



DENVER
THE MILE HIGH CITY

Municipal Sentencing Reform

SAFEHOUSE Committee

May 3, 2017

FOR CITY SERVICES VISIT | CALL
DenverGov.org | **311**

- Currently nearly all municipal crimes carry a maximum sentence of 365 days regardless of type of offense
 - Max sentence is rarely imposed on any offense
- Municipal penalty maximums are set in state statute
 - Denver updated our maximums to conform with statutory maximums in 1993
 - Previously was a max of 180 days
 - Many local jurisdictions still carry a lower max reflecting previous statutory limits
- Progressive cities and states across the U.S. have been addressing criminal justice reform through sentencing reform efforts
 - Examples: California, Washington, Nevada, New York

*NOTE: Good time served policies effectively equate to 18 days served for every 30 days sentenced

“Quality of Life” Offenses 0-60 days	General Penalty for Most Offenses 0-300 days	Extraordinary Risk Offenses 0-365 days
<ul style="list-style-type: none"> • Panhandling • Urinating or defecating in public • Sit-Lie • Unauthorized camping • Park curfew • Encumbrances <p>No fines would be assessed</p>	<ul style="list-style-type: none"> • Simple assault • 1st or 2nd Domestic Violence • Shoplifting • Petty theft • Trespassing • Most other violations <p>Max fine \$999</p>	<ul style="list-style-type: none"> • Bias-Motivated offense • Sexually motivated offense • Offenses against at-risk persons • Assault on a law enforcement officer • Assault with bodily harm • Assault with strangulation • 3rd or more domestic violence offense <p>Max fine \$999</p>

- Bias-motivated or “hate” crime = offense committed against a person in substantial part because of their race, religion, age, mental or physical disability, gender, sexual orientation or gender identity
- Not a standalone crime; would be a sentence enhancer

- Proportionality in sentencing – the time fits the crime
- Reduce jail time for crimes associated with at-risk offenders, including those experiencing homelessness and those with behavioral health challenges
- Advances criminal justice reform efforts
- Adding a bias-motivated offense component harmonizes with state law and bridges an existing gap at the local level
- Removes the unintended consequence of subjecting people who are otherwise here legally to the risk of deportation for low level offenses, while not shielding violent offenders
- Reinforces the City’s commitment to creating a safe and welcoming environment for all residents

- Denver County Courts
- Chief State Judge
- Municipal & State Public Defenders
- Municipal & State Probation
- Denver District Attorney
- Safety agencies
- Community Corrections
- Office of Community Impact
- Criminal Justice Reform Coalition
- Ministerial Alliance
- Drug Policy Alliance
- ACLU
- NAACP
- PPA & FOP
- Anti-Defamation League
- Justice Coordinating Council
- Downtown Denver Partnership – Regulatory Working Group
- Colorado Latino Forum
- Denver Justice Project
- Colorado Immigrant Rights Coalition
- Meyer Law Firm
- The Living Waters Project

- Committee – 5/3
- Mayor-Council – 5/9
- First Reading – 5/15
- Final Reading – 5/22
- Effective Date – 6/1