



ACLU
Colorado

2018
**LEGISLATIVE
SCORECARD**

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A NOTE FROM PUBLIC POLICY DIRECTOR DENISE MAES



COLORADO'S legislative session is 120 days and a great deal happens in these mere four months that affect many Coloradans. For example, in the 2018 session, transportation and education saw unprecedented gains in funding. The legislature infused \$645 million into multi-modal transportation and infrastructure and increased per pupil funding by \$469 per student.

Civil liberties legislation rarely gets much attention. The one exception this year was the reauthorization of the Colorado Civil Rights Division, which protects all Coloradans from discrimination in employment, housing, and public spaces. The division has been under attack stemming primarily from its role in the Masterpiece Cakeshop case. Thanks to immense public response, the commission was reauthorized this year in relatively good form, despite efforts to defund it or severely weaken its enforcement power.

In legislative sessions past, I have proudly reported unanimous victories on the legislation we proactively championed. I was told that losses would eventually come. In 2018, they did. The losses weigh heavily not simply because loss is always hard, but because these legislative efforts—had they become law—would have brought relief to many Coloradans.

We were unsuccessful in our attempt to implement a statewide court reminder program. Such a program would greatly reduce the number of failure to appear warrants, and therefore, the number of people in our coun-

ty jails. We also attempted to bring greater transparency to police internal affairs' files, to no avail. Our efforts to stop the practice of revoking an individual's driver's license for their failure to pay a traffic-related fee was also rejected.

Our gains, however, are not insignificant. We championed a bill sponsored by Sen. Vicki Marble and Rep. Susan Lontine that will bring independent and robust public defenders to all Colorado municipal courts. Incarcerating kids for missing school is a harsh punishment. Thanks to Sen. Chris Holbert and Rep. Pete Lee, this practice is now limited.

We also championed a bill expanding voting rights in Colorado by ensuring that all eligible voters in county jails are able to vote. Ultimately, the Secretary of State acknowledged that legislation was not necessary and agreed to implement rules facilitating in-jail voting. This practice will be fully implemented in time for the 2018 general election.

Through our work with juvenile justice advocates, we learned that the Department of Youth Services was not providing bras to teenage girls in their care. We brought this matter to the attention of Rep. Leslie Herod, and she pushed the Department to fund bras for these teenagers. The small price tag of \$40,000 matters a great deal to our girls in youth services.

We're gearing up now for the 2019 session, where much of what we can accomplish will be directly impacted by the results of the statewide elections in November. Be sure to vote!

ABOUT THIS SCORECARD

HOW WE CHOSE THE SCORED BILLS

While the ACLU of Colorado took a position on more than 100 pieces of legislation in 2018 alone, our practice is to only score bills that were voted on by all members of at least one legislative chamber. This precluded us from scoring several bills, including attacks on reproductive rights that were rightly defeated in committee. From there, we chose the bills that we felt were the best representations of the civil liberties issues facing Colorado today.

PURPOSE OF THE SCORECARD

The purpose of this scorecard is to inform our supporters and the general public of where their legislators stand on civil liberties issues. Legislators may promise many things while running for office, but there is no substitute for an actual vote. The scorecard is in no way meant to be construed as an endorsement of legislators who score well or a statement of opposition against those who do not.

ACLU PERCENT

The ACLU Percent reflects the percentage of scored bills in which each legislator voted favorably with the ACLU's position. If a legislator did not vote on a particular bill (marked as "E" for "excused" on the scorecard) their percentage score does not include that bill.

BILLS WE SCORED

HB 1404, "PEACE OFFICER INTERNAL INVESTIGATION OPEN RECORDS"

This bill would have required the public disclosure of internal investigation records related to the conduct of an on-duty or in-uniform peace officer involving a member of the public. *While it passed in the House, HB 1404 failed to get out of committee in the Senate.*

SB 203, "CONFLICT-FREE REPRESENTATION IN MUNICIPAL COURTS"

This bill requires each municipality to provide non-partisan, independent defense counsel for each indigent defendant facing possible jail time for municipal ordinance violations. *SB 203 passed in both houses and was signed into law by Gov. John Hickenlooper on June 1, 2018.*

SB 150, "VOTER REGISTRATION INDIVIDUALS CRIMINAL JUSTICE SYSTEM"

This bill facilitates voter registration of individuals in the criminal justice system. For example, it contains measures allowing people on parole to preregister to vote. *SB 150 passed in both houses and was signed into law by Gov. John Hickenlooper on May 29, 2018.*

HB 1029, "LOWERING MANDATORY PAROLE FROM 5 YEARS TO 3 YEARS"

This bill lowers the length of mandatory parole for a class 2 felony (if the offense is not a crime of violence) and a class 3 felony from 5 years to 3 years. *HB 1029 passed in both houses and was signed into law by Gov. John Hickenlooper on April 23, 2018.*

HB 1251, "COMMUNITY CORRECTIONS TRANSITION PLACEMENTS"

This bill improves the efficiency of the process of placing people who are on parole in community corrections programs. *HB 1251 passed in both houses and was signed into law by Gov. John Hickenlooper on May 29, 2018.*

SB 274, "IMPLEMENT PRISON UTILIZATION STUDIES"

This bill would have appropriated money to implement the recommendations put forth by studies of prison facility utilization. This bill would have, among other things, opened a new, for-profit correctional housing facility in Centennial. *While it passed in the Senate, SB 274 failed to get out of committee in the House.*

**COLORADO
STATE SENATE**

Conflict-Free Representation In Municipal Courts	Voter Registration Individuals Criminal Justice System	Community Corrections Transition Placements	Implement Prison Utilization Studies	Lowering Mandatory Parole From 5 Years to 3 Years
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ACLU OF CO POSITION	SUPPORT	SUPPORT	SUPPORT	OPPOSE	SUPPORT	
SENATOR	Vote on SB 203	Vote on SB 150	Vote on HB 1251	Vote on SB 274	Vote on HB 1029	ACLU PERCENT
Irene Aguilar (D)	Y	Y	Y	Y	Y	80%
Randy Baumgardner (R)	E	N	E	E	Y	*
John Cooke (R)	N	N	Y	Y	Y	40%
Don Coram (R)	N	Y	Y	Y	N	40%
Lois Court (D)	Y	Y	Y	Y	Y	80%
Larry Crowder (R)	Y	Y	Y	Y	Y	80%
Kerry Donovan (D)	Y	Y	Y	Y	Y	80%
Stephen Fenberg (D)	Y	Y	Y	Y	Y	80%
Rhonda Fields (D)	Y	Y	Y	Y	Y	80%
Leroy Garcia (D)	Y	Y	Y	Y	Y	80%
Bob Gardner (R)	N	N	Y	Y	N	20%
Kevin Grantham (R)	N	Y	Y	Y	Y	60%
Lucia Guzman (D)	Y	Y	Y	Y	E	75%
Owen Hill (R)	N	Y	Y	Y	Y	60%
Chris Holbert (R)	Y	N	Y	Y	N	40%
Cheri Jahn (U)	Y	Y	Y	Y	Y	80%
Matt Jones (D)	Y	Y	Y	Y	Y	80%
Daniel Kagan (D)	Y	Y	Y	Y	Y	80%
John Kefalas (D)	Y	Y	Y	Y	Y	80%
Andy Kerr (D)	Y	Y	Y	Y	Y	80%
Kent Lambert (R)	N	N	Y	Y	Y	40%
Kevin Lundberg (R)	Y	Y	Y	Y	Y	80%
Vicki Marble (R)	Y	N	Y	Y	N	40%
Beth Martinez Humenik (R)	Y	Y	Y	Y	Y	80%
Michael Merrifield (D)	Y	Y	Y	Y	Y	80%
Dominick Moreno (D)	Y	Y	Y	Y	Y	80%
Tim Neville (R)	Y	N	Y	Y	Y	60%
Kevin Priola (R)	Y	N	Y	Y	Y	60%
Ray Scott (R)	Y	N	Y	Y	N	40%
Jim Smallwood (R)	Y	N	Y	Y	Y	60%
Jerry Sonnenberg (R)	N	N	Y	Y	N	20%
Jack Tate (R)	Y	Y	Y	Y	Y	80%
Nancy Todd (D)	Y	Y	Y	Y	Y	80%
Angela Williams (D)	Y	Y	Y	Y	Y	80%
Rachel Zenzinger (D)	N	Y	Y	Y	Y	60%

*During the legislative session, Sen. Randy Baumgardner was removed from his committee assignments and, as a result, did not vote on the majority of the bills scored. Consequently, Baumgardner was excluded from scoring in this 2018 legislative scorecard.

COLORADO
STATE HOUSE OF
REPRESENTATIVES



	Peace Officer Internal Inves- tigation Open Records	Conflict-Free Representation In Municipal Courts	Voter Registra- tion Individ- uals Criminal Justice System	Community Corrections Transition Placements	Lowering Man- datory Parole From 5 Years to 3 Years	
ACLU OF CO POSITION	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	
REPRESENTATIVE	Vote on HB 1404	Vote on SB 203	Vote on SB 150	Vote on HB 1251	Vote on HB 1029	ACLU PERCENT
Jeni James Arndt (D)	N	Y	Y	Y	Y	80%
Jon Becker (R)	N	N	N	Y	E	25%
KC Becker (D)	Y	Y	Y	Y	Y	100%
Susan Beckman (R)	N	N	Y	Y	N	40%
Adrienne Benavidez (D)	Y	N	E	E	Y	67%
Jeff Bridges (D)	Y	Y	Y	Y	Y	100%
Perry Buck (R)	N	N	N	Y	N	20%
Janet Buckner (D)	Y	Y	Y	Y	Y	100%
Terri Carver (R)	N	N	N	Y	Y	40%
Marc Catlin (R)	N	N	N	Y	Y	40%
James Coleman (D)	Y	Y	Y	Y	Y	100%
Phil Covarrubias (R)	N	N	N	E	Y	25%
Jessie Danielson (D)	Y	Y	Y	Y	Y	100%
Crisanta Duran (D)	Y	Y	Y	Y	Y	100%
Daneya Esgar (D)	Y	Y	Y	Y	Y	100%
Justin Everett (R)	Y	N	N	N	N	20%
Tony Exum (D)	Y	Y	Y	Y	Y	100%
Mike Foote (D)	N	Y	Y	Y	Y	80%
Alec Garnett (D)	Y	Y	Y	Y	Y	100%
Joann Ginal (D)	Y	Y	Y	E	Y	100%
Matt Gray (D)	Y	Y	Y	Y	Y	100%
Millie Hamner (D)	N	Y	Y	Y	Y	80%
Chis Hansen (D)	Y	Y	Y	Y	Y	100%
Leslie Herod (D)	Y	Y	Y	Y	Y	100%
Edie Hooton (D)	Y	Y	Y	Y	Y	100%
Stephen Humphrey (R)	Y	N	N	N	N	20%
Dominique Jackson (D)	Y	Y	Y	Y	E	100%
Chris Kennedy (D)	Y	Y	Y	Y	Y	100%
Tracy Kraft-Tharp (D)	Y	Y	Y	Y	Y	100%
Lois Landgraf (R)	N	N	N	Y	N	20%
Polly Lawrence (R)	N	N	N	Y	N	20%
Pete Lee (D)	Y	Y	Y	Y	Y	100%
Timothy Leonard (R)	Y	Y	N	N	N	40%

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ACLU OF CO POSITION	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	
REPRESENTATIVE	Vote on HB 1404	Vote on SB 203	Vote on SB 150	Vote on HB 1251	Vote on HB 1029	ACLU PERCENT
Kimmi Lewis (R)	N	N	E	Y	N	25%
Larry Liston (R)	N	N	N	Y	Y	40%
Susan Lontine (D)	Y	Y	Y	Y	Y	100%
Paul Lundeen (R)	N	N	N	Y	Y	40%
Hugh McKean (R)	N	N	Y	Y	Y	60%
Barbara McLachlan (D)	Y	Y	Y	Y	Y	100%
Jovan Melton (D)	Y	Y	Y	Y	Y	100%
Dafna Michaelson Jenet (D)	Y	Y	Y	Y	Y	100%
Patrick Neville (R)	Y	N	N	Y	Y	60%
Dan Pabon (D)	Y	Y	Y	Y	Y	100%
Brittany Pettersen (D)	Y	Y	Y	Y	Y	100%
Bob Rankin (R)	N	N	N	Y	Y	40%
Kim Ransom (R)	N	N	N	Y	N	20%
Judy Reyher (R)	N	N	N	Y	Y	40%
Dylan Roberts (D)	N	Y	Y	Y	Y	80%
Paul Rosenthal (D)	Y	Y	Y	Y	Y	100%
Lori Saine (R)	Y	N	N	Y	E	50%
Joseph Salazar (D)	Y	Y	Y	E	Y	100%
Shane Sandridge (R)	N	N	N	N	N	0%
Lang Sias (R)	N	N	N	Y	Y	40%
Jonathan Singer (D)	Y	Y	Y	Y	Y	100%
Dan Thurlow (R)	N	N	N	Y	Y	40%
Donald Valdez (D)	Y	Y	Y	Y	Y	100%
Kevin Van Winkle (R)	Y	N	N	Y	N	40%
Mike Weissman (D)	Y	Y	Y	Y	Y	100%
Yeulin Willett (R)	N	N	N	Y	Y	40%
Dave Williams (R)	Y	N	N	Y	E	50%
James Wilson (R)	N	N	N	Y	Y	40%
Alexander Winkler (R)	Y	N	N	Y	Y	60%
Faith Winter (D)	Y	Y	Y	Y	Y	100%
Cole Wist (R)	N	N	N	Y	Y	40%
Dave Young (D)	Y	Y	Y	Y	Y	100%