

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0996.01 Julie Pelegrin

SENATE BILL 09-284

SENATE SPONSORSHIP

Newell, Morse, Shaffer B., Boyd, Foster, Hodge

HOUSE SPONSORSHIP

Levy,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF A LAW ENFORCEMENT OFFICER**
102 **UNDERSPECIFIED CIRCUMSTANCES TO PREVENT A PERSON FROM**
103 **COMMUNICATING WITH SOMEONE OTHER THAN A PEACE**
104 **OFFICER BY BLOCKING COMMUNICATIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Allows a supervising representative of a law enforcement agency (representative) to order a communications or internet access provider employee to cut, reroute, or divert telephone lines or intercept cellular or digital signals if the representative has probable cause to believe that a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

person is holding a hostage or has barricaded himself or herself in a structure or motor vehicle and is armed and a danger to himself, herself, or others.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 18-9-312 (1), Colorado Revised Statutes, is
3 amended to read:

4 **18-9-312. Hostages or armed person in geographical area -**
5 **blocking telephone, electronic, cellular, or digital communications.**

6 (1)(a) Notwithstanding the provisions of sections 18-9-302 to 18-9-311,
7 any supervising representative of a law enforcement agency ~~who has~~
8 ~~probable cause to believe that one or more hostages are being held in the~~
9 ~~geographical area in which he has jurisdiction~~ shall have the authority to
10 order a ~~previously designated telephone company~~ security employee OF
11 A PREVIOUSLY DESIGNATED COMMUNICATIONS OR INTERNET ACCESS
12 PROVIDER to arrange to cut, reroute, or divert telephone lines OR TO
13 BLOCK OR INTERCEPT CELLULAR OR DIGITAL COMMUNICATIONS SIGNALS
14 IF THE SUPERVISING REPRESENTATIVE HAS PROBABLE CAUSE TO BELIEVE
15 THAT:

16 (I) A PERSON HAS TAKEN ONE OR MORE OTHER PERSONS HOSTAGE
17 AND IS HOLDING THE HOSTAGES IN THE GEOGRAPHICAL AREA IN WHICH
18 THE SUPERVISING REPRESENTATIVE HAS JURISDICTION; OR

19 (II) A PERSON HAS BARRICADED HIMSELF OR HERSELF IN A
20 STRUCTURE OR A MOTOR VEHICLE WITHIN THE GEOGRAPHICAL AREA IN
21 WHICH THE SUPERVISING REPRESENTATIVE HAS JURISDICTION AND THE
22 SUPERVISING REPRESENTATIVE HAS A REASONABLE BELIEF THAT THE
23 PERSON IS ARMED WITH A DEADLY WEAPON OR EXPLOSIVE DEVICE AND
24 POSES A DANGER TO HIMSELF OR HERSELF OR OTHERS.

1 (b) THE SUPERVISING REPRESENTATIVE OF A LAW ENFORCEMENT
2 AGENCY MAY ORDER THE CUTTING, REROUTING, OR DIVERTING OF
3 TELEPHONE LINES OR BLOCKING OR INTERCEPTION OF CELLULAR OR
4 DIGITAL COMMUNICATIONS SIGNALS PURSUANT TO PARAGRAPH (a) OF THIS
5 SUBSECTION (1) ONLY for the purpose of preventing telephone OR OTHER
6 ELECTRONIC, CELLULAR, OR DIGITAL communication by the ~~holder of such~~
7 ~~hostages~~ HOSTAGE HOLDER OR THE ARMED PERSON with any person other
8 than a peace officer or a person authorized by the peace officer.

9 **SECTION 2. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.