

SB 16-181

**Convicted of 1st Deg. Murder
Non-Felony Murder**

- Life Sentence with the possibility of Parole after 40 years less earned time
- If receive all earned time: will be eligible for parole after 30 years
- Some may never be paroled
- If paroled, and violate parole, will be returned to DOC for the remainder of their life
- If paroled, will remain on parole for their entire life
- If meet the requirements of the specialized program outlined in SB16-180, then some may be eligible to participate after serving 20 years, and will be eligible for early release after serving 25 years.
 - Parole must approve the early release
 - The governor must approve the early release

Example: A 16 year convicted of 1st degree murder/non-felony murder

- Will be 46 years old when they are first eligible for parole
- If denied on first request, they will be eligible again at age 51
- If denied on second request, they will be eligible again at age 56
- If denied third request, they will be eligible again at age 61
- If meet the requirement of the specialized program
 - May apply at age 36 or older
 - The earliest age the person will be eligible for release would be 41
 - Both the parole board and governor would have to approve

**Convicted of 1st Deg. Murder
Felony Murder**

- After a sentencing hearing, the court may find extraordinary mitigating circumstances
- If the court finds extraordinary mitigating circumstances, the court may sentence the person to a determinate sentence of between 30-50 years followed by a 10- year period of parole.
- If the court sentences in the determinate range the person will not be eligible for good time. They will be eligible for earned time not to exceed more than 25% of their sentence.
- If the court **does not find** extraordinary mitigating circumstances then the person will be sentenced to a life sentence with the possibility of parole after 40 years

- A person who is sentenced to a determinate sentence and meets the requirements of the specialized program outlined in SB16-180, may be eligible to participate after serving 20 years, and will be eligible for early release after serving 25 years.
 - Parole must approve the early release
 - The governor must approve the early release

An example of a 16 year old who was convicted of felony murder and the court finds extraordinary mitigating circumstances and sentences the person to a determinate sentence

- Sentenced to 30 years, would be eligible for release at 38 ½ years of age
- Sentenced to 40 years, would be eligible for release at 46 years of age
- Sentenced to 50 years, would be eligible for release at 53 ½ years of age