

CHAPTER 32

CORRECTIONS

HOUSE BILL 96-1221

BY REPRESENTATIVES Morrison, DeGette, Knox, Kreutz, Lamm, Swenson, Friednash, Kerns, Saliman, Schauer, Snyder, and Tupa; also SENATORS Perlmutter, Hopper, Hernandez, Linkhart, L. Powers, Rupert, and Wham.

AN ACT

CONCERNING DAY REPORTING PROGRAMS FOR OFFENDERS.

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

SECTION 1. 17-26-128 (1) and (2), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

17-26-128. Employment of county prisoners. (1) (a) Any county may provide a program whereby any person sentenced to the county jail upon conviction for a crime, nonpayment of any fine or forfeiture, or contempt of court may be granted by the court the privilege of leaving the jail during necessary and reasonable hours for any of the following purposes:

(a) (I) Seeking employment;

(b) (II) Working at his OR HER employment;

(c) (III) Conducting his OR HER own business or other self-employed occupation, including housekeeping and attending to the needs of the family;

(d) (IV) Attendance at an educational institution;

(e) (V) Medical treatment;

(f) (VI) Home detention; or

(g) (VII) Day reporting.

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

(b) A COURT MAY ORDER A PERSON WHO WOULD OTHERWISE BE SENTENCED TO THE COUNTY JAIL UPON CONVICTION OF A CRIME TO BE SENTENCED DIRECTLY TO AN AVAILABLE DAY REPORTING PROGRAM IF THE COURT DEEMS SUCH A SENTENCE TO BE APPROPRIATE FOR THE OFFENDER.

(2) Unless DIRECTLY SENTENCED TO A DAY REPORTING PROGRAM PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION OR UNLESS such privilege is OTHERWISE expressly granted by the sentencing court, the prisoner shall be confined as sentenced. The prisoner may petition the court for such privilege at the time of sentencing or thereafter and, in the discretion of the court, may renew his OR HER petition. The court may withdraw the privilege at any time by order entered with or without notice.

SECTION 2. 17-27-102 (3), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

17-27-102. Definitions. As used in this article:

(3) "Community corrections program" means a community-based or community-oriented program ~~which~~ THAT provides supervision of offenders pursuant to this article. Such program shall be operated by a unit of local government, the department, ~~of corrections,~~ or any private individual, partnership, corporation, or association. Such program may provide residential or nonresidential services for offenders, monitoring of the activities of offenders, oversight of victim restitution and community service by offenders, programs and services to aid offenders in obtaining and holding regular employment, programs and services to aid offenders in enrolling in and maintaining academic courses, programs and services to aid offenders in participating in vocational training programs, programs and services to aid offenders in utilizing the resources of the community, meeting the personal and family needs of such offenders, programs and services to aid offenders in obtaining appropriate treatment for such offenders, programs and services to aid offenders in participating in whatever specialized programs exist within the community, DAY REPORTING PROGRAMS, and such other services and programs as may be appropriate to aid in offender rehabilitation and public safety.

SECTION 3. Effective date. This act shall take effect July 1, 1996.

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: March 25, 1996