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In the ongoing effort to try and reduce the collateral consequences of a criminal conviction, Senator Pat Steadman (D-Denver) and Rep. Claire Levy (D-Boulder) successfully sponsored SB 123 which makes municipal ordinance violations and petty offense convictions eligible for record sealing, among other provisions. Our deep thanks to Senator Steadman and Representative Levy for their continued and dogged leadership to create more opportunities for people with a criminal record.

HB 1230 was signed into law that allows compensation to people exonerated by DNA evidence that had been convicted and incarcerated. Our deep thanks to attorney Danielle Joffe and Robert Dewey for fighting not only for Robert's freedom but to create a way that others wrongfully convicted can be compensated.

The Colorado Criminal Defense Bar and CCJRC were plaintiffs in a lawsuit filed in 2011 to challenge the constitutionality of a state law that required defendants charged with misdemeanors to talk with a prosecutor before being eligible for a public defender. During the 2013 legislative session, that law was repealed in HB 1210! Many thanks to the attorneys at Morrison & Foerster LLP (Scott Llewellyn, Ian Kellogg, Colin M. O'Brien) and Husch Blackwell LLP (Kathryn Reilly) for representing the plaintiffs in the lawsuit and to Doug Wilson, the Colorado State Public Defender, for this big win to ensure that indigent people have access to legal representation.

YES!! I want to support CCJRC and help to reverse the trend of mass incarceration in Colorado. Enclosed is my tax-deductible contribution. Your support makes all the difference!

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Individual \$35 Low Income/Senior/Student \$12
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Please return form to: CCJRC 1212 Mariposa St. #6 Denver, CO 80204

WAGEES PROJECT

Whether it's due to addiction, unemployment, family troubles, or other types of crisis, too often people end up in the criminal justice system because they can't find the help they need in their community. Building a strong network of effective community-based programs and services not only strengthens the resilience and vitality of the community but it also is one way to downsize the criminal justice system.

However, building this strong network of programs takes money, vision, and capacity. The Latino Coalition for Community Leadership (LCCL) was founded in 2003 as a nonprofit based out of Los Angeles that is committed to strengthening the community by ensuring that Latino based organizations can equally compete for federal and state funding.

The model that LCCL is based on is unique in that it serves as a national grant intermediary that "gets to give" by accessing federal, state and philanthropic funding and then re-granting funds to community-based organizations that know the needs of their community inside and out but who might not be established enough or big enough to compete for funding on its own. LCCL also provides technical assistance and capacity building training so that these programs are strong and are sustainable over the long-term. Since its founding, LCCL has managed and re-granted tens of millions of dollars in cities across the country, including Denver.

In October 2012, LCCL was awarded a \$10 million grant from the federal Department of Labor for the Work and Gain Education & Employability (WAGEES) project which provides employment, education and supportive services to young people involved in the criminal justice system and high school dropouts between the ages of 18-24 residing in or returning to the high-poverty, high-crime communities. The WAGEES project includes Buffalo, Denver and Los Angeles. In April 2013, five organizations in Denver were awarded grants as part of the WAGEES project including Center of Hope, Denver Inner City Parish, Denver Works, It Takes a Village, and Servicios de la Raza.

CCJRC recently partnered with LCCL to help build relationships between criminal justice agencies (like probation and public defenders) and the WAGEES programs so that their clients are aware of and can access these free services. CCJRC is honored to be a part of this project and applauds the LCCL for their vision and commitment to community empowerment and to the WAGEES programs for providing their invaluable services.

For more information about LCCL, you can go to their website at <http://www.latinocoalition.org/>

**CCJRC is a member of Community Shares
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Colorado Justice Report

NEWSLETTER OF THE COLORADO CRIMINAL JUSTICE REFORM COALITION

Summer 2013

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Founded in 1999, CCJRC is a network of organizations, faith communities, and individuals working to reverse the trend of mass incarceration in Colorado

The Affordable Care Act and the Criminal Justice System

CCJRC 2013 Legislative Session Summary

On January 1, 2014, Medicaid expansion under the Affordable Care Act (Obamacare) will go into effect. People who earn 133% (or less) of the federal poverty level will be eligible for Medicaid, regardless of whether they have dependent children. To meet the income test, an individual would have to earn approximately \$15,000 or less a year or a household of 2 would have to earn approximately \$20,000 or less a year.

CCJRC believes that Obamacare could be a game changer for many people involved in the criminal justice system, particularly since there will be a substance abuse disorder and mental health treatment benefit available through Medicaid. We know that one of the primary drivers for the overuse of the criminal justice system is the lack of access poor people have to healthcare, particularly for substance abuse or mental health issues.

On any given day there are over 100,000 people in the state of Colorado who are under some form of criminal justice supervision such as, bond, probation or parole who would be immediately eligible for Medicaid if they meet the income test. Another 10,000 people are released from state prison and tens of thousands more are released from local jails each year who would become eligible immediately upon release (if they meet income test). Unfortunately, as of right now, people in community corrections as either transition or diversion clients are not considered eligible for Medicaid.

CCJRC has recently launched a new campaign to ensure that people involved in the criminal justice system are included in specific educational outreach and implementation strategies. We also hope to help build the relationships and collaborations between the healthcare and criminal justice systems that will be so vital to ensure that people in the criminal justice system aren't invisible.

Our first step has been to start a stakeholder group consisting of professionals and advocates from both the criminal justice and healthcare systems. This is the first group of its kind in Colorado, to the best of our knowledge. We are thrilled and honored that the health experts at the Colorado Center on Law & Policy have agreed to coordinate this stakeholder group with us.

Other components of this campaign include:

- developing comprehensive educational materials and outreach strategies specifically for people in the criminal justice system
- developing an effective cross-agency training program that targets non-profit organizations and agencies that have direct contact with people in the criminal justice system
- identifying potential areas for policy reform that are needed at the state or local level

There will be much more information about Obamacare and enrollment of people in the criminal justice system in our next newsletter.

The 2013 legislative session produced sweeping criminal justice reform and was one of CCJRC's most productive. On May 28, 2013, Governor Hickenlooper signed SB-250 into law which rewrote the entire Controlled Substances Act based on unanimous recommendations from the Colorado Commission on Criminal & Juvenile Justice. CCJRC's executive director, Christie Donner, served on the CCJJ Drug



SB-250 signed into law on May 28, 2013

Policy Task Force that helped negotiate the structural sentencing changes along with Maureen Cain (Colorado Criminal Defense Foundation), Tom Raynes (Colorado District Attorney's Council), Michael Dougherty (Attorney General's Office) and Dan Rubenstein (Chief Deputy District Attorney-21st Judicial District). SB 250 passed the House of Representatives unanimously and with only one dissenting vote in the Senate. The new law goes into effect on October 1, 2013

and there will be much celebration on that day here at CCJRC. This landmark legislation defines the work that CCJRC has been dedicated to for over a decade.

There are too many details of SB 250 to include here but we have posted a powerpoint presentation on the new changes on our website. Some of the key outcomes include: (1) lowering sentence ranges for most drug offenses, except for distribution/manufacture at a high level; (2) requiring a court to "exhaust all remedies" prior to sentencing someone to prison for crimes like simple drug possession; (3) requiring that a conviction for an offense that is the lowest level drug felony would be converted to a misdemeanor upon successful completion of a probation or community corrections sentence (for first two convictions); (4) adding another \$3.5 million in funding for treatment in FY14-15; (5) creating a new crime of "drug sharing" that is not considered a drug distribution offense; and (6) staggering crime levels for drug distribution based on weight. None of these statutory changes are retroactive and only apply to drug offenses committed on or after the enactment date of 10/1/13.

Other drug policy-related bills were also signed into law including SB 14 (immunity from criminal prosecution and civil liability for a person who administers an opiate antagonist to prevent a drug overdose) and SB 208 (exempts from criminal prosecution for drug paraphernalia those individuals that are participants of an approved needle-exchange program). Many thanks for the leadership and hard work of the Harm Reduction Action Center and the Drug Policy Alliance-Colorado.

There were also two very important bills that were based on recommendations from the Colorado Commission on Criminal & Juvenile Justice that were signed into law including HB 1156 (which expands pre-filing diversion programs so that people can avoid a criminal conviction altogether for certain lower level offenses) and HB 1160 (which lowers the crime level in 89% of all theft cases, including approximately 4,000 cases that will now be misdemeanor offenses rather than felonies).

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