

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 11-0401.01 Michael Dohr

HOUSE BILL 11-1032

HOUSE SPONSORSHIP

Lee,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING RESTORATIVE JUSTICE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill adds restorative justice to the options a court has when it imposes an alternative sentence instead of incarceration or as a part of a probation sentence.

Under current law, restorative justice sentencing provisions are permitted in juvenile cases during advisement, entry of plea, sentencing, and during probation. The bill would make some of those provisions mandatory, including provisions that would require most juveniles to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

undergo a presentence evaluation to determine whether restorative justice is a suitable sentencing option. Prior to charging a juvenile for the first time, which juvenile would be subject to misdemeanor or petty offenses, the district attorney shall assess whether the juvenile is suitable for restorative justice. If the district attorney determines the juvenile is suitable, the district attorney may offer the juvenile the opportunity to participate in restorative justice rather than charging the juvenile.

The bill directs the department of corrections to establish policies and procedures for facilitated victim-offender dialogues in institutions under the control of the department, which would arrange the dialogues if requested by the victim and agreed to by the offender.

The bill encourages each school district in the state and the state charter school institute to implement restorative justice practices that each school in the district or each institute charter school can use in its disciplinary program.

The bill creates the right for a victim to be informed by the district attorney about the availability of restorative justice practices and the possibility of a victim-offender conference.

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

2 **SECTION 1.** 16-7-202 (1), Colorado Revised Statutes, is
3 amended to read:

4 **16-7-202. Presence of defendant.** (1) If the offense charged is
5 a felony or a class 1 misdemeanor or if the maximum penalty for the
6 offense charged is more than one year's imprisonment, the defendant must
7 be personally present for arraignment; except that the court, for good
8 cause shown, may accept a plea of not guilty made by an attorney
9 representing the defendant without requiring the defendant to be
10 personally present. In all prosecutions for lesser offenses, the defendant
11 may appear by his OR HER attorney who may enter a plea on his OR HER
12 behalf. IF THE DEFENDANT APPEARS PERSONALLY, THE COURT SHALL
13 ADVISE THE DEFENDANT OF THE POSSIBILITY THAT RESTORATIVE JUSTICE
14 PRACTICES, INCLUDING VICTIM-OFFENDER CONFERENCES, MAY BE A PART
15 OF THE SENTENCE, IF APPLICABLE.

1 **SECTION 2.** 17-28-101, Colorado Revised Statutes, is amended
2 to read:

3 **17-28-101. Legislative declaration.** (1) The general assembly
4 finds and declares that:

5 (a) The number of victims of crime increases daily;

6 (b) These victims suffer undue hardship by virtue of physical,
7 MENTAL, AND EMOTIONAL injury or loss of property;

8 (c) Persons found guilty of causing such suffering ~~should be~~ ARE
9 under a moral and legal obligation to make adequate restitution AND
10 RESTORATION to those injured by their conduct;

11 (d) Restitution AND RESTORATION provided by criminal offenders
12 to their victims may be ~~an instrument~~ INSTRUMENTS of rehabilitation for
13 offenders AND MAY CONTRIBUTE TO THE HEALING AND IMPROVED
14 EMOTIONAL WELL-BEING OF THEIR VICTIMS.

15 (2) The purpose of this article is to encourage the establishment
16 of programs to provide for restitution AND RESTORATION to victims of
17 crime by offenders who are sentenced, or who have been released on
18 parole, or who are being held in local correctional and detention facilities.

19 It is the intent of the general assembly that restitution be utilized wherever
20 feasible to restore losses to the victims of crime and to aid the offender
21 in reintegration as a productive member of society. IT IS ALSO THE
22 PURPOSE OF THIS ARTICLE TO REQUIRE ESTABLISHMENT OF
23 VICTIM-OFFENDER DIALOGUES IN THE INSTITUTIONS UNDER THE CONTROL
24 OF THE DEPARTMENT OF CORRECTIONS, USING THE PRINCIPLES AND
25 PRACTICES OF RESTORATIVE JUSTICE.

26 **SECTION 3.** Article 28 of title 17, Colorado Revised Statutes, is
27 amended BY THE ADDITION OF A NEW SECTION to read:

1 **17-28-103. Victim-offender dialogues.** THE DEPARTMENT SHALL
2 ESTABLISH POLICIES AND PROCEDURES TO ARRANGE FOR
3 VICTIM-OFFENDER DIALOGUES WHEREBY A VICTIM OF A CRIME MAY
4 REQUEST A FACILITATED DIALOGUE WITH THE OFFENDER WHO COMMITTED
5 THE CRIME, IF THE OFFENDER IS IN THE CUSTODY OF THE DEPARTMENT.
6 THE DEPARTMENT SHALL ARRANGE SUCH A DIALOGUE ONLY AFTER
7 DETERMINING THAT THE DIALOGUE WOULD BE SAFE AND ONLY IF THE
8 OFFENDER AGREES TO PARTICIPATE. THE PURPOSES OF THE DIALOGUE
9 SHALL BE TO ENABLE THE VICTIM TO MEET THE OFFENDER FACE-TO-FACE,
10 TO OBTAIN ANSWERS TO QUESTIONS ONLY THE OFFENDER CAN ANSWER, TO
11 ASSIST THE VICTIM TO HEAL FROM THE IMPACT OF THE CRIME, AND TO
12 PROMOTE A SENSE OF REMORSE AND AWARENESS OF RESPONSIBILITY
13 WITHIN THE OFFENDER THAT MAY CONTRIBUTE TO HIS OR HER
14 REHABILITATION.

15 **SECTION 4.** 18-1-102, Colorado Revised Statutes, is amended
16 to read:

17 **18-1-102. Purpose of code, statutory construction.** (1) This
18 code shall be construed in such manner as to promote maximum
19 fulfillment of its general purposes, namely:

20 (e) TO PROMOTE ACCEPTANCE OF RESPONSIBILITY AND
21 ACCOUNTABILITY BY OFFENDERS AND TO PROVIDE RESTORATION AND
22 HEALING FOR VICTIMS AND THE COMMUNITY WHILE REDUCING RECIDIVISM
23 AND THE COSTS TO SOCIETY BY THE USE OF RESTORATIVE JUSTICE
24 PRACTICES, SPECIFICALLY INCLUDING VICTIM-OFFENDER CONFERENCES.

25 **SECTION 5.** 18-1-102.5 (1) (c) and (1) (d), Colorado Revised
26 Statutes, are amended, and the said 18-1-102.5 (1) is further amended BY
27 THE ADDITION OF A NEW PARAGRAPH, to read:

1 **18-1-102.5. Purposes of code with respect to sentencing.**

2 (1) The purposes of this code with respect to sentencing are:

3 (c) To prevent crime and promote respect for the law by providing
4 an effective deterrent to others likely to commit similar offenses; ~~and~~

5 (d) To promote rehabilitation by encouraging correctional
6 programs that elicit the voluntary cooperation and participation of
7 convicted offenders; AND

8 (e) TO PROMOTE ACCEPTANCE OF RESPONSIBILITY AND
9 ACCOUNTABILITY BY OFFENDERS AND TO PROVIDE RESTORATION AND
10 HEALING FOR VICTIMS AND THE COMMUNITY WHILE REDUCING RECIDIVISM
11 AND THE COSTS TO SOCIETY BY THE USE OF RESTORATIVE JUSTICE
12 PRACTICES, SPECIFICALLY INCLUDING VICTIM-OFFENDER CONFERENCES.

13 **SECTION 6.** 18-1.3-104 (1), Colorado Revised Statutes, is
14 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

15 **18-1.3-104. Alternatives in imposition of sentence.** (1) Within
16 the limitations of the applicable statute pertaining to sentencing and
17 subject to the provisions of this title, the trial court has the following
18 alternatives in entering judgment imposing a sentence:

19 (b.7) (I) A DEFENDANT WHO, IN THE DETERMINATION OF THE
20 COURT, IS A CANDIDATE FOR AN ALTERNATIVE SENTENCING OPTION MAY
21 BE SENTENCED TO PARTICIPATE IN A RESTORATIVE JUSTICE
22 VICTIM-OFFENDER CONFERENCE, IF THE DEFENDANT IS DETERMINED
23 SUITABLE.

24 (II) FOR PURPOSES OF THIS PARAGRAPH (b.7), "RESTORATIVE
25 JUSTICE VICTIM-OFFENDER CONFERENCE" MEANS A PRACTICE THAT
26 EMPHASIZES REPAIRING THE HARM TO THE VICTIM AND THE COMMUNITY
27 CAUSED BY CRIMINAL ACTS. RESTORATIVE JUSTICE VICTIM-OFFENDER

1 CONFERENCES MAY BE ATTENDED VOLUNTARILY BY THE VICTIM, A VICTIM
2 ADVOCATE, THE OFFENDER, COMMUNITY MEMBERS, AND SUPPORTERS OF
3 THE VICTIM AND THE OFFENDER THAT PROVIDE AN OPPORTUNITY FOR THE
4 OFFENDER TO ACCEPT RESPONSIBILITY FOR THE HARM CAUSED TO THOSE
5 AFFECTED BY THE CRIME AND TO PARTICIPATE IN SETTING CONSEQUENCES
6 TO REPAIR THE HARM. CONSEQUENCES RECOMMENDED BY THE
7 PARTICIPANTS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, APOLOGIES,
8 COMMUNITY SERVICE, RESTITUTION, RESTORATION, AND COUNSELING.
9 THE SELECTED CONSEQUENCES ARE INCORPORATED INTO AN AGREEMENT
10 THAT SETS TIME LIMITS FOR COMPLETION OF THE CONSEQUENCES AND IS
11 SIGNED BY ALL PARTICIPANTS.

12 **SECTION 7.** 18-1.3-204 (2) (a), Colorado Revised Statutes, is
13 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

14 **18-1.3-204. Conditions of probation.** (2) (a) When granting
15 probation, the court may, as a condition of probation, require that the
16 defendant:

17 (III.5) PARTICIPATE IN A RESTORATIVE JUSTICE VICTIM-OFFENDER
18 CONFERENCE IF THE DEFENDANT IS SUITABLE FOR PARTICIPATION BASED
19 ON WHETHER HE OR SHE ACCEPTS RESPONSIBILITY FOR, EXPRESSES
20 REMORSE FOR, AND IS WILLING TO REPAIR THE HARM CAUSED BY HIS OR
21 HER ACTIONS;

22 **SECTION 8.** 19-1-103 (44), Colorado Revised Statutes, is
23 amended to read:

24 **19-1-103. Definitions.** As used in this title or in the specified
25 portion of this title, unless the context otherwise requires:

26 (44) "Diversion" means a decision made by a person with
27 authority or a delegate of that person that results in specific official action

1 of the legal system not being taken in regard to a specific juvenile or child
2 and in lieu thereof providing individually designed services by a specific
3 program. The goal of diversion is to prevent further involvement of the
4 juvenile or child in the formal legal system. Diversion of a juvenile or
5 child may take place either at the prefiling level as an alternative to the
6 filing of a petition pursuant to section 19-2-512 or at the postadjudication
7 level as an adjunct to probation services following an adjudicatory
8 hearing pursuant to section 19-3-505 or a disposition as a part of
9 sentencing pursuant to section 19-2-907. "Services", as used in this
10 subsection (44), includes but is not limited to diagnostic needs
11 assessment, restitution programs, community service, job training and
12 placement, specialized tutoring, constructive recreational activities,
13 general counseling and counseling during a crisis situation, and follow-up
14 activities. Services ~~may~~ SHALL include restorative justice practices,
15 including, where practicable, victim-offender conferences.

16 **SECTION 9.** 19-2-303 (5), Colorado Revised Statutes, is
17 amended to read:

18 **19-2-303. Juvenile diversion program - authorized.** (5) When
19 applying for a contract with the division of criminal justice to provide
20 services to youths under the juvenile diversion program, a community
21 project shall submit for review by the division a list of the project's
22 objectives, a list of the restorative justice practices ~~if applicable~~, included
23 in the project, a report of the progress made during the previous year if
24 applicable toward implementing the stated objectives, an annual budget,
25 and such other documentation as may be required by the director.

26 **SECTION 10.** Part 3 of article 2 of title 19, Colorado Revised
27 Statutes, is amended BY THE ADDITION OF A NEW SECTION to

1 read:

2 **19-2-303.7. Prefiling assessment for restorative justice.** PRIOR
3 TO FILING CHARGES AGAINST A JUVENILE THAT HAS NOT BEEN PREVIOUSLY
4 ADJUDICATED A DELINQUENT, WHICH CHARGES WOULD BE MISDEMEANORS
5 OR PETTY OFFENSES IF THE JUVENILE WERE CHARGED AS AN ADULT, A
6 DISTRICT ATTORNEY SHALL PERFORM AN ASSESSMENT TO DETERMINE
7 WHETHER THE JUVENILE IS SUITABLE FOR RESTORATIVE JUSTICE. IN
8 MAKING A DETERMINATION OF WHETHER THE JUVENILE IS SUITABLE FOR
9 RESTORATIVE JUSTICE, THE DISTRICT ATTORNEY SHALL CONSIDER
10 WHETHER THE JUVENILE ACCEPTS RESPONSIBILITY FOR, EXPRESSES
11 REMORSE FOR, AND IS WILLING TO REPAIR THE HARM CAUSED BY HIS OR
12 HER ACTIONS. IF THE DISTRICT ATTORNEY DETERMINES THAT THE
13 JUVENILE IS SUITABLE FOR RESTORATIVE JUSTICE, THE DISTRICT ATTORNEY
14 SHALL OFFER THE JUVENILE THE OPPORTUNITY TO PARTICIPATE IN
15 RESTORATIVE JUSTICE IN LIEU OF BEING CHARGED.

16 **SECTION 11.** 19-2-706 (1), Colorado Revised Statutes, is
17 amended to read:

18 **19-2-706. Advisement.** (1) At the first appearance before the
19 court after the filing of a petition, the juvenile and his or her parents,
20 guardian, or other legal custodian shall be advised by the court of their
21 constitutional and legal rights as set forth in rule 3 of the Colorado rules
22 of juvenile procedure. ~~Such~~ THE advisement ~~may~~ SHALL include the
23 possibility of restorative justice practices, including victim-offender
24 conferences if applicable.

25 **SECTION 12.** 19-2-708 (2), Colorado Revised Statutes, is
26 amended to read:

27 **19-2-708. Entry of plea.** (2) Upon the entry of a plea of guilty to

1 one or more of the allegations contained in the petition, the court shall
2 advise the juvenile in accordance with rule 3 of the Colorado rules of
3 juvenile procedure. ~~Such~~ THE advisement ~~may~~ SHALL include the
4 possibility of restorative justice practices, including victim-offender
5 conferences if applicable.

6 **SECTION 13.** 19-2-905, Colorado Revised Statutes, is amended
7 BY THE ADDITION OF A NEW SUBSECTION to read:

8 **19-2-905. Presentence investigation.** (4) PRIOR TO SENTENCING,
9 THE COURT SHALL ORDER THE JUVENILE TO PARTICIPATE IN AN
10 EVALUATION TO DETERMINE WHETHER THE JUVENILE WOULD BE SUITABLE
11 FOR PARTICIPATION IN RESTORATIVE JUSTICE VICTIM-OFFENDER
12 CONFERENCES THAT WOULD BE A PART OF THE JUVENILE'S SENTENCE;
13 EXCEPT THAT THE COURT MAY NOT ORDER PARTICIPATION IN A
14 RESTORATIVE JUSTICE VICTIM-OFFENDER CONFERENCE IF THE JUVENILE
15 WAS ADJUDICATED A DELINQUENT FOR UNLAWFUL SEXUAL BEHAVIOR, AS
16 DEFINED IN SECTION 16-22-102 (9), C.R.S., OR A CRIME IN WHICH THE
17 UNDERLYING FACTUAL BASIS INVOLVES DOMESTIC VIOLENCE, AS DEFINED
18 IN SECTION 18-6-800.3 (1), C.R.S. THE EVALUATION TO DETERMINE
19 SUITABILITY SHALL CONSIDER WHETHER THE JUVENILE ACCEPTS
20 RESPONSIBILITY FOR, EXPRESSES REMORSE FOR, AND IS WILLING TO REPAIR
21 THE HARM CAUSED BY HIS OR HER ACTIONS.

22 **SECTION 14.** 19-2-907 (1) (1), Colorado Revised Statutes, is
23 amended to read:

24 **19-2-907. Sentencing schedule - options.** (1) Upon completion
25 of the sentencing hearing, pursuant to section 19-2-906, the court shall
26 enter a decree of sentence or commitment imposing any of the following
27 sentences or combination of sentences, as appropriate:

1 (l) ~~Participation in an evaluation to determine whether the juvenile~~
2 ~~would be suitable for restorative justice practices that would be a part of~~
3 ~~the juvenile's sentence; except that the court may not order participation~~
4 ~~in restorative justice practices if the juvenile was adjudicated a delinquent~~
5 ~~for unlawful sexual behavior as defined in section 16-22-102 (9), C.R.S.,~~
6 ~~or a crime in which the underlying factual basis involves domestic~~
7 ~~violence as defined in section 18-6-800.3 (1), C.R.S.~~ IF THE EVALUATION
8 REQUIRED BY SECTION 19-2-905 (4) INDICATES THAT THE JUVENILE WOULD
9 BE SUITABLE FOR RESTORATIVE JUSTICE.

10 **SECTION 15.** Article 32 of title 22, Colorado Revised Statutes,
11 is amended BY THE ADDITION OF A NEW SECTION to read:

12 **22-32-142. Restorative justice practices - legislative**
13 **declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

14 (a) CONFLICTS AND OFFENSES ARISING DURING THE SCHOOL DAY
15 INTERRUPT LEARNING, THREATEN SCHOOL SAFETY, AND OFTEN LEAD TO
16 SUSPENSIONS, EXPULSIONS, AND AN INCREASE IN THE LIKELIHOOD OF A
17 STUDENT DROPPING OUT OF SCHOOL;

18 (b) STUDENTS WHO DROP OUT OF HIGH SCHOOL FACE DIMINISHED
19 JOB OPPORTUNITIES, LOWER LIFETIME EARNINGS, AND INCREASED
20 UNEMPLOYMENT AND MORE OFTEN REQUIRE PUBLIC ASSISTANCE. THEY
21 ARE MORE LIKELY TO PARTICIPATE IN CRIMINAL ACTIVITY, RESULTING IN
22 HIGHER INCARCERATION RATES, AND THEY FACE MUCH GREATER
23 CHALLENGES TO BECOMING PRODUCTIVE, CONTRIBUTING MEMBERS OF
24 THEIR COMMUNITIES.

25 (c) SCHOOL CONFLICTS CAN RESULT IN OFFENSES THAT VIOLATE
26 SCHOOL RULES AND LOCAL LAWS AND DAMAGE RELATIONSHIPS AMONG
27 MEMBERS OF THE SCHOOL AND SURROUNDING COMMUNITY;

1 (d) RESTORATIVE JUSTICE, WHICH REQUIRES THE OFFENDER TO
2 ACCEPT RESPONSIBILITY AND ACCOUNTABILITY FOR HIS OR HER ACTIONS,
3 TEACHES CONFLICT RESOLUTION, REPAIRS THE HARM FROM THE OFFENSE,
4 REDUCES CLASSROOM DISRUPTIONS, SUSPENSIONS, EXPULSIONS, AND
5 CONSEQUENT DROPOUTS, PROMOTES SCHOOL SAFETY, AND ENABLES
6 VICTIMS, OFFENDERS, AND COMMUNITY MEMBERS TO REBUILD
7 COMMUNITY AND RESTORE RELATIONSHIPS; AND

8 (e) THE GENERAL ASSEMBLY HAS A VITAL INTEREST IN REDUCING
9 CLASSROOM DISRUPTIONS, SUSPENSIONS, EXPULSIONS, AND DROPOUT
10 RATES, ASSISTING VICTIMS, REDUCING REFERRALS TO THE JUSTICE SYSTEM,
11 AND BUILDING SAFER, MORE COHESIVE SCHOOL COMMUNITIES TO
12 PROMOTE LEARNING.

13 (2) (a) THEREFORE, THE GENERAL ASSEMBLY SUPPORTS AND
14 ENCOURAGES THE USE OF RESTORATIVE JUSTICE AS A SCHOOL'S FIRST
15 CONSIDERATION TO REMEDIATE OFFENSES SUCH AS INTERPERSONAL
16 CONFLICTS, BULLYING, VERBAL AND PHYSICAL CONFLICTS, THEFT,
17 DAMAGE TO PROPERTY, CLASS DISRUPTION, HARASSMENT AND INTERNET
18 HARASSMENT, AND ATTENDANCE ISSUES; AND

19 (b) THE GENERAL ASSEMBLY ENCOURAGES EACH SCHOOL DISTRICT
20 TO IMPLEMENT TRAINING AND EDUCATION IN THE PRINCIPLES AND
21 PRACTICES OF RESTORATIVE JUSTICE TO ENSURE THAT CAPABLE
22 PERSONNEL AND RESOURCES ARE AVAILABLE TO SUCCESSFULLY
23 FACILITATE ALL STEPS OF THE RESTORATIVE JUSTICE PROCESS.

24 (3) FOR PURPOSES OF THIS SECTION, "RESTORATIVE JUSTICE"
25 MEANS PRACTICES THAT EMPHASIZE REPAIRING THE HARM TO THE VICTIM
26 AND THE SCHOOL COMMUNITY CAUSED BY A STUDENT'S MISCONDUCT.
27 RESTORATIVE JUSTICE PRACTICES MAY INCLUDE VICTIM-OFFENDER

1 CONFERENCES ATTENDED VOLUNTARILY BY THE VICTIM, A VICTIM
2 ADVOCATE, THE OFFENDER, SCHOOL MEMBERS, AND SUPPORTERS OF THE
3 VICTIM AND THE OFFENDER, WHICH PROGRAM PROVIDES AN OPPORTUNITY
4 FOR THE OFFENDER TO ACCEPT RESPONSIBILITY FOR THE HARM CAUSED TO
5 THOSE AFFECTED BY THE ACT AND TO PARTICIPATE IN SETTING
6 CONSEQUENCES TO REPAIR THE HARM. CONSEQUENCES RECOMMENDED
7 BY THE PARTICIPANTS MAY INCLUDE, BUT NEED NOT BE LIMITED TO,
8 APOLOGIES, COMMUNITY SERVICE, RESTITUTION, RESTORATION, AND
9 COUNSELING. THE SELECTED CONSEQUENCES SHALL BE INCORPORATED
10 INTO AN AGREEMENT THAT SETS TIME LIMITS FOR COMPLETION OF THE
11 CONSEQUENCES AND IS SIGNED BY ALL PARTICIPANTS.

12 (4) EACH SCHOOL DISTRICT IS ENCOURAGED TO DEVELOP AND
13 UTILIZE RESTORATIVE JUSTICE PRACTICES THAT ARE PART OF THE
14 DISCIPLINARY PROGRAM OF EACH SCHOOL IN THE DISTRICT.

15 **SECTION 16.** Part 5 of article 30.5 of title 22, Colorado Revised
16 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
17 read:

18 **22-30.5-520. Restorative justice practices.** THE STATE CHARTER
19 SCHOOL INSTITUTE IS ENCOURAGED TO DEVELOP AND UTILIZE
20 RESTORATIVE JUSTICE PRACTICES, AS DEFINED IN SECTION 22-32-142 (3),
21 THAT ARE PART OF THE DISCIPLINARY PROGRAM OF EACH INSTITUTE
22 CHARTER SCHOOL.

23 **SECTION 17.** 24-4.1-302.5 (1), Colorado Revised Statutes, is
24 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25 **24-4.1-302.5. Rights afforded to victims.** (1) In order to
26 preserve and protect a victim's rights to justice and due process, each
27 victim of a crime shall have the following rights:

1 (1.5) THE RIGHT TO BE INFORMED ABOUT THE AVAILABILITY OF
2 RESTORATIVE JUSTICE PRACTICES AND THE POSSIBILITY OF A
3 VICTIM-OFFENDER CONFERENCE.

4 **SECTION 18.** 24-4.1-303 (11) (e) and (11) (f), Colorado Revised
5 Statutes, are amended, and the said 24-4.1-303 (11) is further amended
6 BY THE ADDITION OF A NEW PARAGRAPH, to read:

7 **24-4.1-303. Procedures for ensuring rights of victims of**
8 **crimes.** (11) The district attorney shall inform a victim of the following:

9 (e) The availability of benefits pursuant to this article and the
10 name, address, and telephone number of any person to contact to obtain
11 such benefits; ~~and~~

12 (f) The availability of transportation to and from any court
13 proceeding for any victim, except as provided in section 24-4.1-302.5 (2);
14 AND

15 (g) THE AVAILABILITY OF RESTORATIVE JUSTICE PRACTICES AND
16 THE POSSIBILITY OF A VICTIM-OFFENDER CONFERENCE.

17 **SECTION 19. Act subject to petition - effective date.** This act
18 shall take effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part shall not take effect
24 unless approved by the people at the general election to be held in
25 November 2012 and shall take effect on the date of the official
26 declaration of the vote thereon by the governor.