

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 and advance community health and safety in Colorado.

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2021 Legislative Wrap Up

Terri Hurst, Policy Coordinator and Christie Donner, Executive Director

You may need to take a nap after reading through this legislative wrap up. It was an extremely busy legislative session especially considering we were still in the midst of a pandemic, which made a complicated process even a little more complicated. Even though the political climate was hostile at times we had significant wins this year and all of our priority bills passed.

Budget Update

Funding for all four of CCJRC's community reinvestment initiatives was secured for next fiscal year! It was not an easy task, but we are beyond grateful. We were also able to get more funding for both the WAGEES community reentry grant program thanks to SB21-146 and an expansion of the Transforming Safety initiative to two rural communities thanks to HB21-1215. In total, almost \$16 million in state funding is supporting community-led safety efforts!

Another piece of good news is that the Department of Corrections (DOC) budget was reduced by over \$15 million including the requirement that DOC reduce capacity by over 1,700 beds. Right now, there are over 700 empty beds in the two state women's prisons and 3,500 empty beds in men's prisons (state facilities have 2,872 vacant beds and the two private prisons have 739 vacant beds). The vacancy rate in men's prisons is over 20% and 48% in the women's prisons. To the best of our knowledge, the bed reductions will take place at Sterling, Trinidad, Limon, Delta, Buena Vista, Four Mile, La Vista, Denver Women's and at the private prisons. DOC should have more details on when, where, and how big those bed reductions will be by the end of June.

Legislative overview

Most of the bills below will just include a brief summary. If you'd like to learn more about a particular bill, you can go to leg.colorado.gov and click on "find a bill". We have also included vote counts and the date when the Governor signed the bill into law. If that information is not noted, it means that the bill is still awaiting the Governor's signature at the time of this publication. You'll notice we are providing more of an in-depth explanation on SB21-146—Improving Prison Release Outcomes. It was a big bill with a lot of different sections. For our members who are in prison or your loved ones, feel free to contact us if you have any questions or want additional information.

CCJRC's priority legislation

SB21-146 – Improve Prison Release Outcomes

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

Senate vote: 27 yes; 5 no; 3 excused

House vote: 40 yes; 24 no; 1 excused

Signed into law: 7.6.21

During the early months of COVID, half of CCJRC staff pivoted to working directly with the DOC, the Parole Board, and inmates/loved ones to help develop parole plans for people eligible for release, especially for those identified at most risk from COVID. From this, we learned first-hand about the lack of statutory clarity and operational chokepoints that negatively impact Special Needs Parole (SNP). We also identified issues that prevent effective and timely prerelease planning in general, but especially for people over the age of 65; those with very high medical/behavioral health needs; those who will be released on their mandatory release date (MRD) or statutory discharge date (SDD); and those who are admitted to prison past their parole eligibility date (PED).

One of the main intentions of this bill was to strengthen pre-release planning and fix what's clearly been broken around Special Needs Parole. For you legal eagles inside (or outside), we list the specific statute that will be changed by SB146 once the new laws go into effect so you can review in its entirety.

Special Needs Parole (SNP) - changes CRS 17-1-102 (especially section 7.5 and added new section 6.7 and 7.4) and 17-22.5-403.5

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Revised Eligibility criteria for Special Needs Parole
(four distinct categories of eligibility in CRS 17-1-102):

(1) 55 years of age or older who has been diagnosed by a DOC health care provider or private licensed health care provider involved in providing patient care to the inmate as suffering from a chronic infirmity, illness, condition, disease, or behavioral or mental health disorder that causes serious impairment that limits the person's ability to function. "Serious impairment that limits a person's ability to function" is defined and means a "medically diagnosed physical or mental condition that is chronic and long term in nature and severely limits a person's ability to independently perform essential day-to-day activities without daily intervention, attention or support from an inmate aide or professional caregiver."

(2) Someone of any age that has been diagnosed by a DOC health care provider or private licensed health care provider involved in providing patient care to the inmate as suffering from a chronic, permanent, terminal, or irreversible physical illness, condition, disease, or a behavioral or mental health disorder that requires costly care or treatment and who is incapacitated.

(Note: "incapacitated" is a higher degree of illness than "serious impairment" that is used in #1. In other words, the younger the person is, the higher the medical threshold).

(3) People over the age of 64 who have served at least 20 years. People convicted of certain crimes are excluded including if someone was convicted of a Class 1 or 2 VRA felony, unlawful sexual behavioral, domestic violence, or stalking.

(Note: this is a NEW eligibility category that does not require that someone meet medical criteria. This is an "elder only" eligibility, but it has many crime exclusions so we know that not very many people will be eligible in this category because of that).

(4) A person who has been diagnosed by a DOC licensed health care provider or a competency evaluator as incompetent to proceed, which also includes people with dementia that renders someone incompetent to proceed.

17-1-102 also identifies certain people that are not eligible for SNP that has been in law for a while.

- People convicted of Class 1 felony and sentenced to life without parole.
- People who were convicted of a Class 1 felony and sentenced to life with the possibility of parole if the person has served less than 20 years.
- People convicted of a Class 2 Crime of Violence felony if the person has served less than 10 years.

One change that SB21-146 made was that these exclusions do not apply if a person has been diagnosed to have a terminal illness with a life expectancy of twelve months or less to live.

A new provision from SB21-146 is that a new "inmate liaison" role was created which is defined as an inmate's family member or attorney, a government agency (like a local human services office), or a representative from a community-based reentry organization. The "inmate liaison" can provide assistance to an inmate at various stages during the SNP process, if the inmate wants or needs help navigating through the process. (See 17-1-102(6.7) for more details once the new law goes into effect.)

A lot of changes were made to 17-22.5-403.5 which govern the operational side of SNP, including clarifying the role between DOC and the Parole Board.

- DOC's role for SNP is to screen inmates for eligibility, submit a complete application to the Parole Board for all eligible inmates, develop an approved release plan, and comply with all victim/DA notification. The Parole Board's role is to make determinations related to risk and appropriateness for release, including the adequacy of the parole plan to ensure

continuity of care. The DOC will no longer make a "recommendation" to the Parole Board.

- An inmate or an inmate liaison can also request that the DOC screen someone for SNP eligibility and DOC has to make that determination within 30 days, unless a competency evaluation would be required.

- In the SNP referral packet, along with the other requirements in CRS 17-22.5-403.5, DOC also needs to include any work history, participation in programs, treatment, vocational training or education or other risk-reduction factors. A personal statement may be submitted by the inmate or the inmate liaison if the inmate is not able to submit a statement. The DOC is also required to provide the inmate with a copy of the SNP application (except for the victim impact statement or statement from the prosecutor). The inmate or inmate liaison has thirty calendar days to submit additional health records or other relevant information not included in the SNP referral packet to the DOC for submission to the Parole Board prior to the Parole Board's decision.

- Only after an inmate is determined to meet SNP eligibility will the DOC provide notification to any victim or prosecutor if notification is required. If prosecutor notification is required the inmate will have to sign an Release of Information so that DOC can share a medical summary with the prosecutor.

- The Parole Board is required to make a decision within 30 calendar days after receiving the referral from the DOC. The Parole Board cannot deny SNP based solely on the lack of an approved parole plan if the Parole Board considers an inmate to otherwise be an appropriate candidate for SNP release. The Parole Board may table the decision or issue a conditional release and DOC has 30 days to submit a revised parole plan to the Parole Board. If the Parole Board denies parole, it may inform DOC that the inmate should not be referred for a second or subsequent application for SNP unless the inmate's medical or mental health status further deteriorates. (Side note: this only impacts inmates referred to SNP who have not yet reached their PED. Once someone reaches their PED, then even if the Parole Board indicates they don't want DOC to submit a second or subsequent SNP application, that won't affect the timeline that an inmate will be scheduled to the Board for a "regular" parole hearing.)

SB21-146 also made changes that affected both SNP and regular parole hearings as follows:

- Requires DOC to ensure that everyone has an approved parole plan prior to any parole application hearing or mandatory release (including both people released on MRD or SDD).
- Requires DOC, in consultation with the Parole Board, to develop policies and procedures that achieve specific benchmarks and enhances transparency on regular and SNP by requiring DOC to report additional information on regular parole hearings and SNP releases on a monthly basis.
- Requires DOC to develop an expedited process for those inmates who are close to or already past their parole eligibility date when they are first admitted to prison.
- Specifies that the lack of an approved parole plan is not grounds for denying regular parole for an otherwise appropriate candidate. Same process applies for "regular" parole hearings as for SNP summarized above.
- Requires the Office of the State Public Defender to provide a liaison to the DOC and Parole Board to assist with legal matters that effect reentry, including warrants or detainers, and incompetency and civil commitment notifications to the court. (For more info see CRS 21-1-104(6) once the new law goes into effect)
- Allows WAGEES community reentry programs to provide prerelease and parole planning assistance. Under current law, the WAGEES programs can only help after someone is released.
- Requires DOC to ensure that, prior to or upon release, any inmate who is sixty-five years of age or older who has been approved for parole is enrolled in a medical insurance plan and requires DOC to pay for any insurance premiums and penalties for up to six months from the start of coverage, if failure to do so would result in the parolee being uninsured. (For more info see CRS 17-1-113.5(1)(c) once the new law goes into effect.

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Inmates over sixty-five need to first enroll in Medicare and that's been a nightmare for folks. They can't enroll first in Medicaid like incarcerated people younger than sixty-five can and Medicaid is so much easier to enroll)

- Requests the Commission on Aging in the Department of Human Services to study and make recommendations on how to best ensure that people who are released from prison who are sixty-five years of age or older are able to access health insurance upon release.

- Also prohibits the DOC from placing any restrictions or making additional requirements that limits someone on parole from being able to choose a healthcare or behavioral health care provider of their choice. (Side note: We hope and pray that this gets rid of the "Approved Treatment Provider" list for medical and behavioral health treatment for people who have Medicaid healthcare coverage. This would not affect any requirements that are in statute around having to go to an approved treatment provider for sex offender treatment or any other sort of treatment that is not a covered benefit offered through Medicaid, like anger management.)

As you may remember, last year CCJRC worked on HB20-1019 that created a new crime of "unauthorized absence" for people under DOC jurisdiction who walk away from a halfway house or tamper with an ankle monitor. Those sentence changes could not be made retroactive to apply to people in prison for "escape" under the old law. SB21-146 requires the Parole Board to schedule a parole hearing for people convicted of escape under the old law within ninety days if

- escape is the controlling sentence
- the person is at or past PED
- the fact pattern for the "escape" conviction would now be considered "unauthorized absence" and,
- the person isn't ineligible for release to parole because of recent serious write ups. (see 17-2-201(3.7)(a)).

Last but not least, DOC is required to consult with external experts to make recommendations for modernizing the current programming at Youth Offender Services to ensure that it aligns with the most recent research and best practices.

One component of the original bill that had to be taken out would have required DOC to award up to 120 days of exceptional conduct/achievement earned time to all inmates incarcerated during the COVID era due to the difficult challenges inmates and families went through as a result of COVID, and the overall impact on inmate's health, mental health and well-being. Governor Polis was adamantly opposed to DOC awarding this exceptional conduct/achievement earned time to inmates due to COVID though CCJRC was never told why. We're really sorry we lost this! We tried so hard to keep it in but knew that if we did, it would risk a veto by the Governor and we'd lose the whole bill.

This seriously was one of the hardest bills CCJRC has ever worked on as it involved a TON of discussions and negotiations with prosecutors, multiple victims' groups, DOC, the Dept. of Human Services, the Public Defender's Office, and the Parole Board. We really appreciate that all these stakeholders were willing to work with us to try and fix all these issues. In the end, there was no opposition from any of those stakeholders.

The Governor was a special kind of nightmare all on his own and we'll just leave it at that. As of this publication he hasn't signed the bill into law, and he has 30 days to sign a bill once it gets on his desk or it becomes law without his signature. He could obviously veto the bill at any time, but we haven't gotten any indication that he plans to veto.

SB21-138 – Improve Brain Injury Support in Criminal Justice System

Sponsors: Senator Coleman (D) and Reps. Sandridge (R) and Bacon (D)

Senate vote: 35 yes; 0 no

House vote: 48 yes; 14 no; 3 excused **Signed into law:** 7.6.21

DOC will be required to create a pilot program to evaluate outcomes of

screening people for brain injuries at intake, provide appropriate services and accommodations to those who have been identified as having a brain injury while incarcerated and ensure connection to services upon release. It is believed that the pilot will take place at Denver Women's. In addition to the pilot, the Brain Injury Program (i.e. MindSource) within the Department of Human Services, will convene a task force no later than Aug. 1, 2021 to create a capacity building plan by Jan. 1, 2022 that will describe how to scale out brain injury screening, education and support services to both professionals that work in and individuals who are under supervision in the criminal justice system. Many thanks to the sponsors and a big shout out to our friends at AYBOS Marketing and formerly incarcerated advocates Marchell Taylor, Corey Shively, and Keith Parker for being the driving force behind this bill. It was an honor for CCJRC to work with them and we look forward to continuing to work together on implementation.

SB21-271 – Misdemeanor Reform

Sponsors: Senators Gonzales (D) and Gardner (R) and Reps. Roberts (D) and Gonzales-Gutierrez (D)

Senate vote: 35 yes; 0 no

House vote: 38 yes; 24 no; 3 excused **Signed into law:** 7.6.21

Last summer, the Governor wrote a letter to the Colorado Commission on Criminal & Juvenile Justice (CCJJ) requesting a comprehensive rewrite of the entire criminal code. The CCJJ created a Sentencing Reform Task Force that CCJRC is a member. SB21-271 is a rewrite of the entire misdemeanor code and is based on CCJJ recommendations that were developed by the task force in the Fall of 2020. The main provisions of the bill include reducing misdemeanor classifications from 3 to 2, reducing petty offenses to one classification and adding a new classification of civil infraction. The possible sentence range was reduced so that a class 1 misdemeanor is punishable by up to 364 days in jail or a fine of up to \$1,000 or both, and a class 2 misdemeanor is punishable by up to 120 days in jail or a fine of up to \$750 or both. A petty offense is punishable by up to 10 days in jail or a fine of up to \$300 or both. A civil infraction is punishable by a fine of up to \$100. SB271 created procedural rules for prosecution of the new civil infractions, updated the alternate sentencing options for misdemeanors and petty offenses, and created standard earned time credits for jail sentences (specifically up to 7 days a month for regular earned time and a max of 3 additional days a month if an inmate is a trustee). The Sentencing Reform Task Force is now pivoting to rewriting the felony laws with the intention of having a chunk of that work done in time to be introduced in the 2022 legislative session. Much more to come on that....

HB21-1215 – Expansion of Justice Crime Prevention Initiative

Sponsors: Reps. Holtorf (R) and Ortiz (D) and Senators Hisey (R) and Lee (D)

House vote: 42 yes; 22 no; 3 excused

Senate vote: 28 yes; 7 no

Signed into law: 7.7.21

In 2017, CCJRC worked on legislation that created a crime prevention initiative that originally was being piloted in North Aurora and South-east Colorado Springs. The state provided funding for grants to support community-led direct services and funding for small business lending. This initiative is known as Transforming Safety. HB21-1215 expands the Transforming Safety initiative by adding two rural communities, specifically Trinidad and Grand Junction. It also extended the sunset review on this initiative to 2027. HB21-1215 also created a new small business grant program for community-based organizations that will provide training and support to foster small business ownership among people who have been involved in the criminal justice system. This training grant program is statewide and is not limited to the Transforming Safety community sites. Many thanks to the sponsors and a big shout out to all those supporters who made this happen: Juakin Mobley (Colorado Springs Works), Cory Arcarese (Colorado Enterprise Fund), Rob Smith & Theresa Rinne-Meyers (Rocky Mountain MicroFinance Institute), Danny Balles-

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Senator Lee, Governor Polis, Juquin Mobley and Cory Arcarese at the HB21-1215 bill signing

teros (graduate of small business “boot camp” program offered jointly by Second Chance Center & RMMFI & owner of Quality from Colorado, an auto repair shop in Aurora), Trinidad Mayor Phil Rico, and Grand Junction District Attorney Dan Rubinstein.

Other criminal justice reform bills that PASSED!

SB21-012 – Former Inmates with Fire Service Experience

Sponsors: Senator Donovan (D) and Rep Roberts (D)

Senate vote: 33 yes; 1 no; 1 excused

House vote: 60 yes; 3 no; 2 excused

Signed into law: 4.15.21

Reduces barriers for employment within the Division of Fire Prevention and Control for people who gained experience working wildland fire services through the DOC inmate disaster relief program. Requires the Wild-fire Matters Review Committee to explore further legislation to improve hiring of people who have been trained through the inmate disaster relief program. Congrats and many thanks to the sponsors and Justice ReSkill for their leadership on this bill.

SB21-071 – Limit the Detention of Juveniles

Sponsors: Senator Buckner (D) and Reps. Daugherty (D) and Boesenecker (D)

Senate vote: 22 yes; 13 no

House vote: 38 yes; 22 no; 5 excused; **Signed into law:** 7.6.21

Prohibits the use of monetary bonds for juveniles convicted of certain offenses. Beginning July 1, 2021, caps the amount of juvenile detention beds at 215. Adds members and responsibilities to a working group to focus on criteria for placement of juvenile offenders, examine the availability of alternatives to youth detention and the use of detention beds, and potential investments in alternatives to youth detention. Congrats and many thanks to the sponsors and ACLU-CO for their leadership on this bill.

SB21-124 – Changes to Felony Murder

Sponsors: Senator Lee (D) and Representative Weissman (D)

Senate vote: 22 yes; 13 no

House vote: 38 yes; 27 no

Signed into law: 4.26.21

Beginning September 15, 2021, will require that one of the participants in a crime, not just anyone, caused a death. Makes Felony Murder a class two felony, which does not require a sentence of life without parole. Allows for a wide range of punishments, including up to 48 years, so judges can use their discretion to sentence defendants based on the severity of the crime and level of responsibility in each case. Unfortunately, this change in the law is not retroactive and will not apply to people currently serving a prison sentence for felony murder. Congrats and many thanks to the sponsors and the Colorado Criminal Defense Bar for their leadership on this bill.

SB21-153 – Department of Corrections Offender Identification Assistance Program

Sponsors: Senators Coleman (D) and Cooke (R) and Reps. Ortiz (D) and Tipper (D)

Senate vote: 34 yes; 0 no; 1 excused

House vote: 50 yes; 13 no

Signed into law: 5.6.21

Beginning January 1, 2022, DOC **must** have a program that provides state ID's to people who are being released from DOC facilities. Beginning July 1, 2022, DOC must provide information about the implementation of the ID program on their website. Congrats and many thanks to the sponsors and Healthier Colorado for their leadership on this bill.

SB21-192 Housing Mentors in Youthful Offender Facility

Sponsors: Senator Gonzales (D) and Representative Amabile (D)

Senate vote: 35 yes; 0 no

House vote: 50 yes; 13 no; 1 excused

Signed into law: 5.6.21

Allows DOC to house inmates twenty-five years of age or older at YOS if that older inmate is less than close custody, has not been convicted of a sex crime, and will be serving as a mentor in a mentoring program for younger inmates at YOS.

SB21-193 – Protection of Pregnant People during Perinatal Period

Sponsors: Senator Buckner (D) and Representative Herod (D)

Senate vote: 22 yes; 13 no

House vote: 40 yes; 22 no; 3 excused **Signed into law:** 7.6.21

This bill had a host of provisions in it, though the pieces that are relevant to justice involved women include: beginning February 15, 2022 requires correctional facilities to report annually on the use of restraints with pregnant women to the Senate & House Judiciary Committees. The report must also contain how many women gave birth in custody during the previous calendar year. Correctional facilities that detain and incarcerate women will also need to train staff on specific issues related to pregnancy in addition to requiring facilities to provide perinatal care and other relevant provisions for women who are pregnant while in custody. Congrats and many thanks to the sponsors and Elephant Circle for their leadership on this bill.

HB21-1201 – Transparency Telecommunications Correctional Facilities

Reps. Gonzales-Gutierrez (D) and Tipper (D) and Senator Gonzales (D)

House vote: 46 yes; 17 no; 2 excused

Senate vote: 26 yes; 9 no

Signed into law: 6.30.21

Beginning Jan. 1, 2022 and every quarter after that date, requires penal telecommunication providers to provide data and records related to the services provided at correctional facilities to the public utilities commission (PUC). Correctional facilities are broadly defined and are not just limited to prisons and jails. No later than 30 days after receiving the data and information, the PUC shall post this information for the public on their website. Also, starting Jan. 1, 2022, rate caps established by the Federal Communications Commission apply to all in-state debit, prepaid, and collect calls to/from correctional facilities. Congrats and many thanks to the sponsors and ACLU-CO for their leadership on this bill.

HB21-1209 – Parole Eligibility for Youthful Offenders

Sponsors: Reps. Gonzales-Gutierrez (D) and Daugherty (D) and Senator Lee (D)

House vote: 38 yes; 27 no

Senate vote: 19 yes; 15 no; 1 excused

Signed into law: 7.6.21

Expands the JCAP program to young adults who were under the age of 21 years old when they were convicted of a serious crime and sentenced to DOC. In order to be eligible a person would have to have served 20 to 30 years of their sentence. People who have been sentenced to life without parole, convicted of or involved in a sexual offense, or is currently in or has been in a treatment program within DOC for a serious behavioral or mental health disorder are not eligible for the JCAP program. There is an exception for people who were sentenced to life without parole if a

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plea agreement was made and the person was older than 18, but younger than 21 at the time of the offense. Congrats and many thanks to the sponsors and the Public Defender's Office and the JCAP graduates who were recently released for their leadership on this bill.

HB21-1211 – Regulation of Restrictive Housing in Jail

Sponsors: Representative Amabile (D) and Senator Lee (D)

House vote: 39 yes, 23 no; 3 excused

Senate vote: 21 yes; 14 no; **Signed into law:** 6.24.21

Restricts who can be placed in restrictive housing (aka administrative segregation) in jails with over 400 beds beginning July 1, 2022. Starting January 1, 2022, requires jails to report certain metrics regarding who is housed in restrictive housing and the Division of Criminal Justice will publish the data quarterly on the already established jail dashboard. Congrats and many thanks to the sponsors and Mental Health Colorado for their leadership on this bill.

HB21-1214 – Record Sealing Collateral Consequences Reduction

Sponsors: Reps. Weissman (D) and Bacon (D) and Senators Coleman (D) and Lee (D)

House vote: 40 yes; 21 no; 4 excused

Senate vote: 24 yes; 11 no **Signed into law:** 7.6.21

This is a comprehensive record sealing bill. Highlights include creating a record sealing defense fund so that public defenders and/or alternative defense council can assist people through the record sealing process; creates a process for automatic sealing of arrest records if no charges were filed; adds more offenses that are eligible for possible record sealing; creates a process to automatically seal drug convictions; and requires the state court administrator to create a website where people can go to determine whether their record has been sealed and how to obtain a copy of the sealing order. Congrats and many thanks to the sponsors and the diverse coalition led by Interfaith Alliance and the Colorado Center for Law and Policy for their leadership on this bill.

HB21-1251 – Appropriate Use of Chemical Restraints on a Person

Sponsors: Reps. Caraveo (D) and Herod (D) and Senators Fields (D) and Gonzales (D)

House vote: 42 yes; 23 no

Senate vote: 21 yes; 13 no; **Signed into law:** 7.6.21

Describes when emergency medical service personnel may administer ketamine in a prehospital setting if law enforcement is present. Law enforcement are prohibited from using ketamine on another person or unduly influencing emergency medical service personnel from administering ketamine. Requires law enforcement who witness another law enforcement officer in violation of this law to report the violation. Outlines accountability mechanisms for officers who violate this law and requires an annual report be submitted to the legislature beginning Jan. 1, 2022 and every year after on the use of ketamine by emergency medical services personnel. Congrats and many thanks to the sponsors and advocates who supported this bill.

HB21-1280 – Pre-trial Detention Reform

Sponsors: Reps. Woodrow (R) and Gonzales-Gutierrez and Senators Lee (D) and Rodriguez (D)

House vote: 39 yes; 22 no, 4 excused

Senate vote: 30 yes; 5 no; **Signed into law:** 7.6.21

Beginning April, 1, 2022, requires a court to hold a bond setting hearing within 48 hours after a person is arrested and transported to a jail or holding center. Congrats and many thanks to the sponsors and ACLU-CO for their leadership on this bill.

HB21-1315 – Costs Assessed to Juveniles in the Criminal Justice System

Sponsors: Reps. Herod (D) and Soper (R) and Senators Moreno (D) and Gonzales (D)

House vote: 38 yes; 23 no; 4 excused

Senate vote: 27 yes; 8 no; **Signed into law:** 7.6.21

Removes certain costs and fees that a juvenile or juvenile's parents or guardians must pay. In addition, a court is prohibited from including fees related to restorative justice practices in a court order. Any outstanding balances of the fees, costs, and surcharges repealed in the bill are unenforceable and not collectable. Within 6 months after the bill goes into effect, the court is required to vacate the portion of a court order that imposes the costs. Congrats and many thanks to the sponsors and to Ann Roan (former public defender and now a defense attorney in private practice), the ACLU-CO, and the Colorado Criminal Defense Bar Association for their leadership on this bill.

Behavioral health focused legislation

HB21-1021 – Peer Support Professionals Behavioral Health

Sponsors: Reps. Pelton (R) and Caraveo (D) and Senators Zenzinger (D) and Hisey (R)

House vote: 51 yes; 12 no; 1 excused

Senate vote: 33 yes; 2 no

Signed into law: 6.18.21

Will allow peer support services to be billed under Medicaid by allowing Recovery Support Services Organizations (RSSOs) to bill for these services. Clarifies that peer support professionals can utilize telehealth in providing and billing for services and include expectations for Managed Service Organizations to invest in the state's recovery services infrastructure. (Side note: As the need for and legitimacy of peer support navigators grows, so do the professional employment opportunities for people in recovery. See Henry's article on page 6 about CCJRC's new FIP Leadership Campaign and how we want to help build this field of professionals.)

SB21-137 – Behavioral Health Recovery Act

Sponsors: Senators Pettersen (D) and Winter (D) and Reps. Michaelson-Jenet (D) and Kennedy (D)

Senate vote: 30 yes; 4 no; 1 excused

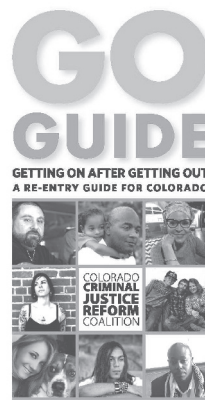
House vote: 42 yes; 23 no;

Signed into law: 6.28.21

This was a robust, omnibus behavioral health piece of legislation that addresses many of the legislative agenda items and funding that have not been fully implemented over the past two years. This legislation alone invests over \$100 million into behavioral health services the next fiscal year.

Bills that sadly did not pass:

Two bills died (SB21-062 – Jail Population Management Tools and SB21-273 – Pre-Trial Reform) that the ACLU-CO had worked hard on that were focused on reducing the number of people incarcerated in jails by mandating summons in lieu of arrest and prohibiting money-based bond for certain offenses. We have no doubt that ACLU-CO is already discussing how to bring concepts from these bills back next legislative session.



6th edition • Spring 2021

GO GUIDE -- the 6th edition!

The newest Go Guide was released in early February and is available for purchase at ccjrc.org for \$10.

If you are in prison you should be able to get one at no cost through your reentry specialist, your case manager, or the library.

If you can't get one please write to

CCJRC at 1212 Mariposa St. #6
Denver, CO 80204

DOC Visiting Has Returned

By Pam Clifton Communications Coordinator

Limited in-person visiting has reopened at Colorado Department of Corrections. There are restrictions by facility so it's important that you check their website so you know what you can and can't do. You can find that information at cdoc.colorado.gov.

Right now, there are three levels of restrictions. Step A is the most restrictive. Those Step A restrictions are in place at CCF, FCF, YOS, and TCF. The remaining state and private facilities are currently at Step B. No facilities are currently at Step C as of June 16, 2021. The most significant differences to note are that at a Step A facility there is no one under the age of 18 and only two adult visitors are allowed, and there are no special visits. Step B facilities are only allowed to have up to two minors that are 13 and older and two adults and special visits can be scheduled. Minors of any age are allowed at Step C facilities although there are currently no facilities at that status.

Step A facilities are only allowed to operate at a 25% capacity in the visiting area, while Step B facilities are allowed up to 50% capacity. Any inmate who is on quarantine or isolation status because of COVID will not be approved for in-person visitation until they are no longer on that medical status.

Filling out health screening forms will be required, and if you are running a fever, you won't be allowed to visit. All visitors must complete a COVID rapid test upon entry to the facility and prior to entry to the visiting room. If you have a positive result, CDOC will not allow you to visit. Visitors will be required to wear surgical or KN95 masks, which will be available and provided to all inmates and visitors. Other considerations and criteria may be put into place as the facility follows risk assessment guideline.

HERE WE GROW AGAIN!!

By Henry Price, FIP Leadership Coordinator

In our ever-increasing efforts to see a community of support for those who have been adversely affected by the criminal legal system, CCJRC has embarked upon the path of creating a FIP (formerly incarcerated persons) Leadership Campaign. With this campaign, the goal will be to build the field of FIP leadership for social justice reform and workforce development, as well as, to improve the quality of life for communities, families and FIP impacted by the criminal legal system.

We have currently landed on four strategies for this campaign:

- 1) Professional Development that focuses on the support of training opportunities in the healing arts such as Peer/Health Navigation and NADA (National Acupuncture Detoxification Association) certification.
- 2) Mental Wellness Promotion designed to build healthy support mechanisms for FIP as well as to decrease the burnout of direct service workers by improving the overall health of the mind, body and spirit.
- 3) Civic Engagement that encourages FIP leaders to engage in voting, policy/legislative advocacy as well as representing on boards, commissions, and other decision-making bodies.
- 4) Entrepreneurship that supports small business ownership by FIP particularly in communities that are part of the Transforming Safety initiative (N Aurora, SE Colorado Springs, Grand Junction and Trinidad).

Hopefully this excites you as much as it does me, and I am excited to share what we have been up to thus far! I look forward with anticipation on how this campaign unfolds and am eager to share with you all in the successes or failures we encounter, and openly welcome your suggestions and constructive feedback. Until next time!

Jenny Chestnut – In Memoriam

By Pam Clifton Communications Coordinator

On May 27, 2021, we sadly learned that we had lost a dear friend and one of the strongest advocates for women as they were leaving prison behind them. The words from the program at her service describe her perfectly. Butterflies...glitter...the color purple...an encouraging word...a passionate love for God and others. All these describe Jenny Chestnut, founder and Executive Director of No More Locked Doors Ministries (NMLD).

Jenny passed away in her sleep and there is a hole in our hearts that she once filled. We will miss her deeply and forever must wonder about all the work we could have done together, but for now CCJRC counts among our blessings the opportunities we did have.

After Jenny left prison behind her, she fostered a deeply passionate belief that she could help to change the lives of women who were being released from prison and in 2017 she founded NMLD with little more than that belief to guide her. Her car was her office for years as she would show up at the door of the women's prison in Denver to pick up a woman who was being released and offered her unconditional love and understanding.

Jenny knew that the world hadn't been kind to many of the women who had gone to prison, but she wanted them to know that at least one person cared, and she would be there for them. She wanted them to know that they were not alone and were valued and loved no matter their past mistakes. She wanted to share the joy that she had found in life. Jenny had over 200 clients when she passed away and every one of them and our reentry community deeply mourns her passing.

There are those of us who want to try and replicate her ministry, her hope, and her passion and we know that we might be able to provide the "things" that women need upon their release, but we will never be able to replicate Jenny's infectious love and spirit. All we can aspire to is to be more like her, but there will never be another Jenny Chestnut.



Community Corner

by Pam Clifton - Communications Coordinator

The 6th Edition of the GO Guide was released in February, 2021 and we were soon informed that we should have included a few other resources. This happens every time we release a new edition and there isn't much we can do about that except to put updates in the newsletter. We are including a "Community Corner" section in our newsletter which allows us to showcase any resources that were left out. Especially those who are run by formerly incarcerated folks. This edition we are highlighting Hazelbrook Sober Living Homes, ParadigmONE community center, Totally Interior/CREWZ work opportunities and The Master's Apprentice Construction Course. We have included contact information as well. Hope these additions in the Denver Metro area are useful.



www.HazelbrookSoberLiving.com

Fighter and the founder of Hazelbrook Sober Living and ParadigmONE. Geno says that all this is thanks to the fact that he got sober and if he can do it so can you!

Hazelbrook Sober Living is an award-winning sober housing program that is focused on giving individuals a safe and drug free environment to be successful. It is crucial to surround yourself with solid people in life, especially if you are on parole. The program is run by people in recovery and their philosophy is that being sober should be fun, which is possible! They have houses for both men and women in the Denver Metro area. Cost is \$750/mo or \$200/week and one time intake fee of \$150. They do accept parole and WAGEES housing vouchers...Intake fees may be pushed out if you are in prison.

The easiest way to coordinate move in to have your case manager email us at Karissa.Hazelbrooksoberliving@gmail.com. Phone number: 303-800-7009, Address: 16736 E Illiff Ave., Aurora, CO 80013 Email: Karissa.HazelbrookSoberLiving@gmail.com Website: Hazelbrook-SoberLiving.com

ParadigmONE is a brand new, one of a kind non-profit community center that has full contact boxing, weight training, fitness, yoga, music and DJ program, Art program, sober parties and more! You can be sober and still be a badass! ParadigmONE is a non-profit organization and all programs are free to not only all Hazelbrook Sober Living residents but anyone that is 24 hours sober.



We also have recovery coaches available that specialize in different things such as boxing or weight training that can connect with you even prior to your release to help you have a smooth transition. Reach out or have your case manager reach out to us!

Phone number: 720-709-1515.

Mailing address: 16736 E Illiff Ave Aurora, CO 80013

Email: community@paradigmone.org

Totally Interior

CONSTRUCTION CLEAN UP WORK PROGRAM

My name is Tammy Ulibarri and it is with great excitement that I am here to tell you about Totally Interior/Crewz.

Totally Interior/Crewz is a construction clean up company that offers part time temporary employment to people who are experiencing barriers to employment.

As a person who spent a total of 9 years in the criminal justice system, facing the barriers coming out of prison was like "being thrown to the wolves". When a person is involved in the system there are so many obstacles to overcome while trying to maintain employment: housing, transportation, parole meetings, UAs, and other mandatory meetings related to compliance and services.

Many employers do not have the time to worry about the days or hours you need off to complete these tasks, making options for employment limited. Not to mention the extreme stress that comes with the threat of prison looming overhead all the time. I consider myself a strong woman and the system almost broke me. That is why this project is near and dear to my heart. I want to see my community find pathways to success.

Totally Interior/Crewz empowers people to believe in themselves by removing as many barriers to success as possible while working toward the goal of achieving a fulfilling career in the construction industry. We place our employees on active construction sites where they are exposed to trades and services. Our employees receive financial stability, free education, training, and certifications while they navigate rebuilding their lives holistically within a six-month time period.

Our employees work towards a future with an opportunity to prove their work ethic and receive gainful employment with other contractors looking for reliable employee. This allows them to make a true living for our graduates and their families. Our goal is helping others achieve their American Dream! Building a career not just a job.

You can reach us: Tammy Ulibarri 720-877-4982 or Caroll Spelke 720-742-0876. We look forward to working and growing with future employees and the community. You can also write to us at 4800 Race St., Denver, CO 80216.



The Master's Apprentice is a six-week training course the offered at no cost to students. The course is offered Monday through Friday from 8 a.m. to 3 p.m. and all graduates receive job offers in the construction industry as Carpenter, Electricians, Plumber/Pipefitter, HVAC, and Masons. Incentive stipend at tool scholarships are available. Qualifications: Minimum of 18 years old and have a GED or HS Diploma. Must able to obtain a Colorado Driver's License and be able to legally work in the US, pass a drug test, be in good physical condition. Have a sincere intent to attend all classes and be on time for each one. You can apply at the mastersapprentice.org or call 303-842-5847. Their address is 646 Mariposa St., Denver, CO 80204.



1212 Mariposa St., Suite 6 Denver, CO 80204

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The Rupert -Tate Game Changer Award honors its two co-founders and their prescience in challenging the criminal justice status quo in Colorado. In 2021, it is our great honor to extend this award to

Senator Julie Gonzales

Julie is a progressive Democrat serving north, west, and downtown Denver as the state Senator for Senate District 34. With roots that stretch back generations in Colorado, Julie has spent her life organizing

working people, Latinos, and young people on issues of affordable housing, workers' rights, educational justice, immigrant rights, and criminal justice reform. In her first term, she has already established herself as one of the most effective legislators at the Capitol who serves in multiple leadership positions and has championed bills that strengthened protections for immigrant communities from ICE, repealed the death penalty, streamlined Colorado's marijuana regulations, and reduced reincarceration for technical parole violations. CCJRC has been honored to work with her on several bills and we gratefully present her with our 2021 Game Changer Award.

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

Your support makes all the difference!

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| <input type="checkbox"/> Individual \$35 | <input type="checkbox"/> Low Income/senior \$15 |
| <input type="checkbox"/> Household \$50 | <input type="checkbox"/> Prisoner Free in 2021 |
| <input type="checkbox"/> Sustainer \$100 or more | |
| <input type="checkbox"/> Freedom Fighter \$____ charge me monthly/quarterly | |

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Please return to:

CCJRC 1212 Mariposa St. #6 Denver, CO. 80204



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*Working to eliminate the
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justice system and advance
community health and safety*

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Wednesday, September 22, 2021

5:30 p.m. to 8:00 p.m.

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of Community Shares of
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