

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 17-0674.01 Richard Sweetman x4333

**SENATE BILL 17-051**

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**SENATE SPONSORSHIP**

**Fields and Gardner,**

**HOUSE SPONSORSHIP**

**Foote,**

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**Senate Committees**

Judiciary

State, Veterans, & Military Affairs

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE RIGHTS OF CRIME VICTIMS.**

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**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://leg.colorado.gov>.)*

The bill makes various amendments to statutes concerning the rights of crime victims, including the following:

The definition of "crime" is amended to include:

- ! Failure to stop at the scene of an accident that results in serious bodily injury of another person;
- ! Violation of a protection order issued against a person charged with stalking; and
- ! Posting a private image for harassment or for pecuniary

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.*

gain.

The definition of "critical stages" is amended to include any full board review hearing.

The definition of "modification of sentence" is amended to include a resentencing following a probation revocation hearing or a request for early termination of probation.

The bill creates a victim's right:

- ! To be heard at any court proceeding at which the court considers a request for progression from a person accused or convicted of a crime against the victim and who is in the custody of the state mental health hospital. "Progression" includes off-grounds supervised or unsupervised privileges, community placement, conditional release, unconditional discharge, or a special furlough.
- ! To be informed of the results of a probation or parole revocation hearing; and
- ! To be informed of the governor's decision to commute or pardon a person convicted of a crime against the victim before such information is publicly disclosed.

The bill requires a district attorney's office, if practicable, to inform a victim of any pending motion to sequester the victim from a critical stage in the case.

Unless a victim requests otherwise, the district attorney shall inform each victim of the right to receive information from the state mental health hospital concerning the custody and release of a person convicted of a crime against the victim and ordered by a court into the hospital's care, including how the victim may request notification from the hospital.

Upon the written request of a victim, the Colorado mental health institute at Pueblo or the Colorado mental health institute at Fort Logan shall notify the victim of certain information regarding any person who was charged with or convicted of a crime against the victim.

The bill requires the juvenile parole board to report additional information concerning juvenile parole hearings.

The court shall inform the probation department before any hearing regarding any request by a probationer for early termination of probation or any change in the terms and conditions of probation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-4.1-302, **amend**

3 (1)(cc.6), (1)(hh), (2)(m), and (3.5); and **add** (1)(mm) as follows:

4 **24-4.1-302. Definitions.** As used in this part 3, and for no other

1 purpose, including the expansion of the rights of any defendant:

2 (1) "Crime" means any of the following offenses, acts, and  
3 violations as defined by the statutes of the state of Colorado, whether  
4 committed by an adult or a juvenile:

5 (cc.6) Failure to stop at the scene of an accident, in violation of  
6 section 42-4-1601, ~~C.R.S.~~, where the accident results in the death OR  
7 SERIOUS BODILY INJURY of another person;

8 (hh) Violation of a protection order issued under section  
9 18-1-1001 ~~C.R.S.~~, against a person charged with committing sexual  
10 assault in violation of section 18-3-402, ~~C.R.S.~~; sexual assault on a child  
11 in violation of section 18-3-405, ~~C.R.S.~~; sexual assault on a child by one  
12 in a position of trust in violation of section 18-3-405.3, ~~C.R.S.~~; or sexual  
13 assault on a client by a psychotherapist in violation of section 18-3-405.5,  
14 ~~C.R.S.~~; OR STALKING IN VIOLATION OF SECTION 18-3-602;

15 (mm) POSTING A PRIVATE IMAGE FOR HARASSMENT IN VIOLATION  
16 OF SECTION 18-7-107 OR POSTING A PRIVATE IMAGE FOR PECUNIARY GAIN  
17 IN VIOLATION OF SECTION 18-7-108.

18 (2) "Critical stages" means the following stages of the criminal  
19 justice process:

20 (m) Any parole application hearing AND FULL BOARD REVIEW  
21 HEARING;

22 (3.5) "Modification of sentence" means an action taken by the  
23 court to modify the length, terms, or conditions of an offender's sentence  
24 pursuant to rule 35 (a) or (b) of the Colorado rules of criminal procedure;  
25 A RESENTENCING FOLLOWING A PROBATION REVOCATION HEARING; OR A  
26 REQUEST FOR EARLY TERMINATION OF PROBATION. AS USED IN THIS  
27 SUBSECTION (3.5), "action taken by the court" includes an order by the

1 court modifying an offender's sentence upon review of the written motion  
2 without a hearing but does not include an order denying a motion to  
3 modify a sentence without a hearing.

4 **SECTION 2.** In Colorado Revised Statutes, 24-4.1-302.5, **amend**  
5 (1)(d)(VII), (1)(d)(VIII), and (1)(j); and **add** (1)(d)(IX), (1)(j.5)(III),  
6 (1)(j.5)(IV), (1)(j.5)(V), (1)(j.5)(VI), (1)(q.5), and (1)(aa) as follows:

7 **24-4.1-302.5. Rights afforded to victims - definitions.** (1) In  
8 order to preserve and protect a victim's rights to justice and due process,  
9 each victim of a crime has the following rights:

10 (d) The right to be heard at any court proceeding:

11 (VII) Involving a subpoena for records concerning the victim's  
12 medical history, mental health, education, or victim compensation, or any  
13 other records that are privileged pursuant to section 13-90-107; ~~C.R.S.~~;  
14 ~~or~~

15 (VIII) Involving a petition for expungement as described in  
16 section 19-1-306 (5)(a); ~~C.R.S.~~ OR

17 (IX) UPON REQUEST OF THE VICTIM, AT WHICH THE COURT  
18 CONSIDERS A REQUEST FOR PROGRESSION FROM A PERSON ACCUSED OR  
19 CONVICTED OF A CRIME AGAINST THE VICTIM AND WHO IS IN THE CUSTODY  
20 OF THE STATE MENTAL HEALTH HOSPITAL. FOR PURPOSES OF THIS  
21 SUBSECTION (1), "REQUEST FOR PROGRESSION" INCLUDES ANY REQUEST  
22 FOR OFF-GROUNDS SUPERVISED OR UNSUPERVISED PRIVILEGES,  
23 COMMUNITY PLACEMENT, CONDITIONAL RELEASE, UNCONDITIONAL  
24 DISCHARGE, OR A SPECIAL FURLOUGH.

25 (j) The right to be informed, upon written request from the victim,  
26 of any proceeding at which any postconviction release from confinement  
27 in a secure state correctional facility is being considered for any person

1 convicted of a crime against the victim and the right to be heard at any  
2 such proceeding or to provide written information thereto. For purposes  
3 of this subsection (1), "proceeding" means reconsideration of sentence,  
4 a parole hearing, A FULL BOARD REVIEW, commutation of sentence, or  
5 consideration for placement in the specialized program developed by the  
6 department of corrections pursuant to section 17-34-102. ~~C.R.S.~~

7 (j.5) (III) FOR PURPOSES OF THIS SUBSECTION (1)(j.5), IF A VICTIM  
8 OR A VICTIM'S DESIGNEE IS UNAVAILABLE TO BE PRESENT FOR A  
9 PROCEEDING TO CONSIDER AN OFFENDER FOR A DIRECT SENTENCE OR  
10 TRANSITIONAL REFERRAL TO COMMUNITY CORRECTIONS AS DESCRIBED IN  
11 SUBSECTION (1)(j.5)(I) OF THIS SECTION, AND THE VICTIM OR THE VICTIM'S  
12 DESIGNEE WISHES TO ADDRESS THE COMMUNITY CORRECTIONS BOARD,  
13 THE VICTIM MAY REQUEST THAT THE BOARD, WITHIN THE BOARD'S  
14 RESOURCES, ARRANGE AND PROVIDE THE MEANS FOR THE VICTIM OR THE  
15 VICTIM'S DESIGNEE TO PROVIDE INPUT TO THE COURT BEYOND A WRITTEN  
16 VICTIM IMPACT STATEMENT.

17 (IV) FOR PURPOSES OF THIS SUBSECTION (1)(j.5), THE VICTIM OR  
18 THE VICTIM'S DESIGNEE SHALL NOTIFY THE COMMUNITY CORRECTIONS  
19 BOARD WITHIN A REASONABLE TIME THAT HE OR SHE IS UNAVAILABLE TO  
20 ATTEND THE PROCEEDING BUT WOULD LIKE TO MAKE A STATEMENT.  
21 WITHIN ITS RESOURCES, THE COMMUNITY CORRECTIONS BOARD SHALL  
22 ARRANGE FOR AND PROVIDE THE MEANS TO ADDRESS THE BOARD, WHICH  
23 MEANS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, APPEARING BY  
24 PHONE OR VIA SIMILAR TECHNOLOGY.

25 (V) FOR PURPOSES OF THIS SUBSECTION (1)(j.5), "UNAVAILABLE"  
26 MEANS THE VICTIM OR THE VICTIM'S DESIGNEE IS PHYSICALLY UNABLE TO  
27 ATTEND THE PROCEEDING, MAY SUSTAIN A FINANCIAL HARDSHIP TO

1 ATTEND THE PROCEEDING, IS CONCERNED FOR HIS OR HER SAFETY IF HE OR  
2 SHE ATTENDS THE PROCEEDING, MAY SUFFER SIGNIFICANT EMOTIONAL  
3 IMPACT BY ATTENDING THE PROCEEDING, OR IS UNAVAILABLE FOR OTHER  
4 GOOD CAUSE.

5 (VI) THIS SUBSECTION (1)(j.5) APPLIES TO A VICTIM WHO IS  
6 INCARCERATED OR OTHERWISE BEING HELD IN A LOCAL COUNTY JAIL, THE  
7 DEPARTMENT OF CORRECTIONS, OR THE DIVISION OF YOUTH CORRECTIONS  
8 IN THE DEPARTMENT OF HUMAN SERVICES BUT IS LIMITED TO  
9 PARTICIPATION BY PHONE OR SIMILAR TECHNOLOGY.

10 (q.5) THE RIGHT TO BE INFORMED OF THE RESULTS OF A PROBATION  
11 OR PAROLE REVOCATION HEARING;

12 (aa) THE RIGHT TO BE INFORMED OF THE GOVERNOR'S DECISION TO  
13 COMMUTE OR PARDON A PERSON CONVICTED OF A CRIME AGAINST THE  
14 VICTIM BEFORE SUCH INFORMATION IS PUBLICLY DISCLOSED.

15 **SECTION 3.** In Colorado Revised Statutes, 24-4.1-303, **amend**  
16 (9)(g), (10)(b)(III), (12)(f)(I), (12)(g), (13.5)(a)(III), (13.5)(a)(IV),  
17 (13.5)(a)(V), (13.5)(a)(VIII), (14), (14.2) introductory portion, (14.2)(e),  
18 (14.2)(f), (14.2)(g), (14.2)(h), (14.2)(i), and (14.3)(a); **repeal** (14.2)(d);  
19 and **add** (3.5), (12)(g.5), (14.1), (14.2)(j), and (14.5)(c) as follows:

20 **24-4.1-303. Procedures for ensuring rights of victims of**  
21 **crimes.** (3.5) THE DISTRICT ATTORNEY'S OFFICE, IF PRACTICABLE, SHALL  
22 INFORM THE VICTIM OF ANY PENDING MOTION TO SEQUESTER THE VICTIM  
23 FROM A CRITICAL STAGE IN THE CASE. THE DISTRICT ATTORNEY SHALL  
24 INFORM THE COURT OF THE VICTIM'S POSITION ON THE MOTION, IF ANY. IF  
25 THE VICTIM HAS OBJECTED, THEN THE COURT, BEFORE GRANTING THE  
26 SEQUESTRATION ORDER, SHALL STATE IN WRITING OR ON THE RECORD  
27 THAT THE VICTIM'S OBJECTION WAS CONSIDERED.

1 (9) The district attorney and any law enforcement agency shall  
2 inform each victim as to the availability of the following services:

3 (g) Child care services to enable a victim or the victim's  
4 immediate family to give testimony or otherwise ~~cooperate~~ PARTICIPATE  
5 in the prosecution of a criminal proceeding; and

6 (10) (b) As soon as available, the law enforcement agency shall  
7 give to each victim, as appropriate, the following information:

8 (III) Unless such information would be inconsistent with the  
9 requirements of the investigation, information as to whether a suspect has  
10 been taken into custody and, if known, whether the suspect has been  
11 released, ~~and~~ any conditions imposed upon such release, AND  
12 INFORMATION AS TO HOW THE VICTIM MAY REQUEST FURTHER  
13 NOTIFICATION PURSUANT TO SECTION 24-4.1-302.5 (1)(c);

14 (12) Unless a victim requests otherwise, the district attorney shall  
15 inform each victim of the following:

16 (f) (I) The date, time, and location of any hearing for modification  
17 of a sentence pursuant to rule 35 (a) or rule 35 (b) of the Colorado rules  
18 of criminal procedure or any provision of state or federal law; EXCEPT  
19 THAT A DISTRICT ATTORNEY IS NOT REQUIRED TO INFORM EACH VICTIM OF  
20 A RESENTENCING FOLLOWING A PROBATION REVOCATION HEARING OR A  
21 REQUEST FOR EARLY TERMINATION OF PROBATION.

22 (g) The right to receive information from correctional officials  
23 concerning the imprisonment and release of a person convicted of a crime  
24 against the victim pursuant to subsection (14) of this section, INCLUDING  
25 HOW THE VICTIM MAY REQUEST NOTIFICATION FROM CORRECTIONAL  
26 FACILITIES.

27 (g.5) THE RIGHT TO RECEIVE INFORMATION FROM THE STATE

1 MENTAL HEALTH HOSPITAL CONCERNING THE CUSTODY AND RELEASE OF  
2 A PERSON CONVICTED OF A CRIME AGAINST THE VICTIM AND ORDERED BY  
3 A COURT INTO THE HOSPITAL'S CARE PURSUANT TO SUBSECTION (14.2) OF  
4 THIS SECTION, INCLUDING HOW THE VICTIM MAY REQUEST NOTIFICATION  
5 FROM THE HOSPITAL.

6 (13.5) (a) Following a sentence to probation and upon the written  
7 request of a victim, the probation department shall notify the victim of the  
8 following information regarding any person who was charged with or  
9 convicted of a crime against the victim:

10 (III) Any request for release of the person in advance of the  
11 person's imposed sentence or period of probation, INCLUDING  
12 NOTIFICATION OF THE VICTIM'S RIGHT TO BE PRESENT AND HEARD AT THE  
13 HEARING AND NOTIFICATION OF THE RESULTS OF SUCH A HEARING  
14 PURSUANT TO SECTION 24-4.1-302.5 (1)(d). IF THE COURT HAS REVIEWED  
15 AND DENIED SUCH A REQUEST WITHOUT A HEARING, THE PROBATION  
16 DEPARTMENT IS NOT REQUIRED TO NOTIFY THE VICTIM REGARDING THE  
17 FILING OF OR RULING ON THE REQUEST.

18 (IV) Any probation revocation or modification hearing ~~regarding~~  
19 ~~the person~~ AT WHICH THE PERSON'S SENTENCE MAY BE RECONSIDERED OR  
20 MODIFIED and any changes in the scheduling of the hearings, INCLUDING  
21 NOTIFICATION OF THE VICTIM'S RIGHT TO BE PRESENT AND HEARD AT THE  
22 HEARING AND NOTIFICATION OF THE RESULTS OF SUCH A HEARING  
23 PURSUANT TO SECTION 24-4.1-302.5 (1)(d). IF A HEARING IS NOT  
24 SCHEDULED AND THE COURT HAS REVIEWED A WRITTEN MOTION FOR  
25 MODIFICATION OF SENTENCE AND IS CONSIDERING GRANTING ANY PART OF  
26 THE MOTION WITHOUT A HEARING, THE COURT SHALL INFORM THE  
27 PROBATION DEPARTMENT AND THE DISTRICT ATTORNEY'S OFFICE, AND THE

1 PROBATION DEPARTMENT SHALL NOTIFY AND RECEIVE INPUT FROM THE  
2 VICTIM TO GIVE TO THE COURT BEFORE THE COURT RULES ON THE MOTION.  
3 IF THE COURT HAS REVIEWED AND DENIED THE WRITTEN MOTION WITHOUT  
4 A HEARING, THE PROBATION DEPARTMENT IS NOT REQUIRED TO NOTIFY  
5 THE VICTIM REGARDING THE FILING OF OR RULING ON THE MOTION.

6 (V) Any motion filed by the probation department requesting  
7 permission from the court to modify the terms and conditions of probation  
8 as described in section 18-1.3-204 ~~C.R.S.~~, OR 19-2-925 if the motion has  
9 not been denied by the court without a hearing;

10 (VIII) Concerning domestic violence cases, any conduct by the  
11 ~~defendant~~ PROBATIONER that results in an increase in the supervision level  
12 by the probation department; and

13 (14) (a) Upon receipt of a written victim impact statement as  
14 provided in section 24-4.1-302.5 (1)(j.5), the department of corrections  
15 shall include the statement with any referral made by the department of  
16 corrections or a district court to place an offender in a public or private  
17 community corrections facility or program.

18 (b) Upon written request of a victim, the department of corrections  
19 ~~or the public or private local corrections authorities~~ shall notify the victim  
20 of the following information regarding any person who was charged with  
21 or convicted of a crime against the victim:

22 (a) (I) The ~~institution~~ CORRECTIONAL FACILITY in which ~~such~~ THE  
23 person is incarcerated or otherwise being held;

24 (b) (II) The projected date of ~~such~~ THE person's release from  
25 confinement;

26 (c) (III) Any release of ~~such~~ THE person ~~on furlough or work~~  
27 ~~release or~~ to a community correctional facility or other program, OR

1 STATUTORY DISCHARGE in advance of such release;

2 ~~(d)~~ (IV) Any scheduled parole hearings OR FULL BOARD REVIEWS  
3 regarding ~~such~~ THE person, ~~and~~ any changes in the scheduling of such  
4 hearings, AND THE VICTIM'S RIGHT TO BE PRESENT AND HEARD AT SUCH  
5 HEARINGS;

6 ~~(e)~~ (V) Any escape by ~~such~~ THE person or transfer or release ~~from~~  
7 ~~any state hospital, a detention facility, a correctional facility, a community~~  
8 ~~correctional facility, or other program,~~ and any subsequent recapture of  
9 ~~such~~ THE person;

10 ~~(f)~~ (VI) ~~Any decision by the parole board to release such~~ THE  
11 ~~person or any decision by the governor to commute the sentence of such~~  
12 ~~THE person or pardon such person~~ THE TRANSITION OF THE PERSON FROM  
13 A RESIDENTIAL FACILITY TO A NONRESIDENTIAL SETTING;

14 (VII) ANY DECISION BY THE PAROLE BOARD TO RELEASE THE  
15 PERSON OR ANY DECISION BY THE GOVERNOR TO COMMUTE THE SENTENCE  
16 OF THE PERSON OR PARDON THE PERSON;

17 ~~(g)~~ (VIII) The transfer to or placement in a nonsecured facility of  
18 a person convicted of a crime, any release or discharge from confinement  
19 of the person, and any conditions attached to the release;

20 (IX) THE DATE, TIME, AND LOCATION OF A SCHEDULED  
21 EXECUTION; AND

22 ~~(h)~~ (X) The death of the person while in custody or while under  
23 the jurisdiction of the state. ~~of Colorado concerning the crime; and~~

24 ~~(i)~~ ~~The transition of the person from a residential facility to a~~  
25 ~~nonresidential setting.~~

26 (c) UPON WRITTEN REQUEST OF A VICTIM, PUBLIC OR PRIVATE  
27 COMMUNITY CORRECTIONS AUTHORITIES SHALL NOTIFY THE VICTIM OF

1 THE FOLLOWING INFORMATION REGARDING ANY PERSON WHO WAS  
2 CONVICTED OF A CRIME AGAINST THE VICTIM:

3 (I) THE CORRECTIONAL FACILITY TO WHICH THE PERSON IS  
4 ASSIGNED;

5 (II) ANY ESCAPE BY THE PERSON OR TRANSFER OR RELEASE AND  
6 ANY SUBSEQUENT RECAPTURE OF THE PERSON, IF KNOWN;

7 (III) WHETHER THE PERSON WILL BE RELEASED FOR WORK,  
8 TREATMENT, OR RECREATIONAL PURPOSES, IN ADVANCE OF SUCH RELEASE;

9 (IV) THE DEATH OF THE PERSON WHILE IN CUSTODY OR WHILE  
10 UNDER THE JURISDICTION OF THE STATE; AND

11 (V) THE TRANSITION OF THE PERSON FROM A RESIDENTIAL  
12 FACILITY TO A NONRESIDENTIAL SETTING.

13 (d) UPON WRITTEN REQUEST OF A VICTIM, LOCAL JAIL AUTHORITIES  
14 SHALL NOTIFY THE VICTIM OF THE FOLLOWING INFORMATION REGARDING  
15 ANY PERSON WHO WAS CHARGED WITH OR CONVICTED OF A CRIME  
16 AGAINST THE VICTIM:

17 (I) THE CORRECTIONAL FACILITY IN WHICH THE PERSON IS  
18 INCARCERATED OR OTHERWISE BEING HELD;

19 (II) THE PROJECTED DATE OF THE PERSON'S RELEASE FROM  
20 CONFINEMENT;

21 (III) ANY RELEASE OF THE PERSON ON FURLOUGH OR WORK  
22 RELEASE OR TO A COMMUNITY CORRECTIONAL FACILITY OR OTHER  
23 PROGRAM, IN ADVANCE OF SUCH RELEASE;

24 (IV) ANY ESCAPE BY THE PERSON OR TRANSFER AND ANY  
25 SUBSEQUENT RECAPTURE OF THE PERSON;

26 (V) ANY RELEASE OR DISCHARGE FROM CONFINEMENT OF THE  
27 PERSON AND ANY CONDITIONS ATTACHED TO THE RELEASE; AND

1 (VI) THE DEATH OF THE PERSON WHILE IN CUSTODY OR WHILE  
2 UNDER THE JURISDICTION OF THE STATE.

3 (14.1) UPON THE WRITTEN REQUEST OF A VICTIM, THE COLORADO  
4 MENTAL HEALTH INSTITUTE AT PUEBLO, OR THE COLORADO MENTAL  
5 HEALTH INSTITUTE AT FORT LOGAN, AS MAY BE APPLICABLE, SHALL  
6 NOTIFY THE VICTIM OF THE FOLLOWING INFORMATION REGARDING ANY  
7 PERSON WHO WAS CHARGED WITH OR CONVICTED OF A CRIME AGAINST THE  
8 VICTIM:

- 9 (a) THE INSTITUTION IN WHICH THE PERSON RESIDES;
- 10 (b) ANY RELEASE OF THE PERSON ON FURLOUGH OR OTHER  
11 PROGRAM, IN ADVANCE OF SUCH RELEASE;
- 12 (c) ANY OTHER TRANSFER OR RELEASE FROM THE STATE HOSPITAL;
- 13 (d) ANY ESCAPE BY THE PERSON AND ANY SUBSEQUENT  
14 RECAPTURE OF THE PERSON; AND
- 15 (e) THE DEATH OF THE PERSON WHILE IN CUSTODY OR WHILE  
16 UNDER THE JURISDICTION OF THE STATE.

17 (14.2) Upon receipt of a written statement as provided in section  
18 24-4.1-302.5 (1)(j.5), the department of human services, DIVISION OF  
19 YOUTH CORRECTIONS, shall include the statement with any referral made  
20 by the department of human services or a district court to place an  
21 offender in a public or private community corrections facility or program.  
22 Upon written request of the victim, the department of human services and  
23 any state hospital shall notify the victim of the following information  
24 regarding any person who was charged with or convicted of a crime  
25 against the victim:

- 26 (d) ~~Any scheduled parole hearings regarding such person and any~~  
27 ~~changes in the scheduling of such hearings;~~

1 (e) Any escape by ~~such~~ THE person or transfer or release from any  
2 state hospital, a detention facility, a correctional facility, a community  
3 correctional facility, PAROLE SUPERVISION, or other program, and any  
4 subsequent recapture of ~~such~~ THE person;

5 (f) Any decision by the ~~parole board to release such person or any~~  
6 ~~decision by the~~ governor to commute the sentence of ~~such~~ THE person or  
7 pardon ~~such~~ THE person;

8 (g) The transfer to or placement in a nonsecured facility of a  
9 person convicted of a crime, any release or discharge from ~~confinement~~  
10 THE SENTENCE of the person, and any conditions attached to the release;

11 (h) The death of ~~such~~ THE person while in custody or while under  
12 the jurisdiction of the state; ~~of Colorado; concerning the crime; and~~

13 (i) Any request by the department of human services to the  
14 juvenile court to modify the sentence to commitment and any decision by  
15 the juvenile court to modify the sentence to commitment; AND

16 (j) ANY PLACEMENT CHANGE THAT OCCURS DURING THE PERSON'S  
17 PAROLE THAT MAY AFFECT THE VICTIM'S SAFETY, AS DETERMINED BY THE  
18 DIVISION OF YOUTH CORRECTIONS.

19 (14.3) Upon receipt of a written statement from the victim, the  
20 juvenile parole board shall notify the victim of the following information  
21 regarding any person who was charged with or convicted of an offense  
22 against the victim:

23 (a) Any scheduled juvenile parole hearings pursuant to sections  
24 19-2-1002 and 19-2-1004 ~~C.R.S.~~; regarding the person, ~~and any changes~~  
25 CHANGE in the scheduling of ~~the hearings~~ SUCH A HEARING in advance of  
26 the hearing, THE VICTIM'S RIGHT TO BE PRESENT AND HEARD AT SUCH  
27 HEARINGS, THE RESULTS OF ANY SUCH HEARING, ANY PAROLE DECISION TO

1 RELEASE THE PERSON, AND THE TERMS AND CONDITIONS OF ANY SUCH  
2 RELEASE;

3 (14.5)(c) THE COURT SHALL INFORM THE PROBATION DEPARTMENT  
4 AND THE DISTRICT ATTORNEY'S OFFICE BEFORE ANY HEARING REGARDING  
5 ANY REQUEST BY THE PROBATIONER FOR EARLY TERMINATION OF  
6 PROBATION OR ANY CHANGE IN THE TERMS AND CONDITIONS OF  
7 PROBATION.

8 **SECTION 4. Act subject to petition - effective date.** This act  
9 takes effect at 12:01 a.m. on the day following the expiration of the  
10 ninety-day period after final adjournment of the general assembly (August  
11 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
12 referendum petition is filed pursuant to section 1 (3) of article V of the  
13 state constitution against this act or an item, section, or part of this act  
14 within such period, then the act, item, section, or part will not take effect  
15 unless approved by the people at the general election to be held in  
16 November 2018 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor.