

Colorado Justice Report

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

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2015 Legislative Session Summary

The 2015 legislative session was an interesting one, to say the least. With Republicans having the majority in the Senate and Democrats holding the majority in the House, there were a lot of long hearings and debates on legislation that didn't go anywhere. There were also a lot of lively discussions and compromises that occurred which produced some bipartisan wins. We can expect a similar session next year, especially given that it will be an election year. For now, enjoy our summer newsletter, which describes some of the criminal justice wins and losses that occurred during this year's session.

CCJRC's priority bill, SB 124 (Reduce Parole Revocations for Technical Violations) passed unanimously out of both chambers and was signed into law on May 29, 2015. Last year, almost 4,000 people were re-incarcerated for a technical violation of parole which is insane and totally unacceptable. Evidence-based practice research indicates that effective responses to technical violations are sure, swift, and proportional – not severe, like revocation and incarceration back to prison. Connecting people on parole with support services is also essential for successful reintegration.

SB 124 requires that parole officers utilize all available intermediate sanctions and community support services prior to filing a complaint for revocation with the Parole Board unless there is a high risk of re-offense. It also allows the DOC to use short jail terms (no more than 5 days) as an intermediate sanction instead of revocation. SB 124 redefines drug use on parole as a technical violation, not a new crime. It repeals the mandatory arrest requirement if a parolee refuses to submit a urinalysis for a drug test. Cost savings in the DOC were reinvested to fund 48 additional residential treatment beds available for people on parole and added \$710,000 to the community grant program created in 2014 through HB 1355.

HB 1303 (Sentencing for Certain 2nd Degree Assaults) passed as well. The bill repeals mandatory minimum sentences for 2nd degree assault against a police officer, firefighter or first responder, unless a person intentionally causes serious bodily injury. This is a huge win, as it is the first time that the state has repealed a mandatory minimum sentence.

HB 1203 (Earned Time for Habitual Offenders Serving Life) stemmed from the Colorado Commission on Criminal and Juvenile Justice (CCJJ) and passed by an overwhelming majority of legislators in both chambers. People in prison sentenced before July 1, 1993 under the habitual offender statute will now be eligible for earned time.

A major public health win this session was SB 53 (Standing Orders for Naloxone). SB 53 expands access to Naloxone, which reverses an opiate overdose. This new law will literally save lives. The bill allows Naloxone to be dispensed by pharmacies and harm reduction organization employees and volunteers to those who need it most, such as family members, first responders, or someone at risk of an overdose.

In regards to drug policy reform, SB 116 prohibits law enforcement from arresting someone for possession of a syringe ("drug paraphernalia") or drug possession (if the syringe contains trace amounts of drugs) if the person informs law enforcement prior to a search of their person, vehicle or personal belongings that s/he has a syringe. Prior to SB 116, only individuals who participated in syringe exchange programs were exempt.

Even with these wins, CCJRC worked in support of several important criminal justice bills that died including, SB 006 (further asset forfeiture reforms), HB 1087 (expand alcohol & substance abuse medical detox centers), HB 1091 (limitations on juvenile shackling in court), and HB 1263 (expanding crimes eligible for record sealing). CCJRC also worked with the Colorado Criminal Defense Bar and the ACLU-CO to oppose (again) the creation of a new felony for repeat DUI offenses. That bill passed overwhelmingly despite the increase in prison incarceration costs of \$28 million over the first five years.

One of the major pushes toward the end of the legislative session was the introduction of several bills to improve policing and police accountability. The bills that passed involved improvements in police training (HB 1287), policing data collection efforts (SB 185) and data collection requirements regarding police shootings (SB 217). Unfortunately two of the bills that involved more significant reforms both died, including HB 1288 (strengthening the current state law prohibiting racial profiling) and HB 1291 (prohibiting peace officers from using chokeholds).

This year, we continue to see the Department of Corrections budget increase to an all-time high of \$868.5 million, an increase of over \$60 million from last year. In fact, over the past five years, the DOC budget has grown over \$148 million even though the prison population five years ago was about the same as it is projected to be in the upcoming budget year.

On the following pages, we've included the vote counts on 8 specific bills so you can see how your legislator voted on some key criminal justice bills.

- SB 53 - Standing Orders for Naloxone
- SB 116 - Needle Stick Prevention
- SB 124 - Parole Revocation for Technical Violations
- SB 185 - Police Data Collection & Community Policing
- HB 1203 - Earned Time for Habitual Offenders Serving Life
- HB 1273 - Comprehensive School Discipline Reporting
- HB 1285 - Law Enforcement Use of Body Worn Cameras
- HB 1303 - Sentencing for Certain 2nd Degree Assaults

2015 Legislative Vote Count

Senators		Party	SB-053	SB-116	SB-124	SB-185	HB-1203	HB-1273	HB-1285	HB-1303
			35-0-0	34-0-1	35-0-0	27-8	27-7-1	35-0-0	31-4-0	35-0-0
Irene	Aguilar	D	Y	Y	Y	Y	Y	Y	Y	Y
David	Balmer	R	Y	Y	Y	Y	Y	Y	Y	Y
Randy	Baumgardner	R	Y	Y	Y	N	N	Y	Y	Y
Bill	Cadman	R	Y	Y	Y	Y	Y	Y	Y	Y
Morgan	Carroll	D	Y	Y	Y	Y	Y	Y	Y	Y
John	Cooke	R	Y	Y	Y	Y	Y	Y	Y	Y
Larry	Crowder	R	Y	Y	Y	Y	N	Y	Y	Y
Kerry	Donovan	D	Y	Y	Y	Y	Y	Y	Y	Y
Leroy	Garcia	D	Y	Y	Y	Y	Y	Y	Y	Y
Kevin	Grantham	R	Y	Y	Y	Y	Y	Y	Y	Y
Lucia	Guzman	D	Y	Y	Y	Y	Y	Y	Y	Y
Rollie	Heath	D	Y	Y	Y	Y	Y	Y	Y	Y
Owen	Hill	D	Y	Y	Y	Y	Y	Y	Y	Y
Mary	Hodge	D	Y	Y	Y	Y	Y	Y	Y	Y
Chris	Holbert	R	Y	Y	Y	N	N	Y	N	Y
Cheri	Jahn	D	Y	Y	Y	Y	Y	Y	Y	Y
Michael	Johnston	D	Y	Y	Y	Y	Y	Y	Y	Y
Matt	Jones	D	Y	Y	Y	Y	Y	Y	Y	Y
John	Kefalas	D	Y	Y	Y	Y	Y	Y	Y	Y
Andy	Kerr	D	Y	Y	Y	Y	Y	Y	Y	Y
Kent	Lambert	R	Y	Y	Y	N	Y	Y	N	Y
Kevin	Lundberg	R	Y	Y	Y	N	Y	Y	Y	Y
Vicki	Marble	R	Y	Y	Y	N	N	Y	Y	Y
Beth	Martinez Humenik	R	Y	E	Y	Y	Y	Y	Y	Y
Michael	Merrifield	D	Y	Y	Y	Y	Y	Y	Y	Y
Tim	Neville	R	Y	Y	Y	N	Y	Y	N	Y
Linda	Newell	D	Y	Y	Y	Y	Y	Y	Y	Y
Ellen	Roberts	R	Y	Y	Y	Y	Y	Y	Y	Y
Mark	Scheffel	R	Y	Y	Y	Y	Y	Y	Y	Y
Ray	Scott	R	Y	Y	Y	Y	N	Y	Y	Y
Jerry	Sonnenberg	R	Y	Y	Y	N	N	Y	N	Y
Pat	Steadman	D	Y	Y	Y	Y	Y	Y	Y	Y
Nancy	Todd	D	Y	Y	Y	Y	Y	Y	Y	Y
Jessie	Ulibarri	D	Y	Y	Y	Y	E	Y	Y	Y
Laura	Woods	R	Y	Y	Y	N	N	Y	Y	Y

Representatives		Party	SB-053	SB-116	SB-124	SB-185	HB-1203	HB-1273	HB-1285	HB-1303
			64-0-1	62-2-1	64-0-1	33-31-1	64-1-0	63-0-2	57-7-1	41-23-1
Jeni James	Arndt	D	Y	Y	Y	Y	Y	Y	Y	Y
Jon	Becker	R	Y	Y	Y	N	Y	Y	Y	N
KC	Becker	D	Y	Y	Y	Y	Y	Y	Y	Y
J. Paul	Brown	R	Y	Y	Y	N	Y	Y	Y	N
Perry	Buck	R	Y	Y	Y	N	Y	Y	N	N
John	Buckner	D	Y	Y	E	E	Y	E	Y	E
Terri	Carver	R	Y	Y	Y	N	Y	Y	Y	N
Kathleen	Conti	R	Y	E	Y	N	Y	Y	Y	N
Don	Coram	R	Y	Y	Y	N	Y	Y	Y	N
Lois	Court	D	Y	Y	Y	Y	Y	Y	Y	Y
Jessie	Danielson	D	Y	Y	Y	Y	Y	Y	Y	Y

Representatives		Party	SB-053	SB-116	SB-124	SB-185	HB-1203	HB-1273	HB-1285	HB-1303
Brian	DelGrosso	R	Y	Y	Y	N	Y	Y	N	N
Timothy	Dore	R	Y	Y	Y	N	Y	E	Y	Y
Crisanta	Duran	D	Y	Y	Y	Y	Y	Y	Y	Y
Daneya	Esgar	D	Y	Y	Y	Y	Y	Y	Y	Y
Justin	Everett	R	Y	Y	Y	N	Y	Y	N	Y
Rhonda	Fields	D	Y	Y	Y	Y	Y	Y	Y	Y
Mike	Foote	D	Y	Y	Y	Y	Y	Y	Y	Y
Alec	Garnett	D	Y	Y	Y	Y	Y	Y	Y	Y
Joann	Ginal	D	Y	Y	Y	Y	Y	Y	Y	Y
Millie	Hamner	D	Y	Y	Y	Y	N	Y	Y	Y
Dickey	Hullinghorst	D	Y	Y	Y	Y	Y	Y	Y	Y
Stephen	Humphrey	R	Y	Y	Y	N	Y	Y	N	N
Janak	Joshi	R	Y	Y	Y	N	Y	Y	E	N
Daniel	Kagan	D	Y	Y	Y	Y	Y	Y	Y	Y
Jon	Keyser	R	Y	Y	Y	N	Y	Y	Y	N
Gordon	Klingenschmitt	R	Y	Y	Y	N	Y	Y	Y	N
Tracy	Kraft-Tharp	D	Y	Y	Y	Y	Y	Y	Y	Y
Lois	Landgraf	R	Y	Y	Y	N	Y	Y	Y	N
Polly	Lawrence	R	Y	Y	Y	N	Y	Y	Y	N
Steve	Lebsock	D	Y	Y	Y	Y	Y	Y	Y	Y
Sanford	Lee	D	Y	Y	Y	Y	Y	Y	Y	Y
Susan	Lontine	D	Y	Y	Y	Y	Y	Y	Y	Y
Paul	Lundeen	R	Y	Y	Y	N	Y	Y	Y	Y
Elizabeth	McCann	D	Y	Y	Y	Y	Y	Y	Y	Y
Jovan	Melton	D	Y	N	Y	Y	Y	Y	Y	Y
Diane	Mitsch Bush	D	Y	Y	Y	Y	Y	Y	Y	Y
Dominick	Moreno	D	Y	Y	Y	Y	Y	Y	Y	Y
Clarice	Navarro	R	Y	Y	Y	N	Y	Y	N	N
Patrick	Neville	R	Y	Y	Y	N	Y	Y	N	Y
Dan	Nordberg	R	Y	Y	Y	N	Y	Y	Y	N
Dan	Pabon	D	E	Y	Y	Y	Y	Y	Y	Y
Brittany	Pettersen	D	Y	Y	Y	Y	Y	Y	Y	Y
Dianne	Primavera	D	Y	Y	Y	Y	Y	Y	Y	Y
Kevin	Priola	R	Y	Y	Y	N	Y	Y	Y	N
Bob	Rankin	R	Y	Y	Y	N	Y	Y	Y	Y
Kim	Ransom	R	Y	Y	Y	N	Y	Y	N	N
Paul	Rosenthal	D	Y	Y	Y	Y	Y	Y	Y	Y
Catherine	Roupe	R	Y	Y	Y	N	Y	Y	Y	Y
Su	Ryden	D	Y	Y	Y	Y	Y	Y	Y	Y
Lori	Saine	R	Y	Y	Y	N	Y	Y	Y	Y
Joseph	Salazar	D	Y	Y	Y	Y	Y	Y	Y	Y
Lang	Sias	R	Y	Y	Y	N	Y	Y	Y	N
Jonathan	Singer	D	Y	Y	Y	Y	Y	Y	Y	Y
Jack	Tate	R	Y	Y	Y	N	Y	Y	Y	N
Dan	Thurlow	R	Y	Y	Y	N	Y	Y	Y	N
Max	Tyler	D	Y	Y	Y	Y	Y	Y	Y	Y
Kevin	Van Winkle	R	Y	Y	Y	N	Y	Y	Y	N
Edward	Vigil	D	Y	N	Y	Y	Y	Y	Y	Y
Yeulin	Willet	R	Y	Y	Y	N	Y	Y	Y	Y
Angela	Williams	D	Y	Y	Y	Y	Y	Y	Y	Y
James	Wilson	R	Y	Y	Y	N	Y	Y	Y	N
JoAnn	Windholz	R	Y	Y	Y	N	Y	Y	Y	N
Faith	Winter	D	Y	Y	Y	Y	Y	Y	Y	Y
Dave	Young	D	Y	Y	Y	Y	Y	Y	Y	Y



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- Prisoner \$3 (cash or stamps)

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CCJRC will celebrate our seventh annual night of fun and fundraising with an open bar, delicious food, and a magnificent silent auction at Mile High Station in Denver, Colorado. This year we are honoring

Lisa Caldèron

with the Rupert-Tate Game Changer Award. Lisa Caldèron is a trail blazer and fearless advocate for criminal justice reform. She has fought to help make Colorado's communities safer and healthier by providing resources to and advocating for the rights of people with criminal convictions. Her work helping both victims and justice involved people has had a profound impact on the debate and demand for meaningful criminal justice reform and racial justice.

CCJRC is a member of Community Shares. Ask your employer about workplace giving!