

SENATE COMMITTEE OF REFERENCE REPORT

	January 30, 2012
Chairman of Committee	Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB12-028 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, strike line 3 and substitute "(b) and (8); and
- 2 **add** (5) (a) (I) (D) as follows:".

- 3 Page 2, line 10, strike "ALL ADJUDICATED" and substitute "ANY CRIME OF
- 4 VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, C.R.S., OR AGGRAVATED
- 5 JUVENILE OFFENDER PETITION".

- 6 Page 2, line 11, strike "OFFENSES".

- 7 Page 2, line 14, strike "16 and 17," and substitute "16, ~~and~~ 17, AND 18,".

- 8 Page 2, line 17, strike "TWENTY-YEAR" and substitute "TEN-YEAR".

- 9 Page 3, line 4, strike "parties" and substitute "parties, APPOINT COUNSEL
- 10 FOR THE JUVENILE,".

- 11 Page 3, line 4, after the period, add "THE COURT SHALL, AS PART OF THIS
- 12 HEARING, RECONSIDER THE LENGTH OF THE REMAINING SENTENCE AND
- 13 CONSIDER THE FACTORS AS SET FORTH IN PARAGRAPH (c) OF THIS
- 14 SUBSECTION (8) HEREIN.".

- 15 Page 3, line 7, strike "PSYCHOLOGICAL EVALUATION" and substitute
- 16 "MENTAL HEALTH EVALUATION".

- 17 Page 3, line 8, strike "PSYCHIATRIST" and substitute "APPROPRIATE
- 18 MENTAL HEALTH PROFESSIONAL".

1 Page 3, line 10, strike "PSYCHIATRIST" and substitute "APPROPRIATE
2 MENTAL HEALTH PROFESSIONAL".

3 Page 3, after line 15 insert:

4 "(b) At the hearing upon the motion, the court may either transfer
5 the custody of and jurisdiction over the juvenile to the department of
6 corrections FOR PLACEMENT IN A CORRECTIONAL FACILITY, THE YOUTH
7 OFFENDER SERVICE PROGRAM, OR A COMMUNITY CORRECTIONS PROGRAM;
8 authorize early release of the juvenile pursuant to subsection (7) of this
9 section; PLACE THE JUVENILE ON ADULT PAROLE FOR A PERIOD OF FIVE
10 YEARS; or order that custody and jurisdiction over the juvenile shall
11 remain with the department of human services; except that the custody of
12 and jurisdiction over the juvenile by the department of human services
13 shall terminate when the juvenile reaches twenty-one years of age."

14 Page 3, line 19, strike "PSYCHOLOGICAL".

15 Page 3, line 20, strike "EXAMINATION," and substitute "MENTAL HEALTH
16 EVALUATION,".

17 Page 3, line 21, after the second "OFFENDER," insert "THE OFFENDER'S
18 BEHAVIOR IN CUSTODY, THE OFFENDER'S PROGRESS AND PARTICIPATION IN
19 CLASSES, PROGRAMS, AND EDUCATIONAL IMPROVEMENT,".

20 Page 3, line 23, after "REHABILITATION," insert "THE PLACEMENT WHERE
21 THE OFFENDER IS MOST LIKELY TO SUCCEED IN REINTEGRATING IN THE
22 COMMUNITY,".

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