

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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Raising the Bar

As the executive director of CCJRC since 1999, I've spent a lot of days and nights thinking about and working toward ending mass incarceration in Colorado.

But last year, I had several insights that in their intersection unraveled much of my understanding of the work that needed to be done. These all may be obvious to you but they weren't to me. I actually feel kind of embarrassed writing this in retrospect but we all learn and grow in our own ways.

First, I realized that ending mass incarceration in Colorado wasn't going to happen in my lifetime. I actually sat up bolt upright in bed in the middle of the night with that one last summer. I didn't just think it – I felt it in my being – and it took my breath away. It came in a matter-of-fact knowing no louder than a whisper – no alarm bells – no sirens – no nothing. Just a few simple words ... *not in your lifetime*.

At first I wanted to throw up, cry, pout, give up or some other reaction that resembled an adult temper tantrum because I want this crooked and peculiar institution to end NOW. But, just as quickly, I realized the beauty of that truth because it connects CCJRC to a legacy and a future simultaneously. I found it comforting that CCJRC is a thread of a much larger tapestry of people and organizations that have fought for justice and equality for as long as humans have been colonizing, oppressing, enslaving, exploiting, discriminating and victimizing one another. But this realization came with a challenge because positioning CCJRC so that it can intentionally serve as a platform for multi-generational activism requires some redesign and building new capacity.

Second, was the realization that the Affordable Care Act was a game changer for people involved in the criminal justice system and essential for deconstructing the criminal justice system's role in drug policy. I hadn't paid much attention to the drama in Washington D. C. during its debate and passage because, truthfully, life is just too short and I had other things to focus on. That was short-sighted because even for those that may disagree with some aspects of ACA, it is clear to me now that all anti-drug war crusaders need to aggressively join the family of healthcare crusaders.

Finally, we realized that CCJRC's founding mission of ending mass incarceration was not broad minded enough, as daunting as that is in itself – that any desire for a civil and just society requires an end of the overuse of the entire criminal justice system – not just incarceration.

These realizations coincided with the blessing of having Juston Cooper and Terri Hurst join the CCJRC staff with their incredible talent and experience. We launched into a year-long strategic planning process that involved the Board, staff and key allies. All assumptions were challenged, all previous objectives were reevaluated, all historical efforts were scrutinized (brutally and honestly), all sacred cows were unmasked, and all options were put on the table.

This fall, the CCJRC Board of Directors approved CCJRC's new mission:

***To end the overuse of the criminal justice system
and advance community health and safety.***

We will continue our policy advocacy to reduce mass incarceration through sentencing and parole reform. That core priority isn't changing, it's just getting more sophisticated. CCJRC wants to be much more aggressive in challenging the DOC budget and identifying cost-savings that can be redirected to strategies like expanding affordable housing, economic revitalization and residential treatment, particularly in communities of color most impacted by crime and mass incarceration. Even though there is greater opportunity for reform, we cannot forget that the era of mass incarceration has devastated communities of color and that an intentional reinvestment and healing of these communities must be part of the reform agenda. We are also going to completely redesign and publish a 4th edition of the GO Guide in the fall of 2016.

We hope this newsletter provides you with more information on our expanded vision and some of the new priorities around building more political power in the community through expanding our felon voting campaign and educating our members about district attorney elections in 2016; being more intentional and focused on dismantling racial disparity and partnering with crime survivors who also support criminal justice reform. CCJRC is now holding a bigger picture of the work that needs to be done and we need and look forward to working together.

-----Christie Donner

Take Care Health Matters

Now it's your time. Your turn. Your health. You have the right to healthy choices. Your health matters and can help you build success. These aren't just some of the key messages that CCJRC has been using in our Take Care Health Matters campaign, which is focused on improving health care coverage and access to care for justice involved people. These words reinforce that your health is important, you deserve to be healthy and there are new opportunities to help you achieve health and success in the community. CCJRC believes health care access is a tool that has the potential to help us pivot away from the overuse of the criminal justice system. To treat drug use and mental health as a public health issue, not a criminal issue. To ensure that people have access to the care and treatment that they need when they need or want it.

Health care reform, whether you agree with it or not, is the biggest opportunity our country has had since the beginning of the drug war to shift away from criminalizing behavior related to drug use. We now have the opportunity to humanize and treat people who use drugs with respect and dignity. As people who do not deserve to be locked in a cage or made to feel shamed, embarrassed or unworthy. To look at drug use through a harm reduction lens. To meet people where they are at in a non-judgmental way, whether that means a person is abstinent from drugs or not. To shift away from correctional facilities being the "de facto mental health system" to treating people with mental health issues in the community. The criminal justice system has become the largest provider of behavioral health services and it was never designed nor equipped to serve in that role. While the health care system may not be perfect, it is the more humane and effective way of dealing with mental health and addiction disorders.

Through our Take Care Health Matters campaign, we are working to make this shift happen. We are providing trainings to criminal justice entities, health care providers and those of you currently or formerly involved in the criminal justice system. We have educational materials which describe your eligibility in Medicaid based on your status in the criminal justice system and are working on publishing a consumer guide to help you navigate the often times, confusing health care system. We are meeting every couple of months with a stakeholder group that consists of advocates and experts from both the health care and criminal justice system. We are also starting to work in local communities to help connect and bridge the criminal justice system with health care to ensure justice involved people are getting enrolled in health care coverage and able to find a doctor, dentist or treatment provider. We are also collecting stories of your successes, challenges or issues that you are experiencing as you get plugged in with health care. Your stories help inform our advocacy and strategies going forward and we are grateful for your input.

While we are realistic in understanding that health care alone will not end the overuse of the criminal justice system, we strongly believe health care reform provides us new opportunities and potential access to services for justice involved people that we haven't historically had access to. To share your story, learn more about our campaign, or how you can get enrolled and access care visit: takecarehealthmatters.org. You can also call CCJRC for more information.

The 2016 legislative session is upon us again. Things kick off on Wednesday, January 13th and will end no later than Wednesday, May 11th. With it being an election year, we can expect a lot of political theater as each party positions themselves with voters. One of the major issues that our elected officials will be grappling with is our state budget. Current projections show that we are about \$160 million short in our current fiscal year that runs through the end of June 2016. The picture for the next fiscal year, which begins July 1, 2016, also seems grim with the Governor's budget request anticipating a \$373 million shortfall. If this in fact holds true, we can expect a tight fiscal situation during the 2016 legislative session which will include budget cuts as well as seeing very little bills passing that have any sort of cost associated with them. As far as legislation specific to criminal justice, CCJRC is working on several bills related to parole reform. Our next newsletter in March will contain information on these bills, as well as updates on our state's financial situation and any other legislation that you should be aware of.

Criminal Justice Updates

Exciting news this year for those directly impacted by the criminal justice system. The FCC got involved with the problem of the exorbitant cost of phone calls from prison. Colorado got the jump on them though when our own Senator Steadman passed legislation that limited the amount of money that the state and the company's they contract with could collect from each phone call made from a prison. The new FCC ruling will increase that reach to include local and county jails as well and should go into effect in early 2016.

A state audit revealed that Colorado courts were not complying with a Colorado law that governs the amount of interest that could be charged on a restitution order. As soon as they were informed of this discrepancy, the courts agreed to implement the law that was passed in 2000. That law requires that 12% interest be applied to outstanding restitution orders annually. The courts notified people of this and also stated that those interest orders may be applied retroactively. We spoke with Senator Steadman about this issue and he is currently working with the State Court Administrator's office to sort out the problems but, if necessary, he will run legislation to try and mitigate the situation. As Senator Steadman stated, "this law decreases the likelihood that some offenders will ever be able to repay their debt to society."

We know that one of the biggest barriers for success for people with criminal records is just that. Criminal records. Anyone at any time can pull your criminal history for any reason and we believe that after you have paid that debt to society you should be allowed to move on with your life. Over the years we have passed several pieces of legislation that will allow you to get certain criminal records sealed. Unfortunately, for many people that process is unclear and difficult to manage without the help of an attorney. The Colorado Criminal Defense Institute (CCDI) and the Public Defender's office have organized record sealing clinics around Colorado. You can attend a free clinic and find out if your record is eligible for sealing and then you will be assigned an attorney who will work with you to get the paperwork filed. You can go to their website for more information <http://www.ccdinstitute.org/community/>.

From where I sit...Pamela Clifton

It's my anniversary.

I've been in this chair and off paper for ten years now. A lot has changed since I picked up #65145. I went to prison during an era where "tough on crime" was the rhetoric and I remember the dissonance I felt when I realized what the criminal justice system was doing under the guise of public safety. It didn't make me feel safer knowing that there were thousands upon thousands of people being locked up for years and years and years for what were mostly non-violent crimes.

In fact, I felt just the opposite as I watched people fail time and time again when they were released from prison. No one was getting the correct support they needed to be successful. No one understood how to navigate a complicated and convoluted system. People didn't feel connected to the communities they were returning to. I remember sitting in that cell knowing that I had a responsibility to do something about the injustice of justice.

CCJRC has worked to end mass incarceration and change how we approach public safety for over fifteen years. Over the past few years it has been amazing to watch the issue of criminal justice reform take on a life of its own. The chorus of voices calling for reform is growing. It is resounding louder and becoming more targeted and demanding. We can hear those voices on the state and federal level as they bring together a bipartisan coalition, an unholy alliance of "change" supporters that span the political spectrum from President Obama to the Koch Brothers.

Changes in sentencing on the federal level have already happened and continue to move forward. We remind folks that the changes made on the federal level will not directly impact Colorado state policy. However, it does jump start a larger conversation about changes that still need to happen here.

I know we can't do this alone and I will be calling on our supporters to help me to get the message out. Membership engagement is going to be a large part of our strategic success over the next few years and I am going to be reaching out to our members statewide to ask for your help in realizing what we all hope to achieve. I am specifically reaching out to those directly impacted. We know they need to be the leaders in this movement. The voices, experiences, passion and vision for change are crucial.

I'm excited to be a part of this movement as it gains momentum. In the coming year my focus is going to be strengthening our work to make sure that people understand their rights when it comes to voting. I believe having the ability to participate in the decision of whom we elect to office is one of the most important responsibilities we have as members of a democratic society. One of the enduring myths is that once you are convicted of a felony you can no longer vote. In Colorado that isn't true and I want to work across the state to make sure that people know they have not been permanently disenfranchised.

We aren't done yet...I don't know if I will be around when our dreams come to fruition and families and communities work to heal themselves from within and have the resources to do just that. Until then, this is where I'll be.

Building Power by Juston Cooper

Starting in 2016 with an expansion of our mission and vision, CCJRC remains committed to continuing our policy and advocacy reform efforts in eliminating the overuse of the criminal justice system. CCJRC is inspired by our sister organizations Californians for Safety and Justice (CSJ) and Partnership for Safety and Justice (PSJ) in their pioneering efforts to counter the power of the District Attorney's Office of using traditional crime victims to promote tough on crime policy. Both CSJ and PSJ organized and mobilized nontraditional crime survivors, particularly in communities of color, to advocate for public safety policies that promote health and safety responses to crime victims' needs AND to reduce incarceration.

CCJRC plans to engage in similar efforts this year in Colorado. CCJRC will organize with crime survivors who support criminal justice policy reform in an effort to build and mobilize political power in the community. We envision a partnership with survivors of crime who share our mission instead of the historical tough on crime approach that many victims, particularly victims of color, do not support.

Our learning and reflection indicates that justice-involved people often have histories of victimization and trauma. However, once someone has been labeled as an "offender" his/her need for healing, restoration, and basic services has largely gone unmet. This is especially true for communities of color, specifically black men who have the highest rate of victimization for a crime of violence.

Communities of color often sit at the crossroads of both higher rates of crime and incarceration. CCJRC believes the exclusion of a diverse voice of crime survivors creates a significant barrier to healing and progressive criminal justice policy. Together, we can find significant common ground on policies that require less policing and incarceration and more community-based solutions that meet the needs of people who are victims and survivors of crime and trauma.

CCJRC is also calling for greater civic participation by our members and the justice-involved community. In 2016, we are expanding our civic engagement strategy. One of the public educational campaigns we are launching will be called "Know your District Attorney (DA)". CCJRC is encouraging our members and broader community to become more aware and engaged in DA races.

Many voters do not realize the district attorney is one of the most powerful players in the criminal justice system and very politically influential. Colorado has 22 judicial districts, each one represented by a single elected district attorney. Colorado's district attorneys represent the people of the state and are responsible for prosecuting violations of the criminal laws that occur in their districts.

The DA is supposed to represent all people in their district and most DA's have been obstacles to reform. CCJRC wants to help educate and engage people in DA races so candidates feel pressure from voters who want reform. More importantly is our concern of the lack of accountability of DA's and the lack of transparency that often shields them from scrutiny and oversight.

We see an opportunity to engage in the upcoming 2016 Denver DA race, as it is the only major contested race in Colorado as of now. Through a DA candidate forum this spring and a candidate survey we will provide information to our members and the broader community to increase their knowledge about who is running for DA in Denver. CCJRC will keep you posted as we learn if other DA races become contested races. In the 2012 DA races, 17 of the 22 races were uncontested.

It is critically important that we exercise our right to vote during the primary and general election. With your help, we can hold DA's more accountable!

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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!

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