



# Legislative Council Staff

## Research Note

Version: Final

Date: 6/17/2016

### Bill Number

**Senate Bill 16-164**

### Sponsors

**Senator Cooke**  
**Representative Lee**

### Short Title

**Private Probation Summons  
And Complaint**

### Research Analyst

**Conrad Imel (x2756)**

### Status

This research note reflects the final version of the bill, which was signed by the Governor on June 10, 2016, and becomes effective on August 10, 2016, assuming no referendum petition is filed.

### Summary

This bill allows a private probation provider to issue a summons and file a complaint with the court for a defendant under his or her supervision.

### Background

Chief Justice Directive 04-03 defines the priority use of probation resources and the circumstances under which districts may contract with private probation providers. Generally, private probation providers supervise low-risk offenders. At the conclusion of FY 2014-15, there were a total of 17,485 offenders being managed under private probation service contracts. Of this number, 11,357 were under supervision for a DUI/DWAI offense and 6,128 were being supervised for other offenses.

Depending on the jurisdiction, summons and complaints are filed by either a private probation provider or probation staff employed by the courts. In some jurisdictions, the private provider contacts court probation staff in order to issue a summons and file a complaint.

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## Senate Action

**Senate Judiciary Committee (March 30, 2016).** The committee heard testimony in support of the bill from a representative of the Colorado Judicial Department, and referred the bill, unamended, to the Senate Committee of the Whole.

**Senate second reading (April 5, 2016).** The Senate Committee of the Whole passed the bill on second reading.

**Senate third reading (April 6, 2016).** The Senate adopted the bill on third reading.

## House Action

**House Judiciary Committee (April 26, 2016).** The committee heard testimony in support of the bill from a representative of the Office of the State Court Administrator, and referred the bill, unamended, to the House Committee of the Whole.

**House second reading (April 28, 2016).** The House Committee of the Whole passed the bill on second reading.

**House third reading (April 29, 2016).** The House adopted the bill on third reading.

## Relevant Research

Legislative Council Staff, *Probation Services in Colorado*, Issue Brief, November 20, 2012: <http://tinyurl.com/j6myode> (pdf).

Legislative Council Staff, *Special Sentencing for Felony and Misdemeanor Offenses*, Interested Persons Memorandum, October 9, 2012: <http://tinyurl.com/j8wsm44> (pdf).