

Colorado Reprieve Power

Colorado does not limit the governor's power to grant reprieves.

Const. Art. 4, § 7 authorizes the governor "to grant reprieves, commutations and pardons after conviction, for all offenses except treason, and except in case of impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons . . ." In *People v. Herrera*, the Colorado Supreme Court recognized that this power was exclusively the governor's and that the legislature had no authority to confer it upon the judiciary. 183 Colo. 155, 162 (1973).

By permitting regulation of "the manner of applying for pardons," but not the manner of applying for reprieves, Colorado—like many other states—ensures that the governor may act swiftly in times of emergency. The only statutes regulating the clemency process are CO ST § 16-17-101, § 16-17-102, § 16-17-103, but those discuss only pardons and commutations, not reprieves.