

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0470.01 Julie Pelegrin

HOUSE BILL 07-1076

HOUSE SPONSORSHIP

King,

SENATE SPONSORSHIP

(None),

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PROVISION OF TRAINING TO PREVENT CONTRABAND**
102 **SMUGGLING, AND MAKING AN APPROPRIATION THEREFOR.**

Bill Summary

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

Creates the contraband smuggling prevention training grant program ("program") in the division of criminal justice ("division") in the department of public safety. Identifies the goal of the program as improving the public safety by providing funds to enable local law enforcement agencies to train peace officers to recognize and stop contraband smuggling. Directs the division to review applications and award grants under the program based on specified criteria. Identifies the

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.*

minimum requirements for a local law enforcement agency's contraband smuggling prevention training program.

Directs the chief of the Colorado state patrol to ensure that patrolmen receive contraband smuggling prevention training.

Makes an appropriation.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds that:

4 (a) The state and federal highways in Colorado are increasingly
5 used to transport drugs, weapons, explosives, and other dangerous
6 contraband contributing to the unacceptable risks to society caused by
7 illegal drug use, the availability of illegal weapons, and increasing threats
8 of terrorism;

9 (b) The movement of illegal and dangerous contraband on the
10 highways in this state presents a grave and increasing danger to persons
11 traveling the highways and to persons residing in the areas to which the
12 contraband is transported;

13 (c) In an effort to decrease drug smuggling, a California patrol
14 officer created the operation desert snow program to provide high-quality
15 training to state patrol officers in conducting roadside interviews,
16 recognizing vehicles that had been altered to create concealed
17 compartments, and effectively searching vehicles to recognize concealed
18 compartments. The operation desert snow program has been successfully
19 used by many states and expanded to include searching for other forms of
20 contraband and to focus on the commercial trucking industry.

21 (d) With appropriate training, such as that provided by the
22 operation desert snow program, a law enforcement officer engaged in a
23 routine traffic stop can identify suspicious or deceptive behavior that may

1 indicate possible criminal or terrorist activity or recognize and find
2 hidden compartments in vehicles that are used to conceal drugs, weapons,
3 explosives, and other dangerous contraband;

4 (e) Providing funding to assist state and local law enforcement
5 agencies in obtaining high-quality contraband smuggling prevention
6 training for law enforcement personnel will significantly decrease the
7 incidence of contraband smuggling that occurs on the highways in the
8 state and increase the level of safety for persons traveling and residing in
9 the state and is therefore in the best interests of the people of Colorado.

10 **SECTION 2.** Part 5 of article 33.5 of title 24, Colorado Revised
11 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
12 read:

13 **24-33.5-512. Contraband smuggling prevention training -**
14 **grant program - criteria - rules - report - repeal.** (1) AS USED IN THIS
15 SECTION UNLESS THE CONTEXT OTHERWISE REQUIRES:

16 (a) "CONTRABAND SMUGGLING PREVENTION TRAINING" MEANS
17 TRAINING PROVIDED TO A PEACE OFFICER IN METHODS OF IDENTIFYING
18 AND INTERCEPTING PERSONS AND VEHICLES ENGAGED IN SMUGGLING
19 CONTRABAND, INCLUDING BUT NOT LIMITED TO DRUGS, WEAPONS, AND
20 EXPLOSIVES.

21 (b) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A LAW
22 ENFORCEMENT AGENCY OPERATED BY A MUNICIPALITY, CITY AND
23 COUNTY, OR COUNTY.

24 (c) "PROGRAM" MEANS THE CONTRABAND SMUGGLING
25 PREVENTION TRAINING GRANT PROGRAM CREATED PURSUANT TO THIS
26 SECTION.

27 (2) (a) THERE IS HEREBY CREATED WITHIN THE DIVISION THE

1 CONTRABAND SMUGGLING PREVENTION TRAINING GRANT PROGRAM.
2 SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION SHALL IMPLEMENT
3 THE PROGRAM BY AWARDING GRANTS TO LOCAL LAW ENFORCEMENT
4 AGENCIES FOR CONTRABAND SMUGGLING PREVENTION TRAINING. THE
5 DIVISION SHALL IMPLEMENT THE PROGRAM THROUGH A REQUEST FOR
6 PROPOSALS PROCESS. AT A MINIMUM, A CONTRABAND SMUGGLING
7 PREVENTION TRAINING PROGRAM THAT IS ELIGIBLE TO RECEIVE GRANT
8 MONEYS THROUGH THE PROGRAM SHALL INCLUDE ROADSIDE INTERVIEW
9 TECHNIQUES AND TECHNIQUES FOR IDENTIFYING CONCEALMENT METHODS,
10 FALSE DOCUMENTS, AND COMMERCIAL MOTOR VEHICLE VIOLATIONS. IN
11 AWARDING GRANTS THROUGH THE PROGRAM, THE DIVISION MAY
12 CONSIDER ANY CASH OR IN-KIND CONTRIBUTIONS AVAILABLE TO THE
13 GRANTEE FOR CONTRABAND SMUGGLING PREVENTION TRAINING. THE
14 DIVISION MAY APPLY ANY AVAILABLE FUNDING SOURCES IN ADDITION TO
15 GENERAL FUND MONEYS IN IMPLEMENTING THE PROGRAM.

16 (3) ON OR BEFORE MARCH 1, 2008, AND ON OR BEFORE MARCH 1
17 EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT TO THE
18 JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES,
19 OR ANY SUCCESSOR COMMITTEES, CONCERNING IMPLEMENTATION OF THE
20 PROGRAM. AT A MINIMUM, THE REPORT SHALL SPECIFY THE NUMBER OF
21 GRANTS AWARDED IN THE PRECEDING CALENDAR YEAR, THE LOCAL LAW
22 ENFORCEMENT AGENCIES THAT RECEIVED THE GRANTS, AND THE AMOUNTS
23 AWARDED.

24 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010.

25 **SECTION 3.** Part 2 of article 33.5 of title 24, Colorado Revised
26 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
27 read:

1 **24-33.5-228. Contraband smuggling prevention training.**

2 (1) AS USED IN THIS SECTION, "CONTRABAND SMUGGLING PREVENTION
3 TRAINING" MEANS TRAINING PROVIDED TO A PATROLMAN IN METHODS OF
4 IDENTIFYING AND INTERCEPTING PERSONS AND VEHICLES ENGAGED IN
5 SMUGGLING CONTRABAND, INCLUDING BUT NOT LIMITED TO DRUGS,
6 WEAPONS, AND EXPLOSIVES.

7 (2) BEGINNING JULY 1, 2007, THE CHIEF MAY PROVIDE
8 CONTRABAND SMUGGLING PREVENTION TRAINING TO EMPLOYEES OF THE
9 COLORADO STATE PATROL AND TO LOCAL LAW ENFORCEMENT AGENCIES.
10 THE CHIEF SHALL ENSURE THAT THE CONTRABAND SMUGGLING
11 PREVENTION TRAINING INCLUDES, AT A MINIMUM:

- 12 (a) WORKSHOPS ON ROADSIDE INTERVIEW TECHNIQUES;
- 13 (b) TRAINING IN IDENTIFYING AND RECOGNIZING HIDDEN
14 COMPARTMENTS, CONCEALMENT METHODS, ALTERED VEHICLES, FALSE
15 DOCUMENTS, AND SUSPICIOUS VEHICLES AND BEHAVIOR; AND
- 16 (c) TRAINING THAT FOCUSES ON TRUCKING AND COMMERCIAL
17 VEHICLES.

18 (3) THE COLORADO STATE PATROL IS AUTHORIZED TO ACCEPT AND
19 EXPEND GIFTS, GRANTS, AND DONATIONS FROM PUBLIC OR PRIVATE
20 ENTITIES TO OFFSET THE COSTS OF PROVIDING CONTRABAND SMUGGLING
21 PREVENTION TRAINING PURSUANT TO THIS SECTION.

22 **SECTION 4. Appropriation.** (1) In addition to any other
23 appropriation, there is hereby appropriated, out of any moneys in the
24 general fund not otherwise appropriated, to the department of public
25 safety, for allocation to the division of criminal justice, for the fiscal year
26 beginning July 1, 2007, the sum of five hundred thousand dollars
27 (\$500,000), or so much thereof as may be necessary, for the

1 implementation of the contraband smuggling prevention training grant
2 program created in section 24-33.5-512, Colorado Revised Statutes.

3 (2) In addition to any other appropriation, there is hereby
4 appropriated, out of any moneys in the general fund not otherwise
5 appropriated, to the department of public safety, for allocation to the
6 Colorado state patrol, for the fiscal year beginning July 1, 2007, the sum
7 of five hundred thousand dollars (\$500,000), or so much thereof as may
8 be necessary, to provide contraband smuggling prevention training
9 pursuant to section 24-33.5-228, Colorado Revised Statutes.

10 **SECTION 5. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.