

**FOR IMMEDIATE RELEASE**  
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**GOV. RITTER ESTABLISHES JUVENILE CLEMENCY  
BOARD**

Gov. Bill Ritter announced today he has established a seven-member Juvenile Clemency Advisory Board to review clemency and commutation requests by juveniles who were tried as adults and sentenced to state prison.

“As a former prosecutor, protecting the people of Colorado and ensuring the fair administration of justice are extremely important to me,” Gov. Ritter said upon issuing Executive Order B-009-07, which creates the Juvenile Clemency Board.

“We can further those goals by subjecting our criminal justice system – including the punishment of juvenile offenders who were tried, convicted and sentenced as adults – to regular review and scrutiny,” said Gov. Ritter, who served as Denver’s District Attorney from June 1993 to January 2005. “This Juvenile Clemency Board will bring an added level of expertise to the review process and help ensure that the interests of justice are served in cases where juveniles are tried and sentenced as adults.”

Petitions for clemency and commutation by juveniles tried as adults are currently handled by the Executive Clemency Advisory Board. The new Juvenile Clemency Board will review petitions for commutation at the request of the Governor and consider several factors when making decisions, including:

- Recognizing exemplary rehabilitation and institutional behavior;
- Aiding offenders suffering from catastrophic or terminal medical, mental or physical conditions;
- Rewarding acts of heroism by inmates who prevent risk or injury to staff, citizens or other inmates;
- Addressing sentencing disparities and correct inequities within the Colorado criminal justice system.

Final decisions on clemency petitions will still be made by Governor. Board members will serve at the pleasure of the Governor; will include at least one crime victim or victim advocate and state criminal justice and corrections officials; and will meet at least twice a year.

The Governor has appointed the following seven people to the Juvenile Clemency Board:

Jeanne Smith, director for the Division of Criminal Justice, to serve as chairman;

Jeaneene Miller, director for the Division of Adult Parole, Youth Offender System and Community Corrections;

Gunnison County Sheriff Rick Murdie;

Dr. John Nicolleti;

Randy James Saucedo;

Dr. Richard M. Swanson;

Former Denver County and District Court Judge Federico C. Alvarez.

Here is the complete text of Executive Order B-009-07:

Pursuant to the authority vested in me under Article IV, Section 7, of the Colorado Constitution and the laws of the state of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, do hereby issue this Executive Order creating the Juvenile Clemency Board.

#### 1. History and Purpose

The Executive Clemency Advisory Board (“the Board”) was created by statute on July 1, 1969. The statute authorizing the Board was repealed in 1975. The organization and duties of the Board have been changed by a series of executive orders dated February 13, 1975, October 12, 1975, September 17, 1981, March 16, 1987, and February 16, 1999. The Executive Clemency Advisory Board shall continue under Executive order dated August 28, 2007. This addition of the Juvenile Clemency Board, will review cases of juvenile offenders, tried as adults.

The purpose of the Board is to make advisory recommendations of executive clemency to the Governor, specifically for persons who were juveniles tried as adults and are serving sentences(s). This Board shall advise the Governor on the screening of applications for juveniles offenders, tried as adults, requesting or petitioning for a commutation of sentence.

#### 2. Membership

A. The Juvenile Clemency Board consists of seven members. The members of the Juvenile Clemency Board shall be appointed and serve at the pleasure of the Governor.

B. The Chairperson of the Juvenile Clemency Board shall be appointed and serve at the pleasure of the Governor. The Chairperson shall exercise the usual and necessary duties and powers of such an office. In the absence of the Chairperson an Acting Chairperson from among

the members of the Juvenile Clemency Board may be designated by the Chairperson or by the Governor.

C. The Juvenile Clemency Board members shall include but are not limited to:

- i. The Director for the Division of Criminal Justice;
- ii. The Director for the Division of Adult Parole, Community Corrections, and the Youth Offender System;
- iii. At least one member who is a crime victim or represents victims of crime.

### 3. Powers and Duties

A. The Juvenile Clemency Board may review and make recommendations of clemency for commutations of sentence of juvenile offenders. This review process shall be limited only to juvenile offenders who were tried as adults, under Colorado law and for which they are serving a sentence(s). The Juvenile Clemency Board shall not be required to review, process or respond to any requests for clemency, unless specifically directed by the Governor.

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B. The Juvenile Clemency Board shall meet at least twice every year and may meet more frequently as the Chairperson deems appropriate. A recommendation by the Juvenile Clemency Board to grant clemency must receive favorable votes from at least four members of the Juvenile Clemency Board.

C. The Juvenile Clemency Board shall establish the policies and procedures it deems appropriate for conducting its meetings and for providing advice to the Governor. These procedures shall not be subject to the provisions of the State Administrative Procedures Act; the Open Records Act, the Open Meetings Act; or any other requirement of state law. All board proceedings and records shall be confidential and shall be available solely to the Governor and his staff.

### 4. Scope of Authority

A. The Juvenile Clemency Board may make favorable recommendations for clemency to serve the interests of justice as determined by the Juvenile Clemency Board and make favorable recommendations for commutation of sentence to:

- i. Recognize exemplary rehabilitation and institutional behavior;

- ii. Aid offenders suffering from catastrophic or terminal medical, mental or physical conditions as determined by the Juvenile Clemency Board;
- iii. Reward acts of heroism by inmates who prevent risk or injury to staff, citizens, or other inmates;
- iv. Address sentencing disparities and correct inequities within the Colorado criminal justice system.

#### Staffing and Resources

The Board is hereby established within the Office of the Governor, with the staff assistance to be provided by the Department of Corrections and the Department of Public Safety as needed. The Colorado Bureau of Investigation shall provide the Governor's Director for Executive Clemency all assistance with clemency application background investigations, applicant fingerprint analysis, criminal history record information, court disposition information, driving record histories and all other assistance or records required to complete the clemency process.

All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall provide the assistance required by the board, in the performance of its duties. Free access shall also be given to any books, inmate records, archive records, material or documents in their custody, relating to matters within the scope of inquiry, study or review of the Executive Clemency Advisory Board.

All proceedings of the Juvenile Clemency Board shall be conducted in conformance with the provisions of this Executive Order and in conformance with such other criteria, procedures and provisions which the Governor may deem appropriate.

GIVEN under my hand and the  
Executive Seal of the State of  
Colorado, this 28TH Day of  
August, 2007.

Bill Ritter, Jr.  
Governor