

CRIMINAL JUSTICE

Research Notes are prepared by Legislative Council Staff's nonpartisan research and committee staff. Research notes provide a summary of the bill, background information on the bill, and information on committee hearings and amendments adopted on the bill as it moves through the legislative process. Legislative Council Staff prepares final research notes for bills passed by the General Assembly as well as select bills that were considered but not adopted, and may be accessed through the links below. Research notes are provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly.

Juvenile Justice		
HB 15-1022 <i>(Enacted)</i> Juvenile Petty Offense Contracts	HB 15-1273 <i>(Enacted)</i> Comprehensive School Discipline Reporting	
Mandatory Reporting Requirements		
SB 15-109 <i>(Enacted)</i> Mandatory Abuse Report for Adult with a Disability	SB 15-128 <i>(Enacted)</i> Medical Reports of Alleged Sexual Assaults	
New Offenses and Penalties		
SB 15-005 <i>(Enacted)</i> Medical Testing for First Degree Assault	SB 15-067 <i>(Enacted)</i> Second Degree Assault Injury to Emergency Responders	
Offenses Related to Assault		
SB 15-126 <i>(Enacted)</i> Medical Tests for All Assault Victims	SB 15-128 <i>(Enacted)</i> Medical Reports of Alleged Sexual Assaults	
Penalties Related to Drugs		
SB 15-116 <i>(Enacted)</i> Needle-stick Prevention		
Victim Compensation		
HB 15-1035 <i>(Enacted)</i> Update Crime Victim Compensation Laws		
Human Trafficking and Prostitution		
HB 15-1019 <i>(Enacted)</i> Victims of Human Trafficking and Prostitution	SB 15-030 <i>(Enacted)</i> Prostitution Defense for Human Trafficking Victim	
Law Enforcement Personnel		
HB 15-1073 <i>(Enacted)</i> Driver May Challenge Initial Police Contact	SB 15-013 <i>(Enacted)</i> Extend Deadline for Dog Protection Act	SB 15-058 <i>(Enacted)</i> Eyewitness Identifications Policies and Procedures
SB 15-185 <i>(Enacted)</i> Police Data Collection and Community Policing	SB 15-217 <i>(Enacted)</i> Police Shooting Data Collection	SB 15-218 <i>(Enacted)</i> Disclose Misrepresentations by Peace Officers
SB 15-219 <i>(Enacted)</i> Peace Officer Shootings Transparency Measures		



Legislative Council Staff

Research Note

Bill Number: HB15-1273

Short Title: *Comprehensive School Discipline Reporting*

Prime Sponsors: Representative Lawrence
Senator Newell

Research Analyst: Lisa Gezelter (x3264)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on June 5, 2015.

Summary

The bill adds a definition of "law enforcement" to the section of state law requiring school district boards of education to create safe school plans. It also extends the requirement for having safe school plans to charter school boards authorized by the Charter School Institute. It requires annual safe school reports to be available via the Colorado Department of Education's (CDE) website.

The bill requires school districts to include in their safe school reports separate categories for the unlawful use, possession, or sale of marijuana on school grounds, in a school vehicle, or at a school activity or sanctioned event, as well as the number of acts of sexual violence that take place on school grounds, in a school vehicle, or at a school activity or sanctioned event. The bill requires reports of sexual assault to leave out information that could be used to identify a victim, and it defines sexual violence.

The bill encourages a formal review of these reports by the House and Senate education and judiciary committees during the 2020 legislative session, and repealed the post-enactment review of school safety reports under the provisions of House Bill 12-1345, which was due to be completed in 2016.

The bill requires law enforcement agencies and district attorneys that have been delinquent in filing reports of cases handled on school grounds, in a school vehicle, or at a school activity or sanctioned event to do so prior to August 15, 2015. The bill requires all law enforcement agencies acting in their official capacity on school grounds, in a school vehicle, or at a school activity or sanctioned event, as well as all district attorneys, to report all student tickets, summons, or arrests

Date: 7/21/2015

Version: Final

by August 1 of each year. The bill lays out the required information to be contained in these reports.

As long as existing appropriations or resources are available, the bill requires the Division of Criminal Justice to compile and analyze the data submitted by law enforcement agencies and district attorneys annually and lays out specific requirements for the division's report. The division is required to make the report available to members of the public and to independent research or community-based organizations, and must publish the report on its website. The division is also required to retroactively publish reports for the 2013-14 and 2014-15 school years. These provisions are enacted into law only if the net reduction in the appropriations from the general fund made in Senate Bill 15-124 is equal to or greater than \$73,457.

Background

In 2000, the General Assembly added provisions to state law requiring district boards of education to have safe school plans and submit annual safe school reports. However, school districts are not required to separate reports of sexual violence and so routinely use the "other" category to report these incidents.

In 2012, the General Assembly passed legislation requiring law enforcement agencies and district attorneys to report contacts with students annually. However, only 30 percent of law enforcement agencies and only 27 percent of district attorneys have complied with these reporting requirements.

House Action

House Education Committee (March 16, 2015). At the hearing, representatives of advocacy groups for students of color, county sheriffs, the Colorado Association of School Boards, and the Colorado Association of School Executives spoke in opposition to the bill. Representatives of the Colorado Coalition Against Sexual Assault, the Colorado Criminal Defense Bar, student victims of sexual violence at school, and victims' parents spoke in support of the bill. The bill was laid over for action only.

House Education Committee (April 17, 2015). The committee adopted amendments L.003, L.006, and L.007.

Amendment L.003 added a section to the bill encouraging the General Assembly to review the reports received from the Division of Criminal Justice during the 2020 legislative session. It also added a safety clause to the bill.

Amendment L.006 added a paragraph requiring institute charter schools to comply with the bill's provisions. It extended the requirements for law enforcement reports to include tickets and summons as well as arrests. It also added provisions requiring law enforcement agencies to submit reports of tickets, summons, and arrests on school grounds, vehicles, or at school events in formats developed by the division and allows law enforcement agencies to report monthly, quarterly, or annually. The amendment also requires the division to publish the report annually on its website.

Date: 7/21/2015

Version: Final

Amendment L.007 clarified the definition of acts of sexual violence that are part of the required reporting for school districts, eliminating the requirement that acts of sexual violence must have instigated a Title IX investigation in order to be recorded in the district's annual safe schools report.

House Committee on Appropriations (April 24, 2015). The committee adopted amendment L.008, which made technical changes to the bill and added a provision requiring the Division of Criminal Justice to compile reports only if existing appropriations or resources are available.

House Second Reading (April 29, 2015). The House Committee of the Whole adopted the Education and Appropriations Committee reports and passed the bill with no additional amendments.

House Third Reading (April 30, 2015). The House passed the bill with no additional amendments.

House Consideration of Senate Amendments (May 6, 2015). The House concurred with amendments adopted by the Senate Appropriations Committee.

Senate Action

Senate Education Committee (May 4, 2015). At the hearing, representatives of county sheriffs spoke in opposition to the bill. Representatives of the Colorado Juvenile Defense Center, the Colorado Coalition Against Sexual Assault, the Colorado Coalition Against Domestic Violence, and the Colorado District Attorney's Council spoke in support of the bill. The committee passed the bill unamended.

Senate Appropriations Committee (May 5, 2015). The committee adopted amendment J.005, adding an appropriation of \$73,457 to the bill and requiring certain savings under the provisions of Senate Bill 15-124 before the appropriation would become available to the department.

Senate Second Reading (May 5, 2015). The Senate Committee of the Whole adopted the Education and Appropriations Committee reports and passed the bill with no additional amendments.

Senate Third Reading (May 6, 2015). The Senate passed the bill with no additional amendments.

Date: May 27, 2015

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Legislative Council Staff

Research Note

Bill Number: HB15-1073

Short Title: *Driver May Challenge Initial Police Contact*

Prime Sponsors: Representative Salazar
Senator Ulibarri

Research Analyst: Bo Pogue

Current Status

This research note reflects the final version of the bill, which becomes effective August 5, 2015, assuming no referendum petition is filed.

Summary

Under previous law, a driver could challenge the validity of a law enforcement officer's initial contact with a driver and a subsequent arrest for a driving under the influence (DUI) offense. This challenge takes place in an administrative hearing regarding a driver's license revocation before the Department of Revenue (DOR). HB 15-1073 states that if a driver so challenges the validity of the initial contact, and the evidence does not establish that the initial contact or arrest was constitutionally and statutorily valid, the driver is not subject to license revocation.

Background

The DOR revokes the licenses of persons driving with an excess blood alcohol content and persons refusing to submit to testing for DUI. License revocations are administered by the DOR, while criminal sanctions for DUI are levied in the court system. A person who has received a notice of license revocation may request an administrative hearing before the DOR to review the department's revocation determination. In 2013, the General Assembly passed House Bill 13-1077, which allows a driver to, at the administrative hearing, challenge the validity of a law enforcement officer's initial contact with the driver and his or her subsequent arrest for a DUI offense. HB 13-1077 codified practice prior to the Colorado Court of Appeals ruling in *Francen v. Colorado Department of Revenue, Division of Motor Vehicles*, which held that the lawfulness of the initial contact by police is not relevant in a DUI civil revocation proceeding.

House Action

House Judiciary Committee (March 12, 2015). The introduced version of HB 15-1073 allowed challenges to the validity of a law enforcement officer's initial contact with a driver and

Date: *May 27, 2015*

Version: *Final*

subsequent DUI arrest to be applied retroactively. The House Judiciary Committee passed amendment L.004, which struck the retroactivity language and replaced it with the current provisions, under which a successful challenge by a driver of an initial contact by law enforcement results in the driver not being subject to license revocation. At the hearing, a representative of the Colorado Criminal Defense Bar testified in support of the bill.

House Second Reading (March 16, 2015). The House Committee of the Whole adopted the bill along with the House Judiciary Committee report.

Senate Action

The Senate passed HB 15-1073 without further amendment.

Relevant Research

An issue brief providing a summary of state law relating to driving under the influence of alcohol or drugs may be accessed at:

<http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251909611440&ssbinary=true>



Legislative Council Staff

Research Note

Bill Number: HB15-1035

Short Title: *Update Crime Victim Compensation Laws*

Prime Sponsors: Representative Fields
Senator Cooke

Research Analyst: Bo Pogue

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on March 30, 2015.

Summary

House Bill 15-1035 amends laws governing crime victim compensation to expand access to proceeds and make certain clarifications in the claims process. Specifically, the bill:

- modifies the definition of "compensable crime" that includes an incident of hit and run or careless driving to include bodily injury. Previously, only an incident involving death was compensable;
- allows compensation to a person who is the dependent of the accused offender, if the offender provided household support to that person;
- expands compensable losses under the definition of property damage to include the cost of re-keying vehicles or other locks for the purposes of victim safety;
- provides clarification concerning the records held by a crime victim compensation board and prohibits the release of specific records in a criminal or civil case, except for under certain circumstances;
- increases the maximum crime victim compensation amount from \$20,000 to \$30,000;
- removes the requirement that losses be at least \$25.00;
- increases the emergency crime victim compensation amount from \$1,000 to \$2,000;
- requires a medical service provider or billing agency to suspend collection proceedings for 90 days while a claim for victim compensation is considered if filed within 180 days of the date of services rendered as part of the criminal incident; and
- specifies that the court must consider the amount of compensation requested by a crime victim in a restitution order, and how the amount of compensation is determined.

Date: *May 28, 2015*

Version: *Final*

Background

All of the state's 22 judicial districts conduct programming under the Colorado Crime Victim Compensation Act, and each district maintains a crime victim compensation board, which is charged with reviewing and awarding victim compensation to applicants through a court administrator. Funds for paying victim compensation under the act are raised from fines and fees levied against offenders based on felonies, misdemeanors, and some traffic offenses, and from supplemental federal victim compensation moneys collected from federal offenders. Victim compensation is a separate program from restitution.

In FY 2014-15, local crime victim compensation programs statewide distributed \$13,312,983 to 7,585 victims; in FY 2013-14, the amount distributed was \$13,506,283 to 7,678 victims; and in FY 2012-13, \$13,569,633 was distributed to 7,828 victims. The average amount of supplemental federal funding to the state is about \$4.5 million per year.

House Action

House Judiciary Committee (February 3, 2015). The committee passed amendment L.004, which amended the bill to increase by 2.0 percent the amount of moneys in a crime victim compensation fund that a district attorney may use for administrative purposes. The committee also passed amendment L.001, which made a technical change concerning a court's treatment of requests made by a victim to a crime victim compensation board in a restitution order. The committee heard testimony in support of the bill from victims, victim advocacy groups, the Colorado State Patrol, and two judicial districts. Representatives of the Fourth Judicial District and the Colorado Criminal Defense Bar expressed reservations about the bill.

House Appropriations Committee (February 20, 2015). House Appropriations amended the House Judiciary Committee report to remove the language increasing the amount of moneys in a crime victim compensation fund that a district attorney may use for administrative purposes.

House Second Reading (February 26, 2015). The House Committee of the Whole adopted the bill, along with the House Judiciary and Appropriations committee reports. The Committee of the Whole also amended provisions in the bill concerning the release of records held by a crime victim compensation board. The amendment also restored a definition for the term "in camera review" as it pertains to the confidentiality of materials in a crime victim compensation matter.

Senate Action

The Senate passed HB 15-1035 without further amendment.

Date: May 28, 2015

Version: Final



Legislative Council Staff

Research Note

Bill Number: HB15-1022

Short Title: *Juvenile Petty Offense Contracts*

Prime Sponsors: Representative McCann
Senator Steadman

Research Analyst: Bo Pogue

Current Status

This research note reflects the final version of the bill, which becomes effective on September 1, 2015, assuming no referendum petition is filed.

Summary

House Bill 15-1022, which originated from the Colorado Commission on Criminal and Juvenile Justice (CCJJ), creates a new type of pre-diversion program for juveniles committing minor offenses. Specifically, the bill allows law enforcement officers to issue petty offense tickets to juveniles age 10 and older who commit delinquent acts that would be considered a petty offense if committed by an adult or a municipal ordinance violation. The petty offense ticket would require the juvenile to go through an assessment process with a screening entity as designated by the municipal, county, or district court. The screening entity may be a law enforcement officer, assessment officer, or a screening team. Upon successful completion of a petty offense contract, the juvenile is released from any further obligation and the prosecuting attorney shall not file a petition of delinquency for the admitted act.

The screening entity must issue a petty offense contract to the juvenile and his or her parents or guardians under certain circumstances, including if the juvenile has no prior adjudications, the juvenile admits to the offense, and the alleged offense is a class 1, class 2, or unclassified petty offense. In cases where a juvenile is not eligible for a petty offense contract, the screening entity finds that issuing a petty offense contract would not be in the best interests of the youth, or the juvenile does not follow the terms of the contract, a prosecuting attorney may file a petition of delinquency.

The bill also specifies that all petty offense contracts must be in writing and include provisions relating to restitution, community service, school attendance, and restorative justice practices when appropriate, and require that the juvenile not commit a delinquent offense during the term of the contact. Contract length may be up to 90 days, unless extended up to an additional 30 days for good cause. Local law enforcement agencies that issue petty offense tickets must

Date: *May 28, 2015*

Version: *Final*

track certain data about the tickets, to whom they are issued, and their final disposition.

Background

According to the CCJJ Juvenile Justice Task Force, the purpose of HB 15-1022 is to create a petty ticket system for juveniles who commit minor offenses and who law enforcement officers believe should be held accountable beyond a lecture and release response. The task force notes that research shows that most juveniles fare better in terms of reoffending when they are diverted from formal processing.

House Action

House Judiciary Committee January 29, 2015. The committee adopted amendment L.001, which included reporting requirements for law enforcement personnel implementing the bill. The committee heard testimony from representatives of law enforcement agencies, groups working with juveniles, judicial districts, and others in support of the bill. No one testified in opposition to HB 15-1022.

House Second Reading (February 3, 2015). The House Committee of the Whole amended the bill to create a time frame for petty offense contracts created under the bill.

Senate Action

The Senate passed HB 15-1022 without further amendment.

Relevant Research

An issue brief providing an overview of Colorado juvenile justice systems may be accessed at:

<http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251881175361&ssbinary=true>



Legislative Council Staff

Research Note

Bill Number: HB15-1019

Short Title: *Victims Of Human Trafficking And Prostitution*

Prime Sponsors: Representative Lundeen
Senator Woods

Research Analyst: Bo Pogue

Current Status

This research note reflects the final version of the bill, which becomes effective on August 5, 2015, assuming no referendum petition is filed.

Summary

The bill includes additional subjects about which the Human Trafficking Council must make recommendations to the House and Senate Judiciary Committees on or before January 1, 2016. Under the bill, the council must make recommendations regarding whether the General Assembly should enact legislation concerning:

- prosecuting or granting immunity to a child victim of commercial sexual exploitation for offenses related to the exploitation;
- creating other legal protections, including statutory defenses for child victims of commercial sexual exploitation for offenses related to the exploitation and making changes to existing protections; or
- standards, guidelines, or mandates regarding the appropriate assessment, placement, or treatment of child victims of commercial sexual exploitation, including the use of locked placement.

Background

House Bill 13-1195 charged the Colorado Commission on Criminal and Juvenile Justice (CCJJ) with reviewing the implementation of human trafficking statutes since their inception in 2007. An October 2013 report from the CCJJ found that 42 juveniles were charged with prostitution between July 1, 2006, and August 15, 2013.

House Bill 14-1273 revised existing laws concerning human trafficking and created

Date: May 27, 2015

Version: Final

the Colorado Human Trafficking Council within the Department of Public Safety. HB 14-1273 charged the council with making recommendations on certain human trafficking-related issues to the House and Senate Judiciary Committees by January 1, 2016, and HB 15-1019 added to this list of issues.

House Action

The introduced version of HB 15-1019 established immunity for minors from criminal prosecution for prostitution. Under the introduced version, law enforcement officers that have contact with a minor suspected of prostitution were required to immediately take the youth to a county department of human or social services, who then would have been required to conduct an assessment and provide services appropriate to that minor's status as a victim of human trafficking. This assessment was required to include whether placement in a residential facility is most appropriate for the minor.

On or after July 1, 2015, the introduced bill specified that it is an affirmative defense to charges of prostitution if the minor is a victim of human trafficking. The bill clarified that any person whose claim is based on the fact that the individual was a victim of human trafficking may receive compensation pursuant to the Colorado Crime Victim Compensation Act.

House Judiciary Committee (February 17, 2015). The House Judiciary Committee passed a strike-below amendment to HB 15-1019, amendment L.002, that includes the reporting requirements reflected in the bill's final version. No one testified against the bill. The House Appropriations Committee referred the bill to the Committee of the Whole without further amendment.

House Second and Third Readings (March 30, 2015; March 31, 2015). The House Committee of the Whole adopted the bill, along with the House Judiciary Committee report. The House passed the bill on third reading without further amendment.

Senate Action

HB 15-1019 passed through the Senate without further amendment.

Relevant Research

Governmental efforts undertaken in Colorado to address human trafficking. Along with legislative efforts by the General Assembly, numerous municipal, county, and federal groups undertake anti-human trafficking efforts. The Federal Bureau of Investigation's Innocence Lost Task Force partners with many local Colorado law enforcement groups to prevent trafficking. Many Colorado state and local agencies, such as the Colorado State Patrol and the First Judicial District Attorney's Office, have specific human trafficking units. Recently, the Federal Bureau of Investigation, Denver Police Department, Aurora Police Department, Arapahoe County Sheriff's Office, Colorado State Patrol, Colorado Springs Police Department, Greeley Police Department, and Larimer County Sheriff's Office worked together to arrest human traffickers and recover several minors during the 2015 National Western Stock Show. In 2014, a coalition of law enforcement groups arrested an owner of a spa in Frederick on human trafficking charges. The collaboration between law enforcement and other local officials has led to initiatives in the nonprofit and private sector.

Other initiatives to address human trafficking in Colorado. Colorado, several nonprofit organizations, social service providers, and academic institutions are working to address human trafficking. The Laboratory to Combat Human Trafficking (LCHT) provides training, community education, and research regarding the issue of human trafficking. The Colorado Organization for Victim's Assistance started the Colorado Network to End Human Trafficking (CoNEHT). CoNEHT works to connect anti-trafficking groups in order to provide comprehensive legal, compassionate care, advocacy, and medical services for human trafficking victims in Colorado. CoNEHT runs a statewide 24-hour, crisis, resource, and tip hotline dedicated to helping victims (1-866-455-5075). Though not an exhaustive list, Table 1 lists Colorado organizations working to address human trafficking. Colorado academic institutions, such as the University of Denver's Josef Korbel School of International Studies' Human Trafficking Center, study human trafficking. Colorado's academic institutions conduct rigorous academic research and gather data regarding human trafficking for the benefit of policymakers and the community.

**Table 1
Groups Addressing Human Trafficking in Colorado**

Statewide Organizations
1. Colorado Attorney General's Office
2. Colorado Coalition Against Sexual Assault (CCASA)
3. Colorado Coalition Against Domestic Violence (CCADV)
4. Colorado Division of Criminal Justice
5. Colorado Department of Local Affairs, Division of Housing, Office of Homeless Youth Services
6. Colorado Department of Human Services
7. Colorado Immigrant Rights Coalition (CIRC)
8. Colorado Legal Services
9. Colorado Organization for Victim Assistance (COVA)
10. Colorado State Public Defender's Office
11. Laboratory to Combat Human Trafficking (LCHT)
12. U.S. Attorney's Office Colorado
Denver Organizations

Date: May 27, 2015

Version: Final

13. Denver Center for Crime Victims (DCCV)
14. Denver Children's Advocacy Center (DCAC)
15. Denver City Attorney's Office
16. Denver Collaborative Partnership (DCP)
17. Denver Alliance for Drug Endangered Children/Justice Initiative for Drug Endangered Families (DEC-JIDEF)
18. Denver Department of Human Services
19. Denver Juvenile Courts & Diversion
20. Denver Sexual Assault Interagency Council
21. Denver Victim Services Network (VSN)
22. Esther House
23. Healing from the Heart
24. Prax(us)
25. Project PAVE
26. Project Safeguard
27. Restore Innocence
28. Rocky Mountain Children's Law Center
29. Rocky Mountain Immigrant Advocacy Network
30. Rocky Mountain Victim Law Center (RMVLC)
31. Servicios de la Raza
32. Street's Hope
33. The Blue Bench
34. The Empowerment Program
35. University of Denver Human Trafficking Center
36. Urban Peak

Other Colorado Organizations

37. Alliance to Combat Human Trafficking Pueblo
38. Amy's House for Girls
39. Free the Girls
40. Human Trafficking Task Force of Southern Colorado
41. iEmpathize
42. First Judicial District Attorney's Office Human Trafficking Unit
43. Larimer County Human Trafficking Response Team
44. San Luis Valley Immigrant Resource Center
45. Sarah's Home
46. Southern Peaks Regional Treatment Center – The Haven
47. Western Slope Initiative to Combat Human Trafficking

National Organizations

48. Truckers Against Trafficking
49. The Salvation Army
50. Lutheran Family Services
51. Volunteers of America

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Legislative Council Staff

Research Note

Bill Number: SB15-219

Short Title: *Peace Officer Shootings Transparency Measures*

Prime Sponsors: Senator Cooke
Representative Salazar

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on May 20, 2015.

Summary

Senate Bill 15-219 requires police departments, sheriff's offices, and district attorneys to develop protocols for participating in multi-agency team investigation, evaluation, and review of incidents involving the discharge of a firearm by a peace officer resulting in injury or death. The bill requires a multi-agency team to include as a participant at least one other police department, sheriff's department, or the Colorado Bureau of Investigation (CBI). The participating law enforcement agencies need not be from the same judicial district. Each law enforcement agency is required to complete and implement the required protocols by December 31, 2015, and post the protocol on its web site or make it publicly available if it does not have a web site.

The bill requires a district attorney who declines to file criminal charges following an investigation, made pursuant to the bill, of a peace officer-involved shooting, to release a report disclosing the findings of the case and the basis for the decision not to file charges. The district attorney must post the report electronically or make it available upon request. If the district attorney refers the matter to a grand jury, the district attorney must report the general purpose of the grand jury's investigation. If the grand jury does not issue a true bill (an indictment) it may issue a report pursuant to existing law. The disclosures in the bill are subject to Colorado's Criminal Justice Records Act.

Background

Officer-involved shootings. Prior to Senate Bill 15-219, there were no policies concerning the investigation of officer-involved shootings that applied statewide; instead, individual departments and jurisdictions develop their own policies for responding to such incidents. Departments could follow guidance or established policies from an encompassing jurisdiction. For example, the Larimer County Sheriff's Department's investigations were governed by the protocol established by the district attorney for Colorado's Eighth Judicial District.

Grand juries. The purpose of a state grand jury is to determine if probable cause exists that an individual committed a crime for felony cases. In Colorado, grand juries are convened by the relevant court at the county, judicial district, or state level or by a motion of a district attorney. In any case in which a grand jury does not return an indictment, Section 16-5-205.5, C.R.S., permits the grand jury to prepare a report of its findings if the grand jury determines that preparation and release of a report would be in the public interest.

Colorado's Criminal Justice Records Act. Colorado's Criminal Justice Records Act (Section 24-72-301, C.R.S., *et seq.*), requires criminal justice agencies to maintain records of official actions and to make such records available for inspection by any person. "Official action" means an arrest; indictment; charging by information; disposition; pretrial or posttrial release from custody; judicial determination of mental or physical condition; decision to grant, order, or terminate probation, parole, or participation in correctional or rehabilitative programs; and any decision to formally discipline, reclassify, or relocate any person under criminal sentence. In addition to the records of official actions that must be available for inspection, all other records of criminal justice agencies in this state may be opened for inspection unless such inspection is prohibited by state statute, or inspection is prohibited by court order.

Senate Action

Senate Judiciary Committee (March 25, 2015). The committee heard testimony in support of the bill from representatives of the Montrose County Sheriff's Office, the County Sheriffs of Colorado, the Delta County Sheriff's Office, the Colorado District Attorneys' Council, the Colorado Association of Chiefs of Police, and the Colorado Municipal League. There was no testimony in opposition to the bill.

The committee adopted amendment L.002, which:

- specifically requires police departments, sheriff's offices, and district attorneys to develop protocols for participating in multi-agency team investigations;
- removes the requirement that such protocols relate to working with agencies in each judicial district, and states that participating agencies need not be from the same judicial district;
- requires the protocols be completed and implemented by December 31, 2015;
- requires a district attorney release a report explaining a decision not to file criminal charges following an investigation of a peace officer-involved shooting made pursuant to the bill, but if the district attorney refers the matter to a grand jury, the district attorney must report the general purpose of the grand jury's investigation;
- permits a grand jury to issue a report pursuant to existing law, if no true bill, an indictment, is returned; and

- subjects disclosures under the bill to the Criminal Justice Records Act.

The committee referred the bill, as amended, to the Senate Committee of the Whole.

Senate second reading (March 31, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report, and passed the bill, as amended, on second reading.

Senate third reading (April 1, 2015). The Senate adopted the bill on third reading.

Senate Consideration of House Amendments (April 29, 2015). The Senate did not concur with the House amendments and requested a conference committee.

Senate Consideration of first conference committee report (May 6, 2015). The Senate adopted the conference committee report and repassed the bill.

House Action

House Judiciary Committee (April 21, 2015). The committee heard testimony in support of the bill from representatives of the Wheat Ridge Police Department, the Colorado Association of Chiefs of Police, the Colorado Municipal League, the Colorado District Attorneys' Council, the County Sheriffs of Colorado, and the Colorado Criminal Defense Bar. The director of the CBI responded to questions from the committee. There was no testimony in opposition to the bill.

The committee adopted amendment L.003, which requires the protocols for participating in a multi-agency team investigation, evaluation, and review to include as a participant at least one other police department, sheriff's department, or the CBI. The committee referred the bill, as amended, to the House Committee of the Whole.

House second reading (April 23, 2015). The House Committee of the Whole adopted the House Judiciary Committee report and passed the bill, as amended, on second reading.

House third reading (April 27, 2015). The House passed the bill on third reading.

House Consideration of first conference committee report (May 5, 2015). The House adopted the conference committee report and repassed the bill.

Conference Committee Action

First conference committee (May 4, 2015). The first conference committee agreed that the senate would accede to the House amendment made to the bill, with a change to make a technical correction.



Legislative Council Staff

Research Note

Bill Number: SB15-218

Short Title: *Disclose Misrepresentations By Peace Officers*

Prime Sponsors: Senator Roberts
Representative Williams

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which became effective on August 5, 2015.

Summary

Senate Bill 15-218 requires state and local law enforcement agencies that employ, employed, or deputized on or after January 1, 2010, a peace officer who applies for employment with another Colorado law enforcement agency, to disclose any information, if available, to the hiring agency indicating whether the peace officer had a sustained violation for making a knowing misrepresentation:

- in any testimony or affidavit relating to the arrest or prosecution of a person or to a civil case pertaining to the peace officer or the peace officer's employment history; or
- during the course of any internal investigation by a law enforcement agency related to the peace officer's alleged criminal conduct, official misconduct, or use of excessive force, regardless of whether it occurred while the peace officer was on duty, off duty, or acting pursuant to a service contract to which the peace officer's employing agency is a party.

Such disclosure is only required with a waiver that explicitly authorizes the state or local law enforcement agency to disclose information. The waiver must be signed by the applicant peace officer and identify the law enforcement agency considering hiring the peace officer. Upon receiving such a waiver, the state or local law enforcement agency must provide the disclosure within seven days. A state or local law enforcement agency is not required to provide the disclosure if that agency is a party to a binding nondisclosure agreement executed prior to the bill's

Date: 7/7/2015

Version: Final

effective date that prohibits the agency from providing such disclosure.

The bill also requires a state or local law enforcement agency to notify the local district attorney within seven days of the agency learning that any peace officer of the agency has made a knowing misrepresentation in any testimony, affidavit, or internal investigation, as described above.

The bill provides that a state or local law enforcement agency is not liable for complying with the provisions of the bill. Finally, the bill defines a state or local law enforcement agency as the Colorado State Patrol, the Colorado Bureau of Investigation, a county sheriff's office, a municipal police department, the Division of Parks and Wildlife within the Department of Natural Resources, or a town marshal's office.

Background

Section 16-2.5-102, C.R.S., requires many officers in Colorado to be certified by the Peace Officer Standards and Training Board (P.O.S.T. Board). Under Section 24-31-304, C.R.S., peace officers certified by the P.O.S.T. Board are subject to criminal background checks. The P.O.S.T. Board is prohibited, under Section 24-31-305 (1.5), C.R.S., to certify anyone who has been convicted of a felony or certain misdemeanors. Previous law did not require current or former employers of peace officers to disclose misrepresentations made by peace officers to potential hiring law enforcement agencies.

Senate Action

Senate Judiciary Committee (March 25, 2015). The committee heard testimony in support of the bill from representatives of the Delta County Sheriff's Office, the County Sheriffs of Colorado, the Montrose County Sheriff's Office, the Colorado Association of Chiefs of Police, the Colorado Municipal League, and the Colorado District Attorneys' Council. There was no testimony in opposition to the bill.

The committee adopted amendments L.001, L.003, L.004, L.005, and L.007, which:

- require an officer to have had a sustained violation for making a knowing misrepresentation prior to requiring state and local law enforcement agencies to disclose certain information to potential hiring agencies;
- require state and local law enforcement agencies, prior to disclosing information to a local district attorney, to determine that there is a sustained finding that a peace officer of the agency has made a knowing misrepresentation;
- make the provisions that apply to municipal police departments also apply to town marshal's offices;
- require the Division of Parks and Wildlife to make certain disclosures and include it in the definition of state and local law enforcement agency in the bill;
- require the state or local law enforcement agency to make certain disclosures regarding statements made during the course of an internal investigation related to alleged criminal conduct, official misconduct, or use of excessive force, regardless of whether it occurred while the peace officer was on duty, off duty, or acting pursuant to a service contract to which the officer's employing agency is a party;

- make a state or local law enforcement agency not liable for complying with the disclosure provisions required by the bill;
- make the bill apply to state or local law enforcement agencies that employ, employed, or deputized on or after January 1, 2010, a peace officer who applies for employment with another agency;
- limit certain disclosure to only available information;
- exempt state or local law enforcement agencies from disclosing information if that agency is a party to a binding nondisclosure agreement executed prior to the bill's effective date that prohibits the agency from providing such disclosure; and
- make technical amendments.

The committee referred the bill, as amended, to the Senate Committee of the Whole.

Senate second reading (March 30, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report, and passed the bill on second reading.

Senate third reading (March 31, 2015). The Senate adopted the bill on third reading.

Senate Consideration of House Amendments (April 29, 2015). The Senate concurred with the House amendments and repassed the bill. On the same day, the Senate reconsidered the bill, and passed the bill.

House Action

House Judiciary Committee (April 21, 2015). The committee heard testimony in support of the bill from representatives of the Wheat Ridge Police Department, the Colorado Association of Chiefs of Police, the Colorado District Attorneys' Council, and the County Sheriffs of Colorado. There was no testimony in opposition to the bill. The committee referred the bill, unamended, to the House Committee of the whole.

House second reading (April 23, 2015). The Committee of the Whole adopted amendment L.009, which made technical amendments to the bill. The Committee of the Whole passed the bill, as amended, on second reading.

House third reading (April 27, 2015). The House passed the bill on third reading.



Legislative Council Staff

Research Note

Bill Number: SB15-217

Short Title: *Police Shooting Data Collection*

Prime Sponsors: Senator Roberts
Representative Williams

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on May 20, 2015.

Summary

Senate Bill 15-217 requires a state or local law enforcement agency to report the following information to the Division of Criminal Justice within the Department of Public Safety (division) when an officer in its employ is involved in an officer-involved shooting that results in a criminal suspect being shot at by the officer:

- if known, the age, gender, sexual orientation, race, ethnicity, and medically-documented physical or mental disability of the subject;
- if known, the age, gender, race, and ethnicity of the peace officer;
- the officer's basis for the contact or stop that led to the shooting;
- the officer's basis for the shooting;
- whether any officer responding to the scene conducted a search, and certain information about the search;
- whether any officer offered a verbal warning prior to the shooting; and
- whether any officer responding to the scene arrested or issued a citation to anyone and, if so, the crimes charged.

The bill defines state or local law enforcement agencies as including the Colorado Bureau of Investigation, Colorado State Patrol, county sheriff's offices, municipal police departments, the Division of Parks and Wildlife within the Department of Natural Resources, and town marshal's offices.

For such officer-involving shootings that occurred between January 1, 2010, and June 30, 2015, the state or local law enforcement agencies must report the required information

Date: 7/6/2015

Version: Final

by September 1, 2015. The division must compile and report the data received to the House and Senate Judiciary committees by March 1, 2016.

Law enforcement agencies must report such information from each subsequent fiscal year, until FY 2019-2020, to the division by September 1 of the following fiscal year. The division must compile and report the data received to the House and Senate Judiciary Committees by March 1 of the following fiscal year.

Background

Under current law, there is no statewide requirement for law enforcement agencies to report information related to officer-involved shootings. In testimony regarding Senate Bill 15-217, representatives of law enforcement agencies stated that they already collect such data.

Senate Action

Senate Judiciary Committee (March 25, 2015). The committee heard testimony in support of the bill from representatives of the Montrose County Sheriff's Office, the County Sheriffs of Colorado, the Delta County Sheriff's Office, the Colorado Municipal League, the Colorado Association of Chiefs of Police, the Colorado District Attorneys' Council, the Colorado Department of Public Safety, and the Colorado Fraternal Order of Police. There was no testimony in opposition to the bill.

The committee adopted amendment L.003, which:

- requires information to be reported in a format specified by the division;
- requires agencies to report certain demographic information only if known;
- requires agencies to report medically-documented physical or mental disabilities of the subject;
- specifies that verbal warnings must be reported;
- requires agencies to report certain citations issued;
- removes the duration of the stop or contact from reporting requirements;
- clarifies definitions of law enforcement agencies and officers;
- moves the division's initial reporting date from January 31, 2016, to March 1, 2016, and subsequent reporting dates from January 31 to March 1; and
- includes other clarifying language.

The committee referred the bill, as amended, to the Senate Appropriations Committee. At the same meeting, the committee reconsidered the bill, and referred the bill, as amended, to the Senate Appropriations Committee.

Senate Appropriations Committee (April 10, 2015). The Appropriations Committee amended the bill to add an appropriation. The committee referred the bill, as amended, to the Senate Committee of the Whole.

Senate second reading (April 14, 2015). The Senate Committee of the Whole adopted the committee reports, and passed the bill, as amended, on second reading.

Date: 7/6/2015

Version: Final

Senate third reading (April 15, 2015). The Senate adopted the bill on third reading.

House Action

House Local Government Committee (April 22, 2015). The committee heard testimony in support of the bill from representatives of the Colorado Association of Chiefs of Police, the County Sheriffs of Colorado, the Denver Metro Alliance, the Colorado Progressive Coalition, Together Colorado, and two private citizens. There was no testimony in opposition to the bill. The committee referred the bill, unamended, to the House Appropriations Committee.

House Appropriations Committee (April 29, 2015). The Appropriations Committee referred the bill to the House Committee of the Whole.

House second reading (April 29, 2015). The House Committee of the Whole passed the bill on second reading.

House third reading (April 30, 2015). The House passed the bill on third reading.

Relevant Research

Civilian Review Boards, 2014 (memorandum): Attachment A.

Date: 6/22/2015

Version: Final



Legislative Council Staff

Research Note

Bill Number: SB15-185

Short Title: *Police Data Collection And Community Policing*

Prime Sponsors: Senator Johnston
Representative Fields

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which became effective on August 5, 2015.

Summary

Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, requires each law enforcement agency in the state to report to the Division of Criminal Justice (the division), by March 31 of each year for the previous calendar year, data already collected for use in the Uniform Crime Reporting (UCR) system regarding crimes, arrests, and stolen and recovered property, including offense and arrest data disaggregated by summons, custody, and on view.

The bill requires the Judicial Department to report to the division, by March 31 of each year for the previous calendar year, the number and type of charges in cases reported by law enforcement agencies under the bill, including convictions, acquittals, plea agreements, and dismissals; the race and gender of defendants; and associated incident report numbers. The Judicial department must also report the disposition of those charges, any sentences imposed and plea agreements, and certain information regarding revocation of probation.

The bill requires the State Board of Parole (Parole Board) to report to the division, by March 31 of each year for the previous calendar year, the number of parole hearings held, the number of inmates granted parole, and the number of inmates granted parole, including the race, ethnicity, and gender of inmates. The division is required, by September 30 of each year, to compile and report the information reported by law enforcement agencies, the Judicial Department, and the Parole Board under the bill to the House and Senate Judiciary Committees and the Colorado Commission on Criminal and Juvenile Justice.

Date: 6/22/2015

Version: Final

Background

Uniform Crime Reporting (UCR). Under Section 24-33.5-412 (5), C.R.S., law enforcement agencies are required to report information to the Colorado Bureau of Investigation (CBI) concerning crimes, arrests, and stolen and recovered property as is necessary for uniform compilation of statewide reported crime, arrest, and recovered property statistics in order to assist the CBI in its operation of the UCR. The CBI reports such information to the Federal Bureau of Investigation (FBI) as a part of the UCR system.

Administered by the FBI, the UCR is a nationwide, cooperative statistical effort of city, university and college, county, state, tribal, and federal law enforcement agencies voluntarily reporting data on crimes brought to their attention. Since 1930, the FBI has administered the UCR to assess and monitor the nature and type of crime in the United States.

Colorado Commission on Criminal and Juvenile Justice. The commission was created in 2007 by the General Assembly. The commission's mission is to enhance public safety, ensure justice, and ensure protection of the rights of victims through the cost-effective use of public resources. The commission focuses on evidence-based recidivism reduction initiatives and the cost-effective expenditure of limited criminal justice funds.

Senate Action

Senate Judiciary Committee (April 8, 2015). The committee heard testimony in support of the bill from representatives of the Greater Metro Denver Ministerial Alliance, Colorado Association of Chiefs of Police, Colorado Municipal League, Colorado Organization for Victim Assistance, Colorado District Attorneys' Council, Family Advocacy Crisis Intervention Team, and Brother Jeff's Cultural Center. There was no testimony in opposition to the bill.

The committee adopted amendment L.001, which substituted the criminal justice data collection requirements included in the enacted bill for the original contents of the bill concerning a criminal justice advisory committee, data collection, the creation of a civilian and law enforcement relations grant program, and the repeal of the Colorado Community Policing Act. The committee also adopted amendment L.003, which amended L.001 to substitute "race" for "race/ethnicity" and made the Parole Board responsible for certain reporting requirements instead of the Department of Corrections. The committee referred the bill, as amended, to the Senate Appropriations Committee.

Senate Appropriations Committee (April 10, 2015). The Appropriations Committee amended the Judiciary Committee report to add an appropriation clause. The committee referred the bill, as amended, to the Senate Committee of the Whole.

Senate Finance Committee (April 16, 2015). On April 14, 2015, the bill was re-referred to the Senate Finance Committee; the committee heard a presentation on the bill and laid the bill over for action only. No witnesses testified on the bill. On April 16, 2015, the committee referred the bill, without further amendment, to the Senate Committee of the Whole.

Senate second reading (April 21, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report, and passed the bill, as amended, on second reading.

Date: 6/22/2015

Version: Final

Senate third reading (April 22, 2015). The Senate adopted the bill on third reading.

Senate consideration of House amendments (May 4, 2015). The Senate concurred with the House amendments and repassed the bill.

House Action

House Judiciary Committee (April 28, 2015). The committee heard testimony in support of the bill from representatives of the Greater Metro Denver Ministerial Alliance, Brother Jeff's Cultural Center, and a private citizen. There was no testimony in opposition to the bill.

The committee adopted amendment L.005, which changed the reporting dates for law enforcement agencies, the Judicial Department, and the Parole Board from January 31 of each year to March 31 of each year; and the reporting date for the division from March 31 to September 30 of each year. The committee referred the bill, as amended, to the House Appropriations Committee.

House Appropriations Committee (May 1, 2015). The Appropriations Committee referred the bill, without further amendment, to the House Committee of the Whole.

House second reading (May 1, 2015). The House Committee of the Whole adopted the House Judiciary Committee report and passed the bill, as amended, on second reading.

House third reading (May 4, 2015). The House passed the bill on third reading.

Relevant Research

Colorado Crime Statistics (CBI webpage): <http://tinyurl.com/p78mlrg>.

Colorado Commission on Criminal and Juvenile Justice (CCJJ), enabling legislation and mandates (CCJJ webpage): <https://www.colorado.gov/pacific/ccjj/ccjj-mandates>.



Legislative Council Staff

Research Note

Bill Number: SB15-128

Short Title: *Medical Reports Of Alleged Sexual Assaults*

Prime Sponsors: Senator Carroll
Representative Landgraf

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on March 30, 2015.

Summary

When certain medical personnel, including nurses, perform a medical forensic examination that includes the collection of evidence at the request of a sexual assault victim, Senate Bill 15-128 requires the medical facility that employs the examining personnel, with the consent of the victim, to make the following reports to law enforcement:

- a law enforcement report, if the victim chooses to participate in the criminal justice system at the time of the examination;
- a medical report, which includes providing law enforcement with evidence for testing and victim identifying information, if the victim chooses not to participate in the criminal justice system at the time of the examination; or
- an anonymous report, if the victim chooses not to provide identifying information to law enforcement and not to participate in the criminal justice system at the time of the examination.

In the case of a law enforcement report or medical report, the bill requires law enforcement to submit the evidence for testing pursuant to existing law. In the case of an anonymous report, the evidence will not be tested, but will be stored pursuant to existing law, and the medical facility shall not provide information identifying the victim to law enforcement.

The bill does not prohibit a victim from anonymously speaking with law enforcement about the victim's rights or options prior to consenting to a report, nor does it require a medical facility to make a report if medical evidence is not collected. The bill also requires certain licensed medical personnel who treat certain injuries of a victim of sexual assault to report the injuries to specified law enforcement.

Background

Under prior law, medical facilities were only required to contact law enforcement agencies regarding preservation of evidence when certain licensed medical personnel performed forensic medical examinations. The requirement did not specify differing types of reports, or include examinations performed by nurses.

Senate Action

Senate Judiciary Committee (February 11, 2015). The committee heard testimony in support of the bill from representatives of the Colorado Coalition Against Sexual Assault, the Brighton Police Department, the Lakewood Police Department, the Colorado Association of Chiefs of Police, the Colorado Organization for Victim Assistance, and private citizens. The committee referred the bill to the Committee of the Whole.

Senate second reading (February 17, 2015). The Senate Committee of the Whole passed the bill on second reading.

Senate third reading (February 18, 2015). The Senate passed the bill on third reading.

House Action

House Public Health Care and Human Services Committee (March 6, 2015). The committee heard testimony in support of the bill from representatives of the Colorado Coalition Against Sexual Assault, the Brighton Police Department, the Lakewood Police Department, the Colorado Nurses Association, the Colorado Chapter of the International Association of Forensic Nurses, Sexual Assault Response Advocates, Inc., and private citizens. The committee referred the bill to the Committee of the Whole.

House second reading (March 11, 2015). The House Committee of the Whole passed the bill on second reading.

House third reading (March 12, 2015). The House passed the bill on third reading.

Relevant Research

Sex offenses in Colorado (Table 1) - Attachment A

Sex offenses against children (Table 2) - Attachment B

Date: 6/12/2015

Version: Final



Legislative Council Staff

Research Note

Bill Number: SB15-126

Short Title: *Medical Tests For All Assault Victims*

Prime Sponsors: Senator Cooke
Representative Foote

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which became effective on July 1, 2015.

Summary

Senate Bill 15-126 requires certain persons charged with, or convicted of, second or third degree assault to submit to a medical test for communicable diseases, and supply certain bodily fluids necessary for the test, if the person's blood, seminal fluid, urine, feces, saliva, mucus, or vomit came into contact with any victim of the assault, peace officer, firefighter, emergency medical care provider, or emergency medical service provider.

The bill requires the defendant to report medical test results to the court within 10 days of receiving the results. The court must disclose the results to the affected persons. The results of the tests are considered confidential and people who receive the results are prohibited from publicly disclosing them. A court may order the defendant to pay the testing costs and medical treatment costs for affected persons.

The bill also defines "emergency medical care provider" and "emergency medical service provider" for all assaults, drug misdemeanors, and drug petty offenses.

Background

Under prior Colorado law, a defendant in a second degree assault case where the assault was against an employee of a detention facility, and a defendant in a third degree assault case where the assault was against a peace officer, firefighter, emergency medical care provider, or emergency medical service provider, was required to undergo testing for communicable diseases if his or her bodily fluids came into contact with a person employed in the listed occupations.

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SB 15-005, enacted in 2015, creates a medical testing requirement for defendants in first degree assault cases. SB 15-067, also enacted in 2015, concerns assault against a peace officer, firefighter, emergency medical care provider, or emergency medical service provider in performance of his or her duties.

Senate Action

Senate Judiciary Committee (January 27, 2015). There was no witness testimony during the hearing on the bill. The committee referred the bill to the Senate Committee of the Whole.

Senate second reading (January 29, 2015). The Senate Committee of the Whole adopted amendment L.001, which amended the bill to remove provisions concerning victims of first degree assault that were addressed by SB 15-005. The committee passed the bill, as amended, on second reading.

Senate third reading (January 30, 2015). The Senate passed the bill on third reading.

House Action

House Judiciary Committee (March 17, 2015). The committee heard testimony on the bill during the hearing for SB 15-005, when representatives of the County Sheriffs of Colorado and the Colorado Organization for Victim Assistance stated support for SB 15-126. The committee referred the bill to the House Committee of the Whole.

House second reading (March 20, 2015). The House Committee of the Whole passed the bill on second reading.

House third reading (March 23, 2015). The House passed the bill on third reading.

Relevant Research

Special Sentencing for Felony and Misdemeanor Offenses (memorandum): <http://tinyurl.com/qjm9kn7>.

Crime Classification Guide: <http://tinyurl.com/opafsj5>.



Legislative Council Staff

Research Note

Bill Number: SB15-116

Short Title: *Needle-stick Prevention*

Prime Sponsors: Senator Steadman
Representative Garnett

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which became effective on July 1, 2015.

Summary

Senate Bill 15-116 creates an exception to arrest or citation for the possession of drug paraphernalia for possessing a hypodermic needle or syringe if the person, either voluntarily or in response to a question, informs a peace officer prior to a search that the person is in possession of a hypodermic needle or syringe, or that the same is on a premises or in a vehicle to be searched. The exception to arrest or citation also applies if the person informs an emergency medical technician (EMT) or first responder that the person is in possession of a hypodermic needle or syringe prior to an assessment or treatment.

The bill creates an exception to the crime of unlawful possession of a controlled substance for any minuscule, residual controlled substance that may be present in the hypodermic needle or syringe if a peace officer, EMT, or first responder is informed in the manner described above. Information provided in such a situation may be used as a factor to determine whether there is probable cause or reasonable suspicion of any criminal offense.

The bill also requires that clean syringe exchange programs develop an education program to encourage participants to voluntarily disclose possession of needles to peace officers, EMTs, and other first responders, and to inform participants of their rights under the bill.

Background

Needle-stick prevention laws protect law enforcement and medical personnel from being accidentally stuck by a needle while searching, assessing, or treating a person. In addition to physical injury, accidental needle-sticks can cause a person to contract unwanted illness or diseases from a needle.

Date: 6/8/2015

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Senate Action

Senate Judiciary Committee (February 11, 2015). The committee heard testimony in support of the bill from representatives of the Denver Health and Hospital Authority, the Harm Reduction Action Center, and Colorado Organizations Responding to AIDS. The committee adopted amendment L.001, which removed "sharp objects" from the list of objects subject to the bill and stated the factors that may be used to determine reasonable suspicion or probable cause. The committee referred the bill, as amended, to the Committee of the Whole.

Senate second reading (February 17, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report, and adopted L.004, which made previously unamended language conform with the amendments made by the Judiciary Committee, and made the bill apply to assessments and treatments. The committee passed the bill, as amended, on second reading.

Senate third reading (February 18, 2015). The Senate passed the bill on third reading.

Senate Consideration of House Amendments (March 13, 2015). The Senate concurred with the House amendments and repassed the bill.

House Action

House Public Health Care and Human Services Committee (March 6, 2015). The committee heard testimony in support of the bill from representatives of Denver Public Health, the Colorado District Attorneys' Council, the Harm Reduction Action Center, and Colorado Organizations Responding to AIDS.

The committee adopted amendment L.007, which substitutes "minuscule" for "trace" as it relates to controlled substances and prohibits a peace officer from citing a person for actions excepted from arrest under the bill. The committee referred the bill, as amended, to the Committee of the Whole.

House second reading (March 11, 2015). The House Committee of the Whole adopted the House Public Health Care and Human Services Committee report and passed the bill on second reading.

House third reading (March 12, 2015). The House passed the bill on third reading.



Legislative Council Staff

Research Note

Bill Number: SB15-109

Short Title: *Mandatory Abuse Report For Adult With A Disability*

Prime Sponsors: Senator Grantham
Representative Young

Research Analyst: Elizabeth Haskell (x6264)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor. Sections 1,2,5, and 6 of the bill became effective on June 5, 2015, and Sections 3 and 4 of the bill become effective July 1, 2016.

Summary

Effective July 1, 2016, the bill requires certain individuals to be mandatory reporters of abuse and exploitation of an at-risk adult with intellectual and developmental disabilities. Mandatory reporters include the following professionals and individuals:

- doctors, nurses, chiropractors, dentists, pharmacists, and emergency medical service providers;
- medical examiners and coroners;
- hospital and long-term care facility personnel engaged in the admission, care, or treatment of patients;
- mental health professionals and social workers;
- clergy members;
- law enforcement and fire protection personnel;
- staff at community-centered boards;
- personnel at banks and financial institutions who directly observe abuse or exploitation or who have a reasonable cause to believe that abuse or exploitation has occurred or will occur; and
- home health providers and home care placement agency staff.

In addition, the bill creates the At-risk Adults with Intellectual and Developmental Disabilities Mandatory Reporting Implementation Task Force which is charged with studying and preparing

recommendations for the implementation of the mandatory reporting required in the bill. The task force must report its findings to the Governor, the Joint Budget Committee, and the Health and Human Services committees of the General Assembly by December 1, 2015.

Background

Colorado's Adult Protective Services system, which is administered by county departments of human services in conjunction with the Colorado Department of Human Services, protects vulnerable or at-risk adults who, because of age or mental or physical ability, are unable to obtain services or otherwise protect their own health, safety, and welfare. An at-risk adult is any person over the age of 18 who meets this criteria. The General Assembly established the mandatory reporting of abuse of at-risk elders over the age of 70 with the enactment of Senate Bill 13-111. Under this law, mandatory reporters are immune from civil action or criminal prosecution when reports are made in good faith and are guilty of a class 3 misdemeanor for failure to make a report or if making a false report.

Senate Action

Senate Health and Human Services Committee (February 11, 2015). At the hearing, representatives of the Arc of Colorado, the Colorado Cross-Disability Coalition, and the Arc of Aurora testified in support of the bill and proposed amendments. Representatives of Colorado Counties, Inc., the 20th Judicial District, and a member of the public maintained a neutral position on the bill. A representative of the Colorado Bankers Association spoke in opposition to the bill. The bill was laid over until February 25, 2015, for action only.

Senate Health and Human Services Committee (February 25, 2015). At the hearing, the committee adopted amendments L.002 and L.004. Amendment L.002 was a strike below amendment, which clarified that the mandatory reporting of abuse and exploitation applies to the abuse and exploitation of at-risk adults with intellectual and developmental disabilities. Amendment L.004 clarified that the reporting requirement for employees of financial institutions only applies to employees who directly observe the abuse or exploitation or who have reasonable cause to believe that abuse or exploitation has occurred or that there is imminent risk of abuse or exploitation of an at-risk elder or at-risk adult with intellectual and developmental disabilities.

The committee referred the bill, as amended, to the Senate Appropriations Committee.

Senate Appropriations Committee (April 10, 2015). The committee adopted amendment J.001 and referred the bill to the Senate Committee of the Whole. The amendment added an appropriation of \$89,155 from the General Fund and \$22,289 from local funds to the bill.

Senate second reading (April 14, 2015). The Senate Committee of the Whole adopted the Senate Health and Human Services Committee report, the Appropriations Committee report, and amendment No.3. Amendment No.3 clarifies that an employee of a financial institution must observe the abuse or exploitation in person in order to be required to report the abuse or exploitation. The bill passed, as amended, on second reading.

Senate third reading (April 15, 2015). The Senate passed the bill on third reading with no amendments.

House Action

House Health, Insurance, and Environment Committee (April 23, 2015). At the hearing, a representative of the Colorado District Attorneys' Council and one member of the public testified in opposition to the bill. Representatives of Disability Law Colorado, the Denver Public Administrator's office, and the Colorado Bankers Association testified in a neutral capacity on the bill. Representatives of Colorado Counties, Inc., the Arc of Colorado, the Arc of Aurora, and the Colorado Cross-Disability Coalition testified in support of the bill. The bill was laid over until April 28, 2015, for action only.

House Health, Insurance, and Environment Committee (April 28, 2015). At the hearing, the committee adopted amendments L.012 and L.013. Amendment L.012 created the At-risk Adults with Intellectual and Developmental Disabilities Mandatory Reporting Implementation Task Force. The amendment also changed the date by which mandatory reporters must report the abuse of at-risk adults with Intellectual and developmental disabilities from July 1, 2015 to July 1, 2016. Amendment L.013 clarified that current requirements for employees of financial institutions to report abuse of at-risk elders are unaffected by the bill.

The committee referred the bill, as amended, to the House Appropriations Committee.

House Appropriations Committee (April 29, 2015). The committee referred the bill, unamended, to the House Committee of the Whole

House second reading (April 29, 2015). The House Committee of the Whole adopted the House Health, Insurance, and Environment Committee report and passed the bill on second reading.

House third reading (April 30, 2015). The House passed the bill on third reading unamended.

Relevant Research

- Colorado's Adult Protective Services System Issue Brief
Number 12-14



Legislative Council Staff

Research Note

Bill Number: SB15-067

Short Title: *Second Degree Assault Injury To Emer Responders*

Prime Sponsors: Senator Cooke
Representative Joshi

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which becomes effective on September 1, 2015, assuming no referendum petition is filed.

Summary

Senate Bill 15-067 amends the definition of assault in the second degree to include an act made with intent to infect, injure, or harm another person whom the actor knows or reasonably should know to be engaged in the performance of his or her duties as a peace officer, firefighter, emergency medical care provider, or emergency medical service provider by causing the person to come into contact with blood, seminal fluid, urine, feces, saliva, mucus, vomit, or any toxic, caustic, or hazardous material by any means, including throwing, tossing, or expelling such fluid or material. The bill removes such action with intent to infect, injure, or harm from the definition of third degree assault. Such action with intent to harass, annoy, threaten, or alarm such a person remains a third degree felony.

The bill amends the definition of "emergency medical care provider" for third degree assault to be the same as the definition used for first and second degree assaults (as defined in Senate Bill 15-126, enacted in 2015).

Background

In 2009, the General Assembly enacted legislation creating a third degree felony for a person who, with intent to infect, injure, harm, harass, annoy, threaten, or alarm, causes another person whom the actor knows or reasonably should know to be a peace officer, firefighter, or emergency medical technician (later amended to "emergency medical service provider" and to include "emergency medical care provider") to come into contact with blood, seminal fluid, urine, feces, saliva, mucus, or vomit, or any toxic, caustic, or hazardous material by any means, including

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throwing, tossing, or expelling such fluid or material.

When a court has probable cause to believe a person has committed such a third degree assault, or a person has been convicted of such a crime, the person is required to undergo testing for communicable diseases, with the results disclosed to any victims of the offense that request that information. Senate Bills 15-005 and 15-126, both enacted in 2015, also concern required medical testing in assault cases.

Second degree assault is a class 4 felony, generally, and third degree assault is a class 1 misdemeanor. Under sections 18-1.3-401 (b)(IV), C.R.S. (felony assault) and 18-1.3-501 (1.5), C.R.S. (third degree assault misdemeanors), assaults against a peace officer, firefighter, or emergency medical service provider engaged in the performance of his or her duties are subject to required or enhanced penalties.

Senate Action

Senate Judiciary Committee (January 28, 2015). The committee heard testimony in support of the bill from representatives of the Memorial Hospital (Colorado Springs) Emergency Department, the EMS Association of Colorado, the County Sheriffs of Colorado, the Colorado District Attorneys' Council, and private citizens. There was no testimony in opposition to the bill. The committee referred the bill, unamended, to the Senate Appropriations Committee.

Senate Appropriations Committee (April 10, 2015). The Appropriations Committee amended the bill to remove the "potential appropriation" section, and to add a five-year appropriation. The committee referred the bill, as amended, to the Senate Committee of the Whole.

Senate second reading (April 14, 2015). The Senate Committee of the Whole adopted the Senate Appropriations Committee report, and passed the bill, as amended, on second reading.

Senate third reading (April 15, 2015). The Senate adopted the bill on third reading.

Senate Consideration of House Amendments (May 6, 2015). The Senate concurred with the House amendments and repassed the bill.

House Action

House Judiciary Committee (April 28, 2015). The committee heard testimony in support of the bill from representatives of the EMS Association of Colorado, the County Sheriffs of Colorado, and Denver Health. The committee adopted amendments L.002 and L.003, which removed provisions that would have added certain professions to those against which certain conduct constitutes second degree assault and removed from the definition of third degree assault certain conduct that causes a peace officer, firefighter, emergency medical care provider, or emergency medical service provider to come into contact with certain bodily fluids or materials.

The amendments also removed the definition of "emergency medical care provider" from the statute concerning second degree assault and removed a provision that would have removed medical testing requirements for those suspected or convicted of certain third degree assaults

Date: 5/26/2015

Version: Final

involving bodily fluids or materials.

The committee referred the bill, as amended, to the House Appropriations Committee.

House Appropriations Committee (May 1, 2015). The Appropriations Committee referred the bill, without further amendment, to the House Committee of the Whole.

House second reading (May 4, 2015). The House Committee of the Whole adopted the House Judiciary Committee report on May 1, 2015, and laid the bill over.

On May 4, 2015, the Committee of the Whole adopted amendment L.005, which applies the definitions in section 18-3-201, C.R.S. to third degree assaults under section 18-3-204, C.R.S. The amendment also included the definition of second degree assault certain action made with the intent to infect, injure, or harm which causes a peace officer, firefighter, emergency medical care provider, or emergency medical service provider to come into contact with certain bodily fluids or materials.

Finally, the amendment removed the same actions with the intent to "infect," "injure," and "harm" from third degree assaults concerning causing a peace officer, firefighter, emergency medical care provider, or emergency medical service provider to come into contact with certain bodily fluids or materials.

The Committee of the Whole passed the bill, as amended, on second reading.

House third reading (May 6, 2015). The House adopted amendment L.007, which reduced the amount of money appropriated. The House passed the bill, as amended, on third reading.

Relevant Research

Special Sentencing for Felony and Misdemeanor Offenses (memorandum): <http://tinyurl.com/qjm9kn7>.

Crime Classification Guide: <http://tinyurl.com/opafsj5>.



Legislative Council Staff

Research Note

Bill Number: SB15-058

Short Title: *Eyewitness Identifications Policies And Procedures*

Prime Sponsors: Senator Guzman
Representative Kagan

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which becomes effective on July 1, 2015.

Summary

The bill requires any Colorado law enforcement agency to adopt and implement, written policies and procedures relating to eyewitness identifications (policies) that are consistent with such procedures of nationally recognized peer reviewed research or policies and procedures developed by the Colorado Attorney General and the Colorado District Attorneys' Council (CDAC). The policies must include:

- protocols guiding the use of a showup, where the eyewitness is presented with a single suspect to determine whether the eyewitness identifies the individual as the perpetrator;
- protocols guiding the recommended use of a blind administration of photo arrays and live lineups;
- development of instructions for the eyewitness, including the advisement that the alleged perpetrator may not be included in the photo array or live lineup, and that the investigation will continue regardless of whether the eyewitness identifies anyone as the alleged perpetrator in the array or lineup;
- instructions for law enforcement regarding the appropriate choice for fillers in compiling photo arrays and live lineups; and
- protocols regarding documenting the eyewitness' level of confidence.

Law enforcement agencies are required to adopt and implement such policies by July 1, 2016, and if a law enforcement agency does not do so, the agency must, on or before July 1, 2016, adopt and implement policies developed by the Colorado Attorney General and

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CDAC. Law enforcement agency policies are considered public documents.

The bill requires law enforcement agencies to create, conduct, or facilitate training for law enforcement officers and other personnel regarding eyewitness identification policies. The Peace Officer Standards and Training Board (P.O.S.T. Board) must approve training programs, but the training can be conducted by any law enforcement agency, the Office of Attorney General, CDAC, or any other P.O.S.T. Board-approved training entity.

Law enforcement agencies must review the policies every five years to ensure consistency with nationally recognized peer review research. The bill also states that compliance or failure to comply with the policies is considered relevant evidence in any case involving eyewitness identification.

Background

There are currently no statewide requirements for law enforcement agencies to develop procedures and policies related to eyewitness identification.

Senate Action

Senate Judiciary Committee (February 9, 2015). The committee heard testimony in support of the bill from representatives of the CDAC, the Innocence Project, the Colorado Association of Chiefs of Police, and the Colorado Criminal Defense Bar. There was no testimony in opposition to the bill.

The committee adopted amendment L.002 to clarify the definitions in the bill, to which agencies the bill applies, and the policies and procedures that can be adopted; to remove the requirement that such policies and procedures be submitted to the P.O.S.T. Board and be posted on law enforcement agencies' websites; to clarify that training programs are not created by the P.O.S.T. Board; and to include a provision requiring agencies to review policies and procedures every five years to ensure consistency with nationally recognized peer review research.

The committee referred the bill, as amended, to the Senate Committee of the Whole.

Senate second reading (February 12, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report and passed the bill, as amended, on second reading.

Senate third reading (February 13, 2015). The Senate adopted the bill, unamended, on third reading.

Senate consideration of House amendments (March 26, 2015). The Senate concurred with the House amendments and re-passed the bill.

House Action

House Judiciary Committee (March 19, 2015). The committee heard testimony in support of the bill from representatives of the CDAC, the Eighteenth Judicial District, the Innocence Project, and the Colorado Criminal Defense Bar. There was no testimony in opposition to the bill. The

Date: 5/21/2015

Version: Final

committee referred the bill, unamended, to the House Committee of the Whole.

House second reading (March 24, 2015). The House Committee of the Whole adopted amendment L.004 to clarify that required procedures must include a documentation of the level of confidence when an eyewitness identifies any person, to require that law enforcement agencies implement required policies and procedures by July 1, 2016, and to require that law enforcement agencies that do not adopt their own policies and procedures required by the bill to adopt and implement the model policies and procedures developed and approved in 2015 by the Colorado Attorney General and the CDAC.

The Committee of the Whole passed the bill, as amended, on second reading.

House third reading (March 25, 2015). The House adopted the bill on third reading.



Legislative Council Staff

Research Note

Bill Number: SB15-030

Short Title: *Prostitution Defense For Human Trafficking Victim*

Prime Sponsors: Senator Carroll
Representative Foote

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on April 16, 2015.

Summary

Senate Bill 15-030 creates an affirmative defense for a person who is charged with prostitution, as established in state law or a corresponding municipal code or ordinance, if the offense occurs on or after July 1, 2015, and if the person charged committed the offense as a direct result of being a victim of human trafficking. In order to assert the defense, the person must demonstrate by a preponderance of the evidence that he or she was a victim of human trafficking. The bill also permits a person charged with, or convicted of, prostitution for an offense committed before July 1, 2015, which was a direct result of being a victim of human trafficking, to apply to the court on or after January 1, 2016, for a sealing of the applicant's records.

An official determination or documentation is not required for the person to assert an affirmative defense or for the court to grant the motion, but certain documentation creates a presumption that participation in prostitution was a direct result of being a victim of human trafficking.

The bill permits a juvenile charged with, or adjudicated of, prostitution for an offense committed before July 1, 2015, which was a direct result of being a victim of human trafficking to apply to the court for expungement of the applicant's record.

The bill permits courts to issue a protective order to protect the confidentiality of the person asserting the affirmative defense.

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Version: Final

The bill defines human trafficking either as it is defined in existing statute, Part 5 of Article 3 of Title 18, C.R.S., or any conduct that, if it occurred prior to the enactment of that Part 5, would constitute human trafficking under that part.

Finally, the bill requires the Human Trafficking Council to perform a post-enactment review, on or after January 1, 2019, of the statute permitting the affirmative defense, and report its findings to the Judiciary Committees of the House of Representatives and Senate.

Background

Prostitution. The state crime of prostitution is defined in Section 18-7-201, C.R.S., as when a person offers or agrees to perform certain acts in exchange for money or other thing of value. Prostitution is a class 3 misdemeanor. Municipalities and counties may have additional laws pertaining to prostitution. Excluding Denver County Court, in the past five years, there have been 384 cases where a person has been charged with at least one count of prostitution in Colorado. There were convictions in 154 cases.

Human trafficking. Under current law, there are two primary types of human trafficking defined in sections 18-3-503 and 18-3-504, C.R.S.: human trafficking for involuntary servitude and human trafficking for sexual servitude. Human trafficking is defined as when a person knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services, or in the case of human trafficking for sexual servitude, coercing the other person to engage in commercial sexual activity. Both crimes are class 3 felonies, except that trafficking of a minor in either instance is a class 2 felony. Under section 18-3-502 (12), C.R.S., a victim of human trafficking is a person who is alleged to have been, or who has been, subjected to either type of human trafficking.

Excluding Denver County Court, in the past five years, there have been nine cases where a person has been charged with at least one count of human trafficking in Colorado, resulting in two convictions.

Senate Action

Senate Judiciary Committee (January 28, 2015). The committee heard testimony in support of the bill from representatives of the Colorado District Attorneys' Council, the American Civil Liberties Union of Colorado, the Colorado Coalition Against Sexual Assault, the Social Wellness Advocacy Network, and members of the public. Representatives from the Human Trafficking Center at the University of Denver testified in support of the bill, and submitted written testimony for the committee. There was no opponent testimony.

The committee adopted amendments L.005 and L.006. Under the introduced version of the bill, a person charged or convicted of prostitution prior to July 1, 2015, could have petitioned the court to vacate the person's record of that conviction. Amendment L.005 amended the bill to permit a person charged or convicted of prostitution for an offense that occurred prior to July 1, 2015, to petition the court, on or after January 1, 2016, to seal the person's records. The amendment also adds provisions pertaining to the expungement of juvenile records and requires

the post-enactment study by the Human Trafficking Board.

Amendment L.006 makes the following amendments to the introduced bill:

- amends the definition of human trafficking in the bill to include conduct that occurred prior to enactment of the current definitions in sections 18-3-503 and 18-3-504, C.R.S.;
- requires the person asserting the affirmative defense to prove victimization by a preponderance of the evidence; and
- permits courts to issue protective orders protecting the confidentiality of the person asserting the affirmative defense.

Senate second reading (February 2, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report and passed the bill, as amended, on second reading.

Senate third reading (February 3, 2015). The Senate adopted the bill on third reading with no additional amendments.

House Action

House Judiciary Committee (March 12, 2015). The committee heard testimony in support of the bill from representatives of the Colorado Coalition Against Sexual Assault, the Human Trafficking Center at the University of Denver, and the Social Wellness Advocacy Network. There was no opponent testimony. The committee referred the bill unamended to the House Committee of the Whole.

House second reading (March 16, 2015). The House Committee of the Whole passed the bill, unamended, on second reading.

House third reading (March 17, 2015). The House passed the bill, unamended, on third reading.

Relevant Research

Colorado Commission on Criminal and Juvenile Justice, Human Trafficking and Slavery — Report to the Judiciary Committees (October, 2013):
http://www.colorado.gov/ccjdir/Resources/Resources/Report/2013-10_HumanTraffickingRpt.pdf.

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Legislative Council Staff

Research Note

Bill Number: SB15-013

Short Title: *Extend Deadline For Dog Protection Act*

Prime Sponsors: Senator Balmer
Representative Court

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on April 3, 2015.

Summary

Senate Bill 15-013 extends the date by which current law enforcement officers must complete dog encounter training from January 1, 2015, to June 30, 2015. The bill requires all local law enforcement officers hired on or after June 30, 2015, to complete the training within the officer's first year of employment.

Background

In 2013, the General Assembly enacted the "Dog Protection Act," which requires that local law enforcement agencies provide training to officers for dog encounters. The act requires a 19-member volunteer task force to develop procedures and a training video to be posted online, and local agencies are required to create a training curriculum based on the task force material. In addition, local law enforcement agencies must create and adopt written policies on canine behaviors, alternatives to the lethal use of force against dogs, and opportunities for owners to remove a dog from the immediate area of law enforcement when appropriate.

Under the original bill, current law enforcement officers are required to complete dog encounter training by January 1, 2015, and all local law enforcement officers hired after the same date are required to complete the training within the officer's first year of employment.

Senate Action

Senate Judiciary Committee (January 26, 2015). The committee heard testimony in support of the bill from representatives of the County Sheriffs of Colorado, the Colorado Federation of Animal Welfare Agencies, and Colorado Voters for Animals. There was no testimony in

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opposition to the bill. The committee referred the bill, unamended, to the Senate Committee of the Whole, with a recommendation that it be placed on the consent calendar.

Senate second reading (January 29, 2015). The Committee of the Whole passed the bill, unamended, on second reading.

Senate third reading (February 2, 2015). The Senate passed the bill, unamended, on third reading.

Senate consideration of House amendments (March 12, 2015). The Senate concurred with the House amendments and repassed the bill.

House Action

House Judiciary Committee (March 5, 2015). The committee heard testimony in support of the bill from a representative of the County Sheriffs of Colorado. There was no testimony in opposition to the bill. The committee adopted amendment L.001, which was a technical amendment.

The committee referred the bill, as amended, to the House Committee of the Whole.

House second reading (March 9, 2015). The Committee of the Whole adopted the House Judiciary Committee report and passed the bill, as amended, on second reading.

House third reading (March 10, 2015). The House passed the bill, unamended, on third reading.

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Version: Final



Legislative Council Staff

Research Note

Bill Number: SB15-005

Short Title: *Medical Testing For 1st Degree Assault*

Prime Sponsors: Senator Cooke
Representative Foote

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which becomes effective on July 1, 2015.

Summary

The bill requires that a defendant in a first degree assault case undergo testing for communicable diseases if his or her bodily fluids come into contact with an assault victim, peace officer, firefighter, emergency medical care provider, or emergency medical service provider. Test results are to be reported within ten day to the court, which must then relay the information to the affected persons. The results of the tests are considered confidential, and people who receive the results of the test are prohibited from publicly disclosing the results. A court may order testing costs and medical treatment costs of personnel to be paid by the defendant.

The bill also defines an emergency medical care provider as a doctor, intern, nurse, nurse's aid, physician's assistant, ambulance attendant or operator, air ambulance pilot, paramedic, or any other member of a hospital or health care facility staff or security force who is involved in providing emergency medical care at a hospital or health care facility, or in an air ambulance or ambulance.

Background

Colorado law requires that a defendant in a second degree assault case where the assault is against an employee of a detention facility, and a defendant in a third degree assault case where the assault is against a peace officer, a firefighter, an emergency medical care provider, or an emergency medical service provider, to undergo testing for communicable diseases if his or her bodily fluids come into contact with a person employed in the listed occupations. Prior to SB15-005 becoming effective, no such requirement exists for defendants in first degree assault cases.

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Senate Action

Senate Judiciary Committee (January 14, 2015). The committee heard testimony in support of the bill from representatives of the Black Hawk Police Department and the County Sheriffs of Colorado. There was no testimony in opposition to the bill.

The committee adopted amendments L.001 and L.002 to include a definition of "emergency medical providers" and to remove provisions of the bill concerning placing those accused of first degree assault on probation for the purpose of paying testing and treatment costs. The committee referred the bill, as amended, to the Senate Committee of the Whole.

Senate second reading (January 20, 2015). The Committee of the Whole adopted the Senate Judiciary Committee report and adopted amendments L.004, L.005, and L.006 to include a deadline for reporting test results, include victims of assault to those to whom the bill applies, and to add a provision prohibiting public disclosure of testing results.

The bill was deemed lost on second reading. The Senate amended the report of the Committee of the Whole to show that the bill passed, as amended, on second reading.

Senate third reading (February 3, 2015). The Senate passed the bill, unamended, on third reading.

House Action

House Judiciary Committee (March 17, 2015). The committee heard testimony in support of the bill from representatives of the Black Hawk Police Department, the County Sheriffs of Colorado, and the Colorado Organization for Victim Assistance. There was no testimony in opposition to the bill. The committee referred the bill, unamended, to the House Committee of the Whole.

House second reading (March 20, 2015). The Committee of the Whole passed the bill, unamended, on second reading.

House third reading (March, 23, 2015). The House passed the bill, unamended, on third reading.