

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 22, 2023
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB23-157 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 3, strike "(2.5)" and substitute "(9)".
- 2 Page 2, strike lines 5 through 9 and substitute "**- grant program - rules**
- 3 **- reports - repeal.**"
- 4 Page 2, line 18 after, "PROGRAMS." insert "THE DEPARTMENT SHALL
- 5 PROVIDE DATA ON ALL INDIVIDUALS WHO PARTICIPATE IN REENTRY
- 6 SERVICES AND PROGRAMS REGARDING:
- 7 (I) THE TYPE AND LEVEL OF OFFENSE OF THE CONTROLLING
- 8 SENTENCE;
- 9 (II) LENGTH OF THE CONTROLLING SENTENCE;
- 10 (III) RISK OF REOFFENSE BASED ON A RISK ASSESSMENT
- 11 INSTRUMENT VALIDATED FOR INDIVIDUALS ON PAROLE;
- 12 (IV) NUMBER OF INDIVIDUALS IN PRISON PAST THE INDIVIDUAL'S
- 13 PAROLE ELIGIBILITY DATE;
- 14 (V) NUMBER OF INDIVIDUALS GRANTED DISCRETIONARY PAROLE
- 15 AT THE INDIVIDUAL'S FIRST PAROLE APPLICATION HEARING;
- 16 (VI) NUMBER OF INDIVIDUALS GRANTED DISCRETIONARY PAROLE
- 17 AT ANY SUBSEQUENT PAROLE APPLICATION HEARING;
- 18 (VII) NUMBER OF INDIVIDUALS RELEASED AT MANDATORY
- 19 RELEASE DATE;
- 20 (VIII) RECIDIVISM AT SIX MONTHS, ONE YEAR, TWO YEARS, AND
- 21 THREE YEARS FOLLOWING RELEASE, DISAGGREGATED BY WHETHER THE
- 22 RETURN TO PRISON WAS THE RESULT OF A NEW CONVICTION, INCLUDING
- 23 THE TYPE AND LEVEL OF OFFENSE, OR ONLY FOR A VIOLATION OF A
- 24 CONDITION OF RELEASE; AND
- 25 (IX) FOR SECTIONS (I) THROUGH (X), THE DATA MUST BE
- 26 DISAGGREGATED BY RACE AND GENDER.

1 (c) BEGINNING IN JANUARY 2024, AND EVERY YEAR THEREAFTER,
2 THE DEPARTMENT SHALL PROVIDE TO THE JUDICIARY COMMITTEES OF THE
3 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
4 COMMITTEES, A REPORT WITH THE INFORMATION IN SUBSECTION (3)(b) OF
5 THIS SECTION, DURING THE DEPARTMENT'S PRESENTATION AT HEARINGS
6 HELD PURSUANT TO THE "SMART ACT".

7 Page 2, line 20 strike "2032." and substitute "2028."

8 Page 2, after line 21, insert:

9 "(9) FOR PURPOSES OF THIS SECTION, "RECIDIVISM" MEANS A
10 RETURN TO PRISON IN COLORADO FOR EITHER NEW CRIMINAL ACTIVITY OR
11 A TECHNICAL VIOLATION OF PAROLE, PROBATION OR NON-DEPARTMENTAL
12 COMMUNITY PLACEMENT WITHIN THREE YEARS OF RELEASE."

13 Page 3, line 2, strike "(33)(a)(IV)" and substitute "(29)(a)(IV)".

14 Page 3, strike lines 11 and 12, and substitute:

15 "(29) (a) The following agencies, functions, or both, are scheduled
16 for repeal on September 1, 2028:"

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