

EDITORIAL

Grand Junction Daily Sentinel
October 19, 2024

Ballot issues that deserve a ‘yes’

Amendment G: *Modify the property tax exemption for veterans with disabilities.*

This constitutional amendment cleared the state Legislature unanimously. It would expand the state’s homestead exemption to include veterans with a significant service-connected disability that makes them unable to work. It would cover about 3,400 more veterans at a cost of about \$1.8 million a year.

Support of the governor and lawmakers should make this an easy call for voters.

Amendment I: *Constitutional bail exception for first degree murder.*

We put this in the “no-brainer” category. A legal loophole was created in 2020 when the Legislature passed a law that abolished Colorado’s death penalty. The Constitution allows judges to deny bail to person charged with a capital offense, but because of the Legislature’s action, no crime is considered a capital offense in Colorado.

In other words, there is no longer an exception to the bail requirement for first-degree murder, so the Legislature has referred Amendment I to voters. If passed, it amends the Colorado Constitution to again allow judges to deny bail in first-degree murder cases when the proof is evident and the presumption is great that the person committed the crime.

It’s a one-word change that restores a longstanding statewide legal precedent that was inadvertently eliminated by the repeal of the death penalty.

Amendment J: *Repealing the definition of marriage in the Constitution.*

This is a housekeeping item meant to remove antiquated language from the state Constitution that states only marriages between a man and woman are valid in Colorado. It’s obsolete because the U.S. Supreme Court legalized same-sex marriage across the country in 2015. Because it’s removing, rather than adding, to the Constitution, it only needs a simple majority of voter support.

It’s hard to imagine this won’t pass given that Colorado voters elected a governor who is in a same-sex marriage.

Proposition 128: *Parole eligibility for crimes of violence.*

The “certainty in sentencing” proposal was placed on the ballot via the citizens initiative process with the backing of Advance Colorado.

A “yes” vote would require a person convicted of certain crimes of violence to serve at least 85% of their sentence in prison before being eligible for discretionary parole or earned time reductions, and make a person convicted of a third or subsequent crime of violence ineligible for earned time or discretionary parole.

Before the Colorado Criminal and Juvenile Justice Commission was disbanded by the House Judiciary Committee in 2023, it was on a path to deliver its own recommendations on certainty in sentencing.

Gov. Jared Polis called CCJJ “an important deliberative body representing a broad spectrum of stakeholders that examine and bring forth evidence-based recommendations.” CCJJ had rewritten the state’s misdemeanor criminal code and drug sentencing laws and made recommendations on two big felony sentencing reforms. It had also spent two years studying parole eligibility.

If CCJJ had been reauthorized, we believe it would have done a better job buttoning up the “certain crimes of violence” that trigger the tighter parole eligibility requirements.

The general public doesn’t know what goes on behind the criminal justice curtain. But this measure increases the leverage of prosecutors on very limited, but serious crimes.

It’s better than the current system, but not the difference-maker CCJJ might have offered. Vote “yes” on 128, then petition lawmakers to reinstate the body that can approach parole eligibility reform in a holistic manner.