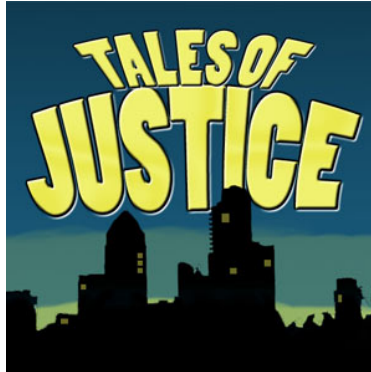


# Colorado Bar Association



## Criminal Law Section

"Creating Order from Chaos- Since 1989"

### Minutes for the Executive Council Meeting **December 2, 2008**

Present:

Wadine Gerhke  
Tom Hammond  
Tom Jackson  
Ted Tow  
Steve Bernhardt  
Michael Garcia

By Telephone:

Matt Kirsch  
  
Tom Moorehead  
Lindy Frolich  
Charles Garcia

Excused:

Ken Kupfner  
Morris Hoffman  
Suzanne Katchmar  
Valeria Spencer at the last minute

Unexcused:

Janet Drake  
  
Will Hood  
Ann England  
Maureen Cain  
Charles Garcia

- A. Call to Order: Wadine Gerhke. The meeting was called to order at 5:38 p.m.
- B. Approval of the Minutes from November 11, 2008  
Motion to approve deferred. Charles "Tad" Garcia provided corrections which were taken into consideration, and some were actually adopted.
- C. Budget/ Report:  
Report reviewed. Actually the balance went down, although not as far as the Dow Jones Industrials.
- D. Old Business:

1. Criminal Law Section Executive Committee vacancies and membership.

Michelle Amico has agreed to come to the party. We still need another county court judge. Amy Bockman's name was discussed again by Ted Tow, who had someone from Adams County contact her, but she has not responded as of January 2.

2. Bill Walter addressed the Committee thanking us for taking the time once a month to eat at the expense of our members and conduct other civic minded service.

3. CLE

Lindy Frolich suggested technology in the courtroom. Bill Walter informed us that Ken Laff used to run a technology consulting company.

Steve Bernard suggested a discussion of Fourth, Fifth, and Sixth Amendment issues as they have developed over the last few years.

4. Ted Tow informed us about the criminal and juvenile justice commission. Recommendations have been sent to Governor Ritter, and they are waiting for the Governor's response. Google Colorado Criminal Justice for the website.

5. Charles Garcia left the meeting without telling anyone. We figured it out at 6:00.

#### E. New Business

1. Requests by David Miller and Carol Peoples and Christie Donner to address the Executive Council were discussed.

2. Legislative.

According to Ted Tow, the DA's are running child victim bills, to close some loopholes. ID theft bill will include false ID to a cop (editorial comment – does that sound like theft?). And a bill for police officer safety - bodily fluids will be expanded to firemen and off duty cops, but will be offset by dropping the mandatory sentence. Weitzman will have a needle drop bill, and will revisit his death penalty bill. DNA for misdemeanor sex offenders, because we should all give a little DNA in times like these (oops, another editorial comment). YOS may be expanded to include 19 and 20 year olds.

Michael Valdez (as in NOT Michael Garcia) discussed the next session. The Legislature is looking at a \$600,000,000.00 budget deficit. CBA's concerns are for the judgeships, staff cuts, and other resources. CBA met with the Chief Justice regarding the growing problem of rural district attorneys. Charles Garcia is the Sections liaison to the LPC, which I think means the Legislative Policy Committee of the CBA.

State judicial is also considering electronic filing in house and away from Lexis Nexis.

WADINE Wadine Gerhke discussed David Miller and his goal of a treatment facility for sex offenders specifically called Teaching Humane Existence.

F. Next Meeting: January 6, 2008, 5:30 p.m. Still looking for a quorum in 2009.

G. Adjourn: 6:55 p.m.