

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 8, 2015
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB15-185 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and
2 substitute:
- 3 "SECTION 1. In Colorado Revised Statutes, **add** 24-33.5-517 as
4 follows:
- 5 **24-33.5-517. Criminal justice data collection.** (1) THIS SECTION
6 SHALL BE KNOWN AND MAY BE CITED AS THE "COMMUNITY LAW
7 ENFORCEMENT ACTION REPORTING ACT" OR THE "C.L.E.A.R. ACT".
- 8 (2) EACH LAW ENFORCEMENT AGENCY IN THE STATE SHALL
9 REPORT THE DATA REPORTED PURSUANT TO SECTION 24-33.5-412 (5),
10 INCLUDING OFFENSE AND ARREST INFORMATION DISAGGREGATED BY
11 SUMMONS, CUSTODY, AND ON VIEW, TO THE DIVISION FOR EACH CALENDAR
12 YEAR BY JANUARY 31 OF THE FOLLOWING CALENDAR YEAR.
- 13 (3) THE JUDICIAL DEPARTMENT SHALL COLLECT AND REPORT THE
14 FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY
15 JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:
- 16 (a) THE NUMBER AND TYPES OF CHARGES THAT RESULTED FROM
17 THE ARRESTS REPORTED PURSUANT TO SUBSECTION (2) OF THIS SECTION,
18 THE RACE AND GENDER OF THE DEFENDANTS, AND THE ASSOCIATED
19 INCIDENT REPORT NUMBERS;
- 20 (b) THE DISPOSITION OF THE CHARGES REPORTED PURSUANT TO
21 PARAGRAPH (a) OF THIS SUBSECTION (3), INCLUDING CONVICTIONS AT
22 TRIAL, ACQUITTALS, PLEA AGREEMENTS, AND DISMISSALS; THE RACE AND
23 GENDER OF THE DEFENDANTS; AND THE ASSOCIATED INCIDENT REPORT
24 NUMBERS;

1 (c) THE SENTENCES IMPOSED FOR ALL CONVICTIONS AND PLEA
2 AGREEMENTS REPORTED PURSUANT TO PARAGRAPH (b) OF THIS
3 SUBSECTION (3), THE RACE AND GENDER OF THE DEFENDANTS, AND THE
4 ASSOCIATED INCIDENT REPORT NUMBERS; AND

5 (d) IF A SENTENCE REPORTED PURSUANT TO PARAGRAPH (c) OF
6 THIS SUBSECTION (3) IS A SENTENCE TO PROBATION, WHETHER A PETITION
7 TO REVOKE PROBATION WAS FILED AGAINST THE DEFENDANT, THE
8 DISPOSITION OF THE PETITION, THE RACE AND GENDER OF THE DEFENDANT,
9 AND THE ASSOCIATED INCIDENT REPORT NUMBER.

10 (4) THE STATE BOARD OF PAROLE SHALL COLLECT AND REPORT
11 THE FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY
12 JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:

13 (a) THE NUMBER OF PAROLE HEARINGS HELD AND THE RACE,
14 ETHNICITY, AND GENDER OF THE INMATES WHO RECEIVED PAROLE
15 HEARINGS;

16 (b) THE NUMBER OF INMATES GRANTED PAROLE AND THE RACE,
17 ETHNICITY, AND GENDER OF THE INMATES; AND

18 (c) THE NUMBER OF INMATES DENIED PAROLE AND THE RACE,
19 ETHNICITY, AND GENDER OF THE INMATES.

20 (5) THE DIVISION SHALL COMPILE AND REPORT THE DATA
21 RECEIVED IN SUBSECTIONS (2) TO (4) OF THIS SECTION BY MARCH 31 OF
22 EACH YEAR. THE REPORT SHALL BE PROVIDED TO THE JUDICIARY
23 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY
24 SUCCESSOR COMMITTEES, AND THE COLORADO COMMISSION ON CRIMINAL
25 AND JUVENILE JUSTICE CREATED IN SECTION 16-11.3-102, C.R.S.

26 **SECTION 2. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the
28 ninety-day period after final adjournment of the general assembly (August
29 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
30 referendum petition is filed pursuant to section 1 (3) of article V of the
31 state constitution against this act or an item, section, or part of this act
32 within such period, then the act, item, section, or part will not take effect
33 unless approved by the people at the general election to be held in
34 November 2016 and, in such case, will take effect on the date of the
35 official declaration of the vote thereon by the governor."

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