

In accordance with Section 1-40-105 (1) of the Colorado Revised Statutes, we are hereby submitting a draft of a proposed amendment to the Colorado Constitution for your review and comment.

Specifically, we are seeking guidance regarding the current constitutional language as stated in Article IV, Section 7:

The governor shall have power to grant reprieves, commutations and pardons after conviction, for all offenses except treason, and except in case of impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons, but he shall in every case where he may exercise this power, send to the general assembly at its first session thereafter, a transcript of the petition, all proceedings, and the reasons for his action.

Our concern regarding the current constitutional language referencing convictions and lacking clarification specific to juvenile adjudications. The purpose of the proposed amendment is to clarify that persons who committed offenses as juveniles are not categorically excluded from petitioning the Governor of Colorado for executive clemency consideration, including pardons and commutations, solely because of their juvenile status or juvenile adjudication.

The following is the proposed amendment to Article IV, Section 7:

*The governor shall have power to grant reprieves, commutations and pardons after conviction **OR ADJUDICATION**, for all offenses except treason, and except in case of impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons, but he shall in every case where he may exercise this power, send to the general assembly at its first session thereafter, a transcript of the petition, all proceedings, and the reasons for his action.*