

March 2024

**Report of the Working Group on  
Transforming Criminal and Juvenile Justice**

# A Transformative Approach to Criminal & Juvenile Justice in Colorado



***“Criminal justice issues are complicated and, at times, unyielding. Despite the sunset of CCJJ, it is essential to create a space for reconvening dedicated and multi-disciplinary subject matter experts, crime victims, and those who have lived experience with the criminal justice system to examine critical topics related to these complex issues and ensure recommendations are informed by well-researched and thoughtful analysis of data-driven solutions to make Colorado safer and more just.”***

*Gov. Jared Polis in EO B 2023 002*



**COLORADO**  
Division of Criminal Justice  
Department of Public Safety



CONFLUENCE  
POLICY & STRATEGY  
GROUP

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March 14, 2024

Governor Jared Polis  
136 State Capitol  
Denver, CO 80203

Governor Polis,

Your EO B 2023 002 created the Working Group on Transforming Criminal and Juvenile Justice and charged that body with studying and making recommendations outlining a future permanent entity or entities to address matters related to criminal and juvenile justice.

Pursuant to that Executive Order, the Working Group on Transforming Criminal and Juvenile Justice (TCJJ Working Group) has thoughtfully examined and discussed these issues and now presents to you for your consideration the recommendations contained in this report.

As part of the TCJJ Working Group's deliberations, the group examined practices in other states, heard from affected and interested stakeholders, engaged in robust discussions about the history of Colorado's efforts in these areas including the challenges and moved forward with an aspirational and hopeful vision of what is possible.

Most of the recommendations in this report are presented with the unanimous support of the voting members of the TCJJ Working Group. On the few issues that were not unanimous, the recommendations received an overwhelming super-majority of support. Where appropriate to provide full transparency into the process and voting, a description of the considerations and deliberations are included in the relevant recommendation sections.

It has been our honor to chair the TCJJ Working Group and to collaborate with a remarkable group of experts, advocates and Coloradans with a broad diversity of lived experiences and perspectives.

Respectfully

Tom Raynes  
Colorado District Attorneys Council  
Maureen Cain  
Office of the State Public Defender,  
Co-Chairs  
Working Group on Transforming Criminal and Juvenile Justice.

## Executive Summary

For more than sixteen years, the Colorado Commission on Criminal and Juvenile Justice (CCJJ) provided policy guidance to the state legislature. The body was created by legislators in 2006 and was intended as a vehicle to minimize partisanship in criminal and juvenile justice. When CCJJ was due for reauthorization, some stakeholders raised concerns about the Commission's neutrality and ability to continue serving its intended purpose. Legislation to reauthorize CCJJ failed in the House Judiciary Committee in 2023, leading to its sunset on September 1, 2023.

Following the expiration of the CCJJ, Colorado Governor Jared Polis issued an Executive Order creating the Working Group on Transforming Criminal and Juvenile Justice (TCJJ). The TCJJ Working Group was tasked with making recommendations for a new permanent entity or entities to study and make recommendations for criminal and juvenile justice in Colorado.

Comprised of 17 members representing a broad diversity of experiences, expertise and perspectives, the TCJJ Working Group, led by Chairs Maureen Cain and Tom Raynes, has been working since November of 2023 to fulfill the directives of the Governor's Executive Order.

The TCJJ Working Group thoughtfully examined the history of the CCJJ, heard from past members and stakeholders about its successes and challenges, engaged in robust discussions about the opportunity for meaningful transformation and heard from a diversity of experts. The group also heard testimony from more than 50 stakeholders in addition to public comment at each meeting to inform their discussions and recommendations.

After extensive deliberations and discussions, the TCJJ Working Group now brings forward their recommendations including:

- The State of Colorado should form two entities to address the issues of Criminal and Juvenile Justice and that the entities be known as the Colorado Commissions to Improve Adult and Juvenile Justice;
- Each Commission have 13 members and 7 ex officio members with time-limited, topic-specific task forces or subcommittees attached to each Commission comprised of additional subject matter experts and those with additional, relevant experience;
- That the Commissions be formed with a stated mission emphasizing an inclusive and collaborative process *and* a vision that underscores the unwavering dedication to equity and justice through bodies that center the voices of all persons with lived experiences with and within the justice system;
- The Commissions should be staffed by the Division of Criminal Justice and provided with an appropriate budget, staff and other support to fulfill their duties.

The full recommendations of the TCJJ Working Group are contained on the following pages together with summaries of meetings and appendices containing all meeting material and testimony. The members believe that time is of the essence in forming the Commissions and that the recommendations should be acted on as a whole.

## Background

In 2007, Colorado’s legislature created the Colorado Criminal and Juvenile Justice Commission (CCJJ) to “engage in an evidence-based analysis of the criminal justice system in Colorado and annually report” on their work. Established by HB 07-1358 within the Colorado Department of Public Safety (CDPS), it was formed with the intent of minimizing partisanship and providing a forum for robust examination of data, trends, policy proposals and for providing guidance to the legislature that drew on the diverse backgrounds of its members. The twenty-six-member body met regularly as directed from 2007 into 2023. Among its recent activities, CCJJ led a rewrite of the state’s misdemeanor sentencing scheme in 2021.

The Commission was due for renewal by the legislature in 2023. During discussions in the legislature about its renewal, some legislators and stakeholders expressed concerns about the diversity and balance of perspectives or backgrounds on the Commission. The bill to reauthorize the CCJJ failed in the House Judiciary Committee where members voted against advancing the legislation, leading to the sunset of the CCJJ.

On October 9, 2023, Governor Polis issued Executive Order B 2023 002 creating the Working Group on Transforming Criminal and Juvenile Justice (the TCJJ Working Group). In that Executive Order, Governor Polis cited the “opportunity to reimagine criminal justice policy and reform work in Colorado.” The Governor noted that “while the State has made significant progress in aligning criminal law with evidence-based practices to support better outcomes for offenders, victims, and the community, more work is needed.”

In his Executive Order, Governor Polis tasked the TCJJ Working Group with making recommendations outlining the “structure, location, purpose, and composition of a future permanent, multi-disciplinary, evidence-based entity or entities with dedicated year-round staff to address matters related to criminal and juvenile justice.” Governor Polis further instructed that the recommendations “should also be informed after diligent outreach to stakeholders within the criminal justice system and juvenile justice system including advocates, victims, those with lived experience and those working in support services.”

In November of 2024, the 17 members identified in the Executive Order were appointed to the TCJJ Working Group (see Appendix A: TCJJ Members). The members selected Tom Raynes, Executive Director of the District Attorney’s Council and Maureen Cain, Legislative Liaison, Office of the Colorado Public Defender. Following an open procurement process, Confluence Policy and Strategy Group, a non-partisan firm providing collaborative decision making and facilitation services was contracted to facilitate and support the TCJJ Working Group.

## A Stakeholder Informed Process

From its first meeting, the TCJJ Working Group members all emphasized the importance of their work being informed by affected and involved stakeholders. In addition to public comment time being included in every meeting of the TCJJ Working Group, multiple half-day meetings were focused on testimony from individuals and representatives of organizations providing a broad diversity of lived experience, professional backgrounds, connections to or within criminal or juvenile justice and with the CCJJ.

The TCJJ Working Group heard testimony from more than 50 stakeholders with additional testimony and input received through written comments submitted by email or online form and through the public comment at each meeting. A summary of Stakeholder Testimony is included in Appendix C which also includes written testimony submitted or presented.

During the dedicated stakeholder testimony sessions and as part of soliciting broad public input, TCJJ members asked those providing written comments or speaking to the group to address any one or more of the following questions:

- What are your general thoughts about the creation of a new entity or entities to address criminal and juvenile justice?
- Do you align with the idea of one single entity or more than that? If more than one, how would you split them?
- Where do you think is best for the new entity or entities to be housed? Executive, legislative, or other idea?
- Thoughts on the composition of any entity. How would you balance the various interests? The system folks, the community experience, the elected officials (legislative and executive) and the research professionals - or any other groups? Should the entity lean in one direction on membership or build some hybrid of groups?
- Describe your thoughts on how any entity should guarantee transparency.
- Describe how the entity should or would have independence to make its own recommendations.
- Additional thoughts. Please share any additional information you would like the TCJJ Working Group to consider, including your lived experience and personal/professional thoughts.

The input of stakeholders was a consistent theme and topic in each discussion held by the TCJJ Working Group as they developed, considered and discussed their recommendations. The critical role of diverse stakeholders in the future work by any entity was also a prominent theme in discussions and in continued public comment.

## The Conversations & Deliberations

With a charge of delivering recommendations by March of 2024, the Chairs of the TCJJ Working Group worked with their members and facilitators to chart a thoughtful course of listening, learning, discussing and designing to ensure the strength of, and support for, the recommendations developed. Each meeting built on the presentations, testimony and discussions of the prior sessions and members were invited throughout the process to both advocate strongly for their beliefs and to listen with an open mind to the views of their colleagues on the panel and those providing testimony or comment.

The following provides a high-level summary of the topics discussed at each meeting of the TCJJ Working Group. All meetings were open to the public and included opportunity for public comment. Meetings were recorded and links posted on the TCJJ Working Group's website. Meeting materials and links to meeting videos are included in Appendix B.

### November 29, 2023

At this first substantive meeting of the Working Group, the first part of the meeting was dedicated to member introductions during which each member was invited to share their background or connection to the issues being discussed and their aspirations for the TCJJ Working Group. Facilitators then shared a set of working group norms for discussion followed by full group discussion of a number of operational questions. These included discussions of voting thresholds for a recommendation to advance and how the group would reflect minority opinions in the final report. On this issue, members agreed that for any recommendation supported by a majority, those members not supporting the recommendation would be invited to submit the reason for their vote.

Following the group discussions of its operations, presentations and remarks were provided by the individuals listed below along with opportunity for questions and discussions:

Introductions, aspirations, working norms, protocols, administrative (vote thresholds etc.)  
Approach to majority/dissenting opinion. Chair and guest presentations about history including:

- Commissions and Policy Creation: 1970s through 2023  
Presented by Maureen Cain, Policy Liaison, OSPD
- Michael Dougherty, District Attorney, 20th Judicial District
- David Kaplan, Defense Attorney, first Vice Chair of CCJJ
- Tom Raynes, Executive Director of CDAC
- Senator Gonzales – Former CCJJ member
- Senator Gardner – Former CCJJ member

## December 11

In response to member requests, the December 11 meeting included the following presentations:

- Historic Operations of the CCJJ by Jack Reed from CO Department of Public Safety
- National Perspective: Select state overview by Confluence PSG

The following individuals appeared and offered testimony:

**Terrance Carroll:** Former Speaker of the House and original TCJJ Member

**Elise Logeman L** Testified on behalf of herself; attorney/CO Juvenile Defender, ACLU CO

**Stacey Collings:** Office of Alternative Defense Counsel

**Josh Barokus:** general internist with infection disease and a clinician scientist

**Jack Johnson:** Attorney at Disability Law Colorado

**Cassandra Harris:** Dir. of Services, Project: Elevate: Dept of Public Safety

**Betsy Craft:** Colorado Drug Policy Coalition

**Andy McNulty:** LCRC Attorney

**Jennifer Dillon:** Bring Our Neighbors Home

**Dana Steiner:** Colorado Freedom Fund/Survivor Perspective

*Summaries of testimony are contained in Appendix C and links to videos are in Appendix B.*

Following the above presentations and testimony, the Chairs and facilitators shared an overview of the workplan and timeline for the Working Group. Members were then invited to engage in a discussion of the information, data, learning and perspectives that would be most helpful to them in carrying out their tasks. During those discussions, numerous members emphasized the need to hear from stakeholders who had been involved with or had an awareness of both the CCJJ and the broader justice systems from a variety of perspectives.

## December 18

The full December 18 meeting was dedicated to stakeholder testimony. The following individuals appeared and offered testimony:

**Michael Rourke:** Weld County District Attorney

**Dan Rubenstein:** District Attorney 21st Judicial District

**Kate LeMasters:** Epidemiologist, CO School of Medicine

**Steve O'Dorisio,** Adams County Commissioner

**Nicole Duncan:** CJDC/Practicing Juvenile Defender

**Amy Nichols:** Executive Director, County Sheriffs of Colorado (CSOC)

**Breeah Kinsella:** Executive Director, Colorado Providers

**Melissa Martin:** Executive Director, TRIBE

**Brian Mason:** DA for CO17JD, Adams and Broomfield

**Chief Dave Hayes:** Chief of Police, Estes Park

**Shannon Bucci:** Individual with Lived Experience

**Rebecca Wallace:** Policy Director, Colorado Freedom Fund



**Terry Scanlan:** Legislative Liaison for Courts & Probation  
**Dana Welk,** Probation Services  
**Rica Rodriguez:** Director – Promotores de Esperanza  
**Jeremy Schupach:** Colorado Municipal League  
**Anaya Robinson:** Senior Policy Strategist, ACLU Colorado  
**Mari Denis:** Executive Director, COVA  
**Christie Donner:** Executive Director, Colorado Criminal Justice Reform Coalition  
**Jeni Stinson:** Youth Defender in Colorado

*Summaries of testimony are contained in Appendix C and links to videos are in Appendix B.*

### **January 3, 2024**

In response to member and stakeholder input, an additional meeting was scheduled to provide further opportunity for the TCJJ Working Group to hear from the public. The meeting was dedicated to stakeholder testimony.

The following individuals appeared and offered testimony:

**Amanda Blackwood:** Survivor of Human Trafficking  
**Courtney Sutton:** Public Policy Director for the CO Organization for Victim Assistance  
**Ray Harlan:** Colorado Victims for Justice  
**Tim Lopez:** Victim of Crime / Family Victim Crime  
**Jenny Stith:** Executive Director, WINGS; Lived Experience  
**Ashley Jellison:** Executive Director, Colorado Children’s Alliance  
**Kazi Houston:** Legal Director, Rocky Mountain Victim Law Center  
**Connie Brenton:** CEO, Art Mart in Boulder, CO  
**John Neslage:** Representing Family  
**Dana Walter Flores:** Colorado Youth Justice Collaborative  
**Meghan Baker:** Disability Law Colorado  
**Terry Smith:** COPA Panelist, Lived Experience, Addiction and Recovery Survivor  
**Tiffany Kuhwede:** COPA Panelist; Person with Lived Experience, Peer Specialist  
**Stacey Putka:** Executive Director, Breakthrough  
**Ashley Furst,** Director of Business Development, Breakthrough  
**John Longhill:** Neurochange Solutions, Consultant  
**Ed Wood:** victim of crime  
**Demitrius Somerville:** Center for Employment Opportunity/ Self

*Summaries of testimony are contained in Appendix C and links to videos are in Appendix B.*

## January 5, 2024

During the January 5, 2024 TCJJ Working Group meeting, representatives of the VERA Institute provided a presentation on sentencing reform, national perspective on structure of criminal justice commissions and engaged in discussion with members.

Following the presentation, the facilitators shared key themes identified to date from stakeholder input and testimony. Following discussion of those themes, the group engaged in discussion of key items that the TCJJ Working Group had been tasked with addressing including:

- **Mission** including whether a single mission or more depending on structure;
- **Operation** including structure, home, independence, engagement with persons impacted, public awareness, transparency, organization of small groups, steering group etc.
- **Membership** including discussion of ex officio, voting and how membership (and voting) should exist across groups or subcommittees and how to select members.
- **Duties** and whether the group(s) should have legislatively directed duties above and beyond the mission established.
- **Reporting** including to whom the group(s) should report.

## January 19, 2024

The January 19 meeting was an in-depth work session during which the facilitators shared a summary of member input during and between meetings including specific input addressing mission and structure.

To inform the group discussions, facilitators shared the duties assigned to the CCJJ and provided a review of the duties assigned to similar bodies in other states. Members offered input on duties to be considered at subsequent meetings and discussed the role of communities and key stakeholders in the work.

## February 5, 2024

The February 5 meeting was primarily dedicated to discussion of drafts prepared by the Chairs based on member input for mission, duties and structure followed by brainstorming discussions of the operational considerations, membership and where to house the future entities.

During the discussion of several member provided draft mission statements (see Appendix B), the idea of a separate Vision statement gained traction with members and began to be created.

Building on the previous meetings discussion of structure, four options were explored:

- A. Two entities with a coordinating council comprised of a set of members from each;
- B. Two entities with all members of both functioning as a coordinating council;
- C. Two entities with a separate coordinating council who do not serve on the entities;
- D. Two entities with support staff provided to each and ad-hoc coordination as needed.

After discussion of structure, members began brainstorming thoughts on the following:

- Membership for each of the two contemplated entities;
- Operational needs, autonomies and resources;
- Appropriate interactions or relationship with legislature and executive branch;
- Opportunities and challenges of basing the entities in legislature or in executive branch.

### **February 15, 2024**

Having had multiple opportunities to discuss, revise and react to drafts of certain items, at the February 15 meeting, the group held abbreviated discussions and checks for consensus on:

- Mission
- Vision
- Structure
- Duties

During each of the above discussions, edits and revisions were made in real-time on a PowerPoint shared in-person and on-screen to allow the members to work collaboratively toward drafts that could garner broad consensus among the members.

The TCJJ Working group had extended discussions with a goal of reaching consensus on:

- Membership and Appointing Authority
- Where to House
- Staffing & Resources

During all of these discussions members were asked to vote or indicate their current thinking with one of the following:

- I support or can live with this if it has support from a majority of members; OR
- I could support this with minor or specific revisions; OR
- I do not support this.

For votes against a recommendation that received majority support, members were reminded that they are invited to submit written explanations of concerns that will be synthesized together for inclusion in the report.

### **February 29, 2024**

At the February 29 meeting, revised drafts of each item previously discussed were presented. To maximize efficiency and effectiveness of time together and move toward consensus-based recommendations, edits and revisions were again made in real-time for members to consider. Items presented, discussed and voted on included:

- Mission
- Vision
- Structure
- Membership
- Where to House
- Staffing & Resources
- Meeting Locations

A draft of potential duties was presented for discussion and the previous duties of CCJJ were shared side-by-side for consideration. No vote was proposed or taken. The chairs advised members that based on the group's discussion, they would prepare a proposed set of duties for discussion and voting at an additional meeting.

### **March 7**

The sole item of business at the March 7 meeting was the discussion of and voting on duties for the proposed entities. Edits were made in real-time and a roll-call vote was taken to approve.

Facilitators from Confluence PSG walked members through the timeline for preparing, reviewing, revising and submitting the TCJJ Working Group's report and recommendations.

## Working Group Recommendations

As directed by the Executive Order that created the Working Group on Transforming Criminal and Juvenile Justice, the group has reached overwhelming consensus on key attributes of the future entities. In addressing the directive to provide recommendations relating to the “structure, location, purpose, and composition of a future permanent, multi-disciplinary, evidence-based entity or entities with dedicated year-round staff to address matters related to criminal and juvenile justice,” the TCJJ Working Group offers recommendations for the following elements that the members find to be in the best interest of the people of Colorado and the directives of Executive Order 2023 002:

### Mission

By unanimous vote, the TCJJ Working Group recommends the Mission provided on the following pages that emphasizes the need for an inclusive and collaborative process informed by research and evidence that seeks to reduce incarceration, address disparities and disproportionalities among other key aspects noted in the mission.

### Vision

By unanimous vote, the TCJJ Working Group recommends the adoption of the Vision contained on the following pages that underscores the commitment to collaboration, persistence and unwavering dedication to equity and justice through bodies that center the voices of all persons with lived experiences with the justice system, supported by informed and engaged professionals and that utilizes inclusive policies, community engagement and evidence-based practices to build justice systems that enhance public safety and well-being in communities.

### Structure

By overwhelming majority with one abstention and all other votes in favor, the TCJJ Working Group recommends the creation of two distinct entities with one focused on adult criminal justice and the other focused on juvenile justice. The members unanimously support the operation of topic-specific, time-limited task forces or subcommittees under each entity that will draw on additional expertise and experience to conduct their work. Members further recommend by unanimous vote that there be a coordinating council of four members from each entity who serve as a coordinating body.

### Name

By overwhelming majority with two dissenting votes, the TCJJ Working Group recommends that the entities be named the Colorado Commissions to Improve Adult and Juvenile Justice.

### Membership

By unanimous vote, the TCJJ Working Group recommends that each entity be comprised of thirteen voting members and seven non-voting ex officio members, that members be appointed by the Governor’s Office of Boards and Commissions, the Speaker of the Colorado House and the President of the Colorado Senate as detailed on the following pages. Members

further unanimously recommend that each entity be empowered to vote for the Chair of the group and members of the Coordinating Council.

## **Duties**

By unanimous vote, the TCJJ Working Group recommends that the Duties of the CCIAJ and CCIJJ include the ten specific duties included on the following pages which are intended to be interpreted broadly to empower the Commissions to explore, study and make recommendations on issues elevated by members, stakeholders or the public, that respond to needs in the State and as practical, to the requests of state officials. These Duties are proposed with the explicit acknowledgement that it will not be possible to undertake all these tasks immediately and there will therefore need to be room given to the Commissions to prioritize issues, tasks and duties as appropriate.

## **Location**

By overwhelming majority with two dissenting votes, the TCJJ Working Group recommends the Commissions be supported and staffed by the Division of Criminal Justice within the Colorado Department of Public Safety with additional resources for legal analysis provided by Legislative Council Services or other state offices, as necessary. Notwithstanding the recommendation, members broadly underscored the importance of the Commissions' independence and autonomy from either legislative or executive interference in the priorities, topics of study or recommendations of the Commissions.

## **Meeting Locations**

By unanimous vote, the TCJJ Working Group recommends that meetings of the Commissions be held in locations convenient to the public, accessible to all Coloradans with multiple means for public comment and options for in-person or remote participation. The members further recommend and encourage that the subcommittees or task forces hold meetings in communities throughout the state as appropriate and feasible.

## **Staffing & Resources**

By unanimous vote, the TCJJ Working Group recommends that the Commissions be appropriately staffed to fulfill its duties in a professional manner that empowers the Commissions, task forces or subcommittees and supports members of each appropriately. Based on other recommendations relating to staffing, members recommend that the staffing and overall budget be identified by DCJ and CDPS. The members further recommend that the budget for the Commissions include per diems for non-governmental members, appropriate budget for meeting venues or supplies and a professional facilitator for the Commissions and task forces.

## Mission

Following multiple iterations and discussions that each built on prior discussions and the robust input of TCJJ Working Group members, testifying stakeholders and input from the public, the following Mission is recommended by unanimous vote:

***Through an inclusive and collaborative process that engages diverse groups of stakeholders impacted by the criminal or juvenile justice system, the Colorado Commissions to Improve Adult and Juvenile Justice (CCIAJJ/CCIJJ) shall research, consider and provide data informed, evidence-based criminal and juvenile justice policy recommendations that seek to reduce incarceration, disparities and disproportionalities, crime and recidivism and support victims while promoting the improved safety, health and well-being of all Colorado communities.***

## Vision

In addition to the Mission above, members of the TCJJ Working Group coalesced on the need for a Vision for the Commissions that addresses the aspirational view of the potential for meaningful change and its inclusive approach to the work and recommend the following by unanimous vote:

***It is the vision of the Colorado Commissions to Improve Adult and Juvenile Justice (CCIAJJ/CCIJJ) to lead Colorado in the creation of a comprehensive and transformative approach to criminal and juvenile justice. Committed to collaboration, persistence, and unwavering dedication to equity and justice, CCIAJJ/CCIJJ center the voices of all persons with lived experiences with the justice system, supported by informed and engaged system professionals. Through inclusive policies, community engagement and evidence-based practices, CCIAJJ/CCIJJ strive to build justice systems that enhance public safety and well-being in communities. The Commissions will address systemic barriers and uplift and support every individual on their journey toward healing, rehabilitation and community reintegration.***

## Structure

In considering structure, TCJJ Working Group members sought to balance the need for coordination between adult and juvenile justice efforts with the need for unique expertise to address each.

After exploration of multiple models proposed by members and, following robust discussions of the strengths, challenges and opportunities of multiple structures, with 1 abstention and all other votes in favor, the TCJJ Working Group recommends the creation of two entities:

1. Colorado Commission to Improve Adult Justice (C CIAJ) *and*
2. Colorado Commission to Improve Juvenile Justice (C CIJJ).

To ensure coordination between the Commissions, the members recommend that the structure include a Coordinating Council comprised of four members from each Commission.

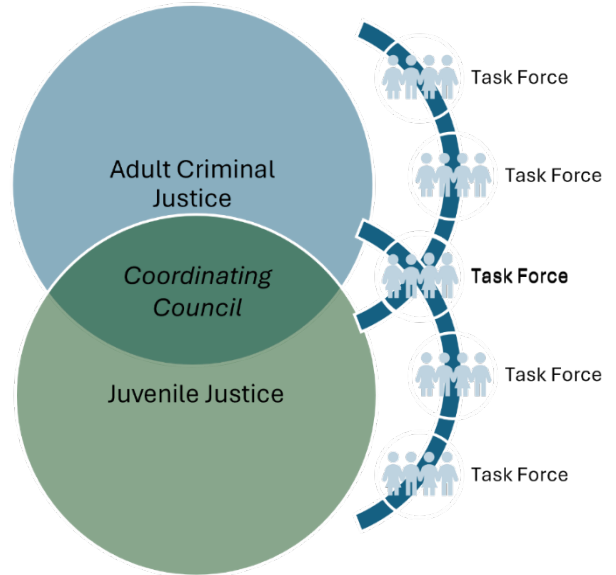
Members recommend that each Commission have two co-chairs with one representing the system perspective and one being a community representative, both being voted on by the group

The Coordinating Council should be tasked to:

- Coordinate the work of the two Commissions;
- Organize community outreach and community visits/listening tours for groups;
- Organize annual input from agencies and community groups for issues to be addressed;
- Provide feedback to the commissions for them to decide the work of the task forces;
- Handle and drive regular communication to system and community-based stakeholders.

The TCJJ Working Group members recommend that membership of any topic specific task force prioritize the inclusion of academic, experiential and practicing subject matter experts in the relevant field.

The TCJJ Working Group members overwhelmingly agreed that any recommendation of a duly constituted Task Force or Subcommittee shall carry forward as a recommendation of the Commission unless overruled by a two-thirds vote of the Commission.



## Commission Name(s)

By overwhelming majority with two dissenting votes, the TCJJ Working Group recommends that the entities be collectively known as the Colorado Commissions to Improve Adult and Juvenile Justice and separately as the Colorado Commission to Improve Adult Justice (C CIAJ) and the Colorado Commission to Improve Juvenile Justice (C CIJJ)



## Membership & Appointing Authorities

After extensive discussions of the needed perspectives, experiences and expertise that would best serve the mission, vision and duties of the Commissions, members unanimously voted to support the membership as described in the following tables.

In reviewing the membership recommendation, it is important to note:

1. The distribution of appointments across the executive and legislative branches is a key element of members' support for the location and staffing of the Commissions. For clarity, some members support for the Commissions being staffed by DCJ was predicated on the membership being distributed jointly by Boards and Commissions and legislative leaders;
2. There was substantial discussion about the role of representatives of the Department of Corrections, Department of Public Safety and potential other state offices. Some members felt they should have seats on the Commissions with full voting rights while others disagreed. The compromise reached among members was for those roles to be ex officio non-voting while retaining the ability to serve on Coordinating Council or as voting members of task forces and subcommittees;
3. Members intend roles of members to be interpreted broadly to maximize involvement of victims,/survivors, formerly incarcerated, community members and advocates.

Colorado Commission to Improve Adult Justice	
Role or Perspective	Appointing Authority
2 prosecutors (urban/ rural)	CO District Attorney Council
1 public defender	Office of State Public Defender
1 private criminal defense	Office of the Alternate Defense Counsel
1 law enforcement	Boards & Commissions
1 local government	Boards & Commissions
1 academic/research professional	Boards & Commissions
1 mental health expert or advocate	Speake of the House
1 substance use disorder professional or advocate	President of the Senate
1 victim/survivor	Boards & Commissions
1 advocate for victims/survivors	Speaker of the House
1 formerly incarcerated person	President of the Senate
1 advocate for formerly/currently incarcerated person	Boards & Commissions
Ex Officio Members *	
4 Legislators including one Democrat and one Republican from each Chamber	
1 Judicial Department representative	
1 representative of the Department of Corrections	
1 representative of the Department of Public Safety	

<b>Colorado Commission to Improve Juvenile Justice</b>	
<b>Role or Perspective</b>	<b>Appointing Authority</b>
2 prosecutors (urban/ rural)	CO District Attorney Council
1 public defender	Office of State Public Defender
1 private criminal defense	Office of the Alternate Defense Counsel
1 mental health expert or advocate	President of the Senate
1 child welfare agency representative (local)	Boards & Commissions
1 child advocacy group	Speaker of the House
1 law enforcement	Boards & Commissions
1 victim / survivor	Boards & Commissions
1 advocate for victims/survivors	President of the Senate
1 system involved individual (currently involved or within past 24 months)	Speaker of the House
1 parent of system involved individual	Boards & Commissions
1 research-based professional	Boards & Commissions
<b>Ex Officio Members *</b>	
4 Legislators including one Democrat and one Republican from each Chamber	
1 representative from Division of Youth Services	
1 representative of the Child Protection Ombudsman	
1 representative of the Department of Human Services, Child Protection /	

## Duties

By unanimous vote, the TCJJ Working Group recommends that the Duties of the CCIAJ and CCIJ include the ten specific duties below which are intended to be interpreted broadly to empower the Commissions to explore, study and make recommendations on issues elevated by members, stakeholders or the public, that respond to needs in the State and as practical, to the requests of state officials.

These Duties are proposed with the explicit acknowledgement that it will not be possible to undertake all of these tasks immediately and there will therefore need to be room given to the Commissions to prioritize issues, tasks and duties as appropriate.

### General Duties:

1. To solicit and collect requests from government and community stakeholders for the study and empirical analysis of issues within the criminal or juvenile justice system identified as ineffective or in need of improvement;
2. To establish necessary time-limited task forces to initiate data driven and research-based analysis of the issues selected by the commission and coordinating council.

And more specifically, duties include but are not limited to:

3. To investigate effective alternatives to incarceration and community programs and alternatives that provide for avoidance and deflection from the criminal and juvenile justice systems;
4. To investigate methods to reduce recidivism and study the factors that support desistance from crime including recommendations for systemic change necessary to support desistance from criminal behavior;
5. To investigate research-based methods to reduce the incarceration rate without affecting public safety;
6. To investigate and make recommendations for improved methods, strategies and programs dedicated to the support, needs and rights of all crime victims and survivors;
7. To study improved methods to allow for persons living with mental health, behavioral health or substance use conditions to be served by the health-care system and avoid the reliance on the criminal and juvenile justice systems for the necessary treatment;
8. To work with other state-established boards, task forces or commissions to coordinate work on criminal and juvenile system improvement;
9. To study the adult state sentencing scheme using empirical analysis and research-based policies and make recommendations for improvement that contribute to clarity in sentencing and achieving the statutory purposes of sentencing while maintaining public safety in a financially efficient manner.
10. To study the juvenile justice system including detention, out of home placement and DYS commitment and make recommendations for the improvement of interventions that support the families, schools and communities and support desistance from criminal behavior by a juvenile while maintaining public safety.

## Location

By unanimous vote, the TCJJ Working Group recommends that the following principles be used to guide the selection of time, format and location of all Commission meetings:

- Location convenient to the public with preference for Capitol or Judicial building for full commissions;
- Location convenient to the public as determined by task force members – may need to be more flexible depending on their subject matter;
- All should allow for remote participation;
- All public meetings shall be subject to open meetings law and shall be live streamed;
- Meetings should provide multiple means for public input and comment as appropriate.

In addition to the above guiding principles, the members all recommend that in conducting the work of any task force or subcommittee, those bodies be encouraged to hold meetings in communities throughout the state as informed by the subject matter of their work and to the maximum extent feasible with available resources and timelines.

## Staffing & Resources

By unanimous vote, the TCJJ Working Group recommends that the Commissions be appropriately staffed to fulfill its duties in a professional manner that empowers the Commissions, task forces or subcommittees and supports members of each appropriately. Members generally agreed that the Commissions should be staffed at a level not less than the CCJJ, and that the staffing, including need and cost be identified by DCJ and CDPS.

Subject to the input of DCJ and their determination of the fiscal impact of the needs of the Commissions, members recommend:

- Not less than 2.5 and up to 4 FTE to support the Commissions and task forces with final determination based on DCJ review;
- Per diem to match jury service for non-governmental members;
- Mileage for non-governmental members;
- Budget for meeting venues, supplies and technology;
- Facilitator for Commission entities and task forces.

The members also encourage the Commissions to pursue grant funding to supplement state funding where possible and appropriate.

## Appendix A: TCJJ Members

Member	Affiliation	TCJJ Role
Maureen Cain (co-chair)	Legislative Liaison, Colorado Office of the Public Defender	Public Defender
Tom Raynes (co-chair)	Executive Director, CDAC	Colorado District Attorney's Council
Vincent Atchity	President & CEO, Mental Health Colorado	Behavioral health
Ubaldo Chavez	Business Account Manager, The Center for Employment Opportunities	Person with lived experience
Janet Drake	Deputy Attorney General, Criminal Justice	Attorney General's Office
Sheriff Jaime FitzSimons	Sheriff, Summit County Sheriff's Office	Law Enforcement
Sen. Bob Gardner	State Senator, Senate District 12	Senate Judiciary Committee Member
Sen. Julie Gonzales	State Senator, Senate District 34	Senate Judiciary Committee Chair
Tristan Gorman	Defense Bar	Representative with Criminal Defense Experience
Dir. Stan Hilkey	Executive Director, CDPS	Colorado Department of Public Safety
Debi Hunter Holen	Executive Director, Colorado School and Public Employee Retirement Association	Victim of Crime
Jason Lester	Deputy Director, El Paso County Human Services	Human Services Representative
Rep. Matt Soper	State Representative, House District 54	House Judiciary Committee Member
Dir. Andre Stancil	Executive Director, CDOC	Colorado Department of Corrections
Victoria Terranova	Professor, University of Northern Colorado	Academic Specializing in Matters related to Criminal Justice
Emily Tofte Nestaval	Executive Director, Rocky Mountain Victim Law Center	Victim Advocate
Rep. Mike Weissman	State Representative, House District 36	House Judiciary Committee Chair



## Videos of TCJJ Meetings

All meeting recordings and materials can be found on the [Colorado Division of Criminal Justice Website](#)

November 29, 2023: <https://www.youtube.com/watch?v=XRIUY513r8o>

December 11, 2023: <https://www.youtube.com/watch?v=miFykEDqvQY&feature=youtu.be>

December 18, 2023: <https://www.youtube.com/watch?v=eQLwkbwrzMo>

January 3, 2024: <https://www.youtube.com/watch?v=IBoAdMiUMQU>

January 5, 2024: <https://www.youtube.com/watch?v=wTn2g-qpEFU>

January 19, 2024: <https://www.youtube.com/watch?v=Qr238cP1yvY&feature=youtu.be>

February 5, 2024: <https://www.youtube.com/watch?v=ICcLcM5qvPY&feature=youtu.be>

February 15, 2024: [https://www.youtube.com/watch?v=Murfl\\_HExd4&feature=youtu.be](https://www.youtube.com/watch?v=Murfl_HExd4&feature=youtu.be)

February 29, 2024: [https://www.youtube.com/watch?v=Murfl\\_HExd4&feature=youtu.be](https://www.youtube.com/watch?v=Murfl_HExd4&feature=youtu.be)

March 7, 2024: <https://www.youtube.com/watch?v=f0jCliddBtDo>

*March 2024*

*Report of the Working Group on  
Transforming Criminal and Juvenile Justice*

# APPENDIX B: MEETING MATERIALS





## Working Group on Transforming Criminal & Juvenile Justice (TCJJ)

November 29, 2023 Meeting Agenda

**In-Person: 1300 Broadway, Room 1E, Denver, CO 80203**

**Via Zoom: <https://us06web.zoom.us/j/84579301725>**

9:00 – 9:05 am	Welcome & Facilitator Introduction	<i>TCJJ Workgroup Chairs</i>
9:05 – 9:10 am	Meeting Overview & Purpose	<i>Confluence PSG</i>
9:10 – 9:20 am	Member Introductions & Insights/Aspirations	<i>Confluence PSG, Group</i>
9:20 – 9:30 am	Working Norms & Agreements	<i>Confluence PSG, Group</i>
9:30 – 10:15 am	Group Operations, Protocols & Guidelines <i>Voting Thresholds</i> <i>Attendance &amp; Proxies</i> <i>Constituent, Public &amp; Press Communications</i>	<i>Confluence PSG, Group</i>
10:15 – 10:30 am	BREAK	
10:30 – 10:55	Group Operations continued <i>Majority Report, Minority or Dissenting Opinions</i> <i>Support or Opposition of TCJJ Recommendations</i> <i>Public Testimony: Time, topic, management</i>	<i>Confluence PSG, Group</i>
10:55 – 11:00	LEG STRETCH, TRANSITION	
11:00 – 12:15	TCJJ Chairs Presentation & Discussions with Guests Commissions and Policy Creation in Colorado 1970s through 2023 <i>Presented by Maureen Cain, Policy Liaison, OSPD</i> <i>Michael Dougherty, District Attorney, 20th Judicial District</i> <i>David Kaplan, Defense Attorney, first Vice Chair of CCJJ</i> <i>Tom Raynes, Executive Director of CDAC</i> <i>Senator Gonzales – Former CCJJ member</i> <i>Senator Gardner – Former CCJJ member</i>	<i>TCJJ Workgroup Chairs</i>
12:15 – 12:25	BREAK	
12:25 – 12:45	Chair Presentation & Discussion continued	<i>TCJJ Workgroup Chairs</i>
12:45 – 12:55pm	Public Comment	
12:55 – 1:00pm	Closing Remarks and Next Steps	<i>Confluence PSG</i>



# COLORADO

## Division of Criminal Justice

Department of Public Safety



## Working Group on Transforming Criminal & Juvenile Justice (TCJJ)

December 11, 2023 Meeting Agenda

**In-Person: Colorado State Capitol; House Committee Room 0112**

**Via Zoom: <https://coleg-gov.zoom.us/j/82257735605?pwd=Ep8EcMzbLnKdhMQ8VHyKgbzX6SsAdb.1>**

9:00 - 9:05am	Welcome & Meeting Overview	<i>TCJJ Workgroup Chairs</i>
9:05 - 9:15am	November 29 Meeting Reflections	<i>Confluence PSG, Group</i>
9:15 - 9:30am	CDPS Presentation: Group Organization	<i>CDPS</i>
9:30 - 10:00am	State Models Overview & Discussion	<i>Confluence PSG, Group</i>
10:00 - 10:45am	Guest Presenters and Q&A	
10:45 - 10:55am	Break	
10:55 - 12:00pm	Guest Presenters and Q&A, cont.	
12:00 - 12:10pm	Break	
12:10 – 12:35pm	Execution: Workplan/Timeline	<i>Confluence PSG, Group</i>
	-Mission	
	-Specific Membership Structure	
	-Single or Multiple Entities	
	-Independence & Transparency	
	-Addressing All Subject Matters	
	-Representation/Philosophy	
	Historic Approaches & Challenges	
	-CO & Other States	
12:35 -12:45pm	What/Who do we need to know more about?	<i>Confluence PSG, Group</i>
12:45 - 12:55pm	Public Comment	
12:55 - 1:00pm	Closing Remarks and Next Steps	<i>Confluence PSG</i>

**Upcoming meeting dates (locations tbd):**

- December 18, 2023: 9am-1pm
- January 5, 2024: 9am-1pm
- January 9, 2024: 9am-1pm

**More Information can be found on the DCJ/TCJJ Website: <https://dcj.colorado.gov/boards-commissions/working-group-on-transforming-criminal-and-juvenile-justice>**



**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

# Working Group on Transforming Criminal & Juvenile Justice

## Highlights of State Systems

December 11, 2023

# State Structures for Criminal Justice: Featured States

## States Examined

- Illinois
- Kansas
- Kentucky
- Nevada
- Oregon
- South Dakota
- Utah

*Montana has been identified as a state of interest. All official websites for the Montana system(s) have been unavailable through December 9, 2023.*

The information shared on the following slides is based on details available on official state websites. We are not able at this time to confirm all details are current. Where information is of further interest, we will contact state officials for verification.

# State Structures for Criminal Justice: Illinois

## Illinois Juvenile Justice Commission

- Federally mandated SAG to the Governor, General Assembly & Dept of Human Services
- Charged with crafting policy and practice recommendations to the Governor, General Assembly, Executive Branch and state and local stakeholders. The Commission is also tasked with allocating federal juvenile justice funding and leveraging other sources of funding to develop and support effective juvenile justice programs and strategies.
- 25 members appointed by Governor serving three year terms.
- Committees : Executive, Planning & Grants, Racial Justice & Equity Committee, Ad-Hoc Workgroups, Compliance, & Youth Engagement.

## Illinois Sentencing Policy Advisory Council

- Purpose of the Council is to review sentencing policies and practices and examine how these policies and practices impact the criminal justice system as a whole in the State of Illinois;
- Nonpartisan group of 23 state and local criminal justice system stakeholders including legislators, retired judges, prosecutors, defense attorneys, corrections and court officials, law enforcement, victims' rights advocates, and academics. The Council currently has a staff of 3: Executive Director; Policy Team (1); Research Team (1);
- SPAC reports directly to the Illinois General Assembly, the Illinois Supreme Court, and the Governor;
- SPAC does not make recommendations or take positions on specific legislation.

## Illinois State Commission on Criminal Justice & Sentencing Reform

Established 2015 and comprised of more than two dozen stakeholders, Commission was charged with developing comprehensive, evidence-based strategies to meet the goal of reducing Illinois' prison population 25 percent by 2025. Dissolved in 2015 upon submission of final report.

# State Structures for Criminal Justice: Kansas

## Juvenile Justice Oversight Committee

- Juvenile Justice Oversight Committee (JJOC) is a statutorily defined, multidisciplinary team of stakeholders of youth-serving systems;
- JJOC provides policy and funding recommendations and influences stakeholders across agencies and branches of government, on sound, data-driven, evidence-based implementation, and sustainability of juvenile justice reforms;
- Amidst the challenges of the COVID-19 pandemic and changing membership, took the opportunity to rethink its structure in 2021. In 2022 and 2023, the JJOC continued to embrace the revised structure, making a commitment to quarterly JJOC meetings, monthly subcommittee meetings, and adopting a mission and vision statement to guide the JJOC's work moving forward. Subcommittees Include: Data, Communications, Reinvestment, and Legislative.

## Kansas Sentencing Commission

- Mission is to develop post-implementation monitoring procedures and reporting methods to evaluate guideline sentences; to advise and consult with the secretary of corrections and members of the legislature in developing a mechanism to link guidelines sentence practices with correctional resources and policies, which includes review and determination of the impact of the sentencing guidelines on the state's prison population; to consult with and advise the legislature with reference to implementation, management, monitoring, maintenance and operations of the sentencing guidelines system; and to make recommendations relating to modification of the sentencing guideline;
- The Kansas Sentencing Commission consists of seventeen statutory members; After it was fully formed and staffed by November, 1989, the Commission met semi-monthly in Topeka. The Commission decided early on to confine their activities to adult felony sentences. Further, the Commission identified a set of goals to be attained in developing a uniform sentencing guidelines system including:
  - To develop a set of guidelines that promote public safety by incarcerating violent offenders;
  - To reduce sentence disparity to ensure the elimination of any racial, geographical or other bias that may exist;
  - To establish sentences that are proportional to the seriousness of the offense and the degree of injury to the victim;
  - To establish a range of easy to understand presumptive sentences that will promote "truth in sentencing";
  - To provide state and local correctional authorities with information to assist with population management options and program coordination;
  - To provide policy makers information that will enhance decisions regarding resource allocations.
- Functions as a state agency with a staff of 14 FTE

# State Structures for Criminal Justice: Kentucky

## Statutory Committee: Juvenile Justice Oversight Council

- Provides an independent review of the state juvenile justice system and provides recommendations to the General Assembly.
- Review the implementation of all juvenile justice reforms enacted by the General Assembly, collect and review performance measurement data, and continue to review the juvenile justice system for changes that improve public safety, hold youth accountable, provide better outcomes for children and families, and control juvenile justice costs.
- Housed within the KY General Assembly. 6 Legislative Members (non-voting); 12 citizen members; 3 legislative staff members (2 legislative analysts and 1 committee assistant)

# State Structures for Criminal Justice: Montana

Criminal Justice Oversight Council

Montana Commission on Sentencing

All state websites currently inaccessible. Research will continue as needed and requested.



# State Structures for Criminal Justice: Nevada

## Juvenile Justice Oversight Commission (JJOC)

- Mission of the JJOC is the governance of the selection, policy development, implementation, enforcement, and quality assurance of Nevada's juvenile justice system;
- Juvenile Justice Commissioners from a broad representation of juvenile justice expertise areas were appointed and have been actively engaged in implementation and planning of juvenile justice reform;
- State of Nevada applied for and received technical assistance through the Justice Center of the Council of State Governments. Receipt of the award triggered a year long process analyzing Nevada's Juvenile System and developing recommendations for change. That process included convening a team of Nevadans from all branches of government and all corners of the state together with national experts.

## Nevada Sentencing Commission

- The Nevada Sentencing Commission was established in 2019 as an independent recommending body housed in the Nevada Department of Sentencing Policy. The Commission had previously existed in the Legislature as a legislative interim committee;
- 24-member Commission is comprised of lawmakers, representatives, and stakeholders from all areas of the criminal justice system.
- Duties
  - Mission/Goal/Objective Making data-driven recommendations for sentencing and corrections;
  - Evaluating the effectiveness and fiscal impact of sentencing with consideration for certain objectives and goals for sentencing;
  - Tracking and assessing the outcomes resulting from the enactment of Assembly Bill No. 236 from the 2019 legislative session.
- Most recent iteration of the Commission was originally established in 2017 as an interim committee of the Legislature. **The Commission studied other sentencing commissions and ultimately recommended that it become independent of the Legislature and be provided dedicated staff to assist in analyzing and overseeing criminal justice data. The Legislature adopted this recommendation and in 2019, established NDSP and moved the Commission to the Executive Branch by housing it in NDSP.**

# State Structures for Criminal Justice: Oregon

## Criminal Justice Commission

- Mission of the Oregon Criminal Justice Commission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems
- Mission is to collaborate on goals and improvements to Oregon's juvenile dependency system that advance equity, consistency, and improve outcomes for system involved families;
- Commission consists of nine members, seven of whom are voting members appointed by the Governor. The remaining two members are nonvoting members appointed by the President of the Senate and the Speaker of the House.

## Juvenile Court Advisory Committee

- Mission: To collaborate on goals and improvements to Oregon's juvenile dependency system that advance equity, consistency, and improve outcomes for system involved families.
- Chief Justice of the Oregon Supreme Court appoints the members of the Juvenile Court Improvement Program's (JCIP) Advisory Committee;
- Housed in Oregon Judicial Department

## Oregon: Juvenile Justice Advisory Board

OJD was awarded a grant from OJJDP in 2022 that provides for the creation of a Juvenile Justice Advisory Board. This board will be comprised of Oregon youth with lived experience who will meet regularly to provide a critical perspective on delinquency system improvement efforts.

# State Structures for Criminal Justice: South Dakota

## Juvenile Justice Oversight Council

- The Juvenile Justice Oversight Council is created for the purpose of providing an independent review of the state juvenile justice system and providing recommendations to the Legislature, Governor, and Chief Justice;
- 19 members - Governor's Appointee (law enforcement); Chief Justice Appointee; Governor's Appointee (At-large); Governor's Appointee (Representative from DOC); House Majority Leader Appointee (Representative-Democrat); Legislative Appointee; Governor's Appointee (Secretary of the Department of Tribal Relations); Senate Majority Leader Appointee (Senate-Democrat); Superintendent's Association Appointee; Governor's Appointee (Youth Care Provider); Chief Justice Appointee; Attorney General Appointee; Chief Justice Appointee (Criminal Defense Attorney); Chief Justice Appointee; Superintendent's Association Appointee; Chief Justice Appointee; Legislative Appointee; Governor's Appointee (Representative from DSS);
- Housed: [Unified Judicial System](#), SD Department of Corrections.

## Corrections Commission

- Purpose of the corrections commission is to assist the Department of Corrections in examining criminal justice issues and developing initiatives to address problems in corrections and the criminal justice system;
- State law requires the Corrections Commission to undertake a continuing study of criminal justice issues in South Dakota, which may include a review of current felonies, felony sentences, sentencing options, practices, programs, trends and initiatives;
- No funds, other than those for normal operating costs and replacement of existing necessary equipment, may be expended from the prison industries revolving fund for the purposes of enhancement, development, or expansion of prison industries without approval of the commission;
- The nine members serve at pleasure of appointing authority and may be removed by appointing authority at any time. Commission is required to meet at least two times each year at the call of the secretary of the Department of Corrections or the chair of the commission

# State Structures for Criminal Justice: Texas

## Texas Board of Criminal Justice

- Mission is to provide public safety, positive change in offender behavior, reintegrate offenders into society, and assist victims of crime;
- Nine member Texas Board of Criminal Justice (TBCJ) is appointed by the governor to oversee the Texas Department of Criminal Justice (TDCJ), which provides confinement, supervision, rehabilitation, and reintegration of the state's convicted felons;
- Housed in the TX Department of Criminal Justice.

## Advisory Council on Juvenile Services

- Council consists of 14 statutorily defined members including:
  - The executive director of TJJD or the executive director's designee;
  - The director of probation services of TJJD or the director's designee;
  - The director of state services of TJJD or the director's designee;
  - The commissioner of human services or the commissioner's designee;
  - Two juvenile court judges, appointed by the TJJD Board of Directors;
  - One representative of the county commissioners courts, appointed by the TJJD Board of Directors; and
  - Seven Chief Juvenile Probation Officers, appointed by the TJJD Board of Directors,

The advisory council shall assist the department in:

- (1) determining the needs and problems of county juvenile boards and probation departments;
- (2) conducting long-range strategic planning;
- (3) reviewing and proposing revisions to existing or newly proposed standards affecting juvenile probation programs, services, or facilities;
- (4) analyzing the potential cost impact on juvenile probation departments of new standards proposed by the board;
- (5) assessing and developing recommendations to improve the sharing of information between agencies that serve children, including agencies serving children in both the juvenile justice and child welfare systems; and
- (6) advising the board on any other matter on the request of the board.

# State Structures for Criminal Justice: Utah

*Single Commission, Multiple Divisions: Juvenile Justice, Sentencing Commission, UT Substance Abuse and Mental Health Advisory Council (USAAV+), Domestic and Sexual Violence, Indigent Defense Commission, Utah Office of Victims of Crime*

## Commission on Criminal & Juvenile Justice

- Mission is to connect and collaborate with system stakeholders on criminal and juvenile justice policy with the goal of reducing crime and delinquency in Utah;
- CCJJ, and the divisions housed within our commission, all have distinct missions which are unique from the state's criminal justice agencies. CCJJ is the only policy coordination body for Utah's criminal justice stakeholders and the primary granting agency for the U.S. Department of Justice (DOJ) and other state funded criminal justice [grants](#);
- CCJJ is a leader in the field of criminal justice in Utah and serves as the only agency that provides indigent defense and crime victims services at the state level;
- Created in 1983, the Utah Commission on Criminal & Juvenile Justice is the coordinating body for criminal and juvenile justice policy in Utah. CCJJ consists of twenty-six statutorily delegated and appointed members representing all facets of the criminal and juvenile justice system including judges, prosecutors, defense attorneys, legislators, victim representatives, law enforcement, treatment specialists, corrections, parole authorities, education, and community partners;
- The Commission is staffed by various experts in their respective fields who assist the Commission in fulfilling its statutory duties and obligations set forth by the governor and legislature.
- Created in the Office of the Governor.

# State Structures for Criminal Justice

## **Contacts for Follow-up**

If you have questions, please contact:

Berrick Abramson, President, Confluence PSG: [berrick@confluencepsg.com](mailto:berrick@confluencepsg.com)

Carrie Steele, Policy Director, Confluence PSG: [carrie@confluencepsg.com](mailto:carrie@confluencepsg.com)



## Working Group on Transforming Criminal & Juvenile Justice (TCJJ)

December 18, 2023 Meeting Agenda

**In-Person: Ralph Carr Judicial Center, 1300 Broadway, Denver CO; Room 1C**

**Via Zoom: <https://us06web.zoom.us/j/82188160979>**

9:00 - 9:10am	Welcome & Meeting Overview	<i>TCJJ Workgroup Chairs</i>
9:10 – 12:40pm	Stakeholder Testimony	
12:40 - 12:55pm	Public Comment	
12:55 - 1:00pm	Closing Remarks and Next Steps	<i>Confluence PSG</i>

**Upcoming meeting dates (all meetings will also have a remote/Zoom option):**

- January 3, 9am-11am; Additional Date for Public Testimony: Remote, via Zoom. Please email TCJJ facilitators for more information; [TCJJ@confluencepsg.com](mailto:TCJJ@confluencepsg.com)
- January 5, 2024: 9am-1pm; Ralph Carr Judicial Center, Training Room 1C
- January 19, 2024: 12pm-4pm; Ralph Carr Judicial Center, Training Room 1E
- February 2, 2024: 12am-4pm; Ralph Carr Judicial Center; (Room tbd)



**Working Group on Transforming Criminal & Juvenile Justice (TCJJ)**

January 3, 2024

**Stakeholder/Public Testimony Meeting Agenda**

**Via Zoom:** <https://us06web.zoom.us/j/88334372116>

9:00 - 9:10am	Welcome & Meeting Overview	<i>Confluence PSG</i>
9:05 - 10:55am	Stakeholder/Public Testimony	
10:55 - 11:00am	Public Comment	
11:00 - 11:12am	Stakeholder/Public Testimony, cont.	
11:12 – 11:15am	Closing Remarks and Next Steps	<i>TCJJ Chair &amp; Vice Chair</i>

**Stakeholder/Public Testimony Schedule**

9:05	Amanda Blackwood	Survivor of child abuse
9:12	Courtney Sutton	Public Policy Director, Colorado Organization for Victim Assistance, COVA
9:19	Ray Harlan	Victim of crime
9:26	Tim Lopez	Victim of crime
9:33	Jenny Stith	Executive Director of a victim service organization, WINGS.
9:40	Ashley Jellison	Executive Director, Colorado Children's Alliance
9:47	Connie Brenton	CEO - Art Mart
9:54	Kazi Houston	Legal Director, Rocky Mountain Victim Law Center
10:04	John Neslage	Speaking on behalf of family, especially a child who was victimized
10:11	Dana Walter Flores	National Youth Law Center
10:18	Meghan Baker	Disability Law Colorado
10:25	Natalia Marshall	
10:32	COPA (2 individuals)	Colorado Providers Association, COPA
10:42	Stacey Putka/Ashley Furst	Co- Founder & Executive Director, Breakthrough
10:52	Public Comment	
11:00	Ed Wood	President, DUID Victim Voices
11:07	Demetrius Somerville	Colorado Advocacy Fellow

**Upcoming meeting dates (all meetings will also have a remote/Zoom option):**

- January 5, 2024: 9am-1pm; Ralph Carr Judicial Center, Training Room 1C
- January 19, 2024: 12pm-4pm; Ralph Carr Judicial Center, Training Room 1E
- **Rescheduling Note:** A new date is being established for the February 2 meeting. More details to follow.





## Working Group on Transforming Criminal & Juvenile Justice (TCJJ)

January 5, 2024

### Working Group Meeting Agenda

**In Person: Colorado State Capitol, 200 East Colfax Ave.; House Committee Room 0107**

**Remote Option, via Zoom:**

<https://coleg-zoom.us/j/85946904288?pwd=2jL01WOagmkbEPudTOBuBs1T4kr4hu.1>

9:00 - 9:10am	Welcome & Meeting Overview	<i>Confluence PSG</i>
9:05 - 9:30am	Presentation: VERA Institute of Sentencing Reform	Marta Nelson, VERA
9:30 - 9:35am	TCJJ Charge from Executive Order	Vice Chair, Tom Raynes
9:35 - 9:45am	Presentation: Key Themes Identified to Date	Confluence PSG
9:45 - 10:15am	Reflections, Thoughts and Key Takeaways	TCJJ Members
10:15 – 10:25am	Break	
10:25– 11:45 am	Discussion of Working Group Key Recommendations	TCJJ Members
	<ul style="list-style-type: none"> <li>• Mission/ Missions – one group or more and missions of those groups?</li> <li>• Operations – structure, home, independence, engagement with persons impacted, public awareness, transparency. Organization of small groups, steering group etc.</li> <li>• Membership – ex officio, voting. Membership in all sub- groups, if any – how selected?</li> <li>• Duties – more specific than mission?</li> <li>• Reporting – how and to whom?</li> <li>• Other items?</li> </ul>	
11:45 – 11:50am	Break	
11:50 – 12:45pm	Group Discussion, continued.	TCJJ Members
12:45 – 12:55pm	Public Comment	
12:55 – 1:00pm	Closing Remarks and Next Steps	<i>TCJJ Chair &amp; Vice Chair</i>

**Upcoming meeting dates (all meetings will also have a remote/Zoom option):**

- January 19, 2024: 12pm-4pm; Ralph Carr Judicial Center, Training Room 1E
- January 22: Discuss additional meeting date if needed.
- **Rescheduling Note:** A new date is being established for the February 2 meeting. More details to follow.



**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

# Working Group on Transforming Criminal & Juvenile Justice

## Stakeholder Testimony Highlights & Recommendations

January 5, 2024

# TCJJ Stakeholder Testimony: Overview

## Stakeholder Testimony

- TCJJ heard testimony from more than 50 stakeholders representing a broad diversity of perspectives, expertise and lived experiences;
- Additional testimony and input was received via written comments sent via email and an online form;
- While stakeholders were invited to address a set of specific questions aligned with the official mission of TCJJ, a significant portion of testimony spoke more significantly to experience with the justice system.

# TCJJ Stakeholder Testimony: Questions

## Stakeholder Questions

Those invited to speak to TCJJ and those providing written comment were asked to address any one or more of the following:

- What are your general thoughts about the creation of a new entity or entities to address criminal and juvenile justice?
- Do you align with the idea of one single entity or more than that? If more than one, how would you split them?
- Where do you think best for the new entity or entities to be housed? Executive, legislative, or other idea?
- Thoughts on the composition of any entity. How would you balance the various interests? The system folks, the community experience, the elected officials (legislative and executive) and the research professionals - or any other groups? Should the entity lean in one direction on membership or build some hybrid of groups?
- Describe your thoughts how any entity should guarantee transparency.
- Describe how the entity should or would have independence to make its own recommendations.
- Additional thoughts. Please share any additional information you would like the TCJJ Working Group to consider, including your lived experience and personal/professional thoughts.

# TCJJ Stakeholder Testimony: Highlights & Themes

*What appears on the following slides is NOT intended to be a comprehensive or exhaustive read-out of all testimony. This presentation focuses on specific ideas mentioned and those in direct response to the prompts provided.*

*Additional information about ideas, experiences and suggestions outside of those responsive to the TCJJ questions is summarized in the witness testimony summaries.*

*To the extent possible, the suggestions, opinions and ideas offered by presenters are provided with little to no editing to be faithful to the idea offered. These are all extracted from hundreds of pages of notes taken in real-time. For full witness testimony, consult the recordings of each meetings.*

# TCJJ Stakeholder Testimony: Mission/Missions

- Agreement of shared goal for legislative body
- Mission should be to ensure protection of the rights and needs of victims related to crime in the criminal justice system with a priority to prevent and reduce crime and recidivism
- Create new entity with a clear purpose and vision of how to reboot our justice system is essential; Statutory mission: the mission should be clear with a definitive purpose, a vision for implementing that mission; should identify what's wrong with the present system with a clear vision of what needs to change and why, so that is implemented in a way that serves to rally community in positive and life-affirming ways.
- Criminal justice issues are individual health and public health
- Fundamental mission of government and task force needs to be public safety
- Helpful to have shared goals and parameters to drive the work; establish values early on
- Improve public safety
- Keep in mind the mission of the adult criminal justice system is different from the mission of the juvenile justice system
- Need a North Star Mission. Forum is unlikely to reach consensus if not a shared mission; agrees 100%; public safety is far to broad a mission to really guide members and increase likelihood of consensus; improve public safety through prevention rather than arrest and incarcerations
- Need to get a clear mission and north star; Don't get mission drift/fatigue
- There is a need for a public health approach and something in the mission around improving public health
- think about form following function – what do you want to accomplish and do not assume its monolithic
- Very happy to learn one of the guiding principles there of the CCJJ was that public safety should always be paramount; victims rights and protection should be one of the key elements of any entity in the future

# TCJJ Stakeholder Testimony: 1 or 2 Entities?

- A Task Force on certain juvenile justice issue (NGRI, Diversion, etc) is more appropriate than broad take force without direction.
- Agrees there are a huge differences between the adult and juvenile systems that warrant independent examination.
- Believes that juvenile justice should be separate from adult justice due to the large difference between those two types of crimes
- Believes there is great value in separating adult and youth systems
- Break into a juvenile and adult group
- 2 separate arms – juvenile and adult
- Juvenile justice discussions and reform need to be independent from overall criminal justice; juveniles and adults vary drastically in their involvement within system. However, having two separate systems is short-sighted and will have negative consequences. Two separate systems can result in silo decision-making that may result in a disparity of offender and victim rights.
- Need to bifurcate adult and juvenile; should there be a commission on juvenile justice, young people should serve on it
- Organization and himself believe a creation of a statewide entity is unnecessary. Already have the CO legislature that is directly accountable thru elections; thinks another entity would be problematic; asking a commission not be formed and the peoples representatives be kept.
- Potentially form a reentry group; knows that Andre would be a helpful member in that regard and include people with lived experienc
- Recommends adult and juvenile be separate processes, both of which include victim experiences and victim legal rights.
- Should not be a single body
- Single entity -believes a single entity is the best way to formulate design and implement a new vision for juvenile justice; would make it easier for all involved to align with a new purpose and vision bring the competent people on board to implement this vision and create accountability for this implementation
- Suggests there is separate group of experts and community members for juveniles. Statutes are different for adults vs. kids
- 1 primary entity with subgroups; Subgroups should not be decision making bodies but bring back ideas to the main group
- There has to be a body dedicated to kids – they have a really complex set of problems; kids do not have any of the voices or resources that adults do; pretending there are just little adults is an exercise in failure

# TCJJ Stakeholder Testimony: Operations

- Address the root causes; have temporary task forces for separate issues; need data driven evidenced based decisions
- Bring community based organizations along; organizations like Breakthrough are pre-vetted and can help address individuals' needs and also take that burden off of DOC, especially during a time of staff shortage.
- CCJJ lacked meaningful and authentic community engagement; making recommendations or decisions without meaning leads to further problems
- CJJ used to vote yes or no; there was no middle ground and folks voted their conscience and said why they voted it. Then they mediated away from it and then we got thumbs up, thumbs down or thumb sideways - We need to be voting yes or no and no in between.
- Create community partnerships with groups like breakthrough
- Encourages a new entity to incorporate the collection of data and analysis of that data as policies and practices are developed
- Have specific task or issue because there are specific people with certain expertise, depending on the issue; important to be specific about what you're doing and include the right people; finds that deadlines help push decisions; have shared goals and parameters to drive the work; Finds that deadlines helped push decisions;
- Have time limited issue specific task forces on a specify issues; hold listening sessions in the community; As for time limits, once you go beyond 2 years, you lose people's interest
- Identify the people in and out of, in the community who have influence. By identifying these people with influence, you can get them to come out with and advocate for CCJJ and the communities;
- If you are creating a body dedicated to transformational reform of criminal and legal system – be mindful of evidenced based practices, what community that is impacted the most and recognize the criminal system is inequitable;
- Improve opportunities to collaborate – sometimes very jurisdictionally specific; Don't give into culture of divisiveness ; don't blame the structure; communities have coordinating councils where you can get a lot of ideas; Adams County hired a specific coordination person that interacts with other jurisdictions
- It should be a goal (a big one) to decouple disability and criminalization. That means (1) any discussion should include members of the disability community (lived within and out of system), and (2) it is important to take each individual issue rather than a look at systems level; Jaill Standars commission had a robust set of stakeholders – was an incredible success and had unanimous consent; get the right people uin the room; time limited groups; divide into subgroups; ask legislature to appropriately staff and fund.



# TCJJ Stakeholder Testimony: Operations (*continued*)

- Look at how to move issues from subcommittee to main committee.
- Judge members are particularly non-voting; give probation officers freedom to come in and talk about their experience and be full participants as voting members.
- Members must be honest and refrain from deceptive practices to support their positions; replacement entity must respect, listen to, and professionally respond to informed citizen input; the replacement entity must listen to the victims; the replacement entity should proactively seek out and listen to expert opinion and evidence that supports positions contrary to proposed administration policy.
- Most of the work will find its way downstream and will have direct impact on municipal courts
- must have time limited groups; broad based permanent body is hard for community members; issue specific groups with shared purpose
- Need reporting groups; transparency to report to and accountability; focus on preventative intervention, not just the middle parts - go more upstream, look at root causes, mental health, school to prison pipeline.
- "Need to have bill writing authority; Help create consensus prior to bill being introduced and all the stakeholding has been done.
- Needs to be forward thinking, evidenced based, and to invest in proven crime prevention strategies outside of politics; much of successful legislation came in early years when there was low hanging fruit; needs issue specific working groups meeting for a discreet amount of time – to have right people at the table and call on communities that will turn out to meetings at appropriate times, in appropriate places, at the right place.
- New group should report to the lawmakers the way the Supreme Court does where there is a majority opinion with an explanation of why the majority believe that way. Then there are one or more minority opinions that differ also with an explanation of why they think that way
- Perfume example: it gets more concentrated as you go – some issues are toilet water (quasi structure/not permanent, interim groups); we have to sort better because CCJJ wound up with the kitchen sink; some groups are longer term – task forces, legislative committee: Informa/formal; Institutionalized – ie on a permanent basis; have to go closer to the ground; entity has to have more engagement at all phases – not just policy development; there has to be a feedback; has to be intentional and consistent process to identify scope of work – sometime CCJJ identified it, sometime it was the legislature, sometimes it was the governor
- Struck by similarities of instructions given to this group and the creation of CCJJ; appears features have been replicated in this structure – we need to make dramatic changes and listening on what people have presented today focus generally on public safety; move away from permanent broad based group and toward temporary focus groups

# TCJJ Stakeholder Testimony: Operations (*continued*)

- Suggest to avoid the politicization, look at evidenced based decision making, best practices, research; Make sure CCJJ does not become ineffective because it falls into gatekeeping; Avoid gatekeeping by being explicit and conscientious and remind public and other folks in the General Assembly that it is not intended to be the be all end all; recommendations are based on considerate judgement of folks in the room;
- TCJJ be sounding board of ideas – not a body to make policy recommendations; .Challenges of CCJJ were centered around transparency and decision making particularly at the subgroup level; believes its worthwhile to consider how and why CCJJ evolved to a policy making entity – whether that remains going forward; Anyone who wants to can vote so everyone has a stake in it; it was welcoming and enlightening as a chief to talk with folks he has never spoken with before; generally felt CCJJ policy progress improved outcomes and recommendation
- TCJJ should carefully consider the creation of a group reviewing criminal and juvenile justice in an evidence-based manner; smaller groups could also focus on legislation that's put forward that doesn't come from this new entity for them to review and make recommendations; the created entities should be able to put forth recommendations for policies with an eye on implementation with fidelity
- The robust conversations that occurred at the working group level in particular ensured thoughtful decisions were made as policy recommendations were discussed and developed. This was largely done by drawing on the expertise of stakeholders and participants who often didn't sit on the task force or CCJJ but had important information to provide; Sentencing Reform Task Force had an up or down vote; doing this meant if there was a single problematic measure, any objection to the measure was lost in the final vote of a package of recommendation.
- There is a gap/power distance; the folks out there believe but they are too scared to approach.
- Time limited task forces to come up with realistic, sustainable legislation
- To put forth legislation, it's essential that one view point is afforded a counterpoint;

# TCJJ Stakeholder Testimony: Membership

- Absolutely Include people from the business community
- Add more people with lived experience
- All hands on deck: Community involvement AND community education; all state departments with resources to throw at this – we could only have so many task forces because it was limited by DCJ staff; diversity across DCJ, CDPHE, utilize ALL assets and resources across state government
- CCJJ lacked diverse subject matter experts; dominated by systems actors; lacked meaningful community engagement.
- CCJJ was dominated by system actors -table was far too limited and dominated by system actors paid to be there; any criminal justice task force need to include community experts (not just those paid by government); should include those who have lived experience or professional experience related to the criminal justice. Include people who have been incarcerated, survivors of crime; avoid the inherently oppositional people; include the right people who have community buy-in already. If you only have system actors, they do not have the community ties and it will just take that much longer
- CCJJ was made up and overly reliant on institutional actors; examine who experts and what voices have been left out
- CCJJ was too big (38-40 people) making it hard to get anything done in 90 minutes; firm believer that the smaller the group the better – there is more opportunity for discussion and compromise; membership should be in the low 20s.
- Ensure new iterations are bringing the community to the table; Need lived experience and professional experience;
- great need for balance in any organization; need a functional number
- HAS to have something to do with youth – folks with lived experience, education experts; adolescent providers, youth advocates (not just defense attorneys) , social workers (not DHS) but their person who sat in the living room, juvenile corrections workers (not the head of an agency again but the people did the actual work); getting closer to the reality is so much more effective;
- Important to have true victim representation and that victim voice should be equal to everyone at the table
- Important to include persons with disabilities; There is a dramatic overrepresentation of disabilities in our criminal justice system
- Include lived experience
- include local governments as regular stakeholders; folks who have worked in schools, mental health experts, clinicians, team members of defense teams – transportation, resources, etc.

# TCJJ Stakeholder Testimony: Membership (*continued*)

- Include probation services in whatever group is decided; probation services is engaged more than any other agency by a long shot; probation is a part of all 22 districts; its challenging for judges to be engaged and maintain independence
- include the experts to have robust conversations; experience including community
- Include those who know and have managed outcomes on the other side;
- There is a lack of diverse subject matter experts (especially those with lived experience and there is an overrepresentation of system actors; give prominent seats at the table with voting rights to community members
- Include victim service organizations and cultural providers; the Behavioral Health Organization;
- Include victim voices
- Invite small non-profit to the table
- It is so incredibly important for people with lived experience to be able to sit on these panels and these task forces to help give that real lived experience of what people need to be able to recover
- Lived Experience: law enforcement, community organizations, defense bar, etc.; there needs to be representation of law enforcement
- Many, if not a majority, of her providers have lived experience; these LEs are experts because they run non-profits (detox centers, community centers, etc). Stigma has kept them from sitting around the circle as people make decisions for them
- Must be truly inclusive of community; not inviting some members; system actors are good at tweaking and sanding the edges of the system; people are living the consequences of our systems – their voices are critical if we want to improve safety.
- Need children's specialists, specifically tailored curriculums to meet goals; also need organizations and communities that look at things different than the criminal justice system; wants to see actual experts rather than the folks who only know what happening from a high level. Need expertise to show up in community spaces and have less formal setups to build community relationships.
- Need local representation on TCJJ -cities/municipalities;
- People with her experience/perspective is important to this work – they understand the system from the inside; need combination of professional and lived experience
- should include actual survivors who are okay with sharing their stories; give a sense of authority to them;
- Specialized members do the deep work in root causes

# TCJJ Stakeholder Testimony: Membership (*continued*)

- Stakeholders involved contributed in ways that were meaningful and hearing victim advocates, or people in prison who had lived experience was meaningful to those on the prosecution side; Have policy makers, folks on the ground trying cases and experience with laws as they are written. Main stakeholders in criminal justice system were all there – that is unique; those who are most impacted were reflected in the final product; has great sympathy and empathy for those in the legislature – hard to be an expert in everything – sometimes that can lead to policy that doesn't anticipate in problems the way it should; whether they convicted a crime or have been a victim – the DA's can bring experience to the conversation
- Support the representation of victims and juvenile justice expertise on the CCJJ; must ensure that the victims' voices and juvenile justice expertise are included. CCA would like to be included during these considerations and as a resource for future appointments; include many different perspectives, both lived experiences and expertise through professions and associations
- This entity should be balanced and should include victims and survivors, along with victim service agencies; system-based services should not be the only voices at the table. Inclusion of subject matter experts regarding crime and specifically crime prevention researchers, community-based non-profit serving victims of crime, clinicians and mental health providers and educators
- Victims were not represented on the CCJJ; need victims advocates and other organizations that represent victims, not just people that work for the state
- Would like community people involved – they have been underrepresented

# TCJJ Stakeholder Testimony: Reporting/Housing

- Does not have a preference for where the entity is housed, however a venue that provides for victim engagement is critical
- Home base should be legislatively centered, but not legislatively created
- It should definitely be part of the legislature
- Keeping it in the executive branch offers the most effective opportunities for implementation, awareness, and support from the stakeholders
- Must exist in the legislature
- Needs to be directly accountable to communities to be embedded in communities
- New entity needs decision making authority that lives at a local level
- No position on where to housed, other than to say the judicial branch would be terrible
- Umbrella of CO Dept of Public Safety

# TCJJ Stakeholder Testimony: Transparency

- Anything without authentic transparency is not transparent at all; if it wasn't for things coming to light, things will continue to happen – all of these changes were able to happen because those people directly impacted were at the forefront and at the helm
- CCJJ operated with no community input
- Do not convene during work or school hours for the young people; create around their work, their lives, their families; compensate at a rate of \$30 per hour; subsidize transportation and food as needed and event costs.
- Factor for success - these efforts are community led and include and elevate the voices of lived experience
- Get outside of your bubble – she has a conference room if we would like to meet with folks who are currently going through the process; plenty of people who have spaces. The perception of power is important.
- Go into community rather than having folks come in makes it easier.
- Go into community rather than having folks come in makes it more accessible.
- Groups should and must be transparent such that members of the public and outside groups should have access
- Hold accessible Meetings; True hybrid participation; ASL interpreters, closed captioning, translation; paying for people to be transported, even when they come from a far off; publishing and maintaining a website to participate asynchronously; specific outreach for meetings
- Hold listening sessions; Wide promotion; Partnerships with neighborhood leaders, faith groups; Accessibility: complete virtual, translation services – all documents at least in Spanish; maintain ADA accessible website
- Make meetings easy to find; Meetings at the Capitol make it hard to hear voices outside the urban community;
- Meeting were 5 hours long; they were inaccessible; need hybrid and options after work hours; ADA accessible; translation services need to be available and all documents need to be translated at least into Spanish; recruit people using a gender and equity lens and these; meaningful involved short term time commitments; build trust by cohosting along lived experience folks; transparency of how community voices will be represented; give prominent seats at the table with voting rights; equitable compensation for lived experience voices; not just tokenization.

# TCJJ Stakeholder Testimony: Transparency *(continued)*

- Meetings at the capitol reduces participation. He has held meeting in parks, on the sides of streets and under viaducts; public libraries and public spaces; this is the approach the commission needs to take to receive input.
- Only became informed of CCJJ because of her involvement with a nonprofit; need user friendly ADA website w/ language translation; meet community where they are at and more promotion; like many others, she can't take time off from school, work etc; meeting should be ADA accessible, include translation; compensation would be necessary
- Other groups - always wonder how to get her voice on there; was told that she will have a representative. The recovery community has one representative who has a seat at the microphone she would have to rely on them to bring thing up.
- Public safety begins with people taking accountability within their own communities to give back and to spread the word; begin with a communal space, depending on what neighborhood you live in or what's happening in that neighborhood, a space where it will be zoned off for a safe space where people can get this information. The church is a good place to start.
- The voice of victims as well as the expertise of advocates and VRA legal experts ensured the impact of policy changes on victims of crime, their families, and their rights was more completely understood by everyone in the process. Access:schedule meetings outside of regular business hours in community-based locations and providing language access and compensation.



# TCJJ Stakeholder Testimony

## **Contacts for Follow-up**

If you have questions, please contact:

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# Presentation to the Colorado TCJJ Working Group: Options to Focus and Transform

*Director of Sentencing Reform - Marta Nelson*

**Vera** INSTITUTE  
OF JUSTICE

January 5, 2024

# *Vera Institute (1961–Present)*

- End mass incarceration
- Protect immigrants rights
- Build safe and healthy communities

- 1. Observations**
- 2. Examples of focused task forces from other jurisdictions**
- 3. Examples of transformative approaches to safety and health**

# Initial Observations

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*After listening to presentations on December 11 and 18 and reviewing CCJJ materials*

1. Many states have standing oversight and technical assistance bodies
2. CCJJ did more - did policy, mainly system actors looking at available data and acting through consensus, and it made some progress.
3. This method can't resolve the thorniest issues facing Colorado and other states: how to respond to harm before and after it happens, how to address racial targeting and disparities, what's the role of accountability versus punishment, how do we create safe communities?

**How can Colorado move beyond this structure to create and implement change that builds safety and justice?**

*Models and Examples*

# Model One: Focused, Time Limited, Single or Related Issue Task Forces

- Members:
  - Range of expertise
  - Legislative and executive representation
  - Directly impacted individuals sit as members
- Mission: To “safely reduce jail admissions” to “limit factors that lead to juvenile contact with the juvenile justice system” to “end girls incarceration”
- Task: Develop solutions to the given problem
- Result: Legislative or administrative package

# Examples:

- Michigan Task Force on Jail and Pretrial Detention
  - [Executive Order 2019-10 \(michigan.gov\)](#) (directly impacted individuals, community members, judiciary, defender, prosecutor, sheriffs)
    - [Guide to MI Jail Reforms](#) (Final Report Jan. 2020, Leg. Enacted Late 2020)
- Maryland Juvenile Justice Reform Council (prosecutor, defender, legislators, directly impacted people, victims advocates, experts, members of the judiciary)
  - [Enabling legislation SB 856 Chapter](#) (2019 Session, Final Report Dec. 2020) Legislation enacted May 2022, went into effect June 1, 2022
  - [Juvenile Justice Reform Legislation Implementation Manual](#) (2022)
- Task Force to End Girls Incarceration (NYC) (2017-2021) (government agencies, nonprofits, directly impacted people, academics)
  - 92% reduction in placement admissions, 70% reduction in detention admissions

# Model Two: Broaden the Scope Beyond the Criminal and Juvenile System Framework

- The justice system is too narrow a lens to build safety
- Members:
  - Range of expertise: health, education, economic development, infrastructure
  - Legislative and executive representation
  - Community members, including directly impacted
- Mission: Building safe communities
- Task: Concrete recommendations
- Result: Local or state packages, with investments



## Examples:

- St. Paul, MN Strategic planning process to reinvision public safety systems.
  - Membership: Business, faith communities, affinity and cultural groups, community organizations, law enforcement.
  - Result: Community First Public Safety Framework, including an Office of Neighborhood Safety. <https://information.stpaul.gov/pages/publicsafety>
- Denver, CO Task Force for Reimagining Policing and Public Safety
  - Membership: Faith communities, community groups, City Council, District Attorney and defenders, public health
  - Result: 144 recommendations, partial implementation.



**Working Group on Transforming Criminal & Juvenile Justice (TCJJ)**

January 19, 2024; 12pm-4pm

**Working Group Meeting Agenda**

**In Person: Colorado State Capitol, 200 East Colfax Ave.; House Committee Room 0112**

**Remote Option, via Zoom:**

<https://coleg-gov.zoom.us/j/82257735605?pwd=Ep8EcMzbLnKdhMQ8VHyKgbzX6SsAdb.1>

12:00 - 12:10pm	Welcome & Meeting Overview	<i>Confluence PSG</i>
12:10 - 12:20pm	Presentation: Summary of Member Input	<i>Confluence PSG</i>
12:20 – 1:05pm	Discussion of Mission	<i>TCJJ Members</i>
1:05 - 1:15pm	Break	
1:15 - 2:00pm	Discussion of Structure	<i>TCJJ members</i>
2:00 - 2:45pm	Discussion of Objectives/Duties <ul style="list-style-type: none"> <li>• Past objectives of CCJJ</li> <li>• What other states are doing</li> </ul>	<i>TCJJ Members</i>
2:45 - 2:55pm	Break	
2:55 - 3:40pm	Discussion on the role of community and key stakeholders	<i>TCJJ Members</i>
3:40 - 3:55pm	Public Comment	
3:55 - 4:00pm	Closing Remarks & Nex Steps	<i>TCJJ Chair &amp; Vice Chair</i>

**Upcoming meeting dates (all meetings will also have a remote/Zoom option):**

- February 5, 2024; 1:30pm -5:30pm: Colorado State Capitol, Old State Library 207
- February 15, 2024; 1:30pm – 5:30pm: Colorado State Capitol, Old State Library 207
- **Note:** *There is a chance capitol staff will need to move upcoming meetings to another room. If that is the case, we will update members directly and the public on the [TCJJ website](#).*



**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

# Working Group on Transforming Criminal & Juvenile Justice

January 19, 2024

# Member Input: Mission

## Member Drafts & Input

*The mission of (new entity) is to connect and collaborate with diverse community and system stakeholders across Colorado on CJ and JJ issues in order to study, analyze and evaluate the current CJ and JJ systems and recommend policies that will make those systems more effective in making Colorado a safe and healthy place to live.*

To oversee legislative changes and best practices to existing legislation and to implement new/creative approaches to reduce the recidivism rate within the criminal justice system and to find and develop programs to help prevent pathways into criminal activities, all the while, acknowledging the impact of violence on victims/survivors. This entity and all subcommittees will embrace both evidence-based data, along with the creative process when implementing new policies and practices, and/or making changes to current legislation.

It seems that the mission should be based on the role/scope of the entity(ies). I would like to see language in the mission about being evidence-based criminal legal reform.

Through a thoughtful and inclusive stakeholder driven process, the XXXX shall produce, reasonable public policy recommendations to the legislature and departments that are evidence based/informed that balances the values of safety of all citizens and visitors in Colorado, reduction in incarceration of low/medium risk individuals and increases successful re-entry after incarceration for adults/juveniles.

The mission should be to address the root causes of criminal behavior and reform the criminal justice system holistically through strategic alliances among and between state agencies to introduce and support legislation that creates communities that no longer breed criminal behavior out of necessity to survive and also communities prepared to receive those returning from incarceration and assist them on the road to reintegration.

I believe the mission should be to a holistic look at the criminal justice system. I know this is a very vague statement, but I believe the entity(ies) needs to be given the authority to examine all aspects of the CJ system.

# Member Input: Mission

## Member Drafts & Input

To consistently analyze, repair and improve the criminal and juvenile justice system in order to achieve a fair, balanced and elite approach for healing our communities, reducing crime and lowering recidivism!

Facilitate the collaborative construction of reform legislation across interested stakeholders in Colorado.

To provide an accessible forum for deliberative discussion of possible criminal justice policies that the General Assembly may enact or that criminal justice agencies may pursue operationally.

(TCJJ) is dedicated to advancing a fair, just, and compassionate criminal and juvenile justice system that aims to prioritize fairness, rehabilitation, and the overall well-being of individuals and communities, through promoting equity, empowering rehabilitation, protecting human rights, community engagement, youth-centric approach, policy advocacy, and educating and raising public awareness. Facilitate the collaborative construction of reform legislation across interested stakeholders in Colorado.

To provide meaningful and effective public policy recommendations for consideration by the legislature in furtherance of a just, equitable, humane and effective justice system designed to meet the needs and concerns of all Coloradoans in regard to crime prevention, crime intervention, community security, comprehensive system services, and positive system outcomes with an ongoing dedication to the overall well-being and health of all communities.

Promote crime prevention and improve outcomes for people involved in the criminal and juvenile justice systems through collaborative stakeholder engagement and evidence-based research.

This mission statement presumes an oversight commission is structurally over bifurcated stakeholder groups working on tasks either specific to topic (re-entry, recidivism, victim compensation, behavioral health...) or target (adult/juvenile). In my mind, the oversight commission would be “permanent” and the stakeholder groups would be task oriented and time limited.

*Statewide reform effort that upholds justice, addresses inequities, and makes policy recommendations to the legislature.*

# Member Input: Structure

## Member Input on Size of Membership

9-11 members.

Ideally 20 or less....

Not sure yet. I think you need a core group and alliances as the need dictates.

15-20

21

9 for the steering committee, larger group of sub-committees size should be determined by those committees

11 to 17. big enough to be diverse; small enough to be manageable

# Member Input: Other Notes

## Other member input (not inclusive of where to house future entities)

IF this entity is to live in perpetuity (or close to it) it **MUST** become independent. To achieve independence, both the legislative and executive branches should allocate dollars. In addition, the entity should write its own grants, perhaps form its own 501(c)(3).

No member of the entity should be on any subcommittee. Subcommittees will be formed on an as-needed basis, consisting of known professionals in the subject matter being addressed, and must include a victim/survivor and a person with lived experience. This entity and all subcommittees will embrace both evidence-based data, along with the creative process when implementing new policies and practices, and/or making changes to current legislation.

There were many comments in public testimony about location and time of meetings, along with many comments regarding compensating certain members (those with lived experiences, nonprofit employees who don't have earmarked funding but an important voice to lend, etc.). I hope this will be considered as the structure of the entity(ies) are contemplated.

A good facilitator is a **MUST**. Does not need to be a CJ expert, just a facilitation expert. The current one (Confluence) has been good.

# Member Input: Other Notes

## Other member input (not inclusive of where to house future entities)

To reduce crime you have to address the causes of criminal behavior and those are multi-faceted and cross over many state agencies. It isn't enough to look at "Just" crime bills or "just" bills related to prisons or victims or parole or or or. For real results, we stop things before they start. Providing meaningful diversion programming and ensuring adequate healthcare, mental healthcare, food, housing, education and supports to avoid criminality in the first place. If that doesn't work then we invest in robust youth and adult diversion systems. If those don't work then the last option is prisons. In our prisons we can continue to invest in education and resiliency programming but then again, we need to focus on what is in the community for their return? The entity needs to focus on the barriers to reentry. Can people get jobs really? What can we do to eliminate unnecessary background checks? How about housing? Is a good credit score really needed as a factor for rental? Can we eliminate some of these things? Having an application only available online isn't helpful if you just released from prison and don't have a computer. Etc.. These are multi agency issues and need multi agency, collaborative, alliance driven legislation.

I still have concerns over a governing body, I believe there should be 3 tiers/pillars with a representative from each that provides the final votes to the legislature and or concerned parties.

Structure should focus on the causes of justice-involvement, implementation and the community impact of mandated reforms.



# Mission: Historic

## CCJJ Mission

The mission of the Commission is to enhance public safety, to ensure justice, and to ensure protection of the rights of victims through the cost-effective use of public resources. The work of the commission will focus on evidence-based recidivism reduction initiatives and the cost-effective expenditure of limited criminal justice funds.

# Future Role: CCJJ Historic Duties

## The Commission shall have the following duties:

- To conduct an empirical analysis of and collect evidence-based data on sentencing policies and practices, including but not limited to the effectiveness of the sentences imposed in meeting the purposes of sentencing and the need to prevent recidivism and re-victimization;
- To investigate effective alternatives to incarceration, the factors contributing to recidivism, evidence-based recidivism reduction initiatives, and cost-effective crime prevention programs;
- To make an annual report of findings and recommendations, including evidence-based analysis and data,
- To study and evaluate the outcomes of commission recommendations as implemented;
- To conduct and review studies, including but not limited to, regarding work and resources compiled for other policies and practices in the criminal and juvenile justice systems. The commission shall prioritize areas of study based on the potential impact on crime and corrections and the resources available to conduct the work. The commission shall include among these areas of study the reduction of racial and ethnic disparities with the criminal and juvenile justice systems; and
- To work with other state-established boards, task forces, or commissions that study or address criminal justice issues.
- Using empirical analysis and evidence-based data, the commission shall study sentences in Colorado.
- The commission shall establish advisory committees that focus on specific subject matters and make recommendations to the full commission.
- The commission, at its discretion, may respond to inquiries referred by members of the general assembly, the governor, and the chief justice of the Colorado supreme court, as resources allow.
- Additional duties as assigned by the Executive and/or Legislative branches.

# Future Role: Duties For Discussion

## Duties:

- evaluate policies that group recommends
  - reduce prison population
  - crime prevention
  - violence interruption
  - sentencing guidelines/practices
  - disparities in sentences
  - clarity in sentences
  - enhance decisions on resource allocation data driven recommendations for sentencing and corrections
  - review of current crimes and sentences
  - review of programs and practices
  - support victims through increased resources
  - reentry
- 
- ▶ Community awareness and education
  - ▶ Outreach to communities and community leaders

# State Purposes / Duties: National Perspective

- Charged with crafting policy and practice recommendations to the Governor, General Assembly, Executive Branch and state and local stakeholders. The Commission is also tasked with allocating federal juvenile justice funding and leveraging other sources of funding to develop and support effective juvenile justice programs and strategies.
- purpose of the Council is to review sentencing policies and practices and examine how these policies and practices impact the criminal justice system as a whole in the State. In carrying out its duties, the Council shall be mindful of and aim to achieve the purpose of sentencing
- Prescribe sanctions proportionate to the seriousness of the offenses and permit the recognition of the differences in rehabilitation possibilities among individual offenders;
  - Forbid and prevent the commission of offenses;
  - Prevent arbitrary or oppressive treatment of the persons adjudicated offenders or delinquents; and Restore offenders to useful citizenship.
- does not make recommendations or take positions on specific legislation. SPAC supports using data driven analysis and evidence through: Full systemwide fiscal impact analysis on pertinent proposed legislation.
  - Yearly prison and community supervision population projections.
  - Presenting key findings in research reports based on trends seen in the system or requests by council members of the Governor, General Assembly members or Supreme Court.
  - Providing information to support evidence-based sentencing.
  - Reporting on statutorily mandated policy reforms, including downward departures for gun possession sentence enhancements and the impacts of additional pre-sentence investigations before sentencing.
- Make recommendations for amendments to state law that will reduce the State's current prison population by 25% by 2025 through maximizing uniformity, certainty, consistency, and adequacy of the State's criminal sentencing structure. The Commission's recommendations will ensure that (a) the punishment is aligned with the seriousness of the offense, (b) public safety is protected through the deterrent effect of the sentences authorized and the rehabilitation of those that are convicted, and (c) appropriate consideration is accorded to the victims, their families, and the community.

# State Purposes / Duties: National Perspective

- Reports of the Commission shall include, but not be limited to, an evaluation of the impact that existing sentences have had on the length of incarceration, the impact of early release, the impact of existing sentences on the length of community supervision, recommended options for the use of alternatives to incarceration, and an analysis of the fiscal impact of the Commission's recommendations.
- Committee Responsibilities
  - Guiding implementation of the changes in law;
  - Defining performance measures and recidivism;
  - Approving processes for comprehensive data collection to measure performance, recidivism, costs and outcomes;
  - Considering systems for data collection and analyses;
  - Ensuring system integration and accountability;
  - Monitoring implementation and training efforts;
  - Calculating avoided state expenditures by reductions in out-of-home placements to make recommendations to the Governor and Legislature; and,
  - Continue to review topics related to continued improvement of the juvenile justice system.
- To develop post-implementation monitoring procedures and reporting methods to evaluate guideline sentences; to advise and consult with the secretary of corrections and members of the legislature in developing a mechanism to link guidelines sentence practices with correctional resources and policies, which includes review and determination of the impact of the sentencing guidelines on the state's prison population; to consult with and advise the legislature with reference to implementation, management, monitoring, maintenance and operations of the sentencing guidelines system; and to make recommendations to the legislature relating to modification and improvement of the sentencing guidelines.
- Provides an independent review of the state juvenile justice system and provides recommendations to the General Assembly. The council shall actively review the implementation of all juvenile justice reforms enacted by the General Assembly, collect and review performance measurement data, and continue to review the juvenile justice system for changes that improve public safety, hold youth accountable, provide better outcomes for children and families, and control juvenile justice costs.

# State Purposes / Duties: National Perspective

- Duties:
  - Making data-driven recommendations for sentencing and corrections
  - Evaluating the effectiveness and fiscal impact of sentencing with consideration for certain objectives and goals for sentencing
- Improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems. We do this by:
  - Providing a centralized and impartial forum for statewide policy development and planning;
  - Developing a long-range public safety plan for Oregon;
  - Analyzing capacity and use of state prisons and local jails, implementation of community corrections programs and methods to reduce future criminal conduct;
  - Funding and evaluating Oregon drug courts;
  - Conducting research;
  - Developing fiscal and racial / ethnic impact estimate of crime-related legislation;
  - Providing a statistical and data clearinghouse for criminal justice;
  - Administering Oregon felony sentencing guidelines; and
  - Staffing the Public Safety Task Force and other advisory committees.
- Tasks and Responsibilities
  - Staff Task Force on Public Safety and subcommittees
  - Staff Grant Review Committee
  - Provide JRI Liaison to associations and public safety stakeholders
  - Administer Grant Program
  - Provide county and regional data
  - Track performance measures
- The advisory council shall assist the department in:
  - (1) determining the needs and problems of county juvenile boards and probation departments;
  - (2) conducting long-range strategic planning;
  - (3) reviewing and proposing revisions to existing or newly proposed standards affecting juvenile probation programs, services, or facilities;
  - (4) analyzing the potential cost impact on juvenile probation departments of new standards proposed by the board;
  - (5) assessing and developing recommendations to improve the sharing of information between agencies that serve children, including agencies serving children in both the juvenile justice and child welfare systems; and
  - (6) advising the board on any other matter on the request of the board.

## **Contacts for Follow-up**

If you have questions, please contact:

Berrick Abramson, President, Confluence PSG: [berrick@confluencepsg.com](mailto:berrick@confluencepsg.com)

Carrie Steele, Policy Director, Confluence PSG: [carrie@confluencepsg.com](mailto:carrie@confluencepsg.com)



## Working Group on Transforming Criminal & Juvenile Justice (TCJJ)

Monday, February 5, 2024; 1:30pm-5:30pm

### Working Group Meeting Agenda

**In Person: Colorado State Capitol**, 200 East Colfax Ave.; **Old State Library** - second floor, room 271.

#### Remote Option, via Zoom:

<https://coleg-gov.zoom.us/j/89594129285?pwd=D7rUjTqAlb0CbnLrTF21PferCiGWTO.1>

1:30 - 1:40pm	Welcome & Meeting Overview	<i>Confluence PSG</i>
1:40 - 2:10pm	Presentation/Discussion <ul style="list-style-type: none"><li>• Mission</li><li>• Structure</li><li>• Duties</li></ul>	<i>Confluence PSG</i>
2:10 - 3:30pm	Discussion on Membership	
3:30 - 3:40pm	Break	
3:40 - 4:10pm	Discussion on Operations/Supports	<i>TCJJ Members</i>
4:10 - 5:10pm	Discussion of Housing	<i>TCJJ Members</i>
5:10 - 5:25pm	Public Comment	
5:25 - 5:30pm	Closing Remarks & Nex Steps	<i>TCJJ Chair &amp; Vice Chair</i>

#### Upcoming meeting dates (all meetings will also have a remote/Zoom option):

- **February 15, 2024;** 1:30pm - 5:30pm: Colorado State Capitol, Old State Library 271
- **Note:** *There is a chance capitol staff will need to move upcoming meetings to another room. If that is the case, we will update members directly and the public on the [TCJJ website](#).*





**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

# Working Group on Transforming Criminal & Juvenile Justice

February 5, 2024

## Member Discussion: Mission

Below are three draft mission statements based on member input.

Is there one that stands out to you that you could support as-is or with minor revisions?

Are there elements of more than one you would like to see combined?

Through a thoughtful and inclusive stakeholder process, the ???? shall research, consider and provide responsible criminal and juvenile justice policy recommendations to Colorado's elected officials that are evidence and data informed, fair and equitable and promote the safety, health and well-being of all Colorado communities.

To provide an accessible forum for deliberate discussion of criminal and juvenile justice policies for adoption and implementation by the Colorado General Assembly and other criminal justice stakeholders in order to support positive change in the criminal and juvenile justice systems.

To consistently analyze, repair and improve the criminal and juvenile justice systems in order to achieve a fair, balanced and effective approach for healing communities, reducing crime and supporting victims with an overall dedication to the health and safety of all Coloradans.

# Member Discussion: Mission

Which of the following duties are Must Have?

Any that should come off the list?

Which if any should be included or excluded from legislative directives vs. operationally adopted?

Community awareness and education about the entity and its mission  
Outreach to communities and community leaders

Outreach to crime victims/survivors to ask what they want and need; work to allow for repairing harm to survivors/victims through engagement and research

Study and make recommendation regarding consistent with mission may include

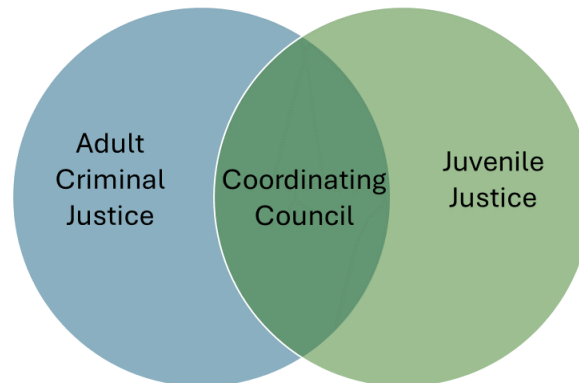
- Sentencing classification and practices including disparities and clarity in sentences
- Sentencing and placement of juveniles
- Other juvenile specific
- Review of programs for effectiveness and promote programs that reduce crime/ recidivism including promising practices; be a leader
- Reduce reliance on prisons
- Programs that reduce the footprint of the CJ and JJ systems through diversion or other effective methods
- Address and study the population of those suffering from mental and behavioral health disorders to integrate them into a better system of care.
- Enhance with data decisions on resource allocation
- Other issues that will promote the health of persons impacted by crime and the legal systems' responses to crim
- Also include evaluation of practices recommended and implemented.

ISSUES for discussion - PREVENTION/MORE HOLISTIC ISSUES

# Member Discussion: Structure

Proposed Structure below based on member input. Additional options on following slides and in handout.

- The coordinating Council is made up of members of juvenile and adult as selected by each group.
- They work to coordinate work and they serve to collect the ideas for the task force work in each entity.
- Need to ascertain how solicit information from stakeholders and communities
- Shall be responsible to conduct listening sessions throughout the state and meet with communities.
- Can vote in their circle but there is no council override vote.
- Responsible for the community outreach piece.
- Shall work with their circle to identify issues to work on and persons to serve on task force or study groups
- 
- Each circle has co-chairs - they are legislative members - bipartisan appointed by leadership. House or Senate. They conduct meetings and have a vote.
- But not necessarily serve on coordinating council.
- 
- Or have one leg member as chair with community member as the other co-chair. Just think during session leg member might not be able to attend.



# Member Discussion: Additional Structure Options

## Structure Option 2

All Member Council. A periodic meeting of all members of both entities to coordinate, align on topics, strategies or actions and to update one another to leverage the work of each



## Structure Option 3

A Coordinating Council. A group representing diverse expertise and perspectives who do not serve on either entity and act strictly in a coordinating capacity



## Structure Option 4

A Coordinating Council. A group representing diverse expertise and perspectives who do not serve on either entity and act strictly in a coordinating capacity



## Member Discussion: Membership

In thinking about two entities, what roles, constituencies & lived or professional experiences should be represented?

For an Adult Criminal Justice entity?

For a Juvenile Justice entity?

## Member Discussion: Operational & Location/Housing

### **INDEPENDENT of where the entity or entities are housed:**

- What are the critical supports or resources needed?
- What autonomies or elements of independence are needed?
- How should it/they interact with the legislature & the executive?

### **If the entities were based in the executive branch or a department:**

- What opportunities or challenges would that present?

### **If the entities were based in the legislature:**

- What opportunities or challenges would that present?

## **Contacts for Follow-up**

If you have questions, please contact:

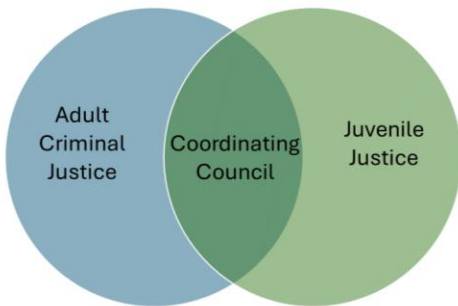
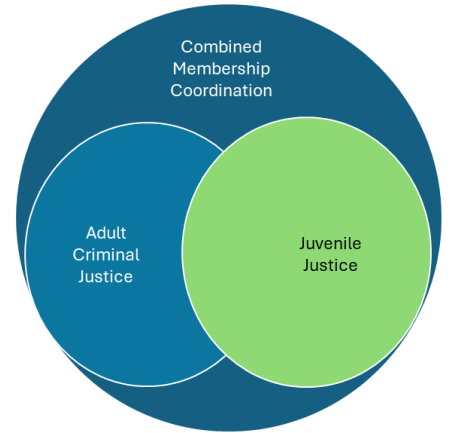
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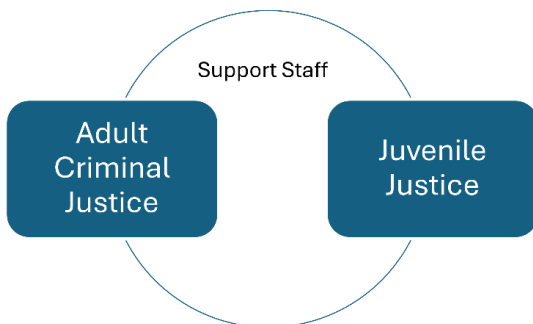
# TCJJ Structural Options

1. All Member Council. A periodic meeting of all members of both entities to coordinate, align on topics, strategies or actions and to update one another to leverage the work of each;



2. Subset of Members Council. A group comprised of 3-7 members of each entity who would serve the same purpose as above.

3. A Coordinating Council. A group representing diverse expertise and perspectives who do not serve on either entity and act strictly in a coordinating capacity.



4. A Professional Coordinating Staff. A team of state employees, contracted staff or combination who serve strictly in a support role.



**Working Group on Transforming Criminal & Juvenile Justice (TCJJ)**

Thursday, February 15, 2024; 1:30pm-5:30pm

**Working Group Meeting Agenda**

**In Person: Colorado State Capitol**, 200 East Colfax Ave.; **Old State Library** - second floor, room 271.

**Remote Option, via Zoom:**

<https://coleg-gov.zoom.us/j/89594129285?pwd=D7rUjTqAlb0CbnLrTF21PfErCiGWTO.1>

1:30 - 1:40pm	Welcome & Meeting Overview	<i>Confluence PSG</i>
1:40 - 2:40pm	Moving to Consensus & Decisions <ul style="list-style-type: none"> <li>• Mission/Vision</li> <li>• Structure</li> <li>• Duties</li> </ul>	<i>TCJJ Members</i>
2:40 – 2:50pm	Break	
2:50 - 3:40pm	Discussion on Membership	<i>TCJJ Members</i>
3:40 - 4:20pm	Discussion on Housing	<i>TCJJ Members</i>
4:20 - 4:30pm	Break	
4:30 - 5:00pm	Discussion on Staffing & Resources	<i>TCJJ Members</i>
5:00 - 5:15pm	Public Comment	<i>TCJJ Members</i>
5:15 - 5:30pm	Closing Remarks & Nex Steps	<i>TCJJ Chair &amp; Vice Chair</i>

**Upcoming meeting dates (all meetings will also have a remote/Zoom option):**

*An additional meeting may be necessary to conclude our work together. We will work with the members to find an agreeable date, time and format.*



**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

# Working Group on Transforming Criminal & Juvenile Justice

February 15, 2024

# Member Discussions: Moving Toward Consensus

The goals today are to:

1. Identify those areas where we can reach broad consensus on a recommendation;
2. Identify issues where we can reach consensus with minor edits or revisions;
3. Identify issues we are likely to need to include more than one perspective on in our report;
4. Identify issues that will require additional work to arrive at an outcome.

# Member Discussions: Today's Discussions

We will have abbreviated discussions and checks for consensus on:

- Mission
- Vision
- Structure
- Duties

We will have extended discussions with a goal of reaching general consensus on:

- Membership
- Where to House
- Staffing & Resources

# Member Discussions: Moving Toward Consensus

For each issue or topic, we will hold an initial, non-binding vote to check for extent of consensus or gaps in perspectives.

Following discussions, members will be asked to vote with one of the following:

1. I support or can live with this if it has support from a majority of members; OR
2. I *could* support this with minor or specific revisions; OR
3. I do not support this.

*For votes against a recommendation that receives majority support, members will be invited to submit written explanations of concerns that will be synthesized together for inclusion in the report.*

## Proposed Recommendation: Mission

Through an inclusive and collaborative process that engages diverse groups of stakeholders impacted by the criminal or juvenile justice system, the Commission to Improve Justice Systems in Colorado (CIJSC) shall research, consider and provide data informed, evidence based criminal and juvenile justice policy recommendations to Colorado's elected officials that seek to reduce crime and recidivism and support victims while promoting the improved safety, health and well-being of all Colorado communities.

## Proposed Recommendation: Vision

It is the vision of the XXX to lead Colorado in the creation of a comprehensive and transformative approach to criminal and juvenile justice. Committed to collaboration, persistence, and unwavering dedication to equity and justice, XX centers the voices of all persons with lived experiences with the justice system, supported by informed and engaged system professionals. Through inclusive policies, community engagement and evidence-based practices, XX strives to build justice systems that not only addresses systemic barriers but also uplifts and supports every individual on their journey toward healing, rehabilitation and community reintegration.



# Proposed Recommendation: Structure

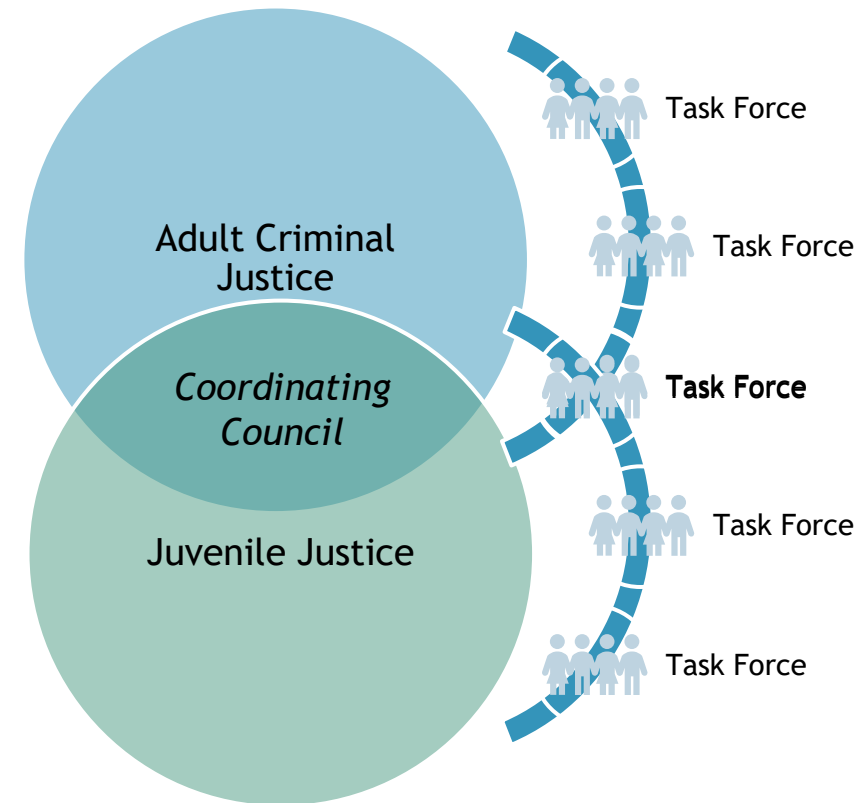
Adult and juvenile entities. Each entity will have task forces that are short term and issue based that report back to main entity. The task forces include subject matter experts selected by the entity.

**Co-Chairs: 1 Systems Person, 1 Community Rep. Voted by group**

**Job of Coordinating Council:** 4 selected by each group. Non-voting group. Coordinate the work of the groups. Organize community outreach and community visits/listening tours for groups. Organize annual input from agencies and community groups for issues to be addressed. Provide feedback to the two commissions for them to decide the work of the task forces. Handle and drive regular communication to system and community-based stakeholders.

Define in statute the input process for issues to be addressed. Annually receive input of groups that include agencies and community.

Challenge: How to limit the issues to larger issues or legislative issues of focus while not cutting off other concerns.



*Membership of any topic specific task force shall prioritize the inclusion of academic, experiential and practicing subject matter experts in the relevant field.*

# Proposed Recommendation: Membership

## Adult Entity

*13 Members + 6 non-voting*  
2 prosecutors (urban/ rural);  
1 public defender;  
1 private criminal defense bar or ADC appointee;  
1 law enforcement;  
1 local government;  
1 academic/research professional;  
1 mental health professional;  
1 substance use disorder professional;  
1 victim / survivor;  
1 advocate for victims/survivors;  
1 formerly incarcerated;  
1 advocate for formerly/currently incarcerated.

***Ex officio members (non-voting):*** 3 legislators, judicial (1) DOC (1), Gov's Office (1)

## Juvenile Entity

*13 Members + 6 non-voting*  
2 prosecutors (urban and rural);  
1 public defender;  
1 private criminal defense bar or ADC appointee;  
1 guardian ad litem;  
1 child welfare (local)  
1 child advocacy group;  
1 victim / survivor;  
1 advocate for victims/survivors;  
1 system involved individual;  
1 parent of system involved;  
1 research-based professionals (brain development child psych);  
1 law enforcement.

***Ex officio members (non-voting):*** 3 legislators, judicial (1), DYS (1) , Gov's Office (1)

# Options Discussion: Home & Appointing Authority

*Critical note of independence & autonomies regardless of home.*

## Home

- Independent Commission staffed by DCJ/CDPS
- Independent Commission staffed by LCS

## Appointing/Selection Authority

- Executive / Boards & Commissions
- Legislative

# Options Discussion: Staffing & Resources

*Critical note of independence & autonomies regardless of home.*

## Staffing

- 2.5 FTEs
- Hiring or selection process?
- Specific skill or experience for any?

## Resources

- Stakeholder Engagement Budget?
- Per diem, travel etc. (member expenses)?
- Non-staff expenses (venues, meals, third-party stipends)?
- Facilitator?

## **Contacts for Follow-up**

If you have questions, please contact:

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Carrie Steele, Policy Director, Confluence PSG: [carrie@confluencepsg.com](mailto:carrie@confluencepsg.com)



**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

# Working Group on Transforming Criminal & Juvenile Justice

February 29, 2024

# Member Discussions: Moving Toward Consensus

The goals today are to:

1. Vote on updated recommendation language revised based on February 15 discussions and member input;
2. Discuss what, if any, revisions are necessary to reach majority support or expand support;
3. Identify issues those not supporting majority position would like to provide context or explanation in Working Group report.

# Member Discussions: Today's Discussions

We will be voting on:

- Mission
- Vision
- Structure
- Membership
- Where to House
- Staffing & Resources

We will have discussions to inform and chairs will revise draft language of suggested items to include in:

- Duties



# Member Discussions: Moving Toward Consensus

For each issue or topic, members will be asked to vote with one of the following:

1. I support or can live with this if it has support from a majority of members; OR
2. I *could* support this with minor or specific revisions; OR
3. I do not support this.

*For votes against a recommendation that receives majority support, members will be invited to submit written explanations of concerns that will be synthesized together for inclusion in the report.*

## Proposed Recommendation: Mission

*Revised based on February 15 discussions*

Through an inclusive and collaborative process that engages diverse groups of stakeholders impacted by the criminal or juvenile justice system, the Commission to Improve Justice Systems in Colorado (CIJSC) shall research, consider and provide data informed, evidence-based criminal and juvenile justice policy recommendations to Colorado's elected officials that seek to reduce **incarceration, disparities and disproportionalities**, crime and recidivism and support victims while promoting the improved safety, health and well-being of all Colorado communities.

## Proposed Recommendation: Vision

*Revised based on February 15 discussions*

It is the vision of the **Colorado Commissions to Promote Adult and Juvenile Justice System Change (CCAJC/CCJJC)** to lead Colorado in the creation of a comprehensive and transformative approach to criminal and juvenile justice. Committed to collaboration, persistence, and unwavering dedication to equity and justice, **CCAJC & CCJJC** center the voices of all persons with lived experiences with the justice system, supported by informed and engaged system professionals. Through inclusive policies, community engagement and evidence-based practices, **CCAJC & CCJJC** strive to build justice systems that **enhance public safety and well-being in communities. The Commissions will** address systemic barriers and uplift and supports every individual on their journey toward healing, rehabilitation and community reintegration.

# Recommendation: Structure

Adult and juvenile entities. Each entity will have task forces that are short term and issue based that report back to main entity. The task forces include subject matter experts selected by the entity.

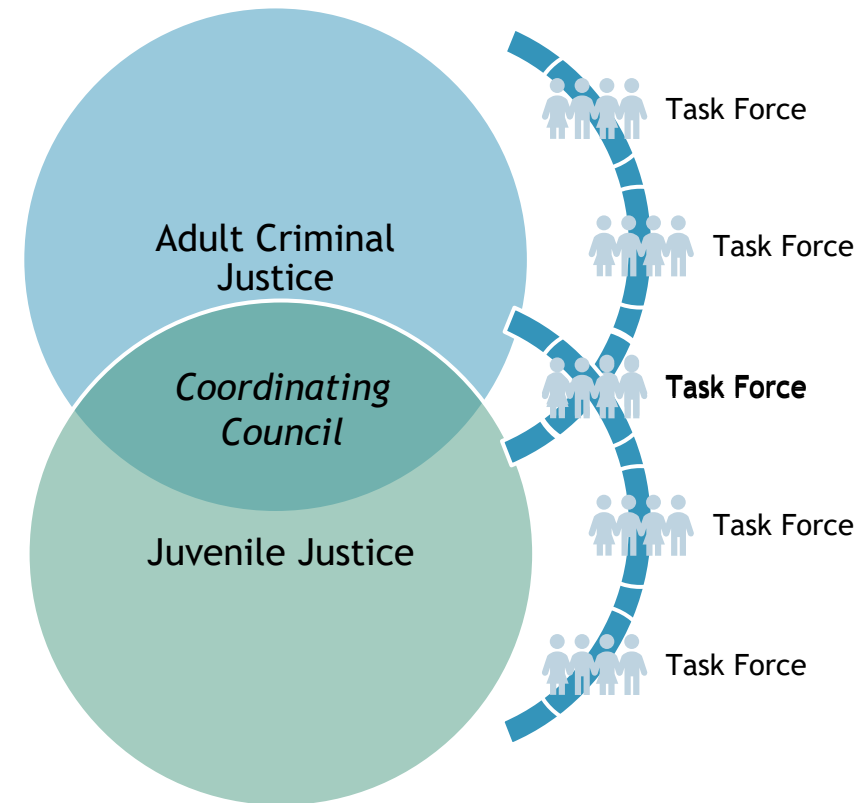
**Co-Chairs: 1 Systems Person, 1 Community Rep. Voted by group**

**Job of Coordinating Council:** 4 selected by each group. Non-voting group. Coordinate the work of the groups. Organize community outreach and community visits/listening tours for groups. Organize annual input from agencies and community groups for issues to be addressed. Provide feedback to the two commissions for them to decide the work of the task forces. Handle and drive regular communication to system and community-based stakeholders.

Define in statute the input process for issues to be addressed. Annually receive input of groups that include agencies and community.

Challenge: How to limit the issues to larger issues or legislative issues of focus while not cutting off other concerns.

**Voting: Recommendations of Task Force(s) shall move forward unless 2/3 of members of CCAJC/CCJJC vote to override.**



*Membership of any topic specific task force shall prioritize the inclusion of academic, experiential and practicing subject matter experts in the relevant field.*

# Recommendation: Membership

*Revised based on February 15 discussions*

## Adult Entity

13 Members + 7 non-voting

- 2 prosecutors (urban/ rural) (CDAC);
- 1 public defender (OSPD);
- 1 private criminal defense bar or ADC appointee;
- 1 law enforcement (Boards & Commissions);
- 1 local government (Boards & Commissions);
- 1 academic/research professional (Boards & Commissions);
- 1 mental health professional (Speaker/Legislature);
- 1 substance use disorder professional (Speaker/Legislature);
- 1 victim/survivor (Boards & Commissions);
- 1 advocate for victims/survivors (Speaker/Legislature);
- 1 formerly incarcerated (Speaker/Legislature);
- 1 advocate for formerly/currently incarcerated (Speaker/Legislature);

## **Ex officio members (non-voting):**

- 4 legislators,
- 1 Judicial
- 1 DOC
- 1 DPS

## Juvenile Entity

13 Members + 7 non-voting

- 2 prosecutors (urban/ rural) (CDAC);
- 1 public defender (OSPD);
- 1 private criminal defense bar or ADC appointee;
- 1 guardian ad litem (ADC);
- 1 child welfare (local) (Boards & Commissions);
- 1 child advocacy group (Speaker/Legislature);
- 1 law enforcement (Boards & Commissions);
- 1 victims / survivor (Boards & Commissions);
- 1 advocate for victims/survivors (Speaker/Legislature);
- 1 system involved individual (current or within 24 months) (Speaker/Legislature);
- 1 parent of system involved (Speaker/Legislature);
- 1 research-based professional (brain development child psych) (Boards & Commissions);

## **Ex officio members (non-voting):**

- 4 legislators,
- 1 DYS
- 1 CPO Ombudsman
- 1 DHS Child Protection/Placement

# Options for Discussion & Vote: Base & Staffing/Support

*Critical note of independence & autonomies regardless of home.*

Independent Commission functioning as a Type 2 entity

## Option 1

- Supported and staffed by DCJ. Research and data provided by DCJ in conjunction with other agencies as needed;
- Additional resources for legal analysis and study by LCS at request of legislative ex-officio members
- No bill titles
- The CCAJC/CCJJC shall not be subject to administrative direction by any department, board or other agency of the state but shall work as an independent entity to fulfill, without political interference, its statutory mission.

## Option 2

- Staffed by LCS;
- Legislative members (or designees) serve as the oversight for the commission and its entities;
- Legislative committee votes on recommendations;
- Up to five (5) bill titles.

# Recommendation: Staffing & Resources

## Staffing

- Estimate 2.5 - 4 FTEs but ask staffing agency/body guide;

## Resources

- Per diem to match jury service for non-governmental members;
- Mileage for non-governmental members;
- Meeting venues and technology;
- Facilitator for Commission entities and task forces.

## Recommendation: Meeting Locations

- Location convenient to the public with preference for Capitol or Judicial building for full commissions;
- Location convenient to the public as determined by task force members - may need to be more flexible depending on their subject matter;
- All should allow for remote participation;
- All public meetings shall be subject to open meetings law and shall be live streamed;
- Meetings should provide multiple means for public input and comment as appropriate.



# Discussion: Duties

## DRAFT Elements & Brainstorm for Duties:

- evaluate policies that group recommends
- reduce prison population
- crime prevention
- violence interruption
- sentencing guidelines/practices
- disparities in sentences
- clarity in sentences
- enhance decisions on resource allocation data driven recommendations for sentencing and corrections
- review of current crimes and sentences
- review of programs and practices
- support victims through increased resources
- reentry
- Community awareness and education
- Outreach to communities and community leaders

## HISTORIC Duties of CCJJ

- To conduct an empirical analysis of and collect evidence-based data on sentencing policies and practices, including but not limited to the effectiveness of the sentences imposed in meeting the purposes of sentencing and the need to prevent recidivism and re-victimization;
- To investigate effective alternatives to incarceration, the factors contributing to recidivism, evidence-based recidivism reduction initiatives, and cost-effective crime prevention programs;
- To make an annual report of findings and recommendations, including evidence-based analysis and data,
- To study and evaluate the outcomes of commission recommendations as implemented;
- To conduct and review studies, including but not limited to, regarding work and resources compiled for other policies and practices in the criminal and juvenile justice systems. The commission shall prioritize areas of study based on the potential impact on crime and corrections and the resources available to conduct the work. The commission shall include among these areas of study the reduction of racial and ethnic disparities with the criminal and juvenile justice systems; and
- To work with other state-established boards, task forces, or commissions that study or address criminal justice issues.
- Using empirical analysis and evidence-based data, the commission shall study sentences in Colorado.
- The commission shall establish advisory committees that focus on specific subject matters and make recommendations to the full commission.
- The commission, at its discretion, may respond to inquiries referred by members of the general assembly, the governor, and the chief justice of the Colorado supreme court, as resources allow.
- Additional duties as assigned by the Executive and/or Legislative branches.

# Discussion: Other

*What other recommendations does Working Group want to consider including in report?*

- For inclusion in statutory requirements or directives?
- For operational norms, processes or protocols to be adopted?

## **Contacts for Follow-up**

If you have questions, please contact:

Berrick Abramson, President, Confluence PSG: [berrick@confluencepsg.com](mailto:berrick@confluencepsg.com)

Carrie Steele, Policy Director, Confluence PSG: [carrie@confluencepsg.com](mailto:carrie@confluencepsg.com)



**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

# Working Group on Transforming Criminal & Juvenile Justice

March 7, 2024

# Member Discussions: Moving Toward Consensus

The goals today are to:

1. Set expectations for TCJJ report & review input opportunities;
2. Discussion and vote on Duties

# TCJJ Report: Timeline & Input

## Report drafting and submission timeline

Wednesday, March 13: Report finalized for submission to Governor  
Tuesday, March 12: All TCJJ member comments received by EOD  
Monday, March 11: Draft circulated to TCJJ members  
March 8 -10: Chairs & Confluence PSG preparing report

## Dissenting and non-majority perspective:

*If you voted against a recommendation that received majority support and will therefore be included as a recommendation and would like to have information or notes about your perspective included in the report:*

Please send a brief explanation of your concerns, perspective or the issues you believe are important considerations relating to your opposition or preference for an alternative to what is recommended no later than EOD Friday, March 8 to Berrick Abramson, Tom Raynes & Maureen Cain.

# Discussion: Duties

Will need to include in report that Commissions will not be able to do all of this immediately

1. To solicit and collect requests from government and community stakeholders for the study and empirical analysis of issues within the criminal or juvenile justice system identified as ineffective or in need of improvement;
2. To establish necessary time-limited task forces to initiate data driven and research-based analysis of the issues selected by the commission for its work;
3. To investigate effective alternatives to incarceration and community programs and alternatives that provide for avoidance and deflection from the criminal and juvenile justice systems
4. To investigate methods to reduce recidivism and study the factors that support desistance from crime including recommendations for systemic change necessary to support desistance from criminal behavior
5. To investigate research-based methods to reduce the **incarceration rate (vs population rate)** without affecting public safety;
6. To investigate and make recommendations for improved methods, strategies and programs dedicated to the support, needs and rights of all crime victims and survivors;
7. To study improved methods to allow for persons living with mental health, behavioral health **or substance use** conditions to be served by the health-care system and avoid the reliance on the criminal and juvenile justice systems for the necessary treatment;
8. To work with other state-established boards, task forces or commissions to coordinate work on criminal and juvenile system improvement;
9. To study the adult state sentencing scheme using empirical analysis and research-based policies and make recommendations for improvement that do not increase costs of incarceration but contribute to clarity in sentencing and achieving the statutory purposes of sentencing while maintaining public safety, **financially efficient?**
10. To study the juvenile justice system including detention, out of home placement and DYS commitment and make recommendations for the improvement of interventions that support the families, schools and communities and support desistance from criminal behavior by a juvenile while maintaining public safety

## **Contacts for Follow-up**

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*March 2024*

*Report of the Working Group on  
Transforming Criminal and Juvenile Justice*

# APPENDIX C: STAKEHOLDER TESTIMONY



# TCJJ STAKEHOLDER IN-PERSON & VIRTUAL TESTIMONY SUMMARY

December 2023 – January 2024

Summary of Stakeholder & Public Testimony

**Working Group on Transforming Criminal & Juvenile Justice (TCJJ)**

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## Stakeholder Testimony/Public Comment Summary

*What appears in the following document is NOT intended to be a comprehensive or exhaustive read-out of all testimony. These meeting notes capture some of the specific ideas mentioned during stakeholder and public testimony and full recording of each meeting including stakeholder and public testimony are available on the [website](#).*

### December 11, 2023

Terrance Carroll: Former Speaker of the House and original TCJJ Member

One thing we looked at was the amount of money we were spending on incarceration in the state and why we were putting more people in jail; were trying to figure out how to get people out of their feeling; thought if we could get all actors at the table we could have a conversation about; CCJJ charge was to conduct research on sentencing policy, cost effective crime prevention in CO; idea was not to create bills/legislation; how do we proactively reduce the cost of criminal justice in CO; could probably have done a better job of creating a north star and including community voices; he eventually came out against CCJJ; thinks there was a need for better community engagement, experts were not necessarily diverse; too many system actors involved (folks who are embedded have a bias).

- What can we do? Retro is cool again – He suggest to avoid the politicization, look at evidenced based decision making, best practices, research, point A-B and beyond; advice gate-keeping thru CCJJ – should not be deciding factor;
- Omnibus bill – CO did not have a law against having intercourse with farm animals – people were upset. Omnibus became a gatekeeping bill. Make sure CCJJ does not become ineffective because it falls into gatekeeping. Should be stated up front, shared values, NorthStar, charge for successor entity. What re the common values that will drive decision making – reduce recidivism, reduce cot, effective crime prevention – what is the north star gong forward. #2 – can not stress enough the ended for community engagement at grass roots, non system grassroots org, etc.
- Tom Questions – thanks to TC for comments on history – demise of omnibus was frustration;
- Do you have a comment – how to avoid that connotation of gatekeeping? Has to be explicit and conscientious and remind public and other folks in the General Assembly that it is not intended to be the be all end all; recommendations are based on considerate judgement of folks in the room; may have been stakeholders not in the room or in a different room all together; As Speaker – he had a rule that he reserved the right to be wrong and whatever success to CCJJ is – it has the right to be wrong. The biases of people in the room are going to show up and we always have to be super conscientious and aware of bias and that they own their own bias.
- Vincent – how to avoid gross political tool? Its in a political environment and politics will be involved – in terms of being a gross use of politicization – politicizing the issue in order to score political points; at time this issue has become politicized; take a step back and have sober minded thoughts. When there were emotional votes – he would not vote for 2-3 hours, or that day at all. Is there a built in/formal process to take a step back before.

Elise Loggerman: Testified on behalf of herself; attorney/CO Juvenile Defender, ACLU Colorado

- CCJJ – in juvenile space – we haven't seen major reform come out in juvenile space – main group did not include the experts to have robust conversations. It's a totally different group of people you need.
- If you want consensus on justice issues – must have time limited groups, the right people, a specific purpose or tasks, experience including community; a more permanent group; the people you want for competency, restorative justice, etc are all different.
- Community Engagement – broad based permanent body is hard for community members (maybe pay them); in a non-profit, it's had to get multiyear funding;
- Gate keeping –if it did not go thru the CCJJ “you can't have it. Be really issue specific – may have a community coalition or nonprofit that has been working on issue for years.
- Suggestion: figure out how to have implemented groups to discuss something specific. Groups will need to have a shared purpose.

Stacey Collings: Office of Alternative Defense Council

The OADC is funded to provide representation for indigent persons in criminal and juvenile delinquency cases in which the Public Defender's office determines that an ethical conflict of interest exists.;

- Stacey represents juvenile youth defense; the job was created 10 years ago with recognition that representing kids in adult court requires specialized trainings;
- Has served on many policy groups – all groups have well-intentioned people.
- Suggests there is separate group of experts and community members for juveniles. Statutes are different for adults vs. kids.
- Kids: legislative code for adults is different than youth; youth cases involve family, community and schools, juvenile probation, child welfare, diversion, different prosecutors, attorneys and judges.
- Genuinely and inclusive of system involved kids and families; must be truly inclusion of community; not inviting some members; system actors are good at tweaking and sanding the edges of the system; people are living the consequences of our systems – their voices are critical if we want to improve safety.

Josh Barokus: general internist with infection disease and a clinician scientist – studies vulnerable populations and social determinants of health – tries to answer clinical substance use, homelessness and criminal justice.

- Political purposes rather than the health and safety of community is a mistake;
- When CCJJ was formed, it was meant to make policy recommendations on criminal justice reform

**Problems he fears:**

- CCJJ lacked meaningful and authentic community engagement; making recommendations or decisions without meaning leads to further problems; Our system cannot tolerate it anymore; most of CCJJ forced pain on people – without meaningful engagement and with only political actors.
- Criminal justice issues are individual health and public health; both probation and incarceration have negative effects on the mental health of youth. Another study in Journal of AMA

demonstrated that people of color are 24% more likely to die in the first year of release because of suicide or homicide, and 127% more of opioids.

- Decisions made in legislature and some committees set trajectory of his patients; he sees the results of this legislation, not you.
- Consider some single entity that can consider that long term public health.
- A single entity that is charged with meaningful work over a broad swath is laughable. You don't go to a dermatologist for a colonoscopy.
- These are fundamental issues of our generation – more than a stagnant committee that does not understand.

#### Jack Johnson: Attorney at Disability Law Colorado

- Importance of including persons with disabilities; There is a dramatic overrepresentation of disabilities in our criminal justice system; it should be a goal (a big one) to decouple disability and criminalization. That means (1) any discussion should include members of the disability community (lived within and out of system), and (2) it is important to take each individual issue rather than a look at systems level.
- Served on Jail Standards Commission Task Force – formed with purpose to promulgate jail standards for CO and given 18 months to get job done – had a robust set of stakeholders – was an incredible success; had unanimous consent; when you contrast that with other committees and broad committees, those committee struggle to find focus; there are so many things that impact individuals in justice system – diversion, competency, NGRI; committee struggles to find specific answers to specific questions – we strongly recommend, it is much more productive to look at **jail structure model (look up)** and most pressing issues at the state; more about what you do to stakeholder, less about the task. If we combine and create a disability task force to get anything done.
- A Task Force on a certain juvenile justice issue (NGRI, Diversion, etc) is more appropriate than creating a broad take force without direction.

**Q:** How would you help any new group structure or make it better?

**A:** (1) You have to get the correct people in the room and get buy; if you pull together an issue and say we have 18 months to talk about things, it's very specific issue with a timeline so there is incentive to engage from an organizational capacity; (2) Structure: we have taken one task force and broken it up into 4 – each has a different structure in terms of leadership and organization, but we are better with subgroups; created as their own separate task forces – we can ask legislature to appropriately staff and fund all of them.

**Q:** Regarding specific individual task forces – is there a value in having an umbrella like a “supercommittee”. Just because it has a name doesn't mean it has the power.

**A:** You have to be specific about time standards. Subgroups have a time frame and larger group has a longer one.

**Note from member:** *Interesting thought for all our other subcommittees – how do we move issues from subcommittee to main committee?*

- Rep. Weissman suggests looking at the [BHDCJS Task Force](#)

Cassandra Harris: Director of Services, Project: Elevate: Department of Public Safety – Division of Community Corrections

- She is leaning toward the human connection recognizing this is missing as a society; she has leaned in on restorative justice practices; she is finding outcomes are changing because we are looking at the whole person, not just the criminal. Ex. looking at 87-92% have TBI and if we ignore that, they all look like criminals.
- Believes there is great value in separating adult and youth systems.
- Whatever you can do to push the desire to look at mental health in criminal justice system
- There is a gap, power distance; the folks out there believe but they are too scared to approach – they actually have the answers.
- We need to bring this together and humanize it. This is where restorative justice has been a valuable tool - because we believe in connection, consent, and community; that is where we have found success.
- Allow yourself to be challenged in any space; Andy
- There are so many different ways to engage specific communities you should have every individual, someone in juvenile, someone who transitioned to adulthood; foster care is a missed population; Levels 1-4: each level is experiencing the system in a different way – this gives them an opportunity to come as an advocate, not a problem.

**Q:** How challenging is it and where do you go for resources?

**A:** Within criminal justice world, it is very hard. From what she's seeing, we are in trouble. We need to invest; it takes much longer than a snap, we are talking about generations of folks; to break generational curses, it's not a 6 month process.

**Q:** Do you have ideas on how to design or approach the engagement of community in a better way than is done now?

**A:** Get outside of your bubble – she has a conference room if we would like to meet with folks who are currently going through the process; plenty of people who have spaces. The perception of power is important.

**Q:** Empowering people – they are not able to bridge the gap and come here; would they be willing to engage if we come to them?

**A:** Yes - she offers her space as one solution

Betsy Craft: Colorado Drug Policy Coalition

Trained and certified CO Care and Family Specialist – peer support in jails and court systems; partners with academic researchers and vulnerable community members; leverage expertise on advisory boards, Caring for Denver, BHA; she is an overdose survivor and someone directly impacted. Se wants to live in state that values community voice and is centered on EDI values.

- CCJJ lacked diverse subject matter experts
- It was dominated by system actors – all government folks
- Lacked meaningful community engagement
- What real community engagement looks like: Not the lens of a privileged few to meet the needs of people they are intended to improve;
- First step is acknowledging the CCJJ was inaccessible (1) Meeting logistics: must offer evening and after business hours; (2) All task force meeting need to be ADA accessible, including



accessibility offerings for the deaf and blind; (3) Translations services for all task for meetings and documents; (4) Publicly available ADA accessible website; (5)) Accessibility – be intentional about employing people with lived experience with a gender and equity lens;

- Did not know about the CCJJ until it was sunset;
- Specific issues and specific stakeholders
- Specific listening sessions to hone in on issues and listen to needs of those that the policies are intended to support);
- Transparency on how contributions and voices will be incorporated; Inviting voices in prominent seats with equal voting rights;
- Training mentorship on how the legislative process works;
- Meeting people where they are;
- Equity means compensating for lived experience – travel, mileage, need to be fairly flexible– preferably cash, check, ACH payment. Do not just check the “LE Box”; Tokenization undermines authentic; the vulnerable has been excluded.

#### Andy McNulty: LCRC Attorney

Represents people affected by criminal justice system.

- Organization and himself believe a creation of a statewide entity is unnecessary. Already have the CO legislature that is directly accountable thru elections; thinks another entity would be problematic;
- Reducing contact between citizenry and criminal justice system (particularly vulnerable communities) reduces policy brutality, unlawful arrest, and other unconstitutional acts.
- Would also like community people involved – they have been underrepresented;
- There should not be a single statewide commission – meetings at the capitol reduces participation.
- Community involvement: He has held meeting in parks, on the sides of streets and under viaducts; public libraries and public spaces; this is the approach the commission needs to take to receive input.
- Asking a commission not be formed and the peoples representatives be kept.
- Needs to be directly accountable to communities to be embedded in communities.

#### Jennifer Dillon: Bring Our Neighbors Home

- CCJJ sunset via democratic for a reason – worries it will be a bill that works against meaningful data driven reform. Needs to be forward thinking, evidenced based, and to invest in proven crime prevention strategies outside of politics.
- CCJJ recommendations were inconsistent - the same legislators would turn around in the same session and argue on another bill that it want’ s good way to organize.
- Much of successful legislation came in early years when there was low hanging fruit;
- CCJJ was absent when community was calling for change;
- CCJJ was made up and overly reliant on institutional actors; who was an expert and what voices have been left out?
- New entity needs decision making authority that lives at a local level – issue specific working groups meeting for a discreet amount of time – to have right people at the table and call on communities that will turn out to meetings at appropriate times, in appropriate places, at the right place.

- Significant investment for public to participate as well as break down barriers; Make these meetings more accessible.
- Transformation is the structural word in the Working Group

**Q:** What do you mean by community?

**A:** If you are creating a body dedicated to transformational reform of criminal and legal system – be mindful of evidenced based practices, what community that is impacted the most and recognize the criminal system is inequitable;

**Q:** Just as folks impacted by being accused, arrested, charged, similarly victims don't like to come forward. You have to balance that when you talk about community.

**A:** Lived experience in community is similar too. Go into community rather than having folks come in makes it easier.

Dana Steiner: Colorado Freedom Fund/Survivor Perspective

- Also one of the folks that did not know CCJJ existed;
- Supported change; was inaccessible; she supported sunseting CCJJ;
- When she learned that this working group was formed, she was struck by similarities of instructions given to this group and the creation of CCJJ; appears features have been replicated in this structure – we need to make dramatic changes and listening on what people have presented today;
- Thru its existence there were absences in participation in CCJJ- group lacked focus on generally improving safety

What makes people want to participate:

- General seeking input takes change
- Accessible Meetings
- True hybrid participation – ASL interpreters, closed captioning, translation.
- Intentional thoughtful design that takes time, effort, heart;
- Hybrid – paying for people to be transported, even when they come from a far off
- Publishing and maintaining a website to participate asynchronously
- Specific outreach for meetings
- Testimony was organized by small nonprofits that do not have seats;

Notes:

- Survivor – no person or a group is a monolith – if you talk to one survivor, you talk to one.

What would make her, as a survivor, want to participate?

- Knowing she would stand alone; she won't be the only person
- Knowing that everyone is working for change rather than the status quo which created conditions that harmed her.
- With a strict timeline, people are dispelled into an elevator pitch.
- Begin thinking of all the public testimony today.
- Move away from permanent broad based group and toward temporary focus groups others had advocated for.

**Q:** Can you give insight on how to be including of voices – written testimony; hybrid participation; hybrid testimony has become more popular and was able to use it;

**A:** Allow flexibility and know in advance – do you require to turn camera on – can you participate as an anonymous person. Appear as initials, with camera off? Can I sit in the back or appear late?

## December 18, 2023

Michael Rourke: Weld County District Attorney

Served on CCJJ for 2 years; appointed until the sunset; sentencing reform task force and reentry working group;

- firm believer the fundamental mission of government and task force needs to be public safety – must be fundamental and paramount mission;
- Thinks there is a great need for balance in any organization;
- To put forth legislation, it's essential that one view point is afforded a counterpoint;
- The next TTCC should have a functional number – last CCJJ was too big and there wasn't opportunity for meaningful discussion at the task force level;
- Frustrations: (1) lack of attendance – meetings were 50-60% attended making it difficult to get a quorum; (2) lack of commitment to the true mission of

Dan Rubenstein: District Attorney 21st Judicial District

- Saw the value of CCJJ
- Working with downstream partners helped shift gears;
- Important to have right people on the group;
- CCJJ was too big (38-40 people) making it hard to get anything done in 90 minutes; firm believer that the smaller the group the better – there is more opportunity for discussion and compromise; membership should be in the low 20s.
- Systems people are important, not as anecdotally based – sees thousands of circumstances and cases to see how everyone is affected
- Breaking into a juvenile and adult group is a wise idea;

*Note for further exploration: What about elected officials who are accountable to a constituency? Sticking with the line and whatever is agreed to is maybe harder to resolve for elected officials.*

Kate LeMasters: Epidemiologist, CO School of Medicine

- Studies social and structural factors – also studies those through community engaged research.
- There is a need for a public health approach and something in the mission around improving public health;
- Community engagement – new to Colorado and read some information before coming; criminal legal system has posed a criminal health crisis; family members survivors and others coming into facilities negatively affects physical and mental health;
- Distinct populations have the own expertise –
- Women's health: women are growing faster than men.
- Policies and practices – too little about the public health crisis;
- Provide Covid health expertise on coalition;
- Need for community engagement – when they are rooted in experience, it has much larger impact.

- Fentanyl bill –took a community engaged approach; made sure there was staff on her team and talked about where study sessions should be held;
- Use of community spaces that were accessible
- Pay \$50 per hour per contributors; dinners provided for houseless; gift cards were what were offered by university but the got that changed;
- Held community forums - Spanish speaking community also.

Steve O’Dorisio, Adams County Commissioner

- Participated on CCJJ task force at working group and board level and believes it’s important to continue the TCJJ
- CJCC in local community – include local governments as regular stakeholders;
- Improve opportunities to collaborate – sometimes very jurisdictionally specific;
- Data sharing is huge; having a judge, public defender; folks in probation and folks that provide services is invaluable;

Q: Do you have any comment or critique at commission level – size or membership?

A: Don’t give into culture of divisiveness ; don’t blame the structure; communities are having coordinating council – do they communicate with each other- how can we get information from a variety of local commissions that have a lot of great ideas? They hired a specific coordination person in Adams County that interacts with other jurisdictions – being able to share ideas and connections with other non-profits.

Nicole Duncan: CJDC/Practicing Juvenile Defender

Represents youth and kids charged as adults – has a private firm and works in youth defense; also a board members of CO Juvenile defense center

- Anything without authentic transparency is not transparent at all; if it wasn’t for things coming to light, things will continue to happen – all of these changes were able to happen because those people directly impacted were at the forefront and at the helm;
- Kids are different; when she advises kids, she has colored pencils and uses different methods;
- Need children’s specialists, specifically tailored curriculums to meet goals;
- Looking at the realm of youth justice – we also need organizations and communities that look at that differently than the criminal justice system
- Need to get a clear mission and north star; They have mission to get rid of school to prison – eliminate ;
- Don’t get mission drift/fatigue. If you don’t have a NorthStar;
- Need reporting groups; transparency to report to and accountability;
- Wants to see actual experts rather than the folks who only know what happening from a high level;
- There needs to be a focus on preventative intervention rather than looking only on the middle parts – we need to go more upstream – look at root causes, mental health, school to prison pipeline – we need expertise in these areas to show up in the community; go out into community spaces and have more informal set ups, relationships to build community.

Q: Do you think there would be a role for educators and if so, what types of folks?

A: Folks who have worked in schools, mental health experts, clinicians, team members of defense teams – transportation, resources, things that originated in the schools.

Amy Nicols: Executive Director, County Sheriffs of Colorado (CCOS)

- Re: new entity or entities to address specific issue: makes good sense to do that – multiple approaches: ideally –all communities will be heard and views considered;
- We hear it a lot –what is community – farmers and ranchers; individuals with mental illness, all of the above; everyone needs to be heard – rural and frontier communities (we only have 17 urban in all 64) - this often gets lost;
- At the Capitol, it's hard to hear voices outside this urban community;
- Meetings not easy to find or do if you don't know it happening – not truly transparent;
- Take to county fairgrounds or public places in those communities; a lot of these communities don't have solid networks; talk to residents - they are used to getting their information in advance;
- Knows CCJJ was criticized for not dealing with juvenile issues – envisions the new format as 2 separate arms – juvenile and adult;
- Need to have bill writing authority
- Specialized members do the deep work in root causes and look at crime presenting itself now
- Help create consensus prior to bill being introduced and all the stakeholding has been done;
- This group is rightly names as “transforming” criminal and juvenile justice

**Q:** Outside the 470 corridor, have you seen a successful model that has been truly featured **A:** she has not.

Breeah Kinsella: Executive Director, Colorado Providers

Exited to be here because 2.5 years ago was running a 5 county program; far SW corner – had never heard of CCJJ even though intimately connected;

- Also understand that frontier and communities have experiences years of tokenization and isolation;
- If you want to engage – you have to meet where they are and build trust
- Showing up regularly
- Surprised at mental health conversation in Colorado and even TBI
- No one mentions substance abuse;
- Many, if not a majority, of her providers have lived experience; these LEs are experts because they run non-profits (detox centers, community centers, etc). Stigma has kept them from sitting around the circle as people make decisions for them;
- Made to feel uncomfortable because they were not dressed appropriately; her members run programs that save lives but are also working thru their own issues; It's time consuming its worth it!

Melissa Martin: Executive Director, TRIBE

- We need more people with lived experience E to be more involved; It's ore impactful with LE to hold people accountable – we do not make excuses for people; we have seen the failure to include LE time and time again – by leaving them out, you further deepen the divide.
- Example: HB 22-1236: communities like hers were left out of the conversation; number of grams did not make a difference between dealer and user.

Brian Mason: DA for CO17JD, Adams and Broomfield

- CCJJ experiences were overwhelmingly positive
- It was collaborative, based on expertise and produced good work;
- In context of CCJJ, they were often able to agree or reach a compromise; it was unique and worthy of praise;
- Stakeholders involved contributed in ways that were meaningful and hearing victim advocates, or people in prison who had lived experience was meaningful to those on the prosecution side;
- Have policy makers, folks on the ground trying cases and experience with laws as they are written;
- Having the CCJJ as a model is one we should model for rest of the county;

**Q:** If there is a group that is to get deep and talk about policy – what then about elected folks?

**A:** Groups should and must be transparent such that members of the public and outside groups should have access. Main stakeholders in criminal justice system were all there – that is unique; those who are most impacted were reflected in the final product; has great sympathy and empathy for those in the legislature – hard to be an expert in everything – sometimes that can lead to policy that doesn't anticipate in problems the way it should; whether they convicted a crime or have been a victim – the DA's can bring experience to the conversation.

Chief Dave Hayes: Chief of Police, Estes Park

- Sat on CCJJ as did Chief Vasques
- We don't know what we don't know.
- CACP generally felt CCJJ policy progress improved outcomes and recommendations.
- Challenges were centered around transparency and decision making particularly at the subgroup level;
- Notably, we were struck by CCJJ creator and Terrance Carroll reminders about the original intent of CCJJ intent – not intended to be policy making;
- We believe its worthwhile to consider how and why CCJJ evolved to a policy making entity – whether that remains going forward;
- Lived Experience: law enforcement, community organizations, defense bar, etc.
- Improve public safety;
- Supports formation on 1 primary entity with subgroups;
- Subgroups should not be decision making bodies but bring back ideas to the main group;
- Umbrella of CO Dept of Public Safety;
- At the heart of new entry there needs to be representation of law enforcement
- CACP will help facilitate participation
- transparency is critical, TCJJ should ensure full transparency of all communications; Make new entity subject to open meeting laws and requirements; make meetings publicly accessible and have virtual options; meetings should take place around the state; keep and post minutes of all groups; post recordings of all meetings; list names/affiliations and clarify /publicize how to be involved; make open to public and provide public comment; use plain language summary; follow model of other rule making bodies to ensure transparency; be sounding board of ideas – not a body to make policy recommendations.

**Q:** In terms of membership – do you have any comment on who should or should not be in the voting capacity?

A: Anyone who wants to – everyone has a stake in it; it was welcoming and enlightening as a chief to talk with folks he has never spoken with before. They can decide, but the more the merrier; we all don't know what we don't know;

Q: How do you feel about ability to abstain or not vote?

A: In his case, he never abstained but he was consistent with his board and chiefs in CO. If you vote there, you have to also have the authority from their respective organizations; you have to be consistent with your vote, at TCJJ and at the Capitol.

#### Shannon Bucci: Individual with Lived Experience

Very active and have LE in criminal legal system – in 2016 lost her dad in an accident; the company she was working for gave her 3 days bereavement; lost her therapist and was working lots of hours; started abusing alcohol to deal and resulted in arrest; was physically and sexually by officers – took out predatory loan to stay housed; then went thru rough period that resulted in a second arrest in 2020 – spent 10 days in solitary because of Covid; added to her PTSD; there was actually a part where she began the process of planning her own suicide; said her substance use was situational; those who have lived experience do not get over our experiences – they follow us;

- Address the root causes
- People in positions of power rarely face the same consequences;
- People with her experience/perspective is important to this work – they understand the system from the inside. We see homelessness, overdose deaths
- What we are doing is not working; Colorado is one of the worst in the county for recidivism (over 50%);
- There are countless people like her who would like to be involved; need these voices not be tokenized;
- only became informed of CCJJ because of her involvement with a nonprofit;
- user friendly ADA website w/ language translation
- meet community where they are at and more promotion
- Like many others, she can't take time off from school, work etc
- Meeting should be ADA accessible, translation.
- Compensation would be necessary
- Temporary task forces for separate issues; whole thing can be done more efficiently if properly organized;
- Look at the name of this group – transforming means change, this so far feel just like a rebranding.
- We need decision making not based on feelings but facts;
- we need data driven evidenced based decisions;
- Combination of professional and lived experience
- She always gets make fun of when others find out she is the only one not getting paid

#### Rebecca Wallace: Policy Director, Colorado Freedom Fund

Also spent 11 years as council at ACLU CO; worked closely with pretrial task force as a non-voting member of CCJJ.

- CCJJ operated with no community input,
- Was dominated by system actors; CCJJ table was far too limited and dominated by system actors paid to be there;
- CCJJ served as a gatekeeper but rarely tackled complex issues
- It was never intended to be a gatekeep, rather an innovative idea in the criminal justice space;
- Mission: forum is unlikely to reach consensus if not a shared mission; agrees 100%; public safety is far to broad a mission to really guide members and increase likely hood of consensus; improve public safety through prevention rather than arrest and incarcerations;
- If the goal is to transform – what is the thing we will be doing differently?
- Re: community engagement – how to create a more inclusive space – any criminal justice task force need to include community experts (not just those paid by government); should include those who have lived experience or professional experience related to the criminal justice. Include people who have been incarcerated, survivors of crime;
- Hopes this group will avoid the inherently oppositional people;
- Community experts share they feel sidelined or ignored by system experts : ensure there is a critical mass of those with lived experience at every conversation and ensure they play at least an equal role;
- Make sure policies include experts as well
- Have time limited issue specific task forces on a specify issues
- Hold listening sessions in the community;
- The NorthStar mission issue: don't expect us to engage if there lacks a mission;
- Should not be housed under the executive or state department tied to law enforcement because it sends a message; it should be housed in the legislature because it is more tightly ties to the people.

**Board note:** If there is an admin or oversight body, maybe it in the judiciary, a new criminal health oversight group; could receive requests through the governor office or others – have a balanced legislative body that's about making oversight decision about various task forces; would love to see decrease politicization.

**Board Note 2:** The comment about time limited work scares him the most because he has heard the desire and the compelling testimony that we should spend more time listening; placing things inside the legislature makes things become somewhat incompatible; when we limit time, we limit an opportunity to listen.

**Q:** Do you have ideas how to make it time limited or who to include?

**A:** Needs to be issue specific; include the right people who have community buy in already. If you only have system actors, they do not have the community ties and it will just take that much longer; As for time limits, once you go beyond 2 years, you lose people's interest.

Terry Scanlan: Legislative Liaison for Courts and Probation and Dana Welk, Probation Services

- please include probation services in whatever group is decided; probation services is engaged more than any other agency by a long shot; probation is a part of all 22 districts; its challenging for judges to be engaged and maintain independence;
- No position on where to housed, other than to say the judicial branch would be terrible;



**Q:** Given juvenile and adult experience in probation, should the creation be together or separate?

**A:** Do not have an opinion, but juvenile and adult are quite different.

**Q:** Judicial has been involved since creation – judges have served, probation officers have served. More often than not, the department abstains from votes. Should judicial serve as voting members?

**A:** They have gone back and forth for a long time – judge members are particularly non-voting; as an office we have hamstringing our probation officers; if this goes as some kind of legislative committee – it makes it more uncomfortable; In recent discussions, we give probation officers freedom to come in and talk about their experience and be full participants; hopeful that probation would be able to participate as full voting members.

**Board Member Note:** Looking back to 07/08 almost don't know why we put judges on as voting members, the right answer must be recusal under legal ethics; thinks it inappropriate to put any judge member to be a voting member but we might we want to illicit input from judges, of course. If we are having an upper-level sentencing structure – maybe it not relevant to probations.

**Response:** Having judges as voting members is impossible for them; hopeful to have a system that probation has a full voting right as all others; Reality – CCJJ was a consensus building body and vote was not necessarily that important – just ask they include probation.

Rica Rodriguez: Director – Promotores de Esperanza

She was on a suicide mission and found herself in the revolving doors of judicial system; because she was addicted and in the fast life of gangs and not caring for herself or others;

- Partner with entities such as hers;
- Be willing to prioritize EDI especially when operationalizing criminal justice reform;
- include those who know and have managed outcomes on the other side;
- there is a lack of diverse subject matter experts (especially those with lived experience and there is an overrepresentation of system actors);
- CCJJ lacked meaningful involvement and engagement, especially from those who look for non-judicial answers; include BIPOC and lived experience, those who experience generational harm;
- Meeting were 5 hours long; they were inaccessible; need hybrid and options after work hours; Because she owns her company, she was able to come in;
- 100% of all task force meetings need to be ADA accessible
- translation services need to be available and all documents need to be translated at least into Spanish;
- Has the attempt been made to make the meetings accessible and known to Spanish speaking community;
- Need an ADA accessible website;
- Intentional outreach recruit people using a gender and equity lens and these
- Meaningful involved short term time commitments;
- Build trust by cohosting along lived experience folks so we can lean from real work experiences. Ex: who can speak to safely reducing jail populations, transition services, or youth services for all types of stakeholder groups?

- Communities need transparency of how their voices will be represented; Give prominent seats at the table with voting rights;
- Equitable compensation for lived experience voices; not just tokenization

Jeremy Schupach: Colorado Municipal League

Judge Sean Day was scheduled to testify – but he is here to testify; he was on CCJJ and was reappointed by Governor Polis.

- Would like to provide perspective for local representation on TCJJ – we did not have a seat at the table to discuss important work (he means cities/municipalities);
- Respectfully requests that representation of the municipality he represents and work that is being proposed finds its way to municipalities.
- Most of the work will find its way downstream and will have direct impact on municipal courts; doesn't necessarily have to be a judge on the new TCJJ;
- Most of what was brought before him was not an issue to be removed/recusal; never happened to him in last 5 years he was serving on CCJJ.

Anaya Robinson: Senior Policy Strategist, ACLU Colorado

- Engaging impacted community in conversations is the only way to create real and sustainable change;
- A single group is not the answer
- Must exist in the legislature
- Time limited task forces to come up with realistic, sustainable legislation
- Ensure new iterations are bringing the community to the table;
- Need lived experience and professional experience;
- Hold listening sessions
- Wide promotion
- Partnerships with neighborhood leaders, faith groups;
- Accessibility: complete virtual, translation services – all documents at least in Spanish; maintain ADA accessible website;
- Agreement of shared goal for legislative body;
- All parties need a common understanding of the north star
- Invest in community services and supports – not more incarcerations.

Q: How do I get the rest of the populations – want to make sure the middle is here, too.

A: One way we do it is to make sure this body is not just having meetings in rooms like this, but also going into communities. Make sure we are not creating another structure that looks the same as this done now that looks hard or scary in this room;

Q: As you start to see defined groups go thru legislative process – who decides what those groups are?

A: This is an opportunity- if we put in legislature- they can run bills informed by this group

Mari Denis: Executive Director, COVA

- Victims have important right and are honored and protected by law enforcement in a manner not less than criminal defendant;
- It's important to have true victim representation; one can not be a voice for all;
- Believes that victim voice should be equal to everyone at the table;
- Feels strongly about the misuse of tokenization,
- DEI is important; compensation; accessibility – people taking off time to testify

Christie Donner: Executive Director, Colorado Criminal Justice Reform Coalition

Deep community based organization advancing community safety and minimizing overuse of the criminal justice system.

- Has been on multiple task forces; resigned from CCJJ in March of this
- CCJJ was not their ideal yet continued to participate – tried to fill in gaps where could especially with directly affected people – it got to exhausting;
- New entity – think about form following function – what do you want to accomplish and do not assume its monolithic
- Calogne/perfume example: it gets more concentrated as you go – some issues are toilet water (quasi structure/not permanent, interim groups); we have to sort better because CCJJ wound up with the kitchen sink; some groups are longer term – task forces, legislative committee: Informa/formal; Institutionalized – ie on a permanent basis
- Missing DOC/DYS oversight
- Jail standards has been a good model;
- Racial disparity group was good but we did nothing about it
- We have a lack of equity across all society;
- Think about this entity with way to approach breakdown on process, etc;
- Geography of the issue matters. if you look at crime prevention, early intervention etc, that is more local than state issue;
- Suggests a very formal internal and external process – we don't need the 2 steps – where it goes to the “council of wise people”.
- What is the input we want early in the process and from whom depending on the issue; same group for input on recommendation so we create a feedback loop;
- She did 50 interviews but no process by which info can be embedded – not hierarchical – lateral, internal and external.
- All hands on deck: Community involvement AND community education; all state departments with resources to throw at this – we could only have so many task forces because it was limited by DCJ staff; diversity across DCJ, CDPHE, utilize ALL assets and resources across state government to provide a container for it;
- In her opinion, housing in DCJ, center in in exec branch, membership of mostly cabinet members;
- Membership and Composition – no one should have a designated seat – no one has a pro forma – the people closets to the problem are closet to the solution
- We have to go closer to the ground; entity has to have more engagement at all phases – not just policy development; there has to be a feedback

- Home base should be legislatively centered, but not legislatively created.
- Fine point – has to be intentional and consistent process to identify scope of work – sometime CCJJ identified it, sometime it was the legislature, sometimes it was the governor;

Q: Independence notions – how to identify priorities and scope? Governor/Legislature; headline issues – what caught the media – how to gain the independence:

A: We have a formal process around audit committee – maybe a House an Senate judiciary committee; CCJJ had representation of victims but never really dealt; create a process of interim committees as opposed to random fly by the seat of you pants -

Weissman Note: Audit committee can get things going; any legislator can write an audit letter

Jeni Stinson: Youth Defender in Colorado

Kids are different; language we hear from courts is different; says this a lot – kids lack the ability to extricate themselves for original crime promoting experiences;

- Evidenced -based practice
- There is not a single person who is a specialist on kids here
- Violence begets violence and starts with not having your basic needs met;
- There has to be a body dedicated to kids – they have a really complex set of problems; kids do not have any of the voices or resources that adults do (like ability to move) and how are we going to provide a resource to a 15 year old who is unsafe or may not have food – would be better not to have a committee itself that not doing anything to meaningfully address what’s happening with kids;
- HAS to have something to do with youth – folks with lived experience, education experts; adolescent providers, youth advocates (not just defense attorneys) , social workers (not DHS) but their person who sat in the living room, juvenile corrections workers (not the head of an agency again but the people did the actual work); getting closer to the reality is so much more effective;
- There needs to be a separate kids table because pretending there are just little adults is an exercise in failure;

Q: Do you have experience with JDPC at DoC?

A: She is generally aware of it but can’t think of a single practical thing that has come out of that group that affects the kids in any way. For her, it falls into the category of people taking about things;

January 3, 2024

Amanda Blackwood: Survivor of Human Trafficking

Was not okay with coming forward with this to any kind of legal authority. Statute of limitations in the state of Colorado is a real struggle. A lot of children, when they are experiencing something like this, they do suppress these memories.

- Purpose for being here today really is just to say that the statute limitations in criminal justice and in juvenile justice is definitely something that needs to be taken under consideration in these kinds of meetings.

- When you're an 18-year-old, when you're a 19-year-old and you're assaulted, or worse, if you're trafficked, and you're assaulted multiple times, this is another thing that you're not going to be okay with coming forward about for a very long time, if ever.

Q: I really want to try and get, do you have any input for us on, not necessarily specific policy changes, but as a group comes together to consider policy changes, who should that group include? And how do you think that might work at best? Should it be part of the legislature? it not? Should it be independent? Can you give us any thoughts on that if you have those?

- It should definitely be part of the legislature. This is where we're saying the biggest movements. It should include actual survivors who are okay with sharing their stories and have done.
- Give a sense of authority to them, there's a lot of people that are not yet healed and in a place to be able to open door.
- You need to find people that are going to be in healed spaces to be able to talk. There are several different people who run anti-trafficking or domestic violence groups that would be wonderful resources to reach out to here in the state of Colorado.
- There is a young lady by the name of Kelly (DORE sp? Who would be wonderful include.

Courtney Sutton: Public Policy Director for the Colorado Organization for Victim Assistance (COVA)

- Believes TCJJ should carefully consider the creation of a group reviewing criminal and juvenile justice in an evidence-based manner.
- COVA and our membership believes this entity should be balanced and should include victims and survivors, along with victim service agencies. Colorado victims are afforded rights under the Victims Rights Act. General Assembly made it clear that all victims and witnesses to crimes are honored and protected by law enforcement agencies, prosecutors, and judges, and a manner no less vigorous than the protections afforded to criminal defendants.
- COVA asks you to include victims and survivors to allow them to speak to their experiences and wishes and what exactly this process looked like for them and what they hope for the future for other victims.
- In the creation of a new group set out to analyze evidence-based research and best practices, I hope the group will consider the origins of crime prevention, rehabilitation, supportive services for victims, including healing processes and alternatives to traditional criminal justice practices, especially for marginalized communities that feel unsafe contacting law enforcement.
- In the inclusion of victims and survivors into this group, the development must consider the psychological safety and retraumatization along with group norms for these difficult conversations and also the barriers to attend that include transportation, meeting time, childcare, ability to take time off of work, language access, and even compensation.
- system-based services should not be the only voices at the table. Inclusion of subject matter experts regarding crime and specifically crime prevention researchers, community-based non-profit serving victims of crime, clinicians and mental health providers and educators are critical to provide a well-balanced and fair group.
- Believes that specialized and focused small groups, including a survivor advisory panel while well-spaced for these individuals to work cohesively and make clear concise recommendations.
- Believe that the juvenile justice should be separate from adult justice due to the large difference between those two types of crimes.

- A smaller group could also focus on legislation that's put forward that doesn't come from this new entity for them to review and make recommendations.
- Victim service agencies are facing a 50% cut from federal funding through the Victims of Crime Act funding or VOCA.
- The inclusion of community-based victim services is necessary but has already caused strain on staff under CCJJ, and this will be exacerbated if the state is unable to provide additional funding.
- The created entities should be able to put forth recommendations for policies with an eye on implementation with fidelity. Partnerships and collaboration key to key focus.
- Overall, this new entity must include victims and survivors and victim service providers and take a comprehensive look at criminal justice response, crime prevention, and victim services.

Q: I'm just wondering if you have any of your testimony in writing that we could if you could submit it to Us via email?

A: Yes, absolutely (see written testimony folder in Google Drive)

Ray Harlan: Colorado Victims for Justice

Colorado victims for Justice is a group of crime survivors who work to make the criminal justice system better for everyone.

**3 Points:**

1. Crime survivors greatly outnumber offenders in Colorado. You can understand this if you reflect on two ideas; One is that most offenders commit more than one crime. Second, most crimes have more than one victim.
2. People who are connected with the criminal justice system come into categories; 1) people who administer the system. Judges, prosecutors, law enforcement, public defenders, private defenders, parole officers halfway house, staff and so on. And 2) a category composed of people who are affected by the system. If laws are written by people who administer the system. Without input from people who are affected by it those laws typically have unexpected consequences.
3. My third point is more complex: State of New Jersey six years ago instituted pretrial reform which eliminated cash bail in favor of a reliable assessment. That program has been wildly successful. It greatly reduced the jail population without increasing the number of crimes committed by people released free trial. The number of people who attend hearings reliably is about the same as it was before the reform.

There is a weakness in our system -we don't have enough research staff for lawmakers.

- New group should report to the lawmakers the way the Supreme Court does where there is a majority opinion with an explanation of why the majority believe that way. Then there are one or more minority opinions that differ also with an explanation of why they think that way so that a lawmaker can sit down with colleagues and discuss the bill when everybody has in front of them an explanation of what's going on, of what the issues are and that concludes my recommendations.

## Tim Lopez: Victim of Crime / Family Victim Crime

You would not think a case that's 27 years old would be back in court. And you Yeah, because of decisions made through the CCJJ and the legislature, while with the Colorado Supreme Court, Colorado Court of Appeals in the United States Supreme Court, I have been back to two resentencing hearings in just the last two years.

- Victims of crime - their crimes are not outdated; shouldn't be taken advantage
- Victims are not represented on the CCJJ
- Struggled with eth questions whether we call them victims or do we call them survivors?
- CJJ used to vote yes or no; there was no middle ground and folks voted their conscience and said why they voted it. Then they mediated away from it and then we got thumbs up, thumbs down or thumb sideways - **We need to be voting yes or no and no in between.** We have a CCJJ with voting problems.
- Need victims' advocates and other organizations that represent victims, not just people that work for the state.

Q. / Board Point: Key takeaways: concerns about the voting process and how it was kind of watered down; make sure there's more inclusive membership beyond just system folks, definitely in terms of hearing from victims or survivors regardless of how they view their position.

legislature: legislature did things CCJJ recommended. One thing we're wrestling with is how to maintain legislative autonomy but still create a valuable entity for the legislature to bounce ideas off.

A: One of the things groups should understand is membership; 27 years ago a number of these agencies didn't exist a number of these for-profits and nonprofits were not places where victims went; to you know Kobo was in its infancy parents of murdered children didn't exist Voices of victims didn't exist

## Jenny Stith: Executive Director, WINGS; Lived Experience

Wings supports adult survivors of childhood abuse and incest or inter-family abuse; Also served oj CCJJ as a victim's representative.

- Her ability to really serve on the commission felt extremely limited; didn't have a lot of extra time to serve on committees, which was one condition to even be able to serve on the board.
- Many of us are trying to grow trauma-informed, culturally responsive organizations that can meet the needs of very vulnerable and often overlooked communities of crime victims without ample consistent funding to do so.; when orgs like hers do serve on state boards, they often find that the needs of their clients are not on the agenda.
- include victim service organizations and cultural providers specifically so they have more sustainable operational baselines from which to serve their clients and that allows for more meaningful engagement and true representation in all state boards. A few boards that come to mind would be CCJ, the Crime Victim Services Board, which I also serve on.
- Include the behavioral health administration as being a really important entity to bring together with these others. (has not seen the victim service community needs represented there at all)
- Also substance misuse and abuse, mental and physical health challenges, repeated victimizations including domestic violence and adult assault, problems with parenting, enacting violence which can lead to incarceration, and being unhoused and also a strong link to attempted and completed suicide.

- We've simply overlooked early crime as not mattering when in fact it is the root of so much injury, disconnection, and disease impacting those in our state who are largely cut off from services they need to heal and thrive.
- She has gathered data through several needs assessments in recent years, hearing directly from adult survivors in Colorado about what it's like when they're reaching out for services.
- There is a profound need and an immense opportunity to bring the realities of what one and five adults in Colorado are experiencing or have experience; to reimagine and redesign systems that can facilitate the healing they need and serve.
- Underscore that we need to take racialized trauma and systemic oppression seriously and consider elevated funding to offer transformative and restorative justice services

Ashley Jellison: Executive Director, Colorado Children's Alliance

CAC works hand in hand with local law enforcement and the Department of Human Services on any case of child abuse or neglect.

- In her role, she is unaware of any interactions between either the CDC's or the Colorado Children's Alliance and the CCJJ.
- Based on the enabling legislation in 2007, the legislative declaration notes that ensuring public safety and respecting victim's rights are paramount concerns of Colorado citizens.
- We support the representation of victims and juvenile justice expertise on the CCJJ and any organization working on criminal justice reform in the future.
- Any entity in the future must ensure that the victims' voices and juvenile justice expertise are included. CCA would like to be included during these considerations and as a resource for future appointments.
- CCA is well-equipped and eager to work with any organization in the future to offer our expertise in these advocacy areas.
- In relation to the creation of a new entity, we believe juvenile and criminal justice reform in our fast-paced world is always evolving; Supports having a collaborative organization that brings many perspectives and voices to the discussions on enhancements to public safety while ensuring justice and protecting victims' rights.
- Feels the juvenile justice discussions and reform need to be independent from overall criminal justice; agrees that juveniles and adults vary drastically in their involvement within the criminal justice system. However, having two separate systems is short-sighted and will have negative consequences. Two separate systems can result in silo decision-making that may result in a disparity of offender and victim rights.
- Whatever entity is created, believes that the statutory mission should be to ensure protection of the rights and needs of victims related to crime in the criminal justice system with a priority to prevent and reduce crime and recidivism.
- Does not have a preference for where the entity is housed, however a venue that provides for victim engagement is critical.
- Supports the creation of any entity that would include many different perspectives, both lived experiences and expertise through professions and associations.
- Supports the cost-effective use of public resources and evidence-based recidivism or rejection initiatives.
- Encourages a new entity to incorporate the collection of data and analysis of that data as policies and practices are developed.



- Transparency is critical for this type of entity, especially when many voices from broad perspectives might impact rules, regulations and laws. The intricate workings of any entity going forward should provide avenues for public engagement at every level.

Q: I'd like your thoughts on how CCJJ might have done better in trying to find someone willing to build that role because I know there were some victim survivor groups who followed CCJJ and were present at meetings but we could never get one to come forward. I know it's a big ask. In conjunction with that over the three full days of public comment, I've heard every now and then I hear someone say, I never heard of CCJJ. How do we get that message out more?

A: Finding victims is always a challenge, but we do want to help in that way as a resource. We've got plenty of CACs - 19 across the state and all of them have clients. We would be very happy to be a helpful resource.

Kazi Houston: Legal Director, Rocky Mountain Victim Law Center

Provides free legal services to crime victims across Colorado

- The robust conversations that occurred at the working group level in particular ensured thoughtful decisions were made as policy recommendations were discussed and developed. This was largely done by drawing on the expertise of stakeholders and participants who often didn't sit on the task force or CCJJ but had important information to provide.
- The voice of victims in those spaces as well as the expertise of advocates and VRA legal experts ensured the impact of policy changes on victims of crime, their families, and their rights was more completely understood by everyone in the process.
- Often the position or interest of victims is assumed to be reflected by law enforcement and prosecutions sitting at collaborative tables or system-based advocates who have a very specific role in the legal system.
- As policy changes are considered, in the criminal legal system, hearing from victims and victim representatives who have actually participated in criminal cases, parole hearings, plea conversations and trials offers a perspective that can't be duplicated by any other participant.
- Recommends adult and juvenile be separate processes, both of which include victim experiences and victim legal rights.
- Access: things like scheduling meetings outside of regular business hours in community-based locations and providing language access and compensation
- On the sentencing reform task force, the victim voice was often distilled as things moved to the task force in CCJJ as a whole; it seemed like the perspective of victims was overshadowed by the more vocal and traditional views of the prosecution and the defense when it is actually a unique and important perspective.
- Voting: Sentencing Reform Task Force had an up or down vote; doing this meant if there was a single problematic measure, any objection to the measure was lost in the final vote of a package of recommendation.
- Would also like to see only people who are able to vote have voting positions.

Q: Re: your position about voting as a group, as a block or voting on individual issues. Are you suggesting that when a sentencing reform task force gets together and says, these are 50 different felonies that we want to classify up or down that each be dealt with, because a lot of times, as you

know, there's a little compromise in this whole process to reach balance. And what your thoughts are about that and how the victim voice should be used to impact that.

A: I think there are certainly things that can go together. As you know, the sentencing reform task force, if we're looking at a whole grid of 50 misdemeanor crimes, it might make sense to address those together. But some of those important stakeholder views got lost - particularly the victim voice that is often, one or two people at the table is the one that can get overlooked or there's a little bit of a pressure to compromise and saying for the greater good of the whole versus really trying to prioritize the position of victim representative saying the rights of victims, the experience of victims should be as important as any other thing and ensuring that that is reflected in the final vote.

When there are times where there is more dissent, there might be a way to do a vote that reflects that a little better.

Connie Brenton: CEO, Art Mart in Boulder, CO

Been seeing an increase in the amount of crime, and so much so that actually every on our staff has been a victim of some kind of crime. We have had to bring psychologists in to manage some of the traumatic moments that they regularly endure. It's something that we can't really overlook, but this is the victim minority that is just not being heard about.

Q: What we're trying to do is put together group that will then allow for consideration of policies. Should retail owners or another community group be involved?

A: Absolutely Include people from the business community; they have daily data point and a lot of information over a long period of time and can share the pattern they are seeing.

John Neslage: Representing Family, including two teenagers, one who was victimized in the downtown Boulder Public Library

Daughter was a freshman at Boulder High School who just wanted a quiet place on a Tuesday afternoon to study and do her homework and made a good choice to walk to what she expected, as did we as her parents, would be a safe space.

- The last election cycle they made Safe Zones for Kids, specifically prompted by how dangerous the area around the local high school had become.
- Has not been involved with TCJJ, but I would certainly like to be more engaged in any future organization.
- Thinks it's extremely important to get the perspective of victims in whatever organization is constituted and moves forward.
- Was very happy to learn one of the guiding principles there of the CCJJ was that public safety should always be paramount in our thoughts.
- Victims rights and protection should be one of the key elements of any entity in the future.
- Victims advocates and victims themselves should be included in membership positions of any future entity and while it might be challenging to find victims willing to participate in an entity there are many organizations with access to victims.

### Dana Walter Flores: Colorado Youth Justice Collaborative

Colorado Youth Justice Collaborative is a multi-generation coalition of people who have been directly impacted by the juvenile justice system in Colorado. We come together to share information and to build capacity in people organizations to create and influence youth justice policy. Youth Justice Collaborative has grown to over 120 members representing dozens of organizations across the state

Had the opportunity to speak with the CCJJ as they considered whether to revisit the issue of raising the minimum age of juvenile court jurisdiction. After two years of rather heated debate on that subject, there appeared to be an emerging consensus that such a change was at least possible given the right resources. The CCJJ ultimately decided not to take up that issue

- In time spent in CCJJ meetings, she was impressed by the dedication of the members to deeply interrogate each issue they considered and impressed by the camaraderie among the members in the CCJJ.
- But, felt the CCJJ was a body primarily focused on adult criminal justice policy; heard a couple of members of the CCJJ make comments along the lines of I'm not even sure why we have the word juvenile in our title.
- Need to bifurcate the subject matter. Children and adults are different. The mission of the adult criminal justice system is different from the mission of the juvenile justice system.
- Should there be a commission on juvenile justice, young people should serve on it.

How best to engage directly impacted youth and directly impacted people: the National Center for Youth Law, our youth justice team, has not had a difficult time engaging directly impacted youth in Colorado;

- had over 30 qualified applicants; have 14 youth fellows because we had limited funding to be able to do what is essential to engage directly impacted people and community in this work
- do not convene the fellowship during work or school hours for the young people involved. We expect them to complete their work when it's convenient for them. Created around their work, their lives, their families, understand what's expected of them and they not only meet but exceed expectations.
- compensated at a rate of \$30 per hour and we also subsidize transportation and food as needed and event costs.
- Point is this, any commission designed to advise and inform our legislature on how best to address safety and justice for children and youth must be led by people who have experienced the youth justice system in collaboration with adults with subject matter

### Meghan Baker: Disability Law Colorado

- In the more than 10 years practicing in Colorado, has never personally interacted with the CCJJ.

What makes all the ventures successful:

- The first thing is having a specific task or issue because there are specific people with certain expertise, depending on the issue.
- Both the behavioral health transformational task force and jail standards are two good examples
- Even within the criminal justice system, different people have experience in different areas. For example, the jail standards commission had representatives from sheriff's offices, as opposed to

maybe just law enforcement generally, because sheriffs are the ones who run county jails. Also had not just mental health staff generally or mental health professionals, but mental health professionals that had experience working in jails.

- Agrees there are a huge differences between the adult and juvenile systems that warrant independent examination. It's important to be specific about what you're doing and have the right people
- Emphasizes the importance of having sort of the boots on the ground as opposed to some sort of ivory tower.
- Finds that deadlines helped push decisions; helps to think outside the box because you have a limited amount of time to get all your ideas out and discussed.
- Another factor for success - these efforts are community led and include and elevate the voices of lived experience.
- Helpful to have shared goals and parameters to drive the work.
- Establish values early on, but we did include those in our final report to the legislature.

Terry Smith: COPA Panelist, Lived Experience, Addiction and Recovery Survivor

Been in recovery since August 9th of 2005; was honored to be invited to the Colorado Criminal and Juvenile Justice Reform Coalition meetings early in my recovery; has been in halfway houses, treatment programs, and finally prison, ironically on August 9th of 2005.

- It wasn't cool that they weren't going to allow her to be a part of the conversation?; she drove to the place where they were having the meetings; room was very large, table in the middle of the room. There were eight-foot tables set up in a square with microphones; there were name tags; they were listening to public defenders, district attorneys, probation officers, officers, the department of corrections, community corrections make decisions; they got to talk when they were all done. We could line up to meet and speak with any of them after the meeting.
- How do I get my voice on here; was told that we have a representative. The recovery community has one representative who has a seat at the microphone and we can get with him and then he can bring it up if he feels like it.
- If we don't have people in positions who believe what do we do? We dress up, we show up, hope that you'll believe in us.

Tiffany Kuhwede: COPA Panelist; Person with Lived Experience, Peer Specialist

Lived experience as a person in long-term recovery from substance abuse disorder and from domestic violence, abuse, and mental illness. Also a person who did experience some incarceration, and now I'm a person who is able to use my recovery journey to help other people.

- Able to sit on some task forces. I sit on some task forces that really help people struggling with intimate partner violence and I notice too on some of the task forces there is a lot of professionals.
- Always the only one with lived experience; able to bring a point of view of somebody who has struggled with mental health, somebody who has struggled with substances, somebody who has struggled with incarceration, and been able to heal and find recovery.
- It is so incredibly important for people with lived experience to be able to sit on these panels and these task forces to help give that real lived experience of what people need to be able to recover.

### Stacey Putka: Executive Director, Breakthrough

- Emphasized pathways to parole through DOC; working to build a more robust pathway to parole via collaboration with community partners like Breakthrough, specifically through the Department of Corrections during incarceration to help people get out and stay out and be safer for the community.
- Quick overview of Breakthrough, work 501c3 organization that focuses on transforming the lives of the incarcerated population and shifting the community's perception of the incarcerated population; has worked inside the DOC since 2017 and are very grateful for their partnership and their collaboration.
- start working with folks while they're in.
- then continue to work with them in the community focusing on community stability and support and job readiness.
- 86% of people who've gone through a program inside have continued to engage post release
- Experience working within the department since 2017 is kind of the headline of the feedback we'd like to give today, building a more robust pathway to parole via individualized improvement plans.
- understanding the underlying causes of why people became incarcerated.
- Bring community based organizations along; organizations like Breakthrough are pre-vetted and can help address individuals' needs and also take that burden off of DOC, especially during a time of staff shortage.

### Ashley Furst: Director of Business Development, Breakthrough

In 2019, was sentenced to 27 months in federal prison. When she got there, needed help processing not only what she was going through, but also understanding how she even got there in the first place.

- Re-entry should begin on day one, and while you can't live on the outside, while you're on the inside, it's still important to begin to think about what got you there and how you can come home and be successful and change your life for the better.
- The federal prison system has no programming like breakthrough offers, the waitlist for programming that they did have was close to two years in the facility she was at; upon release, she was given a piece of paper that looked like it had been photocopied in about 1985 and was told that it was a list of second-chance employers and good luck, and they sent me out my way.
- There was nothing to help prepare her to come home, learn how to talk about my time incarcerated or how to address those underlying issues, how to repair relationships or job search with a criminal record or learn how to navigate lifelong barriers; no wraparound supportive services; no program or pathway in place to follow upon release to learn how to rebuild her life.
- **Create community partnerships with groups like breakthrough:** by creating an even better pathway to parole and collaboration with community partners like Breakthrough, you're really allowing people to see what they're capable of and that they're more than their past mistakes.

Q: Do you feel strongly there should be a group that examines reentry and makes policy decisions on reentry.? What should the composition of that group look like if this task force

A: Think that the group could look very similar to this makeup; knows that Andre would be a helpful member in that regard and people with lived experience; thinks that it would be important to include wardens and staff that are on the ground because they are really the ones who are saying what's going on within their facilities and working on reentry.

John Longhill: Neurochange Solutions, Consultant

- No experience with CCJJ but I have other experiences with the justice system and other capacities which is directly related to this new juvenile justice initiative.
- A simple but well-designed experiential program based in neuroscience over just an initial period of just six to 12 hours with structured follow-ups can have a profound effect on our youth and their behavior.
- California has created a \$250 million initiative with San Quentin as the focus and they've brought them in because they are able to present a program that's at the cutting edge of the latest research in neuroscience; working on bringing this program to prisons in Minnesota, possibly the women's prison in Denver.

General thoughts about the creation of a new entity:

- Create new entity with a clear purpose and vision of how to reboot our justice system is essential.
- Focus on the rehabilitation through education and experiential developmental awareness about life and how to live it proactively and with full engagement.
- Single entity -believes a single entity is the best way to formulate design and implement a new vision for juvenile justice; would make it easier for all involved to align with a new purpose and vision bring the competent people on board to implement this vision and create accountability for this implementation.
- Statutory mission: the mission should be clear with a definitive purpose, a vision for implementing that mission; should identify what's wrong with the present system with a clear vision of what needs to change and why, so that is implemented in a way that serves to rally community in positive and life-affirming ways.
- Housed: keeping it in the executive branch offers the most effective opportunities for implementation, awareness, and support from the stakeholders.

Summary - believes it's just time to deal with the causes, not the symptoms of criminal behavior in our youth. Symptomatic responses are only effective in the short term, obviously, to protect society in a moment, but it does nothing to solve the problem in the long term, which is the causes of criminal behavior in youth.

Ed Wood: Son was a victim of crime

In 2010, his 33 year-old son Brian was killed by two women who were charged with vehicular homicide and were driving under the influence. Evidence included findings of a drug recognition expert and positive toxicology results for marijuana, methamphetamine, and heroin. In the years since then, he's worked with legal and technical experts worldwide to understand how this miscarriage of justice could occur.

Has shared learning in multiple presentations and publications, including some peer reviewed journals.

Recommendations for CCJJ's successor.

- First and foremost. Members must be honest and refrain from deceptive practices to support their positions.

- Second, replacement entity must respect, listen to, and professionally respond to informed citizen input. This obviously does not mean requiring adoption of all citizen input, but simply permitting public testimony and then ignoring it is disrespectful to say the least.
- Third, the replacement entity must listen to the victims.
- Fourth: The replacement entity should proactively seek out and listen to expert opinion and evidence that supports positions contrary to proposed administration policy
- The replacement should not simply be a rubber stamp for political agendas

Demitrius Somerville: Center for Employment Opportunity/ Self

Three things he feels the council needs to do:

- Have interpersonal communication or communication with communities be more tangible to these communities; identify the people in and out of, in the community who have influence. By identifying these people with influence, you can get them to come out with and advocate for CCJJ and the communities
- Meet people where they're at. A lot of people are not computer savvy or they have no idea about this and have no way to get these information about these meetings.
- Public safety begins with people taking accountability within their own communities to give back and to spread the word.
- Create a safe space for these meetings, a space where these people can come, be heard by somebody tangible

Q: You hit something that I think we consistently struggle with when we're trying to figure these things out, which is how to identify the community members with influence. How do we find those folks

A: Begin with the communal space, depending on what neighborhood you live in or what's happening in that neighborhood, a space where it will be zoned off for a safe space where people can get this information.

Q: As you were talking about finding the people in the communities that are leaders, do you think we need to spend more time with church leaders?

A: That depends on the community itself because the people in the community know who their leaders are; the church is a good place to start.

December 15, 2023

Dear TCJJ Working Group:

First, we appreciate the focus on the need of a permanent group to work on the transformation of the criminal and juvenile justice system. There is much work to be done to accomplish the goals of such an endeavor.

The composition of the Working Group members seems well thought out, providing expertise and input from the many parties impacted by criminal justice – except one. The group should include one or more *current* inmates. Having previously lived experience is good, however current inmates have their fingers on the pulse of what is actually happening in the CDOC each and every day.

We would recommend selecting inmates actively participating in the Korey Wise Innocence Project (KWIP) Legislation Inside group as they have legislative experience as well as up-to-date knowledge of the daily goings on in the CDOC from the inmate perspective. After all, the decisions made by this group will affect inmates and their families as much or more than other groups, yet they lack representation.

In addition to the overall suggestions, Ms. Adrienne Sanchez asked that we specifically comment on what has, and has not, been helpful during our time in the CDOC.

I have been incarcerated for just over 5 years on a 24-year sentence for a non-violent, “white collar” crime. My colleague has served over 23-years on two life sentences—which were commuted by former Governor Hickenlooper in 2018. We both serve on the KWIP Legislation Inside and are passionate regarding transformation of the system. I share this to provide perspective and state that we discuss problems and potential solutions incessantly.

What has not been helpful during our incarceration has been the alarming lack of rehabilitative programs, and especially meaningful work opportunities. We both feel all inmates **need purpose** in their lives each and every day. There is nothing more rehabilitative than meaningful work, 5-days a week, 52 weeks of the year. Then having the opportunity to better oneself through individually chosen educational opportunities. That is how life works outside the fence, and that is what is lacking inside the fence.

What has been helpful is that the CDOC provides an inmates basic needs so if opportunities are available, they can participate. We do not have to worry about going hungry or not having adequate shelter. These are guaranteed for us, unlike the other side of the fence. This is a huge advantage for inmate rehabilitation, if true rehabilitation was accessible.

We do not have the time here to discuss all of the challenges, the positives, or the solutions and innovations that would be important in the transformation of the criminal and juvenile justice system. We applaud your efforts in doing so and will assist in any way we can.

Respectfully,

Vern Moter and Monir Wood

SCF East Side



## ***Additionally...***

In a male prison, there's nothing more rehabilitative than for an adult man to have to go to work each day for 8-hours, make a living wage, and then to take care of real life responsibilities (like paying for rent, food, clothes, etc.—yes—Even in prison!), and sending money back home to his own family so that he's not an added financial strain on them while he's missing as a significant bread-winner.

At times it is honestly perplexing to us why an institution (like Sterling Correctional Facility, for example) that has at minimum 1,000 able-bodied men within 2-square miles of land is a liability to the taxpayer. It's ridiculous to have that much manpower, production, and earning potential in one locale and not utilize it. Prisons should not be a "further" liability to taxpayers—especially after having already "paid" once by being a victim of crime. Instead, prison institutions should be able to produce enough through their work force to be both self-sustaining and to contribute a surplus back to the communities and taxpayers.

Under such a working paradigm, offenders not only do time for their crimes, but in light of the fact that a majority of offenders will be released back into the community, they would also be able to gain experience and expertise at a vocation/trade, while also grasping what the real responsibilities and challenges of life are while still behind bars; and be that much more prepared and equipped to meet those challenges once released.

From our observations, a lot of offender behavioral issues are definitively "adolescent;" a whole bunch of immature men with immature thinking with a lot of dead time on their hands. A lot of behavioral and security issues would be organically nipped-in-the-bud if the men in here had:

- Less time on their hands
- Meaningful and gainful employment
- Real life responsibilities to take care of
- The ability to contribute back to their families and the community
- Something valuable to lose

Lastly, two things you can't be in prison are: homeless and hungry—but just on the other side of these fences that's a very real and penetrating reality! The fact that the state provides basic needs can be looked at, in one way, as a benefit. However, in another light, currently this system is honestly creating more "dependents" and "recipients" out of grown and more than capable men.



January 3, 2024

Working Group on Transforming Criminal & Juvenile Justice  
SENT VIA EMAIL ONLY TO: [TCJJ@confluencepsg.com](mailto:TCJJ@confluencepsg.com)

Re: Public Comment for 1/3/24 meeting

Dear Working Group Members:

My name is Kazi Houston, and I am the Legal Director at the Rocky Mountain Victim Law Center. RMVLC provides free legal services to crime victims across Colorado, including providing representation to victims of crime in criminal cases to uphold their rights under the Victim Rights Act; we also regularly file as amicus curiae in appellate cases that impact VRA issues.

I had the opportunity to sit on the Sentencing Reform Task Force of the CCJJ, as well as on multiple working groups through that task force. The robust conversations that occurred at the working group level in particular, ensured thoughtful decisions were made as policy recommendations were discussed and developed. This was largely done by drawing on the expertise of stakeholders and participants who often did not sit on the task force or CCJJ, but had important information to provide. The voice of victims in those spaces, as well as the expertise of advocates and VRA legal experts ensured the impact of policy changes on victims of crime, their families, and their rights, was more completely understood by everyone.

Often, the position or interest of victims is assumed to be reflected by law enforcement and prosecution sitting at collaborative tables, or system-based advocates, who have a very specific role in the legal system. However, that is not always the case. Victims' legal rights and interests are distinct from those of the state, and the lived experience of victims and survivors who have been through the criminal legal system, and those of confidential community-based advocates, is tremendously informative and important. As policy changes are considered in the criminal legal system, hearing from victims and victim representatives who have actually participated in criminal cases, parole hearings, plea conversations and trials, offers a perspective that can't be duplicated by any other participant. This experience is also very different in the juvenile and adult systems, and it is my recommendation that those be separate processes, both of which include victim experiences and victim legal rights.

In addition to this, I think it is essential that access is provided for people with lived experiences who are willing to participate in this process. Scheduling meetings outside of regular business hours, in community-based locations, and providing language access and compensation would go a long way to ensuring more voices are included in these conversations.

Unfortunately, in my experience, the victim voice was often distilled as things moved to the task force and CCJJ as a whole, and it often seemed like the perspective of victims was overshadowed by the more vocal and traditional views of the prosecution and the defense, when it is actually a unique and important perspective.

On a procedural note, the Sentencing Reform Task Force packaged together sets of recommendations for a complete up or down vote. Doing this meant that, if there was a single problematic measure, any objection to that measure was lost in the final vote of a packaged recommendation. This process meant legitimate concerns brought by individual stakeholders were more likely to be lost in the collaborative process. It is my recommendation that this be addressed in the revision of the CCJJ. I also would like to see only people who are able to vote, to have voting positions. Commission members making recommendations as important as the ones that come from processes like these should be required to take positions based on the information they receive as a member, and those votes, as well as all meetings, should be accessible to the public.

Sincerely,

Kazi Houston, Esq.  
Legal Director  
Rocky Mountain Victim Law Center

Attn: Director Sanchez  
From: Bonner, Res#153550  
Re: Testimony for Rep. Weissman you requested  
via our Dec. 13 google.meets  
Date: Dec. 15, 2023

Director Sanchez

Thanks for your continual helpfulness.  
I've attached a two-page letter of what does/  
does not work in corrections. If I may  
also be of any help, send word and I'll  
prioritize it. I'm determined to improve  
lives, including all those working in Corrections.

Kindly,

Bonner



Attn: Rep. Mike Weissman, Chair of House  
Judiciary Committee, 200 E. Colfax Ave.,  
State Capitol Bldg., Denver, CO 80203  
From: Bonner, Matthew R., Resident #153550  
Re: Answers to your two testimony questions  
from CDCR residents regarding what does/  
does not work in Corrections - as con-  
veyed via Director Adrienne Sanchez, CDCR  
Date: Dec. 15, 2023

Dear Sir and/or Colorado Members of Congress:

You've inquired as to what works and  
what doesn't in Corrections in Colorado.  
I've been in CDCR since 2011. I've been  
at the toughest prisons and the most human-  
centered which is where I am now. The  
Beacon at Skyline approaches criminality with  
healing and growth as the focus. This works!

Healing and growth takes root in the hearts  
of the men serving their sentences here which  
translates to us genuinely buying into the  
changes and opportunities our lives need to  
succeed. An additional bonus to the human-  
centered approach is poignantly improved  
staff morale for those working here. I hope  
you and other key decision makers will visit  
our community and learn more about our approach.



The traditional penological ideology of being relentlessly hard-lined toward all offenders does not work. Read — the traditional model is a key cause of re-offending, read — detrimental to public safety.

This tersely written letter can only scratch the surface of the tip of the iceberg in explaining what I've asserted herein, thus if you'd like, I'd be most obliged to provide the compelling evidence and arguments that support my shared conclusions.

I close by saying to you and all of Colorado that I'm terribly sorry I earned myself a long stay in the CDOC. I, also, am thankful to you for the character you carry yourself with into service for our wonderful state. I'm grateful and you're great!

Steadfast at your service,

*Matthew B. Bonner*

Matthew B. Bonner  
Resident # 153550  
The Beacon at Skyline  
Box 300  
Cañon City, CO 81215

January 3, 2024

## Working Group Transforming Criminal and Juvenile Justice

Thank you for taking the time to carefully consider the creation of a group reviewing criminal and juvenile justice in an evidence-based manner. My name is Courtney Sutton. I am the public policy director for the Colorado Organization for Victim Assistance or COVA. We are a statewide coalition focused on advocating for crime victims. COVA has had a long history with CCJJ. The deliberate and careful reflection of the purpose and structure of an entity addressing criminal and juvenile justice is critical.

COVA and our membership believes this entity should be balanced and include both victims/survivors along with victim service agencies. In Colorado, victims are afforded rights under the Victim Rights Act and the general assembly made it clear that “all victims of and witnesses to crimes are *honored and protected* by law enforcement agencies, prosecutors, and judges in a manner *no less vigorous* than the protection afforded criminal defendants”. These protections are necessary to address the traumatic harm of victimization and the re-traumatization of the criminal justice process for many survivors.

In Truth and Repair Dr. Judith Herman states, “why are crime victims relegated to such a marginal role in our justice system? The answer seems to be an expectation that victims will be too angry, too irrational, too fixated on retribution to be trusted. Anger is a most unwelcome sentiment from the crime victims whom the dominant community would most prefer to ignore. Rather than ceding to common prejudices and fears about victims, a truly fair system needs to find a better way of including them in the workings of justice.” COVA asks you to include victims and survivors to allow them to speak to their experiences and wishes.

In the creation of a new group set out to analyze evidence-based research and best practices, I hope the group will consider the origins of crime, crime prevention, rehabilitation, supportive services for victims of crime, and alternatives to traditional criminal justice practices, especially for marginalized communities that feel unsafe contacting law enforcement. In the inclusion of victims and survivors into this group, the development must consider psychological safety and re-traumatization, group norms for difficult conversations, and barriers to attend including transportation, meeting timing, childcare, ability to take time from work, language access, and compensation. Systems based services should not be the only voices at the table. Inclusion of subject matter experts, crime prevention researchers, community-based nonprofits serving victims of crime, clinicians and mental health providers, and educators are critical to provide a well-balanced and fair group. I believe specialized and focused smaller groups, including a survivor advisory panel, will allow space for these individuals to work cohesively and make recommendations. I believe juvenile justice should be separate from adult justice review. A smaller group could focus on legislation put forth that did not go through the new entity to review.

When policy makers ask the question about why reporting to law enforcement is low for specific crime types and communities it would be helpful to understand what services will be offered if the victim doesn't report. There are community resources for domestic violence, sexual violence,

stalking and human trafficking, but what resources are available for other crime victims both reported and unreported to law enforcement? How are we uplifting healing and resilience within these systems.

Additionally, it is crucial to know that victim service agencies are facing 50% cuts from federal funding through the Victims of Crime Act funding or VOCA. This is detrimental to victims and survivors and their communities. The inclusion of community-based victim services is necessary but has caused strain on staff under CCJJ and this will be exacerbated if the state does not provide additional funding. As funding is often either stagnate or inconsistent, innovation and developing new solutions within community-based nonprofits or system-based agencies are limited. Current practices may not align with evidence-based best practices or necessary reform to improve the lives of crime victims.

The created entity should be able to put forth recommendations for policies with an eye on implementing with fidelity. Partnership and collaboration are key to ensuring this entity is truly putting forth best practices with implementation being a key focus.

Overall, the new entity must include victims/survivors and victim service providers and take a comprehensive look at criminal justice response, crime prevention, and victim services.

Thank you,  
Courtney Sutton, MA  
Colorado Organization for Victim Services



----- Forwarded message -----

From: **Chris**

Date: Fri, Dec 22, 2023 at 8:10 PM

Subject: Colorado commission on justice

To: <mike.weismann, [Jenna Goldstein](#)

>

I'm writing on behalf of Clinton R. Hall, a member of legislation inside, at ctcs. He's answering a question that was posed to him a few weeks back. How have I benefited from prison? He's learned how to live in a community of peers and be responsible while living his life focused on goals. He's learned what is important and valuable to us as individuals, such as relationships, family, and being productive members of our society while ensuring the safety and well-being of our community. He's also learned to be more considerate of others and to live his life with his future in mind. How has prison not benefited me? The loss of relationships and the contact with our community and the overall dehumanization of inmates, as well as the lack of proper Healthcare and proper nutrition has been detrimental to mental, emotional, and physical health. Now that there are more meaningful programs becoming available it has become very helpful, but the lack of good programs leads to the loss of human potential. The need for treatment, vocational, and educational programs in a timely manner would be largely beneficial. Prison over crowding has greatly comprised their standard of living causing it to decline drastically, which leaves them feeling not human at all.

How would we structure the commission, the committee? He thinks it should be made up of people who have been affected by justice, which would include victims or victims families or people who been sentenced to DOC, as well as legislators, DOC administrators, criminal justice attorneys, advocates for reform, and prosecutors. He also thinks it should include currently incarcerated individuals as full fledged members of the committee. What is the purpose of the committee? The purpose should be to evaluate the current sentencing guidelines in Colorado to determine programs that are needed, to evaluate the operations of DOC and it's effectiveness, to be sure that things get done in a timely fashion, and implementing true rehabilitation, while helping victims and incarcerated and their families experiencing restorative justice. It's possible that smaller committees could be formed across the state where services are needed. He really feels that Jamie Ray would be a great asset for this committee, and she is already in charge of the legislation inside program, as well as the Korie Wise Innocence Project at the CU Boulder law school.

Finally, he would like to offer Mr. Weismann to have a more in depth conversation with legislation inside about this commission. We thank you for your time and reaching out to us, we look forward to speaking to you in the future.

Sincerely,

Clinton R. Hall

--

Jenna Goldstein (she/her)  
Deputy Legal Counsel



## Testimony

### 1) Name and who you represent.

John D. Longhill – NeuroChange Solutions/HeartMath trainer and managing director of Right Brain Success® an educational company focusing on the neuroscience of change.

I have been working with disadvantaged and youth at risk for over 3 decades with experiential educational programs to engage and enlighten. I have worked with Colorado Outward Bound and their pathfinder programs (young adults from 16-23) for over 10 years and hundreds of other youth groups including Rocky Mt. Youth Corp. C.A.S.A, Keystone Science School, SOS Outreach, Summit County School System, Building Hope, Summit Advocates for Victims of Assault and too many others to mention here. I have no formal educational credentials just 35 years of being in the trenches of experience with youth that are in survival.

### 2) Previous experience with CCJJ? When, in what capacity and on what issue or issues?

I have no direct experience with CCJJ but I have other experiences with the justice system, which is directly related to this new juvenile justice initiative.

In my experience, a simple, but well-designed experiential educational program based in neuroscience over an initial period of just 4-6 hours with structured follow ups can have a profound effect on our youth.

Why this type of program is so impactful is because of how the neuroscience of change is introduced and applied – we give youth the tools to know the what and why of information processing in the brain so that the how of managing life becomes readily apparent.

Eight years ago, I was introduced to a neuroscience researcher – Dr. Joe Dispenza (NeuroChange Solutions - NCS) who has pioneered a model for successful living based on the latest research in neuroscience. I became certified to teach his program 5 years ago and I now understand the science behind why certain experiential programs for youth in survival are so effective.

We began offering this NCS program to several prisons in Mexico this past year and we are now bringing it to prisons here in the US. We just finished a pilot program in San Quentin this month and it was so successful they have contracted us to offer 12 more trainings in 2024. Here are some excerpts from the feedback we received from 9 of the participants/prisoners in the prisons after completing just a 2-day training.

*“I no longer want to do bad things to feel good. I now want to do good things to feel good.”*



*"I have less anxiety and better handle stress.*

*"When I think someone has betrayed me, I no longer want to punch them. I let God take care of them. I just need to focus on my thoughts, actions, and feelings."*

*"This training has given me a guide to changing my life, to discover what type of man I want to become by thinking greater than my environment, body and time. I am able to live in the now without the guilt and shame of the past mistakes I made. I am able to give myself an awareness into a brighter future."*

*"I'm more empathetic because I'm more aware of myself and other people."*

*"This experience has helped me to understand myself better and why I had those toxic thoughts for so many years. This experience has given me great insight on how to control and manage those thoughts which has helped me to change my behavior and manage my emotions. This program has given me the chance to look at myself and become a better person."*

*"I am inspired to be more compassion and forgiving, empathetic, peaceful, remorseful, humble, patient, tolerant. I am inspired to be a better person than I once was, and grateful for all things. "*

California has created a \$250 million rehabilitation initiative with San Quentin as the focus and they brought us in because we are able to present a program that is at the cutting edge of research in neuroscience.

We are working on bringing this program to prisons in Minnesota, and possibly the women's prison in Denver. I just assisted Jani Ashmore (another NCS Consultant) with a successful training for over 30 "recently released" inmates through a halfway house, non-profit in Denver. We are finding the NCS work to be effective for helping people to get off drugs and other habitual negative behaviors. Our team is now working with Vets and PTSD, First Responders and even Navy Seal Teams. We also work with a foundation called Give 2 Give for funding and support. Please see the attached document entitled testimonials from DogStar's participants.

I feel these latest breakthroughs in neuroscience are integral to effectively responding to the needs of our youth because the latest research in brain science shows us the true causes of illegal and self-destructive behavior and it is based on our thought processes. The good news is that it also shows us how to deal with negative behavior more effectively through evidenced



based knowledge and training. As you are all painfully aware, our criminal justice system primarily deals with the symptoms of abnormal behavior (like criminality) with incarceration, which is at best only a temporary solution encouraging more criminal behavior. The latest discoveries in neuroscience and the practical application of these new models and tools deal with the causes of criminal behavior and should be integral to the discussion and planning of our governor's new initiative. This is very much in line with his desire for evidence-based information to support this effort.

**3) Comment briefly about positive/negative experiences with CCJJ?**

My only experiences with CCJJ have been positive based on short conversations with Sheriff Jaime Fitzsimons about this initiative.

**4) What are your general thoughts about the creation of a new entity or entities to address criminal and juvenile justice?** I believe the creation of a new entity with a clear purpose and vision of how to reboot our justice system is essential. This is what is needed in creating a new way that is focused on true rehabilitation through education and experiential developmental awareness about life and how to live it proactively and with full engagement.

**5) Do you align with the idea of one single entity or more than that? I strongly** believe a single entity is the best way to formulate, design and implement a new vision for juvenile justice. This would make it easier for all involved to align with a new purpose and vision, bring the competent people on board to implement this vision and create accountability for this implementation.

**6) What are your thoughts about what should be the statutory mission or missions of any entity?** The mission should be clear with a definitive purpose and vision for implementing that mission. The mission should identify what is wrong with the present system with a clear vision of what needs to change and why, so the how is implemented in a way that serves to rally our community in a positive and life affirming ways.

**7) Where do you think best for the entity or entities to be housed? Executive, legislative or other idea?** I believe keeping it in the Executive branch offers the most effective opportunities for implementation, awareness, and support from the stakeholders.

**8) Thoughts on the composition of any entity? How would you balance the various interests? the system persons, the community experience, the elected officials (legislative and**



**executive) and the research professionals - or any other groups?** The new CCJJ initiative should be a resource for all agencies and individuals involved in the justice system and have representatives from all of these sectors to create trust and open communication to solve the opportunities that are inherent in any new initiative.

**9) Describe your thoughts on how any entity should guarantee transparency.** Everything that this new entity does is open and transparent, with input from all stakeholders in public forums. The communications are well thought out and managed in direct mail, email, social media, and the press in a way to encourage participation and engagement at all times.

**10) Describe if and how the entity should/would have independence to make its own recommendations.** The key to independence and being a self-sustaining entity is to create the funding necessary to hire the best talent and most influential people in this community, who are most committed to change with evidence-based knowledge.

In summary, I believe it is time to deal with the causes not just the symptoms of criminal behavior in our youth. Symptomatic responses are only effective in the short term to protect society in the moment. It does nothing to solve the problem in the long term, which is the causes of criminal behavior in youth. These causes are based in how thoughts are processed, which effects choices that are made, actions that are taken, creating the experiences that are destructive and detrimental to our youth and our society. It is time to make the hard choices and provide the resources that are readily available to businesses and corporate America and it is all based in the latest research in neuroscience.

Good afternoon Mr. Weissmann,

I am contacting you on behalf of my father, Jimmy Lee Williams; DOC number 98677. Who is a tera-pro for the legislation inside which is hosted by Jaime Ray. My father had a hand in creating house bill 23-1214 that both passed in the senate and the house and was vetoed by the governor. This bill's purpose was to bring transparency to the clemency process. My father has been incarcerated for almost 27 years and has educated himself in the criminal justice system. The reason that I am reaching out to you today is due to my fathers interest in joining the criminal justice committee that you are putting together. He would like to be placed in your committee as an offender representative currently incarcerated within the DOC. He will access through his liaison; Major L. Costin to conduct zoom calls in order to join this committee. My father is an outstanding member of the incarcerated community and has many accomplishments to back this claim. I would love to hear back from you on this idea, thank you for your time and consideration.

Very Respectfully,

Javone Williams



Good morning, I'm Ashley Jellison, the Executive Director of the Colorado Children's Alliance, representing the nineteen Child Advocacy Centers, or CACs, throughout Colorado. Our Child Advocacy Centers provide facilities and trained staff to conduct forensic interviews after an allegation of child abuse. Each CAC covers a judicial district in the state and provides wraparound services to a victim and their family, including victim advocacy, mental health treatment, and medical examinations. The CACs work hand-in-hand with local law enforcement and the Department of Human Services on any case of child abuse or neglect.

In the time that I have been in my role, I am unaware of any interactions between either the CACs or the Colorado Children's Alliance, and the CCJJ.

Based on the enabling legislation in 2007, the legislative declaration notes that ensuring public safety and respecting victims' rights are paramount concerns of Colorado's citizens. We believe this is still true today. As you know, the Commission was to include:

- i. A representative of a victims' rights organization
- ii. A member who was a victim as defined by statute
- iii. A victim's advocate; and
- iv. An expert in juvenile justice issues

We support the representation of victims and juvenile justice expertise on the CCJJ and any organization working on criminal justice reform in the future.

Unfortunately, we noted that both the Victim of crime and the Juvenile Justice expert positions were vacant on the CCJJ. Any entity in the future must ensure that the victims' voices and juvenile justice expertise are included. CCA would like to be included during these considerations and as a resource for future appointments.

The Colorado Children's Alliance, for 30 years, has collaborated with local communities to strengthen responses to child abuse and neglect. We are the statewide membership non-profit agency for CACs in Colorado. We work with our CACs to fight to end all forms of child abuse through professional intervention, high-quality and evidence-based prevention, and medical and mental health care. We are well-equipped and eager to work with any organization in the future to offer our expertise in these advocacy areas.



In relation to the creation of a new entity, we believe Juvenile and Criminal Justice Reform in our fast-paced world is always evolving. We support having a collaborative organization that brings many perspectives and voices to the discussions on enhancements to public safety while ensuring justice and protecting victims' rights.

We appreciate others who have testified in front of the TCJJ in previous sessions that feel the Juvenile Justice discussions and reform need to be independent from overall criminal justice. We agree that juveniles and adults vary drastically in their involvement within the criminal justice system. However, having two separate systems is short-sighted and will have negative consequences. Often, a child may be tried as an adult due to the nature of an offense. Other times, a person is legally an adult but through various situational circumstances may experience the juvenile justice system vs. adult proceedings. Criminal justice is not black and white, many decisions made as an offender processes through the justice system are conceptual interpretations. Two separate systems can result in silo decision-making that may result in a disparity of offender and victim rights.

Whatever entity is created, we believe that the statutory mission should be to ensure protection of the rights and needs of victims related to crime and the criminal justice system with a priority to prevent and reduce crime and recidivism.

We do not have a preference for where the entity is housed, however, a venue that provides for victim engagement is critical.

We also support the creation of any entity that would include many different perspectives, both lived experiences and expertise through professions and associations. We support the cost-effective use of public resources and evidence-based recidivism reduction initiatives. We also would encourage a new entity to incorporate the collection of data and analysis of that data as policies and practices are developed.

Transparency is critical for this type of entity, especially when many voices from broad perspectives might impact rules, regulations, and laws. The intricate workings of any entity going forward should provide avenues for public engagement at every level.

In relation to the entity making its own recommendations, we feel that the intrinsic nature of the entity will be independent, due to the diverse makeup of members of a new entity.

Thank you for hearing from the Colorado Children's Alliance and its membership.

#### Contact Information:

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01/02/24

Dear Members of the Working Group on Transforming Criminal and Juvenile Justice,

My name is Sarah Hagerman. Today, I am writing on as an academic librarian, educator, researcher, and tax-paying citizen of the state of Colorado. I would like to not only express my concerns that the Working Group charged with drafting a replacement for the sunsetted Colorado Commission on Criminal and Juvenile Justice is merely replicating the past issues and inefficiencies of the previous CCJJ, but also suggest an approach that more effectively centers community engagement and the voices of those with lived experience expertise. This is a concern that has been expressed by many community members and organizations, including the ACLU, and I would like to add my voice as an academic and advocate to that list.

To give you some professional and personal context, I work as an academic instruction librarian at CU Boulder. Librarians, especially my colleagues in public libraries, but increasingly so academic librarians who work in publicly accessible spaces, are on the front lines for connecting community members to social services, directly helping those with little resources who might otherwise fall into the carceral system. In academia, librarians are not only doing the work many associate with our profession but we are also embedded in the research and instruction goals of the university, as well as charged with producing our own unique research. My work has centered around issues of information literacy and information access regarding drug policy and the history of the drug war.

As part of this work, I have been a co-organizer of the CU Cannabis and Psychedelic Symposium since 2018, alongside other CU faculty members, and student organizations such as the Cannabis Law League, Students for the Sensible Drug Policy, Psychedelic Club, and CU CannaBuffs. We have revolutionized the previously disruptive 4/20 "smoke-out" (and the later lockdown) on our campus by creating unique annual public education forums to address a diversity of issues not only related to the increasing body of research surrounding cannabis and psychedelics, but also the interconnected criminal justice issues. Our symposium actively works to highlight and center the voices of those who have been most directly affected by the drug

war's carceral policies. We understand the importance of bridging the gap between those embedded as systematic actors – in our case – academia, and those with direct lived experience. I would like to think as a Colorado citizen my state would do the same. In the case of a reformed approach to the CCJJ, this is about more than merely bridging representative gaps, this is also about providing the meaningful power sharing that will truly craft and implement effective policies.

One of the reasons I was drawn to this work is because of my own lived experience. I am someone diagnosed with MH/SUD. In 2005, I was arrested for possessing the plant medicines that have long helped me manage my mental health issues, particularly those related to sexual assault trauma. My experience with the carceral system ended in expungement, due to mishandling by the police department in question, but I am well aware that most are not so fortunate. But, before expungement, I experienced the dehumanizing, humiliating, and – quite frankly, deeply traumatizing and abusive – effects of the carceral system. This experience has stayed with me, even in situations where I have had positive experiences with individuals in law enforcement, such as when my car was stolen this summer. The Arvada PD were very responsive in their communication and supportive of my situation despite the rash of car thefts the greater Denver area has experienced. I believe there are opportunities to strengthen community bonds between the law enforcement actors and the citizens in the communities they serve.

Making sure that individuals in the community are able to leverage their lived experience and expertise is not merely a lofty and vague goal. There are specific, concrete steps that can be taken to ensure that this happens.

- **Offer options to participate beyond normal 9-5 working hours**, during which many of us cannot afford to take time off.
- **Create shorter-term, issue-specific task forces**, which not only increase the likelihood of community engagement but are also more nimble, goal-orientated, and less likely to get bogged down in ineffective patterns.
- **Provide appropriate compensation for community participants..** If government actors are typically paid to serve on committees, community members should also be giving the

same courtesy. Compensation should be meaningful in amount and scaled to the time commitment, not merely incentivized by gift cards, etc. Travel costs, childcare, and other practical considerations should be included in this compensation. This would also bolster the voices of those who work in nonprofits, who often have to choose between their programmatic work and task force participation.

- **Promote community participation through active, consistent outreach.** Leverage both community-based organizations and government social media channels to create wide public promotion and provide ample advance notice of opportunities to participate in meetings and task forces.
- **Ensure all task force meetings are ADA accessible** (including for people who use mobility aids, as well as deaf and blind people) and offer complete virtual observation and participation.
- **Maintain a publicly available, ADA accessible website** reflecting all information and documents needed by the public to stay abreast of the work and opportunities for public input. Accessibility of information is crucial to the democratic process.
- **Make translation services available for all task force meetings and translate all documents.** At the bare minimum, there should be a focus on Spanish translation services given Colorado's large Spanish-speaking population.
- **Base all decisions on demonstrative evidence**, which will avoid politics or passions informing decision-making. **This is why a sizable (read: not just one or two people) AND diverse representation of community members with lived experience is especially key.** This also includes finding opportunities for juveniles with LE to meaningfully participate in the process.
- **Provide transparency and evidence as to how community members' contributions will affect task force operations and the resulting policy proposals.**
- **Craft a clearly stated SHARED vision and mandate.** A truly effective forum must agree on a common, overarching goal to decrease reliance on arrest and incarceration while investing in evidence-based crime prevention strategies

Colorado has been a democratic laboratory for many drug policy, and the resulting criminal justice policy, reforms, and this is an opportunity to continue to uphold the state as an example to

the nation in this regard. As we face the increasing challenges of widespread social and national instability, the uplifting of community-based reform models is more important than ever. I deeply appreciate the opportunity to share my input on this crucial issue.

Sincerely,

Sarah Hagerman

[Sarah.Hagerman@colorado.edu](mailto:Sarah.Hagerman@colorado.edu)

### **Testimony for the 1/3/24 TCJ Meeting – Jimmy Lee Williams DOC #98677**

My name is Jimmy Williams. My D.O.C. number is 98677. I've been incarcerated for approximately 27 years. I'm currently serving a 112 ½ year sentence for violent crimes committed in 1997. I've been able to get involved in several programs in D.O.C. Currently, I'm a member of the Inside Legislation Group and this is hosted by Jamie Ray and she is a lawyer for the University of Colorado Law. Last year, the Inside Legislation created House Bill 23-1214 and this bill is dealing with clemency transparency. This bill went through the House and the Senate and was veto proof.

I was a 7 Habits core group member and at Buena Vista Correctional Facility, I created the LEAD Mentorship Program. Under this program, facilitators were able to facilitate anger management, traumatic brain injury, and the Advocate's Club for many individuals that were incarcerated in this facility. Currently, I'm enrolled in the Pell College Program. So I would like to bring attention to several issues which need reform. Colorado has no definition for what a virtual life sentence is. Colorado also doesn't have a definition for rehabilitation.

So, rehabilitation simply lies with the offender's imagination and the standard that that offender sets for themselves. Last year, legislators passed House Bill 23-1292, which allows for resentencing of violent crimes at the court's discretion. One reason would be rehabilitation. This bill excluded everyone who committed a crime before July 1st, 2023. So, we would like to see this bill made retroactive. Colorado also passed House Bill 23-1037, which gave earned time for college completion. This bill unknowingly excludes the majority of offenders due to limited access to college programs or not enough time on their sentence to make a difference.

This bill also excludes violent offenders and so we would like to see expanded access in this bill. Currently, DOC is facing staff shortages and due to these staff shortages, offenders cannot take mandatory classes for their upcoming parole eligibility date. A couple of classes that are affected by this would be the sex offender treatment management program and the therapeutic community. These programs have limited space, and offenders are denied parole for not completing the program, which is totally out of their control. House Bill 2021-1209 extended the age of a young adult to participate in special programs. To be released for all crimes except for sexual assault. An offender convicted of murder can be released through this program. However, an offender convicted of sexual assault can't even be put into this program.

Currently, Colorado district attorneys are creating conviction review boards all across the state of Colorado. So, individuals that are convicted of crimes are able to have their conviction and their sentence reviewed. However, individuals convicted of sexual assault are also excluded from this review or resentencing.

So, what we would like to see is a fair opportunity for all crimes to be able to have review and resentencing upon the offender displaying rehabilitation. So, speaking with offenders in

the facility, it was brought to my attention that they would like to see reform dealing with concurrent versus consecutive sentences, and aggravated sentencing, giving non-homicide crimes more time than homicide crimes.

So I would like to request to be considered for placement on the reform committee for criminal justice. I bring in experience of incarceration and a perspective that is very unique. I have studied criminal law and believe that my current incarceration adds to my ability to be effective in bringing ideas for consideration. Plus, I have direct contact with thousands of those that are currently incarcerated that have been directly affected by the laws we now seek to reform. I would like to end this by saying thank you for your time and your consideration. And if you could please reach out to me on any type of considerations or conclusions that you guys come up with, that would be greatly appreciated. Thank you.



01/03/2023

Dear Members of the Working Group on Transforming Criminal and Juvenile Justice,

My name is Betsy Craft. Today, I am writing on behalf of the Colorado Drug Policy Coalition, a grassroots organization that is committed to elevating the voices of people with living and lived experience, as valued community leaders, spearheading criminal legal & drug policy reform.

A little bit about me: I earned a B.S in Business with a focus in Organizational Leadership last year. I am also trained and certified as a Colorado Peer & Family Specialist (CPFS). I have been providing peer support in the jails and in the community to individuals navigating Denver's court system while working for the Municipal Public Defender's Office for the past almost two years. Previous to this, I worked on the front-lines during the pandemic, with unhoused individuals. Currently, I own a consulting business and partner with researchers at the University of Colorado as a Community Engagement Facilitator to actively recruit and engage vulnerable community members for research pertaining to criminal legal reform and drug policy issues that surround mass incarceration, substance use, and overdose. Specifically, we have been conducting a statewide study around HB22-1326 and the felonization of fentanyl for the past year, and are developing a criminal legal community advisory board to oversee our research around overdose response in the jails and factors that impact overdose and suicide for individuals on probation. I also leverage my subject matter expertise on a few different local and statewide advisory boards, and via the grant review process locally and at the state level for opioid abatement funding, C4D, CDPHE and the BHA.

My living and lived expertise comes from the past two decades that my life has been directly impacted by the criminal legal system, as a crime survivor and as someone who has committed petty crime. I want to be a part of building a better system because I know it is possible. I am one of thousands of sex assault survivors who have been failed by our so-called "justice system". I've experienced homelessness and unspeakable violence on the streets of Denver. I am an overdose survivor, and someone who has been diagnosed with co-occurring mental health and substance use disorder and have completed numerous treatment programs. I've used substances to numb while struggling to cope with trauma that was only compounded by my interactions with Colorado's criminal legal system. I can attest to the degradation, humiliation, and inhumane treatment I experienced while on an involuntary hold in the psychiatric unit in our local jails. I also experienced near fatal overdoses every time I was released from jail from 2012-2019 and was never offered MAT treatment or Naloxone upon release. I also worked in the jails as a Peer Navigator for the past almost two years and can attest to the fact that very few of my clients were given MAT treatment when they requested it, despite the legislation that mandated MAT in the jails as of July of 2023, and the vast misinformation that surrounds fentanyl exposure in these spaces. Colorado can do better and you need to not only hear voices like mine, people with multi-faceted criminal legal lived expertise,



but also provide people like me with prominent seats at decision-making tables to work side-by-side with you all to transform Colorado's criminal legal system into a more equitable, progressive, rehabilitative system.

As a tax-paying citizen, and as a lived experience professional who engages in criminal legal reform work, I want to LIVE in a state that values community voice in the legislative process and is willing to center and prioritize Equity, Diversion and Inclusion Values when operationalizing criminal legal reform. For the sake of time, and because my expertise is Community Engagement, the rest of my testimony, I will be focusing on what REAL MEANINGFUL COMMUNITY ENGAGEMENT Looks like in the context of criminal legal (CL reform):

We cannot expect CL policies that are crafted from the lens of a privileged few, **who do not represent the public, OR** those harmed by the carceral system, to meet the needs of the people these policies are intended to serve, nor will policies crafted from this lens provide the systems level change that is needed to reform CO's criminal legal system.

The first step to meaningful community engagement rooted in EDI values is acknowledging the CCJJ was inaccessible to community members in the following ways:

- Meeting Logistics: - The meetings were held during work hours, and they were five hours long. This is inaccessible for working people, therefore to be inclusive **we must offer participation options in the evening after reg work hours.**
- Moving forward, all task force meetings **100% need to be ADA accessible** (including for people who use mobility aids, as well as deaf and blind people) and offer complete virtual observation and participation options.
- **Translation services need to be available for all task force meetings and translate all documents,** at the **VERY** least, into Spanish. After all, more than 25% of CO's population is Spanish speaking.
- We must maintain a publicly available, ADA accessible website reflecting all information and documents needed by the public to stay abreast of the work & opportunities for public input.
- Accessibility also looks like intentionally conducting outreach via **employing people with lived expertise to recruit and engage using a racial and gender equity lens, vulnerable community voices** who have been directly impacted by the CLS system. On this point - I think the fact that I, as a lived experience voice, who is heavily involved in CL reform work, did not even know about the CCJJ, until after it sunsetted, points to how inaccessible this commission truly was.
- Authentic community engagement also means building trust with these communities by co-creating alongside LE professionals, **bi-annual stakeholder listening sessions for adults and individuals under the age of 18 who have been impacted by the criminal legal system** so you can listen to the needs of the people these policies are intended to support and gather recommendations for instance ideas around: safely reducing jail populations, eliminating ineffective and unfair practices, and reducing racial disparities.

- Additionally, communities **need transparency and evidence for how our contributions will be incorporated in the reform process and task force operations.**
- Authentic community engagement means inviting experienced voices in, giving us prominent seats at the table **with equal voting rights as the rest of the task force,** and centering our voices **in every step of the decision-making process.**
- It also looks like partnering with lived expertise professionals to provide training, mentorship, and resources on how legislative processes work so more lived expertise voices feel comfortable and confident coming to the table.
- Lastly, and most importantly authentic community engagement means **equitably compensating lived expertise voices for all work and reimbursement for participation related costs:** like (travel, mileage, childcare expenses etc). It does not mean giving us a \$25 gift card and calling it good. We successfully advocated for cash payments in our research through the university so this is possible. We need to be fairly compensated for all work, preferable forms of payment are cash, check, ACH pmt.
- Authentic community engagement does not mean focusing on one or two lived expertise voices, propping us up to check the “lived experience” box, but not centering our voices in shared decision-making or giving us voting rights - **This is Tokenization.**

Generations of policies and practices—such as mass criminalization—have excluded vulnerable people from decision-making, resulting in government systems that don’t meet the needs of the people they purport to serve. This is not only a moral concern, but also a social, cultural, and economic liability. When entire populations are unable to fully participate in society, the enormous loss of potential affects our entire state and country as a whole.

Thank you for the opportunity to activate my voice via spoken testimony on 12/11/23 and written testimony today on an issue that means a great deal to me. Feel free to reach out to me if you have any questions, or if I may lend my expertise to support your community engagement processes as the working group constructs the mission and vision of the new criminal and juvenile justice task force(s) and subcommittees.



**Betsy Craft, BS, CPFS**

**Policy Advocate (she, hers)**

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