

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0362.01 Michael Dohr x4347

**HOUSE BILL 20-1019**

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**HOUSE SPONSORSHIP**

**Herod,**

**SENATE SPONSORSHIP**

**Gonzales,**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO MANAGE THE STATE PRISON POPULATION.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Prison Population Management Interim Study Committee.** Under current law, the Centennial south campus of the Centennial correctional facility is only able to house inmates under limited circumstances. The bill would open the facility for close custody inmates and require that for each inmate who is housed at the facility, an inmate must be removed from a private prison until the facility is full.

The bill directs the department of corrections (department) to study how to end the practice of using private prisons by 2025 in a responsible

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

way. The study must include:

- ! Evidence-based strategies to stop using private prisons and move individuals into alternative facilities or programs;
- ! An analysis of the economic impacts on affected communities, including the loss of local tax revenue;
- ! An analysis of the impact that reducing private prison beds would have on local governments and community-based providers;
- ! A utilization analysis of all state-operated facilities and all other facilities that can be used for housing inmates;
- ! An analysis of the effect of releasing sex offenders who are assessed as low risk;
- ! An analysis of what state-operated facilities and programs may be utilized to keep pace with demand;
- ! An analysis of the best practices and programs that are necessary for successful reintegration of offenders;
- ! An analysis of the feasibility of the department to obtain private prison facilities in Colorado; and
- ! An analysis of the resources necessary to accomplish the strategies required to transition the state away from private prisons.

The bill adds to the list of achievements that allow an inmate to receive earned time showing exemplary leadership through mentoring, community service, and distinguished actions benefiting the health, safety, environment, and culture for staff and other inmates.

Under current law, an offender is not entitled to an evidentiary hearing for resentencing when the offender is rejected for placement in a community corrections program. The bill requires the sentencing court to provide the offender with an evidentiary hearing, or in the alternative a new sentencing hearing, for any termination from a community corrections program.

The bill amends the escape statutes to exclude direct sentences, transitioning from the department to a community corrections program, or placement in an intensive supervision parole program from the concepts of custody or confinement for purposes of escape. The bill lowers the penalties for escape and attempted escape crimes. The bill creates a new crime of absconding if the location of a person on intensive supervision parole or a person in a community corrections program is unknown to the authorized agency responsible for the person's supervision.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 17-1-104.3, **amend**



1 ~~vacant bed rate, excluding RTP treatment beds, remains below one~~  
2 ~~percent vacancy for two consecutive months and the department has~~  
3 ~~exhausted all options pursuant to section 17-1-119.7. The department~~  
4 ~~shall not house more than one hundred twenty-six inmates at one time in~~  
5 ~~the Centennial south campus. Once the state male prison vacant bed rate~~  
6 ~~surpasses one percent vacancy, including calculating the inmates housed~~  
7 ~~in the Centennial south campus, the department shall transfer inmates~~  
8 ~~housed in the Centennial south campus to an appropriate facility under the~~  
9 ~~department's control within thirty calendar days.~~

10 ~~(H) The department shall report the use of the Centennial south~~  
11 ~~campus of the Centennial correctional facility to the joint budget~~  
12 ~~committee and the judiciary committees of the senate and the house of~~  
13 ~~representatives, or any successor committees, within five calendar days~~  
14 ~~after the use of the Centennial south campus. For each month that the~~  
15 ~~Centennial south campus of the Centennial correctional facility is used,~~  
16 ~~the department shall report on the first day of every month the continued~~  
17 ~~nature of the use of the Centennial south campus at the Centennial~~  
18 ~~correctional facility, the steps taken by the department to address the~~  
19 ~~vacancy issue, and the expected time frame for the vacancy issue to end.~~

20 ~~(HH) The department shall consider input from any legislative~~  
21 ~~interim committee that meets during the 2019 interim regarding prison~~  
22 ~~population management, specifically including:~~

23 ~~(A) Strategies to safely reduce the prison population and reduce~~  
24 ~~recidivism; and~~

25 ~~(B) Prison use analysis including the Centennial south campus at~~  
26 ~~the Centennial correctional facility, private prisons, and alternative bed~~  
27 ~~programs.~~

1           ~~(IV) This subsection (1)(b.7) is repealed, effective September 1,~~  
2    2020.

3           **SECTION 2.** In Colorado Revised Statutes, 17-1-104.5, **amend**  
4    (2)(b); and **repeal** (2)(a) as follows:

5           **17-1-104.5. Incarceration of inmates from other states -**  
6    **private contract prison facilities.** (2) No inmate from a state other than  
7    Colorado may be received into the state of Colorado and be housed in a  
8    private contract prison facility or a prison facility operated by a political  
9    subdivision of the state:

10           ~~(a) Without the express approval of the executive director, which~~  
11    ~~approval shall not be unreasonably withheld; and~~

12           ~~(b) Unless the private contract prison facility or a prison facility~~  
13    ~~operated by a political subdivision is designed to meet or exceed the~~  
14    ~~appropriate security level for the inmate~~ EXECUTIVE DIRECTOR, IN  
15    CONSULTATION, WITH THE GOVERNOR DETERMINES THAT EXIGENT  
16    CIRCUMSTANCES REQUIRE THAT INMATES BE HOUSED IN A PRIVATE  
17    CONTRACT PRISON FACILITY IN ORDER TO PROTECT PUBLIC HEALTH OR  
18    SAFETY.

19           **SECTION 3.** In Colorado Revised Statutes, 17-1-119.7, **amend**  
20    (2)(a)(II) and (2)(a)(IV)(A) as follows:

21           **17-1-119.7. Prison population management measures.**

22    (2) (a) If the vacancy rate in correctional facilities and state-funded  
23    private contract prison beds falls below three percent for thirty  
24    consecutive days, the department shall:

25           (II) Request that the parole board review a list of inmates who are  
26    within ninety days of their mandatory release date ~~have an approved~~  
27    ~~parole plan~~, and do not require full board review or victim notification

1 pursuant to section 24-4.1-302.5 (1)(j);

2 (IV) (A) Submit to the parole board a list of eligible inmates ~~with~~  
3 ~~a favorable parole plan~~ who have been assessed to be medium or lower  
4 risk on the validated risk assessment scale developed pursuant to section  
5 17-22.5-404 (2). Except as provided in subsection (2)(a)(IV)(B) of this  
6 section, the parole board shall conduct a file review of each inmate on the  
7 list and set conditions of release for the inmate within thirty days after  
8 receipt of the list and set a day of release no later than thirty days after  
9 conducting the file review.

10 **SECTION 4.** In Colorado Revised Statutes, 17-1-201, **add** (3) as  
11 follows:

12 **17-1-201. Duties of department - report - rules.** (3) (a) THE  
13 DEPARTMENT SHALL STUDY HOW TO END THE USE OF PRIVATE PRISONS TO  
14 INCARCERATE INDIVIDUALS IN COLORADO   IN A RESPONSIBLE WAY.  
15 WHILE CONDUCTING THE STUDY, THE DEPARTMENT SHALL SOLICIT INPUT  
16 FROM LOCAL COMMUNITIES AND OTHER INTERESTED PARTIES OR ISSUE  
17 EXPERTS, INCLUDING BUT NOT LIMITED TO PUBLIC SAFETY, VICTIM'S  
18 ADVOCATES, PROSECUTORS, DEFENSE ATTORNEYS, AND COMMUNITY  
19 REENTRY PROVIDERS.

20 (b) THE STUDY MUST INCLUDE:

21 (I) EVIDENCE-BASED STRATEGIES TO STOP USING PRIVATE PRISONS  
22 AND MOVE INDIVIDUALS INTO ALTERNATIVE FACILITIES OR PROGRAMS;

23 (II) AN ANALYSIS OF THE ECONOMIC IMPACTS ON AFFECTED  
24 COMMUNITIES, INCLUDING THE LOSS OF LOCAL TAX REVENUE;

25 (III) AN ANALYSIS OF THE IMPACT THAT REDUCING PRIVATE  
26 PRISON BEDS WOULD HAVE ON LOCAL GOVERNMENTS AND  
27 COMMUNITY-BASED PROVIDERS;

1 (IV) A UTILIZATION ANALYSIS OF ALL STATE-OPERATED FACILITIES  
2 AND ALL OTHER FACILITIES THAT CAN BE USED FOR HOUSING INMATES;

3 [REDACTED]  
4 (V) AN ANALYSIS OF WHAT STATE-OPERATED FACILITIES AND  
5 PROGRAMS MAY BE UTILIZED TO KEEP PACE WITH DEMAND;

6 (VI) AN ANALYSIS OF THE BEST PRACTICES AND PROGRAMS THAT  
7 ARE NECESSARY FOR SUCCESSFUL REINTEGRATION OF OFFENDERS,  
8 ALTERNATIVES TO INCARCERATION, AND RECIDIVISM REDUCTION  
9 STRATEGIES CONSISTENT WITH PUBLIC SAFETY;

10 (VII) AN ANALYSIS OF THE FEASIBILITY OF THE DEPARTMENT TO  
11 OBTAIN PRIVATE PRISON FACILITIES IN COLORADO; AND

12 (VIII) AN ANALYSIS OF THE RESOURCES NECESSARY TO  
13 ACCOMPLISH THE STRATEGIES REQUIRED TO TRANSITION THE STATE AWAY  
14 FROM PRIVATE PRISONS.

15 (c) THE DEPARTMENT SHALL PROVIDE THE STUDY TO THE JOINT  
16 BUDGET COMMITTEE WHEN PRESENTING ITS BUDGET RECOMMENDATIONS  
17 FOR FISCAL YEAR 2021-22 AND SHALL PROVIDE COPIES OF THE STUDY TO  
18 THE MEMBERS OF THE JUDICIARY COMMITTEES OF THE HOUSE OF  
19 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

20 **SECTION 5.** In Colorado Revised Statutes, 17-2-103, **amend**  
21 (11)(c) introductory portion as follows:

22 **17-2-103. Arrest of parolee - revocation proceedings.**  
23 (11) (c) If the board determines that the parolee is in need of treatment,  
24 ~~and is amenable to treatment,~~ the board shall consider placing the parolee  
25 in one of the following treatment options and, if appropriate, may modify  
26 the conditions of parole to include:

27 **SECTION 6.** In Colorado Revised Statutes, 17-22.5-405, **amend**

1 (1) introductory portion and (1.5)(b); and **add** (1)(h) as follows:

2 **17-22.5-405. Earned time - earned release time - achievement**  
3 **earned time - definition.** (1) Earned time, not to exceed ten days for  
4 each month of incarceration or parole, may be deducted from the inmate's  
5 sentence upon a demonstration to the department by the inmate, which is  
6 certified by the inmate's case manager or community parole officer, that  
7 ~~he or she~~ THE INMATE has made consistent progress in the following  
8 categories as required by the department of corrections:

9 (h) THE INMATE HAS SHOWN EXEMPLARY LEADERSHIP THROUGH  
10 MENTORING, COMMUNITY SERVICE, AND DISTINGUISHED ACTIONS  
11 BENEFITING THE HEALTH, SAFETY, ENVIRONMENT, AND CULTURE FOR  
12 STAFF AND OTHER INMATES.

13 (1.5) (b) The earned time specified in ~~paragraph (a) of this~~  
14 ~~subsection (1.5)~~ SUBSECTION (1.5)(a) OF THIS SECTION may be deducted  
15 based upon a demonstration to the department by the inmate, which is  
16 certified by the inmate's case manager or community parole officer, that  
17 he or she has made ~~consistent progress in the categories described in~~  
18 ~~subsection (1) of this section~~ POSITIVE PROGRESS IN ACCORDANCE WITH  
19 PERFORMANCE STANDARDS ESTABLISHED BY THE DEPARTMENT.

20 **SECTION 7.** In Colorado Revised Statutes, 18-1.3-301, **amend**  
21 (1)(g) as follows:

22 **18-1.3-301. Authority to place offenders in community**  
23 **corrections programs.** (1) (g) The sentencing court may make  
24 appropriate orders for the detention, transfer, or resentencing of any  
25 offender whose placement in a community corrections program is  
26 terminated pursuant to section 17-27-103 (7) ~~C.R.S.~~, or section 17-27-104  
27 (5). ~~C.R.S.~~ As to any offender held pursuant to section 17-27-104 (6)

1 C.R.S., in a jail operated by a unit of local government in a county other  
2 than where the offender's original conviction occurred, the sentencing  
3 court shall order the transfer of the offender to the jail of the county  
4 where the original conviction occurred as soon as possible. ~~The~~  
5 ~~sentencing court is not required to provide the offender with an~~  
6 ~~evidentiary hearing pertaining to the rejection of placement in a~~  
7 ~~community corrections program prior to resentencing.~~ THE SENTENCING  
8 COURT SHALL PROVIDE THE OFFENDER WITH A NEW SENTENCING HEARING,  
9 FOR ANY TERMINATION FROM A COMMUNITY CORRECTIONS PROGRAM,  
10 INCLUDING A VIOLATION OF SECTION 18-8-208.2. AT ANY NEW  
11 SENTENCING HEARING, THE COURT MAY CONSIDER ANY SENTENCING  
12 ALTERNATIVE ORIGINALLY AVAILABLE TO THE COURT WHEN ORDERING  
13 THE APPROPRIATE SENTENCE.

14 **SECTION 8.** In Colorado Revised Statutes, 18-8-208, **amend**  
15 (11) as follows:

16 **18-8-208. Escapes.** (11) If a person ~~who~~ is SERVING A DIRECT  
17 SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO  
18 SECTION 18-1.3-301, OR IS TRANSITIONING FROM THE DEPARTMENT OF  
19 CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM, OR IS PLACED IN  
20 AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION  
21 17-27.5-101, OR IS PARTICIPATING IN A WORK RELEASE OR HOME  
22 DETENTION PROGRAM PURSUANT TO SECTION 18-1.3-106 (1.1), INTENSIVE  
23 SUPERVISION PROGRAM OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED  
24 OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN  
25 SECTION 18-8-203 (3), IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED  
26 IN SECTION 19-1-103 (101.5), OR IS placed in a community corrections  
27 program for purposes of obtaining residential treatment as a condition of

1 probation pursuant to section 18-1.3-204 (2.2) or 18-1.3-301 (4)(b), THEN  
2 THE PERSON is not in custody or confinement for purposes of this section.

3 **SECTION 9.** In Colorado Revised Statutes, 18-8-208.1, **amend**  
4 **(1.5); and repeal (6) as follows:**

5 **18-8-208.1. Attempt to escape. (1.5)** ~~If a person, while in~~  
6 ~~custody or confinement following conviction of a felony and either~~  
7 ~~servng a direct sentence to a community corrections program pursuant to~~  
8 ~~section 18-1.3-301, or having been placed in an intensive supervision~~  
9 ~~parole program pursuant to section 17-27.5-101, C.R.S., knowingly~~  
10 ~~attempts to escape from his or her custody or confinement, he or she~~  
11 ~~commits a class 5 felony. The sentence imposed pursuant to this~~  
12 ~~subsection (1.5) may run concurrently or consecutively with any sentence~~  
13 ~~being served by the offender~~ IF A PERSON IS SERVING A DIRECT SENTENCE  
14 TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION  
15 18-1.3-301, OR IS TRANSITIONING FROM THE DEPARTMENT OF  
16 CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM, OR IS PLACED IN  
17 AN INTENSIVE SUPERVISION ~~PROGRAM~~ PROGRAM PURSUANT TO SECTION  
18 17-27.5-101, OR IS PARTICIPATING IN A WORK RELEASE OR HOME  
19 DETENTION PROGRAM PURSUANT TO SECTION 18-1.3-106 (1.1), INTENSIVE  
20 SUPERVISION PROGRAM OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED  
21 OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN  
22 SECTION 18-8-203 (3), IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED  
23 IN SECTION 19-1-103 (101.5), OR IS PLACED IN A COMMUNITY  
24 CORRECTIONS PROGRAM FOR PURPOSES OF OBTAINING RESIDENTIAL  
25 TREATMENT AS A CONDITION OF PROBATION PURSUANT TO SECTION  
26 18-1.3-204 (2.2) OR 18-1.3-301 (4)(b), THEN THE PERSON IS NOT IN  
27 CUSTODY OR CONFINEMENT FOR PURPOSES OF THIS SECTION.

1 (6) A person who participates in a work release program, a home  
2 detention program, as defined in section 18-1.3-106 (1.1), a furlough, an  
3 intensive supervision program, or any other similar authorized supervised  
4 or unsupervised absence from a detention facility, as defined in section  
5 18-8-203 (3), and who is required to report back to the detention facility  
6 at a specified time shall be deemed to be in custody.

7 **SECTION 10.** In Colorado Revised Statutes, add 18-8-208.2 as  
8 follows:

9 **18-8-208.2. Unauthorized absence.** (1) A PERSON WHO IS  
10 SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM  
11 PURSUANT TO SECTION 18-1.3-301; TRANSITIONING FROM THE  
12 DEPARTMENT OF CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM  
13 OR PLACED IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO  
14 SECTION 17-27.5-101; PARTICIPATING IN A WORK RELEASE OR HOME  
15 DETENTION PROGRAM PURSUANT TO 18-1.3-106 (1.1), INTENSIVE  
16 SUPERVISION PROGRAM, OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED  
17 OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN  
18 SECTION 18-8-203 (3); OR IS HOUSED IN A STAFF SECURE FACILITY AS  
19 DEFINED IN SECTION 19-1-103 (101.5) COMMITS THE CRIME OF  
20 UNAUTHORIZED ABSENCE IF THE PERSON KNOWINGLY:

21 (a) LEAVES OR FAILS TO RETURN TO HIS OR HER RESIDENTIAL OR  
22 FACILITY LOCATION WITHOUT PERMISSION OF THE SUPERVISING AGENCY  
23 AND IN VIOLATION OF THE TERMS AND CONDITIONS OF SUPERVISION; OR

24 (b) REMOVES OR TAMPERS WITH AN ELECTRONIC MONITORING  
25 DEVICE REQUIRED BY THE SUPERVISING AGENCY TO BE WORN BY THE  
26 PERSON IN ORDER TO MONITOR HIS OR HER LOCATION, WITHOUT  
27 PERMISSION AND WITH THE INTENT TO AVOID ARREST, PROSECUTION,

1 MONITORING OR OTHER LEGAL PROCESS.

2 (2) (a) IF A PERSON COMMITS UNAUTHORIZED ABSENCE FOR A  
3 CRIME LISTED IN SECTION 24-4.1-302 (1) OR A CRIME OF VIOLENCE AS  
4 DESCRIBED IN SECTION 18-1.3-406, UNAUTHORIZED ABSENCE IS A CLASS  
5 6 FELONY AND AN ATTEMPT THEREOF IS A CLASS 6 FELONY.

6 (b) IF A PERSON COMMITS UNAUTHORIZED ABSENCE FOR A CRIME  
7 OTHER THAN THE CRIMES LISTED IN SECTION 24-4.1-302 (1) AND THE  
8 CRIME IS NOT A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406,  
9 UNAUTHORIZED ABSENCE IS A CLASS 3 MISDEMEANOR AND AN ATTEMPT  
10 THEREOF IS A CLASS 3 MISDEMEANOR.

11 (c) A PERSON WHO KNOWINGLY VIOLATES A PERMANENT OR  
12 TEMPORARY PROTECTION ORDER ISSUED PURSUANT TO SECTION  
13 18-1-1001(1), 13-14-103, 13-14-104.5, OR 13-14-106 DURING THE  
14 COMMISSION OF UNAUTHORIZED ABSENCE COMMITS A CLASS 3 FELONY.

15 (3) IF A PAROLEE PLACED IN A COMMUNITY CORRECTIONS OR IN AN  
16 INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101  
17 HAS AN UNAUTHORIZED ABSENCE, THE DEPARTMENT OF CORRECTIONS  
18 SHALL NOTIFY THE APPROPRIATE COMMUNITY REENTRY PROGRAM  
19 DESCRIBED IN SECTION 17-33-101 (7)(a), AND PROVIDE CONTACT  
20 INFORMATION FOR THE PURPOSES OF ASSISTING THE PERSON TO REENGAGE  
21 WITH SUPERVISION.

22 **SECTION 11.** In Colorado Revised Statutes, 18-1.3-801, **amend**  
23 (5) as follows:

24 **18-1.3-801. Punishment for habitual criminals.** (5) A current  
25 or prior conviction for escape, as described in section 18-8-208 (1), (2),  
26 or (3), or attempt to escape, as described in section 18-8-208.1 (1) ~~(1.5)~~,  
27 or (2), may not be used for the purpose of adjudicating a person an

1 habitual criminal as described in subsection (1.5) or subsection (2) of this  
2 section unless the conviction is based on the offender's escape or attempt  
3 to escape from a correctional facility, as defined in section 17-1-102, or  
4 from physical custody within a county jail; except that, for the purposes  
5 of this section, "correctional facility" does not include a community  
6 corrections facility, as defined in section 17-27-102 (2.5), or a halfway  
7 house, as defined in section 19-1-103 (62).

8 **SECTION 12.** In Colorado Revised Statutes, 24-4.1-302.5,  
9 **amend** (1)(c)(I)(B) as follows:

10 **24-4.1-302.5. Rights afforded to victims - definitions.** (1) In  
11 order to preserve and protect a victim's rights to justice and due process,  
12 each victim of a crime has the following rights:

13 (c) (I) Except as otherwise provided in subsection (1)(c)(II) of this  
14 section:

15 (B) The right to be informed when a person who is accused or  
16 convicted of a crime against the victim is released or discharged from  
17 custody other than county jail, is paroled, escapes from a secure or  
18 nonsecure correctional facility or program, ~~or~~ absconds from probation  
19 or parole, OR COMMITS AN UNAUTHORIZED ABSENCE AS DESCRIBED IN  
20 SECTION 18-8-208.2 (1).

21 **SECTION 13.** In Colorado Revised Statutes, 24-4.1-303, **amend**  
22 (14)(e) and (14.2)(e) as follows:

23 **24-4.1-303. Procedures for ensuring rights of victims of**  
24 **crimes.** (14) Upon receipt of a written victim impact statement as  
25 provided in section 24-4.1-302.5 (1)(j.5), the department of corrections  
26 shall include the statement with any referral made by the department of  
27 corrections or a district court to place an offender in a public or private

1 community corrections facility or program. The department of corrections  
2 or the public or private local corrections authorities shall notify the victim  
3 of the following information regarding any person who was charged with  
4 or convicted of a crime against the victim:

5 (e) Any escape OR UNAUTHORIZED ABSENCE AS DESCRIBED IN  
6 SECTION 18-8-208.2 (1) by such person, or transfer or release from any  
7 state hospital, a detention facility, a correctional facility, a community  
8 correctional facility, or other program, and any subsequent recapture of  
9 such person;

10 (14.2) Upon receipt of a written statement as provided in section  
11 24-4.1-302.5 (1)(j.5), the department of human services, division of youth  
12 services, shall include the statement with any referral made by the  
13 department of human services or a district court to place an offender in  
14 a public or private community corrections facility or program. The  
15 department of human services and any state hospital shall notify the  
16 victim of the following information regarding any person who was  
17 charged with or adjudicated of a crime against the victim:

18 (e) Any escape OR UNAUTHORIZED ABSENCE AS DESCRIBED IN  
19 SECTION 18-8-208.2 (1) by the person, or transfer or release from any state  
20 hospital, a detention facility, a correctional facility, a community  
21 correctional facility, parole supervision, or other program, and any  
22 subsequent recapture of the person;

23 **SECTION 14. Safety clause.** The general assembly hereby finds,  
24 determines, and declares that this act is necessary for the immediate  
25 preservation of the public peace, health, or safety.