

SB051_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB17-051 be amended as follows:

- 1 Amend printed bill, page 2, line 3, after "(1)(hh)," insert "(2)(j.5),".
- 2 Page 3, after line 19 insert:
3 "(j.5) Any court-ordered modification of the terms and conditions
4 of probation as described in section 18-1.3-204 ~~C.R.S.~~ OR 19-2-925 and
5 as outlined in section 24-4.1-303 (13.5)(a);".
- 6 Page 3, line 20, after "FULL" insert "PAROLE".
- 7 Page 5, line 4, after "FULL" insert "PAROLE".
- 8 Page 5, strike lines 13 through 24 and substitute "THE VICTIM OR THE
9 VICTIM'S DESIGNEE SHALL NOTIFY THE COMMUNITY CORRECTIONS BOARD
10 WITHIN A REASONABLE TIME THAT THE VICTIM IS UNAVAILABLE TO
11 ATTEND THE PROCEEDING BUT WOULD LIKE TO MAKE A STATEMENT.
12 WITHIN ITS RESOURCES, THE COMMUNITY CORRECTIONS BOARD SHALL
13 ARRANGE FOR AND PROVIDE THE MEANS FOR THE VICTIM TO ADDRESS THE
14 BOARD, WHICH MEANS MAY INCLUDE, BUT NEED NOT BE LIMITED TO,
15 APPEARING BY PHONE OR VIA SIMILAR TECHNOLOGY."
- 16 Renumber succeeding subparagraphs accordingly.
- 17 Page 6, line 16, after "(12)(g)," insert "(12)(h),".
- 18 Page 6, strike line 17 and substitute "(13.5)(a)(V), (13.5)(a)(VIII),
19 (13.5)(a)(IX), (14)(c), (14)(d), (14)(h), (14.2) introductory portion,
20 (14.2)(e),".
- 21 Page 6, line 19, after "(12)(g.5)," insert "(12)(j), (14)(j), (14)(k),".
- 22 Page 6, line 27, strike "CONSIDERED." and substitute "CONSIDERED AND
23 STATE THE BASIS FOR THE COURT'S DECISION."
- 24 Page 7, line 21, after "PROBATION." insert "FOR BOTH PROBATION
25 REVOCATION HEARINGS AND REQUESTS FOR EARLY TERMINATION, IT IS
26 THE RESPONSIBILITY OF THE PROBATION DEPARTMENT TO NOTIFY THE
27 VICTIM IF THE VICTIM HAS REQUESTED POST-SENTENCING NOTIFICATION."



1 Page 8, after line 5 insert:

2 "(h) The right to receive information from the probation
3 department concerning information outlined in subsection (13.5) of this
4 section regarding a person convicted of a crime against the victim; and

5 (j) THE RIGHT TO BE INFORMED OF A REQUEST FOR PROGRESSION
6 FOR A PERSON WHO IS CHARGED WITH OR CONVICTED OF A CRIME AGAINST
7 THE VICTIM AND WHO IS IN THE CUSTODY OF THE STATE MENTAL HEALTH
8 HOSPITAL."

9 Page 8, line 14, after "SECTION 24-4.1-302.5 (1)(d)." insert "IF A HEARING
10 IS NOT SCHEDULED AND THE COURT HAS REVIEWED A WRITTEN MOTION
11 FOR EARLY TERMINATION OF PROBATION AND IS CONSIDERING GRANTING
12 THE MOTION WITHOUT A HEARING, THE COURT SHALL INFORM THE
13 PROBATION DEPARTMENT AND THE DISTRICT ATTORNEY'S OFFICE, AND THE
14 PROBATION DEPARTMENT SHALL NOTIFY AND RECEIVE INPUT FROM THE
15 VICTIM TO GIVE TO THE COURT BEFORE THE COURT RULES ON THE
16 MOTION."

17 Page 9, strike lines 13 through 27 and substitute:

18 "(IX) Any court-ordered modification of the terms and conditions
19 of probation as described in section 18-1.3-204 C.R.S. OR 19-2-925.

20 (14) Upon receipt of a written victim impact statement as
21 provided in section 24-4.1-302.5 (1)(j.5), the department of corrections
22 shall include the statement with any referral made by the department of
23 corrections or a district court to place an offender in a public or private
24 community corrections facility or program. Upon written request of a
25 victim, the department of corrections or the public or private local
26 corrections authorities shall notify the victim of the following information
27 regarding any person who was charged with or convicted of a crime
28 against the victim:

29 (c) Any release of such person on furlough or work release or to
30 a community correctional facility or other program, OR STATUTORY
31 DISCHARGE in advance of such release;

32 (d) Any scheduled parole hearings OR FULL BOARD REVIEWS
33 regarding such THE person and any changes in the scheduling of such
34 hearings, INCLUDING NOTIFICATION OF THE VICTIM'S RIGHT TO BE PRESENT
35 AND HEARD AT SUCH HEARINGS;

36 (h) The death of the person while in custody or while under the
37 jurisdiction of the state of Colorado concerning the crime; and

38 (j) ANY DECISION BY THE PAROLE BOARD OR ANY DECISION BY THE
39 GOVERNOR TO COMMUTE THE SENTENCE OF THE PERSON OR PARDON THE

1 PERSON; AND
2 (k) THE DATE, TIME, AND LOCATION OF A SCHEDULED
3 EXECUTION."

4 Strike pages 10 and 11.

5 Page 12, strike lines 1 and 2.

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