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Robin Kniech
Denver City Council At-Large
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Re: Denver Community Corrections Contracts Vote

Dear Councilwoman Kniech,

I am writing both as your constituent and as a practicing criminal defense attorney to urge your yes vote on the one-year contract renewal of service providers for Denver Community Corrections (com cor). In support of this request, I ask that you seriously consider the following information from the perspective of a practitioner with nine years experience, mostly in Denver, representing the indigent accused of crimes, first as a Deputy State Public Defender and now as an independent contractor with the Office of Alternate Defense Counsel:

Com Cor is almost at capacity. There are over five hundred individuals who will be impacted by your up or down vote on this contract renewal. It is important to understand that some of these individuals were sentenced to prison and will be returned there immediately upon closure of these facilities, rather than being allowed to transition from prison to parole in a com cor environment where they would have structured supervision but also access to employment and services they cannot receive within prison walls. The dearth of services and resources within the Department of Corrections (DOC) is already driven by a historically low vacancy rate; a sudden influx of hundreds of inmates into DOC would exacerbate an existing problem.

It is also important to understand that the population that will be directly affected by your vote includes individuals who got a direct sentence to com cor on their felony case (diversion clients). This means that a district court judge weighed the risk, needs, and facts of each individual and the criminal case and decided 1) this individual is not appropriate (or, in some cases, statutorily eligible) for probation and required a higher degree of structure, and 2) this individual should not be incarcerated in DOC. Com cor is an invaluable alternative to incarceration: the only one for those who can't or don't receive a probation sentence on felony cases, including drug possession. If you vote no on this contract renewal and close the Denver com cor facilities, each and every one of those diversion clients will be returned to the Denver County Jail or Downtown Detention Center to await re-sentencing to either probation or, likely in more cases, DOC time. This would be forced by the closures and have nothing to do with the statutory purposes of sentencing in felony cases, rehabilitation, levels of risk and need or access to resources for diversion clients, or even public safety. This result could be disastrous, as well as patently unfair to clients who, through no fault of their own or action on their part, will lose a legal, judicially imposed sentence that could help them stabilize in the community and reduce their risk of recidivism.



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While I am certainly no proponent of either Corecivic or GEO or how they run their facilities, your vote on this contract renewal has nothing to do with an immigration detention center and everything to do with my clients, and hundreds of other indigent clients represented by court-appointed counsel in Denver. The answer is not to refuse to renew the contract for a year and abruptly close down the facilities so that all these clients must immediately be returned to jail or prison and face incarceration rather than com cor.

I strongly encourage you to consider either tabling the vote during the grace period in the contract (if there is one) to have the City Attorney's Office renegotiate terms you find palatable, or to vote yes tonight and work over the next year to implement real alternatives to the current com cor facilities and how they are run in Denver. I stand ready to support you in either effort, but I cannot stand by and watch the calamitous effects of a no vote on renewal of the contract, particularly given that these private corporations own their facilities, and there is no zoning in Denver currently that would allow a competitor to open different facilities. These are problems that must be solved *before* considering a refusal to renew these contracts.

If I can be of any further assistance, please do not hesitate to contact me.

Thank you for your attention in this urgent matter.

Most Sincerely,

Tristan Gorman
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Council District 9