



17th Judicial District

(Adams and Broomfield Counties)

District Attorney Candidate

2020 Voter Guide

Mark Your Calendars!

Election Day: Tuesday, November 3

Register to Vote: Visit the Colorado Secretary of State's election website, GoVoteColorado.com, to register online, [verify your registration](#), and update your information.

In Colorado, you can register and vote on the same day, including Election Day, at any Voter Service and Polling Center.

You must be registered by October 26, 2020 to receive a ballot in the mail.

Vote in Person: Beginning October 26, voters can vote in person at any Voter Service and Polling Center (VSPC). On Election Day, VSPCs will be open 7 a.m.-7 p.m.

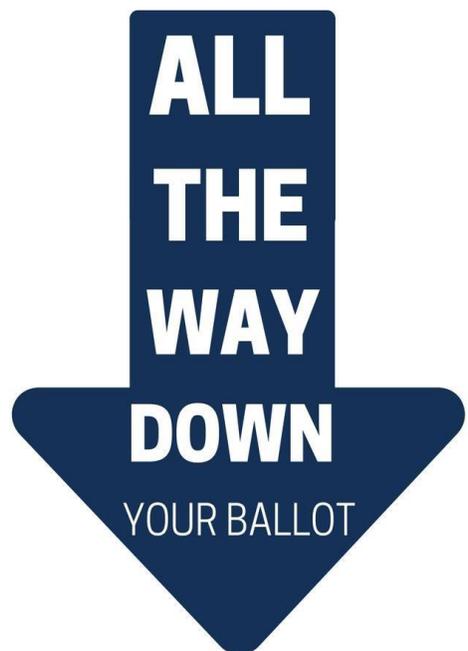
[Find your county clerk's website for VSPC locations and other local election information.](#)

Vote by Mail: Beginning October 9, ballots will be mailed to every active registered voter in Colorado. Please fill out your ballot, remember to sign it, and mail it back as quickly as possible to ensure it arrives by November 3 at 7 p.m.

MAKE YOUR VOTE COUNT



Be Sure To Vote



District attorneys prosecute state crimes, decide which charges are filed, and have the power to dismiss charges or divert people to treatment or other programs. They are also highly influential in state and local politics. In Colorado, DAs are elected in each of the state’s 22 judicial districts, all of which will be holding elections in 2020.

Founded in 2020, CCJRC4Action is a nonprofit organization dedicated to advancing electoral and policy strategies aimed at eliminating overuse of the criminal justice system and advancing racial justice in Colorado. We engage in public education, policy advocacy, prosecutorial accountability, and building political power in communities most impacted by crime, mass incarceration and over-criminalization.

CCJRC4Action is the 501(c)(4) affiliate of the Colorado Criminal Justice Reform Coalition, a 501(c)(3) nonprofit organization founded in 1999.

CCJRC4Action extends the KNOW YOUR DA campaign to help voters be more educated about DA candidates around the state. This campaign will continue to educate the public for each District Attorney Election cycle to promote more community engagement to improve transparency, accountability and relationship with elected District Attorneys. Go to www.ccjrc4action.org to learn more and get involved.

The power of the state to punish for crimes is profound, and the prosecutor directs this awesome power. How might ‘We the People’ control the choices of such a pivotal public servant?

Ronald F. Wright -Professor at Wake Forest University

DID YOU KNOW

DA’s have decision-making power to determine:

- Whether or not to file criminal charges
- Plea-bargaining
- Whether or not a diversion program is implemented
- Services, compensation and funding for victims of crime

DA’s have power and influence beyond the courtroom!

- Public policy at the state and local level
- State and local budgets
- Public opinion on safety, equity, and justice issues
- Other government and elected officials

In 2020, there are two candidates running for District Attorney in the 17th Judicial District : Brian Mason (D) and Tim McCormack (R).

CCJRC 4 Action submitted a written candidate questionnaire to both Mr. Mason and Mr. McCormack. Both submitted responses which are reprinted verbatim and, in their entirety, are presented in alphabetical order. We thank the candidates for their participation.

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CCJRC 4 Action publishes this District Attorney Voter Guide for educational purposes only. The views expressed by the candidates are their own.



JD17 Candidate: Brian Mason (D)

Section #1: People are interested in your perspective on key social justice issues. Please answer the follow questions:

- 1. Why are you running for District Attorney including what qualifications do you bring to this elected position, and what will be the priorities of your administration, including any areas of improvement and measures of success?**

I am running for District Attorney to bring justice with integrity to Colorado's 17th Judicial District (Adams & Broomfield Counties.) My priorities as the next DA are 1) to ensure community safety; 2) to make our criminal justice system fairer and more just; 3) to address racial inequities in our criminal justice system and combat the school to prison pipeline; 4) to prioritize crime prevention and community outreach; and 5) to be a leader of integrity for our office, our community and our state.

My mantra as a prosecutor is: to do the right thing, at all times, in every case, no matter what. That is what I will bring to my role as the District Attorney and is what I will expect from those I lead.

- 2. How would you describe your idea of justice, the purposes of sentencing, and whether you believe our current system is meeting those purposes in the Judicial District you would like to serve as the elected District Attorney?**

As stated above, my mantra is: to do the right thing, at all times, in every case, no matter what. That's what justice means to me. Doing the right thing requires integrity and it requires compassion; compassion for the most vulnerable among us and those who have been victimized, but also compassion for those who make bad decisions and find themselves in the criminal justice system because of them.

There are many purposes of sentencing, including accountability, deterrence, rehabilitation and, most important, community safety. As the next District Attorney, I will address the many inequities in our criminal justice system and strive to make it fair and just for all who are in it.

3. How do you think that Colorado can reduce the Department of Corrections budget which is likely to be over \$1 billion dollars in the upcoming fiscal year, for the first time in state history?

I am a strong proponent of alternatives to incarceration, such as diversion programs, deferred judgements, and specialty courts, in order to keep our prison population down and to only send people to prison who truly need to be there.

4. There is a narrative that tries to explain racial disparity in the criminal justice system as a consequence that people of color just commit more crime. Do you believe there is racial disparity in the criminal justice system? If so, please discuss what you believe to be root causes of that disparity and, if not, please share the basis for that opinion.

There are, absolutely, racial disparities in the criminal justice system. Any argument to the contrary defies facts and common sense. The reasons for these disparities are too numerous to list here, but can certainly be traced, among other causes, to the disparate treatment of Black defendants in the so-called "War on Drugs." I recommend reading Michelle Alexander's book *The New Jim Crow*, as I have, to have a better understanding of this important issue.

5. What formal policies would you be willing to adopt regarding the consideration of immigration consequences for noncitizen defendants in the plea negotiation and sentencing recommendations and U visa protections for immigrant survivors of crime?

Immigration status is one of many factors that a Deputy District Attorney may consider when fashioning a plea that is fair and just to the defendant, the victim and the community. I teach my young attorneys this now and would continue to do so as the elected District Attorney.

Immigrants who are survivors of crime often experience hardship after hardship in order to cooperate with law enforcement in the prosecution of a criminal defendant. For many, applying for a U visa is an important and necessary step. I will consider all such U visa applications with fairness, justice and integrity.

6. People with a criminal conviction can face long-term barriers to housing, employment and other collateral consequences as a result of having a criminal record. What, if any, strategies would you support that could mitigate unnecessary collateral consequences?

As an elected District Attorney, I will support policies that address the collateral consequences of a felony conviction. Once a person has paid his price to society, he should not face obstacles to reentry which could cause him to commit more crimes. I support the "ban the box" movement so that people with criminal histories can seek meaningful employment. I support eliminating discrimination in housing policies

that prevent people with criminal records from applying for subsidized housing. It is in everyone's interest to help those who have struggled with the law get back onto a better path. That's not only the right thing to do, it's just good public policy.

- 7. What is your perspective on the availability and adequacy of crime survivor services, in general, and specifically what steps would you take to better meet the needs of underserved crime survivors? (*By underserved, we mean low-income, people of color, men, LGBTQ, and crime survivors who also have a criminal background.*)**

Fighting for victims of crime is one of my main priorities as District Attorney. This includes fighting for better services for them. Specifically, I will advocate for and help assemble support for the building of a Family Justice Center in my Judicial District (Adams & Broomfield Counties) to better serve all victims of crime.

- 8. Are there any things your administration would change with regard to the prosecution and sentencing recommendations related to women? If so, what changes would you make and why?**

I teach my prosecutors to do the right thing in all cases, no matter what. This is true regardless of a person's gender. That said, we often get cases where a woman has been accused of domestic violence when, in reality, she has been the victim of domestic violence for a long time. It's our job as prosecutors to figure that out and to prosecute the true offender, who is often a male. I am also a strong supporter of the Female Offender Program, which specifically serves women offenders.

- 9. There is very little information available to the public about the decision-making and outcomes of the District Attorney's Office. What would you do to improve the transparency of the District Attorney's Office, including what data would you make available to the public, what method would you use to inform the public, and what formal opportunities would you put in place to receive community input?**

The criminal justice system is under scrutiny as never before and District Attorney's need to respond accordingly. This includes being more transparent. Engaging with the public is one of my top priorities as the next DA. Members of the public should have access to their District Attorney just like they should have access to their other public officials. I will hold town hall meetings when I am in office in order to be more transparent with the community I serve. I will set up a Community Review Board made up of non-law enforcement members of the community to advise the DA's Office and to review major cases, such as those where officers are involved in shootings. Finally, I will institute data collection practices and will make appropriate data available to the public.

10.If elected DA, what would be your approach to defendants whose criminal conduct is solely or largely related to an underlying addiction or mental illness?

We have a crisis of mental illness as well as addiction in the criminal justice system. As much as is possible, I want those with mental illness and addictions to be treated, not locked up. That’s why I’m strong proponent of mental health treatment programs and specialty courts that treat rather than incarcerate.

11.If elected DA, would you support an effort to re-institute the death penalty in Colorado?

No.

12.Do you think the current system related to bail is adequate in determining pretrial detention that mitigates the chances that lower income people will be held pretrial simply because they cannot afford to make bond. If so, what are the strengths of the current bail system and what would you change?

No one should be kept in jail simply because they are poor. I support responsible bail reform efforts which prioritize community safety, ensure that the accused return for their court dates, and that do not discriminate based on a person’s socioeconomic status.

Section #2: People would like to know your views about unilateral discretion, potential reforms, and treatment of the accused. Please answer the following questions by placing an “X” in the column that best represents your answer to each of the following questions:

***Mr. Mason answer**

	Yes	No	Maybe	Pass
1. Will your office track and publicly release race and ethnicity data, permit an independent, outside source to review the data, evaluate disparities, and make publicly reported recommendations to reduce them?	X			
2. Colorado’s habitual criminal statute eliminates judicial discretion and requires mandatory prison sentences of 300% or 400% above the normal maximum sentence. Would you support reform of the habitual criminal statute to lower these harsh mandatory sentences and narrow the circumstances where the habitual criminal statute may be used by prosecutors?	X			
3. In Colorado, the statute known as the two prior felony rule gives the prosecutor the sole power to determine whether a person can be probation	X			

eligible for a third felony offense. Would you support the elimination of the two prior felony rule so that judges -and not prosecutors - have the power to determine whether probation is appropriate in a particular case?				
4. Would you support reduction of the felony murder statue from an F1 offense carrying a life sentence to an F2 offense?			X	
5. As provided for in state law, will you commit to a formal policy to develop criteria and consent to the issuance of a summons in lieu of warrant by law enforcement officers for misdemeanors and low-level felonies?	X			
6. Will you commit to reducing the number of people sent to jail or prison from the 17th Judicial District by 25% by the end of your first term?		X		
7. Will you adopt a written policy to direct prosecutors to favorably consider immigration consequences in plea negotiations and post-conviction cases?		X		
8. Will you commit to swiftly and thoroughly investigating officer-involved killings to determine if criminal charges against the police officer are warranted, and, where charges are not filed, make your investigation and findings publicly available?	X			
9. Will you decline to prosecute simple misdemeanor drug possession cases?		X		
10. Local criminal legal systems disproportionately harm people living in poverty. Will you commit to a 25% reduction in prosecution of quality-of-life offenses - including trespass, public urination, and driving without a license -that carry devastating consequences for people living in poverty?		X		



JD17 Candidate: Tim McCormack (R)

Section #1: People are interested in your perspective on key social justice issues. Please answer the follow questions:

- 1. Why are you running for District Attorney including what qualifications do you bring to this elected position, and what will be the priorities of your administration, including any areas of improvement and measures of success?**

As the most experienced prosecutor, attorney and criminal justice candidate in this race, I am running for District Attorney for Adams and Broomfield counties because of my proven track record of experience and integrity and to provide servant leadership to the communities in which I live and have worked in. The top priority of my administration will be to return experience, integrity, ethics, unbiased decision-making and servant leadership back to the Office of District Attorney.

Born in Great Falls, Montana, I graduated from Grand Junction High School and earned degrees from Colorado State University and Creighton School of Law. I have practiced law in both Wyoming and Colorado. We've raised our family in Adams County for over 20 years.

I am a prosecutor, not a politician. A District Attorney should pursue justice and public safety without any pre-determined agenda. The position of District Attorney should be about qualified experience in the criminal justice system, a proven track record of collaboration and the ability to problem solve. It should ***not*** be about politics, political opportunities or a launching pad for political careers.

There is a dire need for change in the District Attorney's Office for Adams and Broomfield counties. Over the past years, the Office of the 17th Judicial District Attorney has seen controversy, misfeasance, lack of transparency and historic employee turnover. Law enforcement and the judicial system should be the epitome of integrity and unfortunately in the 17th Judicial District, they have lost sight of that.

As a former Chief Trial Deputy in the 17th Judicial District I was responsible for the mentoring and training of numerous attorneys, involved in the daily management operations of the office and held a supervisory role in every division. I have practiced and taught prosecutors who I have worked with, supervised and mentored over my career to distinguish between good citizens who have made

mistakes and criminals who prey upon our communities and that there is a difference between human frailty and genuine evil and to act accordingly in the disposition of their cases.

I pledge to lead that change away from the scandal plagued mismanagement of the current administration. As District Attorney, I understand the need for accountability and reform in the criminal justice system and law enforcement and will work to bring back the respect and trust in our elected officials and law enforcement. I have developed and maintained collaborative and productive working relationships with community leaders and criminal justice service providers and will continue to do so.

As District Attorney, prosecutors will be trained adequately to handle the burgeoning case-loads, how to properly evaluate a case for plea purposes and understand the impact that addiction, mental health and other afflictions have in the criminal justice system. A more expansive use of specialty courts should be employed as well as the implementation of early intervention programs to assist youth and minorities from being embedded in the criminal justice system while maintaining public safety.

2. How would you describe your idea of justice, the purposes of sentencing, and whether you believe our current system is meeting those purposes in the Judicial District you would like to serve as the elected District Attorney?

A District Attorney has great discretion in any filing determination or decision. The idea of justice is doing the right, fair and ethical thing in every case. The ability to listen is also a pivotal to the idea of justice. Listening to law enforcement, victims of crimes, defense attorneys, support staff, criminal justice service providers and the courts is important in achieving justice for everyone involved.

The purpose and goals of sentencing are many. One such purpose and goal is to deter future crimes and criminal activity of the offender and others in society that may be considering committing the same crime. However, one of the most important aspects of sentencing is rehabilitation and amenity to rehabilitation of the offender with the best possible outcome being protection of society and allowing the offender to be removed from the criminal justice system.

The current system in the 17th Judicial District can do better in terms of meeting the needs of public safety and offenders through better resolution of cases and more appropriate plea bargains that take into consideration public safety, the circumstances of the offender and communicating and collaborating better with criminal justice providers in determining the most appropriate and least restrictive measures in imposing sentences. Rehabilitation and treatment are necessary and essential in our criminal justice system. Criminal justice reform has emphasized these areas. While treatment and rehabilitation are important goals for everyone, the reality is our system does not provide enough resources to meet these goals. As

your elected District Attorney, I will make it a priority to work with other community leaders and the State to get the resources we need. Providing treatment and rehabilitating offenders will prevent criminal activity in the long run and reduce recidivism. Preventing crime and prosecuting crime is exactly what I will do.

3. How do you think that Colorado can reduce the Department of Corrections budget which is likely to be over \$1 billion dollars in the upcoming fiscal year, for the first time in state history?

We all have a responsibility, even as District Attorney, to work towards reducing taxpayer budgets. While any potential fiscal reduction of the Colorado Department of Corrections' budget is within the sound discretion of the State Legislature, as District Attorney, alternatives to incarceration and assisting in the reduction of incarcerated Department of Corrections offenders should be considered.

A District Attorney's top priority should be the public safety for the communities served and to work diligently in and with those communities to reduce crime in the first place. Exploring alternatives to incarceration as well as expanding existing programs addressing mental health, addiction issues and juveniles' exposure to the criminal justice system need to be considered for offenders short of incarceration. Programs such as early crime prevention intervention, diversion and community-based programs have proven effective when utilized correctly in keeping offenders out of the criminal justice system and prison. Alternatives to diverting nonviolent offenders from incarceration into other forms of punishment and rehabilitation are also effective without compromising public safety.

This is not a partisan issue and no matter your political affiliation, providing treatment and alternative sentencing options benefits all of us. Substance abuse treatment provided and delivered in the community, as well as community based programs, have been proven to be more cost-effective than incarceration and work to improve public safety. Community-based alternatives to incarceration allow nonviolent offenders or those suffering from addiction or mental health issues to remain in the community with educational and employment opportunities and the ability to rely on family and other grounded support systems.

Lastly, for our youth, there are a growing number of evidence-based alternatives that cost less and are more effective than incarceration. Programs that involve early intervention crime prevention, diversion and treatment or counseling that maintains public safety while keeping juvenile offenders from becoming entrenched in the criminal justice system have proven to be effective fiscally and less expensive than incarceration.

4. There is a narrative that tries to explain racial disparity in the criminal justice system as a consequence that people of color just commit more crime. Do you believe there is racial disparity in the criminal justice system? If so, please

discuss what you believe to be root causes of that disparity and, if not, please share the basis for that opinion.

Unfortunately, racial disparity exists in every system in our country, including the criminal justice system. Systematic discrimination is among the most despicable injustices imaginable and has no place in the criminal justice system. As District Attorney, education regarding this issue would be vitally important in my administration and office as a whole. A resolute focus would be on training attorney's, staff and law enforcement to identify implicit bias or racial disparity and once identified, exclude it from consideration in filing decisions, charges, plea dispositions and sentencing recommendations to the courts.

As a prosecutor of 28 years, I would mandate that any decisions made be based on the seriousness of the crime, the facts of the case, the amount of evidence available to prove guilt and the prior criminal record of the offender regardless of race or gender.

5. What formal policies would you be willing to adopt regarding the consideration of immigration consequences for noncitizen defendants in the plea negotiation and sentencing recommendations and U visa protections for immigrant victims of crime?

As District Attorney, we must consider the collateral consequences if we are to see that justice is truly achieved. District Attorneys who serve their communities must comprehend and understand the full range of consequences that flow from a crucial conviction.

Immigrant victims of crime are one of the most vulnerable communities and routinely subjected to being preyed upon. Further, there is a natural reluctance by immigrant victims of crime to cooperate with law enforcement and prosecution for fear of collateral consequences. As District Attorney, I would formulate outreach programs to these communities to establish better and more trusting relationships to support and encourage cooperation with the criminal justice system when they unfortunately find themselves to be victims of crimes. Having utilized the U-Visa protections for immigrant victims of crime successfully in the past, those determinations are made on a case-by-case basis with the fundamental goal being safety for the victim.

In my 28 years of experience I recognize that at times the collateral consequences of a conviction are so severe that we are unable to deliver a proportionate penalty in the criminal justice system without disproportionate collateral consequences. Therefore, a prosecutor should cooperate with the defense counsel at all stages of the criminal process to ensure the attainment of justice and the most appropriate disposition of each case.

6. People with a criminal conviction can face long-term barriers to housing, employment and other collateral consequences as a result of having a criminal record. What, if any, strategies would you support that could mitigate unnecessary collateral consequences?

Collateral consequences should be tailored to serve public safety. Often these types of consequences can and should be alleviated through legislative action. Negative impacts of collateral consequences on a returning resident's chances of successful re-entry into their community is well documented.

Recently, the "Increased Eligibility for Criminal Record Sealing" was passed by the legislature and signed into law. Under this law, greater relief is provided allowing for the "sealing" of criminal records for a more expanded class of crimes. This will allow more people to qualify to request to have their criminal records sealed and combat more effectively the collateral consequences of having a criminal record.

A District Attorney has the ability to plea-bargain cases and plea bargaining plays an important role in the criminal justice process. Prosecutors should be encouraged to consider both collateral and direct consequences of plea bargaining process. Enhanced training and structure in the plea-bargaining process and sentencing recommendations with a goal towards minimizing these consequences is a considered strategy provided public safety and victim rights are not compromised.

7. What is your perspective on the availability and adequacy of crime survivor services, in general, and specifically what steps would you take to better meet the needs of underserved crime survivors? (By underserved, we mean low-income, people of color, men, LGBTQ, and crime survivors who also have a criminal background.)

Most, if not all, District Attorney's Offices have Victim's Services units that are maintained by dedicated, professionally trained victim service providers/advocates. These units play a significant and pivotal role in the criminal justice system and work tirelessly on behalf of victims of crime by providing emotional support, victims' rights information, assist in finding needed resources and assistance in filling out crime victim related forms. Often, this support also includes accompanying victims and their family through the criminal justice process and proceedings.

In April 2018, the Colorado Criminal Justice Reform Coalition (CCJRC) published a study of a survey of crime victims throughout the Denver metro area. (Victims Speak – Better Understanding the Needs and Experiences of Crime Survivors. CCJRC, April 2018). Numerous findings were profound showing the need for better outreach and awareness of victim services. Of concern, African-American and male victims were found to be the least likely to receive services even though they were interested in services, but unaware of potential services that could be provided.

Anyone can be a victim of crime and all victims of crime deserve to be treated with dignity and respect regardless of their income, race, gender, sexual orientation or if they have a criminal background. As District Attorney, I would endeavor to establish a robust victim outreach program to ensure that all victims including underserved victims have ready access to comprehensive and effective services that they feel they may need. This would require effective communication skills and could come in the form of reaching out to victims immediately to assess needs or applicable services, coordinating meetings with the assigned case prosecutor, guiding them through the process and alleviating concerns with the criminal justice system.

Are there any things your administration would change with regard to the prosecution and sentencing recommendations related to women? If so, what changes would you make and why? A District Attorney's primary duty is to see that the law is enforced in order to keep their community's safe and to seek justice and not merely convictions. As a prosecutor of 28 years, I have reviewed thousands of cases and any decisions regarding the case were made based on the seriousness of the crime, the facts of the case, the amount of evidence available to prove guilt and the prior criminal record of the offender. A fair and thorough assessment in any case should be made independent of the sex of the accused and based on the facts presented and applicable law.

A fact that cannot be ignored is that women have been victimized at a greater rate than men because of domestic and sexual abuse. As your District Attorney, it will be a priority of mine to advocate for all victims, but especially women who so often do not have a voice or an advocate in the criminal justice system. That includes the sentencing phase in which consideration would be given to the facts and circumstances surrounding the crime, any mitigation presented and any applicable history of the offender.

8. There is very little information available to the public about the decision-making and outcomes of the District Attorney's Office. What would you do to improve the transparency of the District Attorney's Office, including what data would you make available to the public, what method would you use to inform the public, and what formal opportunities would you put in place to receive community input?

As District Attorney, you are elected to serve your communities and therefore transparency is pivotal. Transparency is important in keeping the public informed and building, maintaining and keeping the public's trust. Over the past few years, the Office of the 17th Judicial District Attorney has had its' share of transgressions and lack of transparency. Taxpayer dollars have been used to bail out this administration for lawsuits and settlements unrelated to public safety and instead, due to mistreatment and misfeasance.

I'm the only one who is talking about that and willing to address these issues. We need to quit recycling failed leadership and elect a candidate with like myself that will restore integrity, experience and ethics which is desperately needed. Because if we do not the culture of misconduct will continue uninterrupted.

Ensuring transparency, accountability and oversight should always be a fundamental obligation and focal point of any elected office. However, while being transparent as possible, I would not compromise an investigation or sensitive matter solely for transparency sake. Extensive use of a qualified press information officer and an aggressive media/social media platform would be implemented.

9. If elected DA, what would be your approach to defendant's whose criminal conduct is solely or largely related to an underlying addiction or mental illness?

I am a proponent for and strongly support the use and expansion of diversion programs, specialty courts and problem-solving courts where and when feasible. Cases involving underlying addictions and/or mental health issues comprise a significant portion of the criminal justice system. The first approach in cases where these factors are a significant aspect of the crime or crimes charged should be consideration in affording treatment and rehabilitation instead of more severe consequences or incarceration.

Diversion programs and specialty courts such as Juvenile Drug Court, Adult Drug Court, Veterans Treatment Court, Mental Health Court and Family Treatment Courts are vital components of the criminal justice system. These types of problem-solving courts provide viable alternatives to incarceration, afford comprehensive treatment and rehabilitation components and ensure accountability to the offender while maintaining public safety requirements. We need more resources for these types of treatment programs, not less.

10. If elected DA, would you support an effort to re-institute the death penalty in Colorado?

I cannot answer this question adequately and in good faith as posited. This question does not provide enough information to make an informed and sound decision without speculating as to what the effort and underlying legislative content would or may include or how it is being proposed and why.

11. Do you think the current system related to bail is adequate in determining pretrial detention that mitigates the chances that lower income people will be held pretrial simply because they cannot afford to make bond. If so, what are the strengths of the current bail system and what would you change?

A District Attorney has the ability to implement and encourage significant changes in the use of bail in their district. I support informed discussions regarding the

current system related to bail but not entirely eliminating cash bail in certain circumstances. As a prosecutor, I recognize that a blanket bond schedule does not work for everyone or every jurisdiction. A fundamental aspect of bail should be community safety while also serving the purpose of ensuring that an offender will appear for all future court hearings for which they must be present. Further, it should not be used as punishment. Appropriate factors to consider for bail should include the seriousness of the case, an offender’s criminal history and the presence of past failures to appear for court proceedings.

Providing more discretion and common sense in applying bail is needed. Every jurisdiction is different. Some conform to a “bond schedule” while others rely heavily on pre-trial services reports. I would advocate for a balanced approach that provides more discretion to the courts with informed arguments from all parties that maintain public safety and lessen community safety risks geared towards

Section #2: People would like to know your views about unilateral discretion, potential reforms, and treatment of the accused. Please answer the following questions by placing an “X” in the column that best represents your answer to each of the following questions:

***Mr. McCormack**

	Yes	No	Maybe	Pass
1. Will your office track and publicly release race and ethnicity data, permit an independent, outside source to review the data, evaluate disparities, and make publicly reported recommendations to reduce them?			X	
2. Colorado’s habitual criminal statute eliminates judicial discretion and requires mandatory prison sentences of 300% or 400% above the normal maximum sentence. Would you support reform of the habitual criminal statute to lower these harsh mandatory sentences and narrow the circumstances where the habitual criminal statute may be used by prosecutors?		X		
3. In Colorado, the statute known as the two prior felony rule gives the prosecutor the sole power to determine whether a person can be probation eligible for a third felony offense. Would you support the elimination of the two prior felony rule so that judges -and not prosecutors - have the power to determine whether probation is appropriate in a particular case?			X	
4. Would you support reduction of the felony murder statue from an F1 offense carrying a life sentence to an F2 offense?		X		
5. As provided for in state law, will you commit to a			X	

formal policy to develop criteria and consent to the issuance of a summons in lieu of warrant by law enforcement officers for misdemeanors and low-level felonies?				
6. Will you commit to reducing the number of people sent to jail or prison from the 17th Judicial District by 25% by the end of your first term?				X
7. Will you adopt a written policy to direct prosecutors to favorably consider immigration consequences in plea negotiations and post-conviction cases?		X		
8. Will you commit to swiftly and thoroughly investigating officer-involved killings to determine if criminal charges against the police officer are warranted, and, where charges are not filed, make your investigation and findings publicly available?	X			
9. Will you decline to prosecute simple misdemeanor drug possession cases?				X
10. Local criminal legal systems disproportionately harm people living in poverty. Will you commit to a 25% reduction in prosecution of quality-of-life offenses – including trespass, public urination, and driving without a license – that carry devastating consequences for people living in poverty?				X

Section 2 explanation by Mr. McCormick

Q1. This question contains multiple sub-set questions and make it impossible to answer with a one word response. Yes, I am open to tracking and publicly releasing race/ethnicity data. However, there are too many variables in regards to the "independent, outside source", who that would be and for what purpose.

Q5. This question does not take into account the seriousness of certain low level felony victim related criminal acts like Menacing with a Deadly Weapon, Stalking, certain types of sex assault or domestic violence. I will not compromise the Victims Right Act. However, for other types of misdemeanors and low-level felony crimes that do not implicate the Victims Rights Act, I would commit to discussions to develop criteria for the issuance of summons'.

Voting With Conviction

CCJRC4Action has a different vision for criminal justice in Colorado. It aims to provide communities with effective, just, and equitable health and safety solutions that recognize

CCJRC4A works to engage, educate and mobilize voters. We aim to build political power in communities most impacted by crime, overcriminalization and mass incarceration, and we are particularly interested in boosting voter engagement among people who have been directly impacted by the criminal justice system.

These efforts dovetail with CCJRC's Voting With Conviction campaign, which works to inform citizens that most people with criminal records — including those on probation and parole, and many currently in jail — are eligible to vote in Colorado.



Building political power together requires participation. We don't care if you like politics or politicians but we do care that you Use Your Voice—Register to Vote & Vote! Contact us at (720) 593-8640 or [email](mailto:juston@ccjrc4action.org) Juston Cooper, Executive Director at juston@ccjrc4action.org