

PROPOSITION 209 - SAMPLE BALLOT/BALLOT FORMAT

PROPOSITION 209

PROPOSED STATUTORY AMENDMENT BY INITIATIVE PETITION RELATING TO EARNED RELEASE CREDITS, SENTENCING AND VICTIMS SERVICES

OFFICIAL TITLE

AMENDING SECTION 41-1604.07, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 7, ARIZONA REVISED STATUTES; AMENDING TITLE 13, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 40.1; AMENDING TITLE 36, CHAPTER 28.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2817.01; AMENDING SECTION 13-3419, ARIZONA REVISED STATUTES; AMENDING SECTION 31-229.02, ARIZONA REVISED STATUTES; RELATING TO EARNED RELEASE CREDITS, SENTENCING AND VICTIMS' SERVICES.

DESCRIPTIVE TITLE

THE LAW WOULD EXPAND THE EARNED RELEASE CREDITS PROGRAM TO ALLOW THOSE CONVICTED OF STATUTORILY-DEFINED "NONDANGEROUS OFFENSES" TO REDUCE PRISON TIME BY UP TO 50%; AUTHORIZE JUDGES TO IMPOSE LOWER SENTENCES FOR "NON-DANGEROUS OFFENSES" WHEN IN THE INTEREST OF JUSTICE; AND ESTABLISH A FUND FOR VICTIMS AND FIRST RESPONDERS.

<p>A "YES" vote shall have the effect of defining a nondangerous offense as any offense that is not a crime determined by the jury or court to be a dangerous offense, molestation of a child, a dangerous crime against children, first or second degree murder, or sexual assault; expanding the current earned release credit program to require the Arizona Department of Corrections, Rehabilitation and Reentry to grant earned release credits to those incarcerated for a nondangerous offense to reduce prison time by up to 50% pursuant to requirements adopted by the director; allowing a judge, when imposing a sentence for a nondangerous offense, to impose a sentence less than the statutory minimum or no prison sentence if the judge finds it is in the interest of justice, considering factors such as the input of victims, family members, and experts; changing the circumstances under which earned release credits can be taken away; limiting prior convictions considered for sentencing enhancements to those that occurred prior to the present offense; eliminating the literacy requirement to be eligible for early release; and establishing a new fund for services for crime victims and first responders by transferring funds from the Medical Marijuana Fund.</p>	<p>YES <input type="checkbox"/></p>
<p>A "NO" vote shall have the effect of retaining existing law relating to early prison release and criminal sentencing.</p>	<p>NO <input type="checkbox"/></p>