

CHAPTER 64

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 07-1129

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 also SENATOR(S) Morse, Bacon, Boyd, Fitz-Gerald, Groff, Hagedorn, Isgar, Mitchell S., Penry, Sandoval, Schultheis, Schwartz, Shaffer, Tapia, Taylor, Tochtrop, Tupa, Veiga, Williams, and Windels.

AN ACT**CONCERNING RESTORATIVE JUSTICE PROGRAMS.**

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

SECTION 1. 19-2-211, Colorado Revised Statutes, is amended to read:

19-2-211. Local juvenile services planning committee - creation - duties. If all of the boards of commissioners of each county or the city council of each city and county in a judicial district agree, there shall be created in ~~such~~ THE judicial district a local juvenile services planning committee that shall be appointed by the chief judge of the judicial district or, for the second judicial district, the presiding judge of the Denver juvenile court from persons recommended by the boards of commissioners of each county or the city council of each city and county within the judicial district. The committee, if practicable, shall include, but **NEED** not be limited to, a representative from the county department of social services, a local school district, a local law enforcement agency, a local probation department, the division of youth corrections, private citizens, the district attorney's office, and the public defender's office and a community mental health representative and a representative of the concerns of municipalities. The committee, if created, shall meet as necessary to develop a plan for the allocation of resources for local juvenile services within the judicial district for the fiscal year. ~~Such~~ THE COMMITTEE IS STRONGLY ENCOURAGED TO CONSIDER PROGRAMS WITH RESTORATIVE JUSTICE COMPONENTS WHEN DEVELOPING THE PLAN. THE plan shall be approved by the department of human services. A local juvenile services planning committee may be consolidated with other local advisory boards pursuant to section 24-1.7-103, C.R.S.

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

SECTION 2. Part 2 of article 2 of title 19, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

19-2-213. Restorative justice council - establishment - membership - repeal.

(1) A COUNCIL TO PROVIDE ASSISTANCE AND EDUCATION RELATED TO RESTORATIVE JUSTICE PROGRAMS IS HEREBY ESTABLISHED. THE COUNCIL SHALL BE KNOWN AS THE "RESTORATIVE JUSTICE COORDINATING COUNCIL" AND SHALL BE ESTABLISHED IN THE STATE JUDICIAL DEPARTMENT WITHIN THE OFFICE OF THE STATE COURT ADMINISTRATOR. TO THE EXTENT THAT RESOURCES PERMIT, THE RESTORATIVE JUSTICE COORDINATING COUNCIL SHALL SUPPORT THE DEVELOPMENT OF RESTORATIVE JUSTICE PROGRAMS, SERVE AS A CENTRAL REPOSITORY FOR INFORMATION, ASSIST IN THE DEVELOPMENT AND PROVISION OF RELATED EDUCATION AND TRAINING, AND PROVIDE TECHNICAL ASSISTANCE TO ENTITIES ENGAGED IN OR WISHING TO DEVELOP RESTORATIVE JUSTICE PROGRAMS.

(2) THE RESTORATIVE JUSTICE COORDINATING COUNCIL SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING:

(a) A MEMBER WHO REPRESENTS A STATEWIDE JUVENILE JUSTICE COUNCIL WHO SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY;

(b) A REPRESENTATIVE FROM THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES WHO SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES;

(c) A REPRESENTATIVE FROM THE DEPARTMENT OF PUBLIC SAFETY WHO SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY;

(d) A REPRESENTATIVE FROM THE JUDICIAL DEPARTMENT WHO SHALL BE APPOINTED BY THE STATE COURT ADMINISTRATOR;

(e) TWO REPRESENTATIVES FROM A STATEWIDE ORGANIZATION OR ORGANIZATIONS WHOSE PRIMARY PURPOSE IS RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF RESTORATIVE JUSTICE PROGRAMS AND WHO SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY;

(f) A DISTRICT ATTORNEY WITH JUVENILE JUSTICE EXPERIENCE WHO SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT ATTORNEYS COUNCIL;

(g) A VICTIM'S ADVOCATE WITHIN THE JUDICIAL DEPARTMENT WITH RESTORATIVE JUSTICE EXPERIENCE WHO SHALL BE APPOINTED BY THE STATE COURT ADMINISTRATOR; AND

(h) A REPRESENTATIVE FROM THE DEPARTMENT OF EDUCATION WHO SHALL BE APPOINTED BY THE COMMISSIONER OF EDUCATION.

(3) THE RESTORATIVE JUSTICE COORDINATING COUNCIL SHALL SELECT A CHAIRPERSON FROM AMONG THE MEMBERS OF THE COUNCIL WHO SHALL SERVE A

TERM TO BE DETERMINED BY THE COUNCIL. THE CHAIRPERSON SHALL BE RESPONSIBLE FOR CONVENING THE COUNCIL AT A FREQUENCY THAT SHALL BE DETERMINED BY THE COUNCIL.

(4) MEMBERS OF THE RESTORATIVE JUSTICE COORDINATING COUNCIL SHALL SERVE WITHOUT COMPENSATION AND SHALL NOT BE REIMBURSED FOR EXPENSES INCURRED WHILE SERVING ON THE COUNCIL.

(5) (a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

(b) PRIOR TO THE REPEAL, THE RESTORATIVE JUSTICE COORDINATING COUNCIL SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

SECTION 3. 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(dd) JULY 1, 2017: THE RESTORATIVE JUSTICE COORDINATING COUNCIL CREATED IN SECTION 19-2-213, C.R.S.

SECTION 4. 25-20.5-202 (2) (b) (III), Colorado Revised Statutes, is amended to read:

25-20.5-202. Tony Grampsas youth services board - members - duties - student dropout prevention and intervention fund - creation. (2) (b) In addition to the guidelines developed pursuant to paragraph (a) of this subsection (2), the board shall develop criteria for awarding grants under the Tony Grampsas youth services program, including but not limited to the following requirements:

(III) (A) That the program is directed at providing intervention services to youth and their families in an effort to decrease incidents of crime and violence or that the program is directed at providing services to at-risk students and their families in an effort to reduce the dropout rate in secondary schools pursuant to section 25-20.5-204.

(B) If an entity is seeking a grant from the board for a student dropout prevention and intervention program pursuant to section 25-20.5-204, one of the criteria THAT the board shall consider is whether the program has been implemented elsewhere, if known, and, if so, the relative success of ~~such~~ THE program. It shall not be required, however, that the program be previously implemented ~~in order~~ for the board to award a grant to ~~such~~ THE entity.

(C) IF AN ENTITY IS SEEKING A GRANT FROM THE BOARD FOR A PROGRAM DIRECTED AT PROVIDING INTERVENTION SERVICES TO YOUTH AND THEIR FAMILIES IN AN EFFORT TO DECREASE INCIDENTS OF CRIME AND VIOLENCE, ONE OF THE CRITERIA THAT THE BOARD SHALL CONSIDER IS WHETHER THE PROGRAM INCLUDES RESTORATIVE JUSTICE COMPONENTS. IT SHALL NOT BE REQUIRED, HOWEVER, THAT THE PROGRAM INCLUDES RESTORATIVE JUSTICE COMPONENTS FOR THE BOARD TO

AWARD A GRANT TO THE ENTITY.

SECTION 5. 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 29, 2007