

CHAPTER 79

CHILDREN AND DOMESTIC MATTERS

SENATE BILL 95-152

BY SENATORS Matsunaka, Bishop, Casey, Feeley, Gallagher, Johnson, Mares, Martinez, Norton, Pascoe, Perlmutter, Rizzuto, Tebedo, Weddig, and Wells;
also REPRESENTATIVES Romero, Armstrong, Friednash, Keller, Linkhart, McPherson, Nichol, and Reeser.

AN ACT**CONCERNING WORK-RELATED SENTENCING ALTERNATIVES FOR JUVENILES.**

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

SECTION 1. 19-2-703 (1) (i) and (1) (I), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

19-2-703. Juvenile delinquent - sentencing - disposition - restitution - parental liability. (1) (i) The court may require as a condition of probation that the juvenile report for assignment to a supervised work program, ~~or~~ place such juvenile in a child care facility which shall provide a supervised work program, OR REQUIRE THAT THE CUSTODIAL PARENT OR GUARDIAN OF THE JUVENILE ASSIST THE JUVENILE IN PARTICIPATING IN A SUPERVISED WORK PROGRAM, if:

(I) The juvenile is not deprived of the schooling which is appropriate to his age, needs, and specific rehabilitative goals;

(II) The supervised work program is of a constructive nature designed to promote rehabilitation, is appropriate to the age level and physical ability of the juvenile, and is combined with counseling from a juvenile probation officer or other guidance personnel;

(III) The supervised work program assignment is made for a period of time consistent with the juvenile's best interest, but not exceeding one hundred eighty days.

(I) In addition to any of the provisions specified in this subsection (1), any sentence imposed pursuant to this section may require:

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

(I) The juvenile OR BOTH THE JUVENILE and his OR HER parent or guardian to perform volunteer service in the community designed to contribute to the rehabilitation of the juvenile or to the ability of the parent or guardian to provide proper parental care and supervision of the juvenile; ~~or~~

(II) The parent or guardian of a juvenile or BOTH THE PARENT OR GUARDIAN AND THE juvenile ~~delinquent~~ to attend the parental responsibility training program described in part 14 of this article. The court may make reasonable orders requiring proof of completion of such training course within a certain time period and may provide that any violation of such orders shall subject the parent or guardian to the contempt sanctions of the court; OR

(III) THE JUVENILE OR BOTH THE JUVENILE AND HIS OR HER CUSTODIAL PARENT OR GUARDIAN TO PERFORM SERVICES FOR THE VICTIM DESIGNED TO CONTRIBUTE TO THE REHABILITATION OF THE JUVENILE, IF THE VICTIM CONSENTS IN WRITING TO SUCH SERVICES. HOWEVER, THE VALUE OF THE SERVICES REQUIRED TO BE RENDERED BY THE PARENT, GUARDIAN, OR LEGAL CUSTODIAN OF THE JUVENILE UNDER THIS SUBPARAGRAPH (III) SHALL NOT EXCEED THE DAMAGES AS SET FORTH IN SECTION 13-21-107, C.R.S., FOR ANY ONE DELINQUENT ACT.

SECTION 2. 19-2-706 (2) and (3), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

19-2-706. Community service and work programs. (2) Participation by the juvenile OR BY BOTH THE JUVENILE AND THE PARENT OR GUARDIAN OF THE JUVENILE in a community service or work program may be ordered in addition to or in conjunction with an order to pay restitution pursuant to section 19-2-703 (4).

(3) With the written consent of the victim of the juvenile's delinquent act, the juvenile OR BOTH THE JUVENILE AND THE CUSTODIAL PARENT OR GUARDIAN OF THE JUVENILE may be ordered to perform work for the victim.

SECTION 3. Effective date - applicability. This act shall take effect July 1, 1995, and shall apply to all sentences imposed on or after that date.

SECTION 4. 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 17, 1995