

Colorado Legislative Council Staff Fiscal Note

STATE
FISCAL IMPACT

Drafting Number: LLS 11-1028
Prime Sponsor(s): Sen. Steadman
 Rep. Pace

Date: April 26, 2011
Bill Status: Senate Judiciary
Fiscal Analyst: Jessika Shipley (303-866-3528)

TITLE: CONCERNING STATUTORY CHANGES TO IMPROVE PRACTICES FOR PERSONS UNDER COMMUNITY SUPERVISION.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: None		

Summary of Legislation

This bill requires that an individual sentenced directly to a community corrections program be eligible for a deduction of up to 10 days per month from his or her sentence. Current law allows such deductions, but does not require eligibility.

Criteria are set for when an individual sentenced to a community corrections program may be considered for early termination of his or her sentence. The individual must successfully complete the residential phase of community corrections, pay the costs of the residential program in full, and be supervised at a low level. The probation officer of an individual who meets the eligibility requirement for early sentence termination is required to submit a petition to the court with notice to the district attorney, the defendant, and the victim, where appropriate.

The court may consider a number of factors when deciding whether to grant a petition for early termination of a sentence, including the following:

- risk of recidivism;
- victim input, if any;
- compliance with the terms and conditions of the original sentence;
- completion of any court- or community-corrections-ordered treatment programs; and
- any other relevant factors.

Assessment

The courts are expected see an increase in hearings as a result of petitions from individuals who wish to have their sentences terminated early. The eligibility requirements for such petitions is very rigorous and the number of new hearings is expected to be less than 150 each year. Additionally, probation officers will be required to file petitions for individuals who meet the eligibility requirements, which will have a minimal fiscal impact on the probation departments. In total, the impact to the Judicial Branch is expected to be minimal and absorbable within existing appropriations.

Departments Contacted

Corrections

Judicial

Public Safety

Colorado Counties