



FY2011 RECOMMENDATION/FY11-SO18 AMEND THE PERIOD OF DEFERRED JUDGEMENT AND AVAILABLE TREATMENT LENGTHS FOR SEX OFFENSES

Status: Cannot Implement

Actions/Updates

2013 UPDATE

No further action on this recommendation.

2012 ACTION/IMPLEMENTATION

This recommendation requires statutory change to be implemented.

Description

Extend the amount of time available on a deferred judgment and sentence for a sex offense requiring treatment, and clarify when the period of the deferred begins.

Agencies Responsible

Discussion

For the majority of sex offenders, treatment will take longer than four years. However, the current statute, 18-1.3-102, CRS, only permits a maximum of four years for a deferred judgment. Because a sex offense requires an evaluation before treatment can begin, there is often a twomonth lag between the entry of the plea for the deferred judgment and the beginning of that treatment. This recommendation would allow the period of the deferred judgment to begin at the time that supervision and treatment can begin. The new language would allow the court, with the consent of the parties, to extend the length of the deferred judgment period for an additional two years for good cause. Additionally, it should be clear that the period of the deferred judgment for any plea begins the date the plea is entered if no presentence investigation report or offense-specific evaluation is ordered. If a presentence investigation or offense specific evaluation is ordered, the case is to be set over for another date so those reports can be completed. At that subsequent court date, the period of the deferred judgment should begin.