

# Proposition \_ : Parole Eligibility for Crimes of Violence

Placed on the ballot by citizen initiative • Passes with a majority vote

## 1 **Proposition \_ proposes amending the Colorado statutes to:**

- 2 • increase the amount of prison time a person convicted of certain crimes of
- 3 violence must serve before becoming eligible for earned time or discretionary
- 4 parole; and
- 5 • make a person convicted of a third crime of violence ineligible for earned time or
- 6 discretionary parole.

## 7 **What Your Vote Means**

### 8 **YES**

9 A “yes” vote on Proposition \_ would  
 10 require a person convicted of certain  
 11 crimes of violence to serve at least  
 12 85 percent of their sentence in prison  
 13 before being eligible for earned time or  
 14 discretionary parole, and make a person  
 15 convicted of a third or subsequent crime  
 16 of violence ineligible for earned time or  
 17 discretionary parole.

### 18 **NO**

19 A “no” vote on Proposition \_ keeps the  
 20 current requirement that a person  
 21 convicted of certain crimes of violence  
 22 serve 75 percent of their sentence in  
 23 prison before being eligible for  
 24 discretionary parole, minus earned time  
 25 for progressing in personal, professional,  
 26 or educational programs.

## 27 **Summary and Analysis of Proposition \_**

### 28 **What is parole and how does discretionary parole differ from mandatory parole?**

29 Parole is a system to supervise convicted persons after they are released from prison. Every  
 30 person sentenced to prison in Colorado is released through either discretionary or  
 31 mandatory parole, unless they are sentenced to life without parole. Discretionary parole  
 32 occurs when a person reaches a prescribed eligibility date, which is the minimum amount of  
 33 time a person must stay in prison before parole can be considered. Thereafter, the person  
 34 may apply to appear before the State Board of Parole to determine if the remaining  
 35 sentence may be completed under community supervision. Mandatory parole occurs when a  
 36 person reaches their mandatory release date, which is the maximum amount of time a  
 37 person must stay in prison before they are automatically released on parole. In both cases,  
 38 the State Board of Parole sets the conditions of community supervision, such as requiring  
 39 employment, housing, or substance abuse treatment.

1 **How does parole for crimes of violence work under current law?**

2 Under current law, a person convicted for certain crimes of violence must serve 75 percent of  
 3 their sentence in prison before being eligible for discretionary parole, minus earned time.  
 4 Earned time reduces a person’s time in prison as a reward for progressing towards certain  
 5 personal, professional, or educational goals by up to 10 or 12 days a month, depending on  
 6 the crime for which the person was convicted. When a person becomes eligible for  
 7 discretionary parole, they appear before the State Board of Parole which determines whether  
 8 they will be released from prison ahead of their mandatory release date and placed on  
 9 supervised parole.

10 **What does Proposition \_ do?**

11 Proposition \_ requires a person convicted of certain crimes of violence committed on or after  
 12 January 1, 2025, to serve at least 85 percent of their sentence in prison before they can  
 13 receive earned time or become eligible for discretionary parole. Crimes of violence included  
 14 in the measure are murder, sexual assault, aggravated robbery, and the most serious cases  
 15 of assault, kidnapping, arson, and burglary. A person who convicted for a third or  
 16 subsequent crime of violence is ineligible for earned time or discretionary parole.

17 An estimated 220 individuals per year are sentenced to prison for crimes of violence and  
 18 currently serve an average of about 23 years in prison, which will increase under the  
 19 measure. The measure does not impact the parole eligibility of a person who is incarcerated  
 20 for crimes committed before January 1, 2025.

21 **How does Proposition \_ change parole eligibility?**

22 Table 1 below shows an example comparing a 20-year prison sentence for a first or second  
 23 conviction of a crime of violence under current law to the same sentence under the measure.  
 24 This example assumes the person receives one year of earned time. Under the measure, the  
 25 person would be ineligible for earned time until 85 percent of their sentence is served. This  
 26 results in an additional three years in prison before the person becomes eligible for parole. It  
 27 should be noted that parole eligibility does not guarantee a person will be released from  
 28 prison as the Parole Board has broad discretion over this matter.

29 **Table 1**

30 **20-year Sentence Under Current Law Compared to Proposition \_**

	<b>Court-Ordered Prison Sentence</b>	<b>Years to be Served Before Parole Eligibility</b>	<b>Earned Time Allowable?</b>	<b>Total Years Before Parole Eligibility</b>
<b>Current Law</b>	20 Years	75% or 15 years	Yes, 1 year in this example	14 Years
<b>Proposition _</b>	20 Years	85% or 17 years	No	17 Years

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For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State’s elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

1 **Argument For Proposition \_**

2 1) Proposition \_ keeps people convicted of crimes of violence in prison for a longer period  
3 of time in an effort to increase public safety and ensure that justice is served. People who  
4 commit these types of crimes are dangerous and should be kept away from their victims  
5 and the community for the amount of time they were sentenced to serve. Victims and  
6 their family members deserve the sense of security that longer periods of incarceration  
7 without discretionary parole or earned time provide.

8 **Argument Against Proposition \_**

9 1) Proposition \_ removes the ability for convicted people to achieve earned time, giving  
10 them no incentive to comply with prison rules or take advantage of rehabilitation  
11 opportunities offered in prison. The number of people in prisons will grow, which will  
12 increase costs and require additional prison staff. Many prisons are already short-staffed  
13 and have a hard time recruiting and retaining employees. Finally, there is no evidence  
14 that the measure will reduce crime rates.

15 **Fiscal Impact of Proposition \_**

16 **State spending.** The measure increases state spending in two ways. In the short-term, the  
17 measure requires one-time computer system updates to the Department of Corrections’  
18 case management system, estimated at \$12,000. Beginning in approximately 20 years, state  
19 spending will increase by between \$12 million and \$28 million per year due to the measure’s  
20 increase in the percentage of prison sentences that must be served. This estimate is based  
21 on current costs and average lengths of stay for persons in state prison, and assumes that  
22 the number and types of convictions and total sentence lengths remain constant. Actual  
23 costs will likely increase with inflation and depend on offender behavior and decisions by the  
24 State Board of Parole.