

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

INTRODUCED

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 ACCEPT AND EVALUATE APPLICATIONS FROM LOCAL LAW
6 ENFORCEMENT AGENCIES REQUESTING GRANTS UNDER THE PROGRAM. IN
7 EVALUATING THE APPLICATIONS, THE DIVISION SHALL TAKE INTO
8 CONSIDERATION OTHER FUNDING SOURCES THAT MAY BE AVAILABLE TO
9 THE APPLICANT TO PROVIDE CONTRABAND SMUGGLING PREVENTION
10 TRAINING AND THE QUALITY OF THE PROPOSED CONTRABAND SMUGGLING
11 PREVENTION TRAINING PROGRAM.

12 (b) IN ADDITION TO SUCH MONEYS AS THE GENERAL ASSEMBLY
13 MAY APPROPRIATE TO THE PROGRAM, THE DIVISION IS AUTHORIZED TO DO
14 ALL THINGS NECESSARY TO APPLY FOR, QUALIFY FOR, ACCEPT, AND
15 DISTRIBUTE ANY MONEYS MADE AVAILABLE FROM FEDERAL OR PRIVATE
16 ENTITIES TO FUND THE PROGRAM.

17 (3) TO RECEIVE A GRANT UNDER THE PROGRAM, A LOCAL LAW
18 ENFORCEMENT AGENCY SHALL DEMONSTRATE THAT ITS PROPOSED
19 CONTRABAND SMUGGLING PREVENTION TRAINING PROGRAM INCLUDES, AT
20 A MINIMUM:

21 (a) WORKSHOPS ON ROADSIDE INTERVIEW TECHNIQUES;

22 (b) TRAINING IN IDENTIFYING AND RECOGNIZING HIDDEN
23 COMPARTMENTS, CONCEALMENT METHODS, ALTERED VEHICLES, FALSE
24 DOCUMENTS, AND SUSPICIOUS VEHICLES AND BEHAVIOR; AND

25 (c) TRAINING THAT FOCUSES ON TRUCKING AND COMMERCIAL
26 VEHICLES.

27 (4) ON OR BEFORE MARCH 1, 2008, AND ON OR BEFORE MARCH 1

1 EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT TO THE
2 JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES,
3 OR ANY SUCCESSOR COMMITTEES, CONCERNING IMPLEMENTATION OF THE
4 PROGRAM. AT A MINIMUM, THE REPORT SHALL SPECIFY THE NUMBER OF
5 GRANTS AWARDED IN THE PRECEDING CALENDAR YEAR, THE LOCAL LAW
6 ENFORCEMENT AGENCIES THAT RECEIVED THE GRANTS, AND THE AMOUNTS
7 AWARDED.

8 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010.

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

12 **24-33.5-228. Contraband smuggling prevention training.**

13 (1) AS USED IN THIS SECTION, "CONTRABAND SMUGGLING PREVENTION
14 TRAINING" MEANS TRAINING PROVIDED TO A PATROLMAN IN METHODS OF
15 IDENTIFYING AND INTERCEPTING PERSONS AND VEHICLES ENGAGED IN
16 SMUGGLING CONTRABAND, INCLUDING BUT NOT LIMITED TO DRUGS,
17 WEAPONS, AND EXPLOSIVES.

18 (2) BEGINNING JULY 1, 2007, THE CHIEF MAY PROVIDE
19 CONTRABAND SMUGGLING PREVENTION TRAINING TO PATROLMEN. IN
20 SELECTING A PROGRAM OF CONTRABAND SMUGGLING PREVENTION
21 TRAINING, THE CHIEF SHALL ENSURE THAT THE PROGRAM INCLUDES, AT A
22 MINIMUM:

23 (a) WORKSHOPS ON ROADSIDE INTERVIEW TECHNIQUES;

24 (b) TRAINING IN IDENTIFYING AND RECOGNIZING HIDDEN
25 COMPARTMENTS, CONCEALMENT METHODS, ALTERED VEHICLES, FALSE
26 DOCUMENTS, AND SUSPICIOUS VEHICLES AND BEHAVIOR; AND

27 (c) TRAINING THAT FOCUSES ON TRUCKING AND COMMERCIAL

1 VEHICLES.

2 **SECTION 4. Appropriation.** (1) In addition to any other
3 appropriation, there is hereby appropriated, out of any moneys in the
4 general fund not otherwise appropriated, to the department of public
5 safety, for allocation to the division of criminal justice, for the fiscal year
6 beginning July 1, 2007, the sum of five hundred thousand dollars
7 (\$500,000), or so much thereof as may be necessary, for the
8 implementation of the contraband smuggling prevention training grant
9 program created in section 24-33.5-512, Colorado Revised Statutes.

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

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