



SENATE JOINT RESOLUTION 02-032

BY SENATOR(S) Gordon, Thiebaut, and Windels;  
also REPRESENTATIVE(S) Hefley, Boyd, Cloer, Groff, Jahn, Lawrence,  
Marshall, Rippey, Romanoff, Smith, Stafford, and Stengel.

CONCERNING CONTINUATION OF THE CRIMINAL SENTENCING INTERIM  
COMMITTEE.

WHEREAS, Colorado's criminal sentencing statutes are complex and this complexity may result in misinterpretation of the statutory sentencing provisions; and

WHEREAS, There is a need to harmonize and clarify Colorado's criminal sentencing laws; and

WHEREAS, An interim committee to study the state's criminal sentencing laws, hereinafter referred to as the "committee", began an examination of criminal sentencing in Colorado during the 2001 interim; and

WHEREAS, The committee determined that the complex issues surrounding criminal sentencing and the task of creating a new criminal sentencing structure require a careful, reasoned, and thorough approach that cannot be accomplished in one interim; and

WHEREAS, There is therefore a need to continue examining the criminal sentencing structure in Colorado; now, therefore,

*Be It Resolved by the Senate of the Sixty-third General Assembly of the State of Colorado, the House of Representatives concurring herein:*

(1) That the Criminal Sentencing Interim committee created for the 2001 legislative interim is hereby continued and shall meet in the interim following the second regular session of the Sixty-third General Assembly.

(2) (a) That the committee shall consist of ten members as follows:

(I) The chair of the House Criminal Justice committee, or her designee, the chair of the House Civil Justice and Judiciary committee, or his designee, and the chair of the Senate Judiciary committee, or his designee; and

(II) Three members of the House of Representatives appointed by the Speaker of the House of Representatives.

(III) Four members of the Senate appointed by the President of the Senate.

(b) No more than three committee members from the House of Representatives shall be from the same political party. No more than three committee members from the Senate shall be from the same political party.

(3) That the committee shall have, at a minimum, the following duties, which it shall perform with the goal of preserving and protecting the public peace and safety:

(a) To identify and attempt to clarify areas in which the criminal sentencing statutes conflict or are unclear or unduly confusing; and

(b) To make recommendations to the General Assembly regarding the mechanisms and language necessary to provide legal clarity in the criminal sentencing statutes; and

(c) To consider and recommend, if appropriate, changes to the criminal sentencing statutes and the Colorado criminal code, title 18, Colorado Revised Statutes, that would be designed to keep criminals who are a danger to the public safety separated from the community; and

(d) To consider correctional and sentencing alternatives to incarceration when appropriate and consistent with public safety; and

(e) To examine the criminal sentencing statutes of Colorado to devise the most fair, effective, and economic criminal justice system possible; and

(f) To recommend further continuation of the committee, if necessary, for additional study of criminal sentencing issues.

(4) That the committee shall meet no more than six times beginning in June, 2002, during the 2002 interim. The committee may form subcommittees to accomplish its goals and may invite additional members of the community, such as representatives of the judiciary, law enforcement agencies, prosecuting attorneys, criminal defense attorneys, community treatment providers, and community interest groups, to participate in such subcommittees. Each meeting of the committee shall include an opportunity for public comment on items related to the committee's agenda.

(5) That the legislative members of the committee shall be compensated as provided in section 2-2-307, Colorado Revised Statutes, for attendance at meetings of the committee. Legislative members of the committee shall be compensated for attendance at subcommittee meetings of the committee, as funds allow, from the moneys allocated from appropriations made by the General Assembly for the committee.

(6) That the Legislative Council staff, the Office of Legislative Legal Services, the Department of Corrections, the Department of Public Safety, the Colorado District Attorneys' Council, the Department of Law, and the Judicial Department shall be available to assist the committee in carrying out its duties.

(7) That all expenditures incurred while conducting this study shall be approved by the chair of the Legislative Council and paid by vouchers and warrants drawn as provided by law from moneys allocated to the Legislative Council for legislative studies from appropriations made by the General Assembly.

(8) That the committee shall make a report to the General Assembly on or before October 15, 2002. Such report may include recommendations for legislation, including but not limited to legislation continuing the committee, and an outline of further time and process which may be necessary to achieve the committee's study goals. Legislation recommended by the committee shall be treated as legislation recommended by any other interim committee for purposes of any introduction deadlines or bill limitations imposed by the Joint Rules of the Senate and House of Representatives.

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Stan Matsunaka  
PRESIDENT OF  
THE SENATE

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Doug Dean  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

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Judith Rodrigue  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES