

2007 Legislative Session Summary

Governor Ritter, in his first State of the State address, indicated that reducing recidivism was a priority of his administration. However, his specific vision for how to reduce recidivism was not outlined.

With any new administration comes a “changing of the guard.” Governor Ritter appointed Aristedes Zavaras to return as the Executive Director of the Department of Corrections. He removed Al Stanley as chairman of the Colorado Parole Board and replaced him with Dave Michaud, a former Denver chief of police. Governor Ritter also appointed Rebecca Oakes and Amos Martinez as new Parole Board members and reappointed Curtis Devin. Shortly after this appointment, Amos Martinez resigned. Governor Ritter also named Pete Weir, a former prosecutor, judge, and director of the district attorney's council, as executive director of Public Safety. Mr. Weir will also serve as the chairman of the Colorado Criminal and Juvenile Justice Commission that was created with the passage of HB 1358 this session.

Also, the legislature approved a \$702.8 million budget for the Department of Corrections, an increase of nearly 9% over last year (\$57 million increase).

Below is a list of bills that CCJRC was involved in and the legislative voting record. Unfortunately, Governor Ritter vetoed two of CCJRC's priority bills, HB 1107 (record sealing) and HB 1313 (identification bill). CCJRC is so grateful to all of our members and allies who participated in the process by contacting legislators, attending press conferences, lobbying, testifying before legislative committees and writing letters to the editors.

House Bill 1107 Sealing Criminal Justice Records

Sponsors: Representative Cerbo (D) and Senator Bacon (D)

Summary: HB 1107 would have allowed someone to petition the court to request that an adult criminal record be sealed after 10 years from the date s/he completed the sentence. People convicted of many violent offenses, sexual assault and DUI would not be eligible. For crimes committed prior to the enactment date, if the District Attorney objected to the petition, it would be dismissed.

Outcome: Passed the House on a vote of 46-18 (1 excused). Passed the Senate 26-8 (1 excused). Vetoed by Governor Ritter. (Veto message at <http://www.colorado.gov/governor/press/june07/veto-bill-1107.html>)

CCJRC position: Support

House Bill 1313 Identity Documents

Sponsors: Representative Marshall (D) and Senator Sandoval (D)

Summary: HB 1313 would have clarified and expanded the documents the DMV would be required to accept as proof of identity, age, and residency to better allow people to obtain a state identification card or driver's license. A DOC inmate ID would have been accepted as one form of proof if it was accompanied by either a birth certificate or social security card

Outcome: Passed the House on a vote of 49-16 and passed the Senate 20-15. Vetoed by Governor Ritter. (Veto message at <http://www.colorado.gov/governor/press/june07/veto-bill-1313.html>)

CCJRC position: Support

House Bill 1315 (Criminal Procedural Matters)

Sponsors: Representative T. Carroll (D) and Senator Shaffer (D)

Summary: HB 1315 increases the size of both the Sex Offender Management Board and the Domestic Violence Offender Management Board to add a criminal defense attorney to both boards. Prohibits a

county jail sentence from being imposed consecutively to a DOC sentence. (ie: county jail sentence must be served first, if a consecutive sentence is ordered.) Requires pre-sentence confinement be given for misdemeanor, petty offenses and traffic cases and allows the court to retain jurisdiction for reconsideration of a boot camp sentence while case is on appeal.

Outcome: Passed the House on a vote of 61-1 (3 excused). Passed the Senate 34-0 (1 excused). Signed into law by Governor Ritter.

CCJRC position: Monitor

House Bill 1358 (Colorado Criminal and Juvenile Justice Commission)

Sponsors: Representative T. Carroll (D) and Senator Gordon (D)

Summary: Creates a 26 member state commission to research and analyze effective alternatives to incarceration, the factors contributing to recidivism, evidence-based recidivism reduction initiatives and cost-effective crime prevention programs.

Outcome: Passed the House on a vote of 52-8 (5 excused). Passed the Senate 26-8 (1 excused). Signed into law by Governor Ritter.

CCJRC position: Neutral

House Bill 1369 (Assistance to inmates in applying for public benefits)

Sponsors: Representative Stafford (R) and Senator Morse (D)

Summary: Repeals the July 1, 2007 sunset so that Department of Human Services and the Department of Corrections continue to be required to provide assistance to people in prison to apply for Medicaid or for Supplemental Security Income prior to release, if eligible.

Outcome: Passed the House on a vote of 58-2 (5 excused). Passed the Senate 34-0 (1 excused). Signed into law by Governor Ritter.

CCJRC position: Monitor

Senate Bill 83 (Election Reform/Parolee Voting)

Sponsors: Senator Tupa (D) and Representative Weissmann (D)

Summary: SB 83 was an election reform bill that was amended to include a provision to allow people on parole to vote.

Outcome: SB 83 (with the parolee voting amendment) was passed in the Senate on a vote of 20-14 (1 excused). The parolee voting provision was stripped out of the bill in the House Judiciary Committee. (We do not include the vote record in the House since parolee voting was stripped out). Governor Ritter signed the bill.

CCJRC position: Support

Senate Bill 260 (Raises loss thresholds)

Sponsors: Senator Tapia (D) and Representative White (R) *Summary:* SB 260 raised the loss thresholds for establishing certain theft-type crimes as misdemeanors or class of felony. For example, the loss threshold was raised from \$500 to \$1000 for the crime of theft to be a misdemeanor. As introduced, the bill would also have repealed mandatory consecutive sentencing for the crime of escape. Unfortunately, that provision was deleted from the bill.

Outcome: Passed the Senate on a vote of 23-10 (2 excused). Passed the House 51-12 (2 excused). Governor Ritter signed the bill into law.

CCJRC position: Support