

STATE OF COLORADO

OFFICE OF THE GOVERNOR

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John W. Hickenlooper
Governor

C 2018 148

EXECUTIVE ORDER

**Commutation of Sentence
Terrance S. Wilder**

Pursuant to the authority vested in the Governor of the State of Colorado by Article IV, Section 7 of the Colorado Constitution, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order commuting the sentence of Terrance S. Wilder.

I. Background

In 1999, Terrance S. Wilder, DOC Reg. No. 101393, was sentenced to the Department of Corrections for life without the possibility of parole for first degree murder (F-1). He was sentenced to additional time on top of his life sentence for second degree murder (F-2), and other crimes. Mr. Wilder was a juvenile at the time of the offense. He was later resentenced to life with the possibility of parole after forty years for the first degree murder conviction. His other sentences were unchanged. His current estimated parole eligibility date is in 2104. The constitutional and statutory conditions for granting this clemency petition have been satisfied, and granting this commutation is in the interest of justice.

II. Grant of Clemency

- A. Terrance S. Wilder be and hereby is granted a limited commutation such that he shall be parole eligible after serving forty years in the Department of Corrections.
- B. This grant of clemency is limited to making Mr. Wilder parole eligible after serving forty years, and shall not in any way affect the underlying criminal sentence.

GIVEN under my hand and the
Executive Seal of the State of
Colorado this twenty-first day of
December, 2018.

John W. Hickenlooper
Governor



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December 21, 2018



John W. Hickenlooper
Governor

Colorado State Board of Parole
1600 W. 24th Street, Bldg. 54
Pueblo, CO 81003

Dear Members of the Colorado State Board of Parole:

I am writing this letter in support of Terrance S. Wilder, DOC #101393. After learning about his case and his character, I commuted Mr. Wilder's sentence by making him parole eligible after serving forty years in DOC. The purpose of this commutation is two-fold: it will give Mr. Wilder an opportunity to take advantage of programming that will prepare him for success in the world beyond DOC, and it will also give him time to show the community—including you, the members of the Parole Board—that he is ready for reentry into society.

I believe Mr. Wilder is a worthy candidate for parole. I strongly encourage you to grant Mr. Wilder the opportunity to reintegrate into our Colorado community.

As of the date of this letter, Mr. Wilder has served approximately 19 years in prison. I decided to commute his sentence after a thorough evaluation of his clemency application, as well as a thorough understanding of the facts and circumstances surrounding his incarceration. The crimes committed are serious. Nonetheless, I believe Mr. Wilder deserves parole for several reasons.

At the time of his crime, Mr. Wilder was 17 years old. He was sentenced to life in prison without the possibility of parole. The statute under which Mr. Wilder was sentenced has since been deemed unconstitutional by the United States Supreme Court in *Miller v. Alabama*, 567 U.S. 460 (2012). In Colorado, we no longer give juveniles mandatory life sentences without the possibility of parole. In April 2018, Mr. Wilder was resentenced, as required by Colorado law passed after the *Miller* case. Upon resentencing, Mr. Wilder was given a sentence for first degree murder of life in prison with the possibility of parole after forty years served. However, his sentences for other crimes were untouched, leaving him with an estimated parole eligibility date of 2104 -- effectively a life sentence again.

One important aspect of each clemency decision is an examination of who the applicant is now, compared with who the applicant was at the time of the crime. While incarcerated, and even without hope for release, Mr. Wilder earned his GED. He works as a paraprofessional in the GED classroom, and receives high marks on his work evaluations. His case manager has said that he has shown an "overwhelming ability to succeed" and an ability to assist others succeed in a stressful environment. He has completed a number of programs, including Seven Habits on the

Inside. In 19 years in DOC, he received just one disciplinary violation in 2007, and he currently lives in the incentive unit.

Mr. Wilder has been able to establish a relationship with the parents of one of the victims in his case. They have displayed true forgiveness and generosity, advocating on behalf of Mr. Wilder's clemency application and providing emotional support to him.

Mr. Wilder is a prime example of extraordinary rehabilitation and illustrates our hope for every offender who spends time in the Department of Corrections.

Mr. Wilder has demonstrated that he will respect Colorado's laws and productively contribute to our state and to our society. He has taken full accountability for his actions and recognizes the mistakes he made in the past. He is remorseful, and ready to advance to a new phase of life. I urge you to release Mr. Wilder.

Clemency decisions are among the most difficult we have had to make in my time as Governor, weighing the values inherent in our justice system – retribution, deterrence, rehabilitation, and incapacitation. We have reflected deeply on these values and the principles of justice, and see no purpose in continuing to confine Mr. Wilder after serving forty years in prison.

Thank you for your important work.

Sincerely,

A handwritten signature in blue ink, reading "John W. Hickenlooper". The signature is fluid and cursive, with a long horizontal stroke at the end.

John W. Hickenlooper
Governor