

Colorado Justice Report

Founded in 1999, CCJRC is a network of organizations, faith communities, and individuals working to eliminate the overuse of the criminal justice system in Colorado.

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2016 Legislative Wrap Up

CCJRC would like to highlight some of the criminal justice reform wins and losses of the 2016 legislative session.

A big CONGRATULATIONS to the Colorado Criminal Defense Institute, the Colorado Criminal Defense Bar, the Pendulum Foundation and the Colorado Juvenile Defender Coalition for their masterful effort in the passage of a package of very significant juvenile justice bills, SB 180 and SB 181 that will provide for a new sentencing for juveniles who were tried as adults and sentenced to life without parole in prison.

Wins

- **SB102** – Repealed mandatory minimums for certain types of 2nd degree assault and violations of bail bond conditions. It is expected to save over \$600,000 during 2016-2017 and over \$1 million in 2017-2018.

- **SB116** – Creates a more simplified process to have your record sealed (for sealable offenses). If someone is acquitted, completes a diversion agreement or a deferred sentence, or whenever a case against a defendant is dismissed, the court must give an eligible defendant the option to immediately seal their criminal justice records. Under this process, it will cost the defendant \$65 to seal their record.

- **SB180** – Requires DOC to create a specialized program no later than Aug. 10, 2017 for individuals who were convicted of a felony as a juvenile and sentenced as an adult. Individuals must petition DOC to be placed in the program and meet a host of requirements to be able to participate in the specialized program. Individuals must participate in the program for 3 years to successfully complete the program and may petition the Governor for early parole once the program has been completed.

- **SB181** -The bill allows for offenders who were sentenced to a life sentence without the possibility of parole for a class 1 felony committed as a juvenile between July 1, 1990, and July 1, 2006, to petition the court for a resentencing hearing.

- **Senate Concurrent Resolution 006** – Created Amendment T: No Slavery No Exception, which will be a ballot measure this November. Voters will be asked whether to remove antiquated language from our state's constitution regarding slavery and involuntary servitude.

Legislative continued on page 2

CCJRC Goes to Jail



CCJRC and Denver Elections Division staff at the Denver County Jail

In our last newsletter we announced the launch of our newest pilot project to increase voting at the Denver County Jail and the Denver Detention Center. This is the first effort of its kind in Colorado that brought together CCJRC, the Denver Elections Division (DED) and the Denver Sheriff's Department to ensure that people who were eligible to vote who were in jail had the ability to register to vote and vote! Over the course of just three weeks before the Primary Election, CCJRC registered 223 people at both jails. DED was amazing. They had the ballots printed and delivered the day after folks registered. Because the Primary Election was a partisan election only those folks who registered with a party affiliation (Democrat or Republican) received ballots. According to the DED about 30% of the people in jail who received ballots returned them. According to the Secretary of State's website, turnout for Denver voters in the primary was approximately 26%.

It is vitally important to be able to inform people about their right to vote while they were in jail. People in jail pretrial and those serving a misdemeanor sentence are eligible to vote even though they are in jail—but most didn't know that! People were so thrilled to find out that they could vote and were eager to participate.

Between now and the November election, CCJRC will continue to educate people in jail in Denver about their right to vote and help them register. CCJRC thinks all jails and elections officials in Colorado should have a similar commitment to ensure that people who are incarcerated that are eligible to vote –can vote! That's the next thing we will be working on.

Legislative continued from page 1

- **HB1390** - Strengthens Colorado's 911 Good Samaritan law. It adds immunity from arrest for someone who calls 911 to report they are with a person who is overdosing as long as the reporter stays with the person until help arrives. Current law only allows exemption from prosecution.

- **HB1344** - This bill did not pass. It would have added the circumstance of a person dying as a result of using a distributed controlled substance to the list of special offender offenses, which would have carried an 8 year mandatory minimum sentence. CCJRC opposed this bill so the fact that it didn't pass is a big win.

Losses

CCJRC was disappointed by several bills that did not pass and opposed the last-minute, \$3 million handout for CCA in order to keep the Kit Carson Correctional Facility open in the face of a declining prison population.

- **HB1331** - This bill did not pass. It would have required that juveniles not be shackled in the courtroom unless the court deemed the restraints as being necessary.

- **HB1388** - This bill did not pass. Would have expanded Ban the Box to private employers.

Mixed Bag

- **SB65** - This bill passed but was significantly watered down from its introduced version. It lowers the interest rate on restitution payments from 12% to 8%, which is a step in the right direction, but we don't believe the passed version of this bill went far enough.

Residents of Community Corrections are now eligible for Medicaid!

CCJRC is very excited to share that residents of Community Corrections facilities may now be eligible for Medicaid as long as they meet the income requirement. This applies to residents of every Community Correction facility in Colorado except one, Gateway: Through the Rockies in Colorado Springs, which is a jail-based program.

To be eligible for Medicaid, single adults can earn up to about \$1300 a month. It should be noted that residents of federal residential reentry centers are not eligible for Medicaid as their health care should be covered by the Bureau of Prisons. CCJRC has been helping justice involved people learn how to get enrolled in Medicaid and access health care services. To learn more go to: takecarehealthmatters.org

CCJRC Welcomes Alex Landau!

My name is Alex Landau. I am a father, a Black man, a poet, a lyricist, a public speaker and a listener. I am a survivor and a healer, and some say I am a leader. I am a domestic adoptee who has and was raised by white parents who I love. I am an organizer, an activist, and a community member. I am honored to be part of the CCJRC a group that I have admired since the day I was introduced to their efforts.

I was contracted to lead our Field Organizing on March 1st 2016 and we have hit the ground running. I am working to develop the different levels of civic engagement for our members, volunteers, and community allies. I am participating in the elevation of all our active campaigns, Know Your DA, Crime Survivors, Take Care Health Matters, and Can I Vote. I feel as collective minds we will continue to learn, grow and accomplish our goals in the elimination of the over use of the criminal justice system.

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Crime Survivors

"As long as the culture of the systems stays the same i.e.: District Attorneys' Police, Judges, etc... Then we can't have public safety," (2016 crime survivors focus group participant).

In 2015, CCJRC launched our new statewide "Crime Survivors" campaign to better understand the needs of underserved crime survivors who are the most impacted by incarceration, violence and crime in their communities. CCJRC in partnership with Second Chance Center, It Takes A Village, Denver Inner City Parish's College View Program and The Center For Trauma and Resilience, conducted eight focus groups in the Denver metro area from April - June 2016 with survivors from diverse backgrounds that shared their experience of victimization, and perspective on public health and safety.

The focus group participants included people who were from 17-65 years of age, most were Latino and African American men and women, and included a number of people who also had criminal histories. From the focus groups we learned that a lot of people do not see themselves as crime victims despite repeated experiences of victimization and violence. Their needs go largely unmet and they have limited access to treatment and services, particularly those that have a criminal record or those that do not report the crime.

Participants also reported a significant mistrust of the criminal justice system and victims' advocate service providers working for the criminal justice system. Most participants also want to see significant reform in the criminal justice system and do not believe that mass incarceration and over-policing is the best way to promote public safety.

While low income communities and communities of color experience higher rates of crime, they are the least supported. CCJRC believes that one of the key elements to improving public health and safety is to elevate the voice of underserved crime survivors in the discussions around health and safety, including those that also have a criminal record. It is also clear that Colorado needs to develop a new model and more funding to provide victim services that are rooted in the community and not solely through the criminal justice system.

Next, CCJRC is partnering with RBI Strategies and Research to conduct the first ever statewide crime survivors' poll in late July - early August 2016. Please stay tuned as we are hoping this poll will help expand the conversation in Colorado on how to develop good public policy that best meets the needs of underserved survivors of crime and advances real health and safety instead of mass incarceration and over-criminalization. CCJRC welcomes participation from any of our members. If you are a crime survivor and would like to share your perspective or experience please contact Juston Cooper at 303-825-0122 or via email at juston@ccjrc.org.



Know Your DA Campaign

For the June Primary Election, voters in Colorado may have received a ballot but there is an incredibly important elected official that most voters will have no influence in selecting: the elected District Attorney.

Colorado has 22 Judicial Districts that are each represented by an elected DA. Only three of these races had a contested Primary election in June: the 2nd Judicial District (Denver), the 6th (Archuleta, La Plata, San Juan) and the 17th (Adams, Broomfield).

The General Election isn't going to be much better. When all is said and done, sixteen of the twenty-two elected DAs will have run unopposed in both the Primary and General Elections. So, if you live in Las Animas, Colorado Springs, Ft Collins, Pueblo, Boulder, Vail, Delta, Gunnison, Montrose, Ouray, Grand Junction, Aurora, Eagle, Castle Rock, Georgetown, Salida, Burlington, Steamboat Springs or many other cities in Colorado – you will have not had a choice as to who is your elected DA.



DA Candidates at the Denver DA candidate forum

Next, CCJRC will focus on the November General Election for DA in the 1st Judicial District (Jefferson, Gilpin). Incumbent Pete Weir (R) is running against Jake Lilly (D). CCJRC will be hosting a DA candidate forum in the fall, developing another DA Voter Guide, and organizing a canvas to increase voter turnout, especially those that have criminal records and their loved ones.

We rely on elections to elevate public conversations around important issues and select candidates that most align with our vision and values. But with such a high rate of uncontested DA races, Colorado voters aren't able to influence whether the DA that is elected is willing to engage in the deep reforms needed to undue forty-years of failed policies like the war on drugs, treating juveniles like adults, and overusing incarceration and criminalization.

Such a dynamic means most of the public has little understanding of the role of the DA and the lack of transparency ensures that people have little to no idea what the DA does once he or she is elected. CCJRC is working to reverse that dismal landscape.



Denver DA candidate forum

And this matters. Arguably, DAs are the most powerful people in our criminal justice system. They have the sole power to decide what charges to file, what plea bargains are offered, whether to seek the death penalty, or whether to run a diversion program. They also have significant responsibility over whether a juvenile is charged as an adult and for the racial disparity that is pervasive throughout the criminal justice system.

In an effort to help educate and encourage our members and the broader community, CCJRC launched a new “Know Your DA” campaign which focuses on educating people on the power, role, and responsibility of elected DAs prior to the election and to better hold DAs accountability after s/he is elected.

CCJRC was active in both the 2nd (Denver) and 17th (Adams/Broomfield) DA races leading up to the Primary Election. CCJRC produced a DA Voter Guide from candidates' responses to our questionnaire. We also organized DA candidate forums so that voters had an opportunity to ask candidates questions on issues that mattered to them.



CCJRC Staff and Volunteers at the Adams County DA Forum



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CCA Announces KCCC Closure

CCJRC is extremely excited to announce that the Kit Carson Correctional Center will be closing at the end of July!!! CCJRC has been working for over 15 years for sensible reforms that have helped reduce the prison population enough that it is no longer profitable for CCA to operate this private prison.

Currently, there are approximately 415 people that are housed at Kit Carson. These folks will be individually assessed and transferred to other facilities in the state based on their custody level and other factors.

This is the fourth private prison to close in Colorado since 2009. CCJRC will be sure to keep you informed if there are any new developments.



SAVE THE DATE!!

Wednesday,
September 21, 2016
CCJRC's 8th Annual
"Voices For Justice"

YES! Count me in! I want to support CCJRC and help eliminate the overuse of the criminal justice system in Colorado. Enclosed is my tax-deductible contribution!

Your support makes all the difference!

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP _____

EMAIL: _____

- Individual \$35
- Household \$50
- Sustainer \$100 or more
- Freedom Fighter \$__ charge me monthly/quarterly
- Low Income/senior \$15
- Prisoner \$3 (cash or stamps)

Credit Card #

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Please return to:
CCJRC 1212 Mariposa St. #6 Denver, CO. 80204

On Wednesday, September 21, 2016, we will celebrate our eighth annual night of fun and fundraising with an open bar, delicious food, and a magnificent silent auction at Mile High Station in Denver, Colorado. We invite you to attend and/or become a sponsor of this event. This year, CCJRC is proud to honor:

Richard Morales
Deputy Executive Director of the Latino Coalition for
Community Leadership with the
Rupert-Tate Game Changer Award

Mr. Morales is the project director for the WAGEES grant which has expanded funding for community-based re-entry support for people leaving prison. His leadership and skill has built a network of eight community-based organizations in Aurora, Denver, Boulder, Colorado Springs, Ft. Collins, Greeley, and Pueblo that has strengthened not only these programs but has also elevated the role of formerly incarcerated people in this field. He has also negotiated and navigated a whole new relationship between community organizations and the Department of Corrections to forge a better partnership. We are so grateful and inspired by Richard and all the folks at the Latino Coalition for Community Leadership.