

SB143 L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB19-143 be amended as follows:

- 1 Amend printed bill, page 6, line 4, after "**amend**" insert "(1),".
- 2 Page 6, strike line 7 and substitute:
3 "**17-1-119.7. Prison population management measures.** (1) The
4 department shall track the prison bed vacancy rate in both correctional
5 facilities and state-funded private contract prison beds on a monthly basis.
6 If the vacancy rate falls below ~~two~~ THREE percent for thirty consecutive
7 days, the department shall notify the governor, the joint budget
8 committee, the parole board, each elected district attorney, the chief judge
9 of each judicial district, the state public defender, and the office of
10 community corrections in the department of public safety. The department
11 shall notify the governor, the joint budget committee, the parole board,
12 each elected district attorney, the chief judge of each judicial district, the
13 state public defender, and the office of community corrections once the
14 vacancy rate exceeds ~~three~~ FOUR percent for thirty consecutive days.".
- 15 Page 6, line 21, strike "AN APPROVED" and substitute "A FAVORABLE".
- 16 Page 7, line 4, after "INMATE" insert "AND A DATE OF RELEASE".
- 17 Page 7, strike line 5.
- 18 Page 7, line 6, strike "RELEASE".
- 19 Page 8, line 6, after "**amend**" insert "(1.5)(d), (1.5)(g)(I),".
- 20 Page 8, strike line 9 and substitute:
21 "**17-2-103. Arrest of parolee - revocation proceedings.**
22 (1.5) (d) If a parolee has a technical violation, the parolee's community
23 parole officer, with the approval of the director of the division of adult
24 parole or the director's designee, may impose a brief term of confinement
25 in the county jail, not to exceed ~~five~~ FOURTEEN consecutive days, as an
26 intermediate sanction.
27 (g) Notwithstanding any other provision of this section, a
28 community parole officer may bypass the use of intermediate sanctions
29 or any additional intermediate sanctions in response to a technical
30 violation of parole and file a complaint seeking revocation of parole if:
31 (I) The parolee has received up to four intermediate sanctions
32 committing the parolee to a brief term of incarceration in jail, EXCEPT FOR
33 A PAROLEE FOR WHOM SUBSECTION (11)(b)(III) OF THIS SECTION APPLIES;

1 or".

2 Page 10, line 6, strike "add (19)" and substitute "amend (3)(h.1)(I),
3 (4)(f)(I)(C), (4)(f)(I)(D), and (5)(c)(II); and add (4)(f)(I)(E) and (19)".

4 Page 10, strike line 8 and substitute:

5 "17-2-201. State board of parole - duties - definitions. (3) The
6 chairperson, in addition to other provisions of law, has the following
7 powers and duties:

8 (h.1) To contract with qualified individuals to serve as release
9 hearing officers:

10 (I) To conduct parole application hearings for inmates convicted
11 of class 4, class 5, or class 6 felonies or level 3 or level 4 drug felonies
12 who have been assessed to be less than high risk by the Colorado risk
13 assessment scale developed pursuant to section 17-22.5-404 (2)(a), OR
14 HEARINGS PURSUANT TO SUBSECTION (19) OF THIS SECTION pursuant to
15 rules adopted by the parole board; and

16 (4) The board has the following powers and duties:

17 (f) (I) To conduct an initial or subsequent parole release review
18 in lieu of a hearing, without the presence of the inmate, if:

19 (C) The inmate has a statutory discharge date or mandatory
20 release date within six months after his or her next ordinarily scheduled
21 parole hearing and victim notification is not required pursuant to section
22 24-4.1-302.5; or

23 (D) The inmate is assessed to be a "low" or "very low" risk on the
24 validated risk assessment instrument developed pursuant to section
25 17-22.5-404 (2), the inmate meets readiness criteria established by the
26 board, and victim notification is not required pursuant to section
27 24-4.1-302.5; OR

28 (E) THE INMATE IS SUBJECT TO SUBSECTION (19) OF THIS SECTION.

29 (5) (c) (II) EXCEPT IF THE OFFENDER IS SUBJECT TO SUBSECTION
30 (19) OF THIS SECTION, if the offender fails to pay the restitution, he or she
31 may be returned to the board and, upon proof of failure to pay, the board
32 shall:".

33 Page 10, line 18, after "PAROLE" insert "BOARD".

34 Page 10, line 25, after "DAYS;" insert "IS REQUIRED TO BE CONSIDERED BY
35 THE FULL BOARD FOR RELEASE;".

36 Page 11, after line 11 insert:

37 "SECTION 6. In Colorado Revised Statutes, 17-22.5-402, add
38 (4) as follows:

1 **17-22.5-402. Discharge from custody.** (4) A PERSON
2 DISCHARGED FROM A CORRECTIONAL FACILITY WITHOUT SUPERVISION IS
3 ELIGIBLE TO RECEIVE REENTRY SUPPORT SERVICES FROM THE DEPARTMENT
4 OR COMMUNITY-BASED ORGANIZATIONS THAT RECEIVE FUNDING FROM
5 THE DEPARTMENT TO PROVIDE REENTRY SERVICES FOR UP TO ONE YEAR
6 AFTER THE PERSON'S DATE OF DISCHARGE."

7 Renumber succeeding sections accordingly

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