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ELECTIONS
SECRETARY OF STATE

Be it Enacted by the People of the State of Colorado:

SECTION 1. 19-2-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

19-2-102. Legislative declaration. (3) IT IS THE INTENT OF THE PEOPLE OF THIS STATE THAT THE JUVENILE JUSTICE SYSTEM SHALL AT ALL TIMES SEEK TO BALANCE THE PRESERVATION OF PUBLIC SAFETY WITH THE INTERESTS OF REHABILITATING JUVENILE OFFENDERS AND REDUCING RATES OF RECIDIVISM AMONG JUVENILE OFFENDERS. THE PEOPLE OF THIS STATE FIND AND DECLARE THAT PUBLIC SAFETY IS ENHANCED AND THE PUBLIC INTEREST IS BEST SERVED THROUGH ADMINISTRATION OF A JUVENILE JUSTICE SYSTEM RESPONSIVE TO THE PARTICULAR FACTORS RESULTING IN CRIMINAL BEHAVIOR BY JUVENILES AND DEDICATED TO ASSISTING JUVENILES IN OVERCOMING THOSE FACTORS AND BECOMING PRODUCTIVE MEMBERS OF SOCIETY.

SECTION 2. 19-2-104 (1) (b), Colorado Revised Statutes, is amended to read:

19-2-104. Jurisdiction. (1) (b). Concerning any juvenile to which section 19-2-518 applies ~~except that, after filing charges in the juvenile court but prior to the time that the juvenile court conducts a transfer hearing, the district attorney may file the same or different charges against the juvenile by direct filing of an information in the district court or by indictment pursuant to section 19-2-517. Upon said filing or indictment in the district court, the juvenile court shall no longer have jurisdiction over proceedings concerning said charges.~~

SECTION 3. Repeal. 19-1-103 (61), 19-2-104 (2), 19-2-517, 19-2-518 (1) (c), and 19-2-518 (2), Colorado Revised Statutes, are repealed.

SECTION 4. 16-4-105 (1) (n.5), Colorado Revised Statutes, is amended to read:

16-4-105. Selection by judge of the amount of bail and type of bond – criteria. (1) (n.5) Unless the district attorney consents, no person who is eighteen years of age or older ~~or is being charged as an adult pursuant to section 19-2-517, C.R.S.,~~ or WHO IS transferred to the district court pursuant to section 19-2-518, C.R.S., shall be released on personal recognizance if the person's criminal record indicates that he or she failed to appear on bond in any case involving a felony or class 1 misdemeanor charge in the preceding five years;

SECTION 5. 18-1.3-301 (2) (b) (III), Colorado Revised Statutes, is amended, and the said 18-1.3-301 (2) (b) is further amended BY THE ADDITION OF A NEW SUB-PARAGRAPH, to read:

18-1.3-301. Authority to place offenders in community corrections programs. (2) (b) Unless the offender has an active felony warrant or detainer or has refused community placement, the executive director of the department of corrections shall refer for placement in a community corrections program:

(III) Any other offender who has displayed acceptable institutional behavior one hundred eighty days prior to such offender's parole eligibility date; AND

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(IV) ANY OFFENDER SENTENCED PURSUANT TO SECTION 19-2-517 (3) (a) (I), C.R.S., AS IT EXISTED PRIOR TO JANUARY 1, 2011, OR SECTION 19-2-518 (1) (d) (I), C.R.S., AND WHO HAS DISPLAYED ACCEPTABLE INSTITUTIONAL BEHAVIOR, UPON ATTAINING THIRTY YEARS OF AGE.

SECTION 6. Effective Date. The effective date of this act shall be the later of January 1, 2011, or proclamation of the governor.

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