorado General Assembly. With the sunset of the Commission, all planned efforts were suspended, and all Commission-related meetings canceled. The final meeting of the Commission was held on May 12, 2023.



Colorado Commission on Criminal & Juvenile Justice

CCJJ Membership upon Sunset

Stan Hilkey, CHAIR

Executive Director, Department of Public Safety

Abigail Tucker, VICE CHAIR

Mental Health Provider

Taj Ashaheed, Second Chance Center (Lived exper.)

Minna Castillo Cohen, Director, Children, Youth and Families (CDHS)

Shawn Day, Municipal Judge (representing Munis.)

Janet Drake, Deputy Attorney General

Valarie Finks, Victim Services Director, 18th J.D., representing Victim Rights Organizations

Jaime FitzSimons, Summit County Sheriff

Bob Gardner, Senator, S.D. 12

Julie Gonzales, Senator, S.D. 34

Serena Gonzales-Gutierrez, Representative, H.D. 4

Justin "JR" Hall, Chair, CO State Board of Parole

David "Dave" Hayes, Chief, Estes Park Police Dept.

Kristiana Huitron, Voces Unidas for Justice (repr. Victim Advocates)

Jessica Jones, Criminal Defense Attorney [At Large]

Kira Jukes, Exec. Dir., JeffCo JAC (repr. juvenile justice)

Rick Kornfeld, Criminal Defense Attorney

Greg Mauro, Director, Denver Comm. Corr. [At Large]

Patrick Murphy, Chief Judge, 11th J.D.

Steve O'Dorisio, Adams County Commissioner

Angie Paccione, Executive Director, Dept. of Higher Ed.

Tom Raynes, Exec. Dir., CO District Attorneys' Council

Megan Ring, State Public Defender

Michael Rourke, District Attorney, 19th J.D.

Gretchen Russo, Member, Juvenile Parole Board

Moses "Andre" Stancil, Interim Exec. Dir., CDOC

Glenn Tapia, Director, Division of Probation Services

Joe Thome, *ex-officio*, Dir., Division of Criminal Justice

VACANT, Representing Crime Victims/Survivors

VACANT, Representing House Representative (R)



Colorado Commission on Criminal & Juvenile Justice Task Forces & Subcommittees upon Sunset



Please note that the Commission and its task forces were engaged in work regarding minority overrepresentation through the analysis and discussion of data and information about the race/ethnicity composition of individuals involved in the justice system.



CCJJ Task Forces and Subcommittees

Activities upon Sunset

Sentencing Reform Task Force

The Sentencing Reform Task Force was seated by the Commission on September 9, 2020. This Task Force was assigned to address sentencing topics delineated in the **2020 Governor Polis Biennial Letter** and additional topics included in the **2022 Biennial Letter** pursuant to House Bill 2018-1287.

The Task Force created Working Groups that have completed that completed recommendations for the FY 2023 legislative session.

Working Groups

ONGOING

- **Sentence Structure**
Michael Dougherty, Leader
(D.A., 20th Judicial District)
- **Sentencing Alternatives/Decisions & Probation**
Glenn Tapia, Leader
(Dir., Probation Division)

CONCLUDED

- **Sentence Progression**
Emily Fleischmann, Co-Leader (State Public Defender Off.)
Brian Mason, Co-Leader (D.A., 17th Judicial District)
Greg Mauro, Co-Leader (Denver Community Corrections)
- **Parole**
Kristin Hilkey, Co-Leader (Parole Board)
Greg Mauro, Co-Leader (Denver Community Corrections)



Colorado Commission on Criminal & Juvenile Justice

Sentencing Reform Task Force Members

Rick Kornfeld, Co-chair, Private defense

Michael Dougherty, Co-chair, DA, 20th JD

CCJJ Commissioners

Taj Ashaheed, Second Chance Center

Valarie Finks, Victim Rep., DA Office, 1st JD

Bob Gardner, State Sen., SD 12

Julie Gonzales, State Sen., SD 34

Serena Gonzales-Gutierrez, State Rep., HD 4

Justin “JR” Hall, Parole Board Chair

David “Dave” Hayes, Police Chief, Estes Park

Jessica Jones, Private defense

Greg Mauro, Denver Community Corrections

Tom Raynes, CO District Attorneys’ Council

Michael Rourke, D.A., 19th JD

Moses “Andre” Stancil, Interim Dir., CDOC

Glenn Tapia, Probation Division

Community members

Maureen Cain, Office of State Public Defender

Christie Donner, CO Criminal Justice Reform Coalition

Kazi Houston, Victim Rep., Rocky Mtn. Victim Law Ctr.

David Kaplan, Private defense

Sarah Keck, Office of the State Court Admin.

Brian Mason, D.A., 17th JD

Andrew Matson, Colorado CURE (Lived Exper.)

Heather McClure, Adams Co. CJ Council (Lived Exper.)

Jefferey Nowacki, Colorado State University

Dan Rubinstein, D.A., 21st JD

Adrian Vasquez, Police Chief, Colorado Springs



Current CCJJ Task Forces and

Subcommittees

Community Corrections Task Force

The Community Corrections Task Force was seated by the Commission and conducted its first meeting in July 2022. This Task Force is addressing the mandates outlined in H.B. 22-1368 regarding community corrections.

The general charge and timeline for the Task Force is established in statute, specifically to examine and make findings and recommendations to the Commission concerning whether it is appropriate to expand access to the community corrections programs for persons convicted of misdemeanors.

The elements for study are outlined in H.B. 22-1368. Pursuant to the bill, a report of findings and recommendations is completed and under review.



Colorado Commission on Criminal & Juvenile Justice

Community Corrections Task Force Members

Glenn Tapia, *Chair*, Division of Probation Services (CCJJ)

Tim Hand, *Vice-Chair*, Larimer County Community Corrections

Doug Carrigan, Advantage Treatment Centers

Chris Meeks, Denver Board member

David Coleman, Second Chance Center

Kristiana Huitron, Voces Unidas for justice (CCJJ)

Katie Ruske, Division of Criminal Justice

Todd Rowell, Mesa County Sheriff's Office

John Draxler, Probation Office, 13th Judicial District

Ken Kupfner, D.A. Office, 13th Judicial District

James Karback, State Public Defender, Arapahoe County Office

Vacant: Lived Experience

[CCJJ – Commission members; Membership is defined in statute at §16-11.3-103.3 (2), C.R.S.]



Current CCJJ Task Forces and

Subcommittees

Reentry Task Force

The 2023 Reentry Task Force was authorized by the Commission in October 2022 with a start date on April 11, 2023. This Task Force was to address the reentry topics assigned by the Commission as delineated in the 2022 Biennial Letter from Gov. Jared Polis pursuant to House Bill 2018-1287.

The Task Force concluded upon sunset shortly after the first meeting.



Colorado Commission on Criminal & Juvenile Justice

Reentry Task Force Members

Abigail Tucker, *Co-chair (CCJJ), Mental/Behavioral Health providers*

Michael Tessean, *Co-Chair, CO State Board of Parole*

CCJJ Members

Taj Ashaheed, Reentry Advocacy

Janet Drake, Attorney General's Office & Victim Advocacy Representative

Rick Kornfeld, Private Defense/ Defense Bar

Greg Mauro, Community Corrections [Admin/ Boards]

Steve O'Dorisio, Local Government/ County Commissioner (Adams Co.)

Andre Stancil, CO Department of Corrections

Glenn Tapia, Probation Services/ Judicial

Community members

Meredith Davis, Health Care Policy & Financing

Joy Hart, Behavioral Health Administration

Travis Horton, CO Community Corrections Coalition [Programs]

Brian Mason, Prosecution/ CO District Attorneys' Council

Merideth McGrath, Parole/ CO Department of Corrections

Katie Ruske, Office of Community Corrections/ Div. of Criminal Justice

Sylvia Simms, Law Enforcement/ Sheriff's Office (Summit Co.)

Todd Spanier, Local Government/ County Criminal Justice Services (Arapahoe Co.)



FY 23 Legislative & Policy Recommendations



FY23 Recommendations

Sentencing Reform Task Force

FY23-SR01. STANDARDIZE EARLY TERMINATION REVIEW IN PROBATION [POLICY]

In order to reduce potential for over-supervision in probation, there should be a standardized process within Colorado Probation among all judicial districts to ensure a transparent, consistent and timely review of each adult case for early termination.

Following these recommendations is a list of technical considerations and areas that will need to be addressed by a working group for this process to be successful.

Recommended aspects of the standardized process include: Process Development, Policy and Standards, Structured Tools, Specialized Intensive Programs, Stakeholder Education, Victim Notification, Training, Quality Assurance and Implementation.

No implementation



FY23 Recommendations

Sentencing Reform Task Force

FY23-SR02 AMEND AND APPEND MOTOR VEHICLE THEFT PROVISIONS [STATUTORY]

Amends, appends, deletes and replaces several provisions of statute related to motor vehicle theft. The elements for motor vehicle theft in the first degree and second degree are changed and motor vehicle theft in the third degree is created. The penalties for motor vehicle theft are no longer based on the value of the vehicle or vehicles stolen.

Motor vehicle theft in the first degree is a class 3 felony, motor vehicle theft in the second degree is a class 4 felony, and motor vehicle theft in the third degree is a class 5 felony. The recommendation creates the offense "unauthorized use of a motor vehicle" and makes it a class 1 misdemeanor, or a class 5 felony for a second or subsequent

^C *During the FY 2023 Legislative Session, this recommendation was included in Senate Bill 2023-097 (Concerning the adoption of the 2023 recommendations of the Colorado Commission on Criminal and Juvenile Justice regarding motor vehicle offenses committed by a person who is not the owner of the motor vehicle). The bill passed in the General Assembly 5/8/2023 and was signed by the Governor 6/2/2023.*



FY23 Recommendations

Sentencing Reform Task Force

FY23-SR03 RECLASSIFY SELECTED FELONY CRIMES [STATUTORY]

This recommendation amends, appends, deletes and replaces multiple provisions of Colorado criminal statutes related to selected General Felonies, Enhanced Felonies, the re-classification or removal of felonies, and the elimination of specific aggravators for "second and subsequent offense or repeat offender."

During the FY 2023 Legislative Session, this recommendation was included in House Bill 2023-1293 (Concerning the adoption of the 2023 recommendations of the Colorado Commission on Criminal and Juvenile Justice regarding felony sentencing). The bill passed in the General Assembly 5/4/2023 and was signed by the Governor 6/1/2023.



FY23 Recommendations

Sentencing Reform Task Force

FY23-SR04 CHANGE FELONY CRIME CLASSIFICATIONS AND SENTENCE ENHANCEMENT PROVISIONS OF THE CRIMINAL CODE [STATUTORY]

Amends and appends multiple provisions of statute related to felony crimes, including revisions of post-conviction review and sentence reconsideration.

During the FY 2023 Legislative Session, this recommendation was included in House Bill 2023-1292 (Concerning the adoption of the 2023 recommendations of the Colorado Commission on Criminal and Juvenile Justice regarding enhanced sentencing). The bill passed in the General Assembly 5/4/2023 and was signed by the Governor 6/1/2023.



Other Legislative Mandates

Senate Bill 2023-088

The General Assembly passed, and Governor Polis signed *Senate Bill 2023-088, Concerning an Offender's Eligibility for Release from Confinement*, that mandated that the Commission submit a report on its study of sentencing reform. The report was submitted to the General Assembly.

The report includes a summary of the [sentence reform] work; an update on the status of the efforts to address clarity and certainty in the current criminal sentencing scheme, including ways to provide the public, including victims, defendants, and their families, clarity regarding the amount of time that must be served on each sentence imposed by the court before a defendant's parole eligibility.



Moving On

**Executive Order
Transforming Criminal
&
Juvenile Justice**

Update...



Questions?

**For more information about the Commission
and its activities, please see the
Commission website at, ccjj.colorado.gov**