

State needs sentencing commission

Colorado's prison population has grown at a significant rate over the last two decades. Although violent crime decreased as the prison population increased, the prison population has reached crisis levels. Our prisons are filled to capacity and we do not have the resources to build endless new prisons. Prison overcrowding is a serious problem. Something needs to be done.

If you examine who is actually in our state prisons, you will see that inmates are the violent or repeat offenders. Prisons serve a critical public safety need by protecting our communities from such offenders. But incarceration alone cannot be our only solution. In order to address prison overcrowding, we must intervene with future defendants before prison is their only option. An increased focus on prevention programs, intervention programs and re-entry programs, as well as reviewing our sentencing practices, are the best ways to address this growing crisis.



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Let's begin with sentencing. Some have proposed the creation of a sentencing commission to make recommendations for cutting sentences and releasing prisoners. I agree that such a commission should be created, but its mandate should be broad.

Such a commission must undertake a comprehensive review of Colorado's sentencing practices. The commission should:

1. Review who is currently in prison, including their sentences and their criminal histories;

2. Examine all current sentencing options;

3. Focus on our courts' sentencing practices;

4. Review what the research shows as to the effectiveness of these sentencing options;

5. Examine the programs that are most effective in reducing recidivism; and

6. Determine how to improve re-entry procedures to reduce recidivism and maximize public safety.

Beyond sentencing, this comprehensive approach should be used to review Colorado's entire criminal justice system. The following parts of the system must be examined and enhanced:

- Prevention programs: We need to keep kids on the right path and effectively intervene with at-risk kids and their families before they enter the criminal-justice system.

- Intervention programs: When a person commits a crime, the justice system needs to respond with sentences that include effective programs to address the needs of the offenders.

- Reentry programs: Fifty percent of our inmates re-offend within three years, and 60 percent within five years. We need to provide resources for programs that will reduce the rate of re-offending once inmates are released back in the community.

At the local level, we have already used new approaches to prevent crime and reduce recidivism. In the 17th Judicial District, we have:

- Created diversion programs to divert first-time offenders out of the justice system;

- Established a countywide prevention partnership for at-risk kids and their families;

- Introduced new programs such as the Safe-2-Tell school hotline, Internet safety classes and a partnership with MADD to prevent teen drinking and driving;

- Established a juvenile drug treatment court;

- Set up a pilot program placing all of a juvenile's — and his family's — cases in front of a single judge;

- Established new community-based offender program for the mentally ill; and

- Created a pilot drug court in Broomfield County.

Similar programs are being utilized across the state. However, because of limited resources, we have limited implementation. To those who doubt whether comprehensive reform can be completed on a statewide level, I say such reform is both necessary and doable. Other states, in fact, have already done it. Washington state, for example, recently completed a two-year review of its criminal justice system, the results of which can be found on this website: swsp.wa.gov.

The problem of prison overcrowding is a serious one. When it comes to criminal-justice issues, there are some who seek politically expedient "quick fixes," rather than sound, thoughtful and effective reforms. That needs to change. Spending more on effective prevention and intervention programs would significantly decrease long-term costs to society and enhance public safety by preventing crime and reducing recidivism. Doing so would require leadership that accurately portrays who is currently being sent to prison but also has the courage to rebuke opponents who say prevention and intervention means being soft on crime.

A common definition for failure is repeating the same actions over and over again, expecting a different result. This will not work anymore when it comes to the problem of prison overcrowding.

Comprehensive reform, including funding for proven prevention, intervention and reentry programs, as well as reform of our sentencing practices, are the only ways to effectively protect public safety while reducing the prison population. We need the conviction to get it done.

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