

CHAPTER 68

CORRECTIONS

HOUSE BILL 95-1064

BY REPRESENTATIVES Epps, Hagedorn, Hernandez, Lamm, Lyle, Martin, McElhany, McPherson, and Tucker;
also SENATORS Coffman, Johnson, Pascoe, and Schroeder.

AN ACT**CONCERNING STRUCTURED TRANSITIONAL PROGRAMS FOR GRADUATES OF THE REGIMENTED
INMATE TRAINING PROGRAM.**

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

SECTION 1. 17-27.7-104, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

17-27.7-104. Acceptance and completion of the program by an offender - reconsideration of sentence. (1) The department, upon acceptance of an offender into the program, shall immediately notify the court of such acceptance.

(2)(a) If an offender successfully completes a regimented inmate training program, such offender, within sixty days of termination or completion of the program, shall automatically be referred to the SENTENCING court ~~which sentenced such offender~~ so that ~~he~~ THE OFFENDER may make a motion for reduction of sentence pursuant to rule 35b of the Colorado rules of criminal procedure.

(b) The department shall submit a report to the court concerning such offender's performance in the program. ~~and which~~ SUCH REPORT may recommend that ~~such~~ THE offender be placed in a specialized probation or community corrections program. The court may not summarily deny the offender's motion without a complete consideration of all pertinent information provided by the offender, ~~his~~ THE OFFENDER'S attorney, and the district attorney. The court may issue an order modifying the offender's sentence and placing the offender on probation or in a community corrections program.

(c) (I) ANY MOTION FILED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL BE GIVEN PRIORITY FOR CONSIDERATION BY THE SENTENCING COURT. AN

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

OFFENDER SENTENCED FOR SIX YEARS OR LESS SHALL BE ELIGIBLE FOR PLACEMENT IN A COMMUNITY CORRECTIONS PROGRAM OPERATED PURSUANT TO ARTICLE 27 OF THIS TITLE.

(II) AN OFFENDER PLACED IN A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) MAY BE REQUIRED TO PARTICIPATE IN A STRUCTURED, TRANSITIONAL DISCIPLINE PROGRAM IN SUCH COMMUNITY CORRECTIONS PROGRAM FOR SIX MONTHS OR UNTIL COMPLETION OF THE OFFENDER'S SENTENCE, WHICHEVER OCCURS FIRST.

(III) UPON SATISFACTORY COMPLETION OF THE COMMUNITY CORRECTIONS PROGRAM, AN OFFENDER WHOSE SENTENCE HAS NOT BEEN COMPLETELY SERVED MAY BE REQUIRED TO PARTICIPATE IN THE INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-102.

SECTION 2. Effective date - applicability. This act shall take effect upon passage and shall apply to offenders sentenced on or after that date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 7, 1995