

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 15-0617.01 Michael Dohr x4347

HOUSE BILL 15-1287

HOUSE SPONSORSHIP

Williams, Priola, Foote, Arndt, Becker K., Buckner, Kagan, Lontine, Melton, Moreno, Pettersen, Vigil, Winter

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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE PEACE OFFICER TRAINING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Currently there are 20 members of the peace officers standards and training board (P.O.S.T. board). The bill expands the membership to 24 members by adding 4 more lay members to the P.O.S.T. board. The bill requires the governor to consider an applicant's age, gender, race, professional experience, and geographic location when making appointments to the board.

The bill expands the P.O.S.T. board's duties to include:

! Completing a review and evaluation of the basic academy

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.

curriculum, including using community outreach as a review and evaluation component, by January 1, 2016, and every five years thereafter;

- ! Establishing, at a minimum, 4 subject matter expertise committees, including arrest control, curriculum, driving, and firearms, to develop skills training programs, academic curriculums, and P.O.S.T. board rules; reviewing documents for and approving or denying academy programs, lesson plans, training sites, and skills instructors; and assisting P.O.S.T. board staff with academy inspections and skills test-outs;
- ! Developing a community outreach program that informs the public of the role and duties of the P.O.S.T. board; and
- ! Developing a recruitment program that creates a diversified applicant pool for appointments to the P.O.S.T. board and the subject matter expertise committees.

The bill requires the chair of the P.O.S.T. board to consider an applicant's age, gender, race, professional experience, and geographic location when making appointments to the subject matter committees. The arrest control and curriculum committees must have at least 4 lay members.

The bill requires the P.O.S.T. board to include a 2-hour anti-bias course and, in alternating years, either a 2-hour community policing course or a 2-hour situation de-escalation training program in the annual in-service training. The courses must be available by January 1, 2016, and all certified peace officers shall satisfactorily complete the courses by July 1, 2016, and then at least once every 5 years thereafter.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-31-302, **amend**
3 (3) as follows:

4 **24-31-302. Creation of board.** (3) The P.O.S.T. board shall
5 consist of ~~twenty~~ TWENTY-FOUR members. The chairperson of the
6 P.O.S.T. board shall be the attorney general, and the board shall annually
7 elect from its members a vice-chairperson. The other members shall be
8 the special agent in charge of the Denver division of the federal bureau
9 of investigation, the executive director of the department of public safety,
10 one local government representative, six active chiefs of police from

1 municipalities of this state or state institutions of higher education, six
2 active sheriffs from counties of this state, three active peace officers with
3 a rank of sergeant or below, and ~~one lay member~~ FIVE NON-LAW
4 ENFORCEMENT MEMBERS. THE NON-LAW ENFORCEMENT MEMBERS SHALL
5 COMPLETE A CITIZENS' LAW ENFORCEMENT ACADEMY PRIOR TO
6 APPOINTMENT OR WITHIN ONE YEAR AFTER APPOINTMENT. The governor
7 shall appoint the chiefs of police, sheriffs, peace officers, the lay member
8 MEMBERS, and the local government representative as members of the
9 board for terms of three years per appointment. If any chief of police,
10 sheriff, peace officer, lay member, or local government representative
11 vacates such office during the term for which appointed to the P.O.S.T.
12 board, a vacancy on the board shall exist. Any vacancy shall be filled by
13 appointment by the governor for the unexpired term. IN ORDER TO CREATE
14 A DIVERSIFIED BOARD, THE GOVERNOR SHALL CONSIDER AN APPLICANT'S
15 AGE, GENDER, RACE, PROFESSIONAL EXPERIENCE, AND GEOGRAPHIC
16 LOCATION WHEN MAKING APPOINTMENTS TO THE BOARD. IN ORDER TO
17 CREATE DIVERSIFIED SUBJECT MATTER EXPERTISE COMMITTEES, THE CHAIR
18 OF THE P.O.S.T. BOARD SHALL CONSIDER AN APPLICANT'S AGE, GENDER,
19 RACE, PROFESSIONAL EXPERIENCE, AND GEOGRAPHIC LOCATION WHEN
20 MAKING APPOINTMENTS TO THE COMMITTEES.

21 **SECTION 2.** In Colorado Revised Statutes, 24-31-303, **amend**
22 (1) (l); and **add** (1) (n), (1) (o), (1) (p), and (1) (q) as follows:

23 **24-31-303. Duties - powers of the P.O.S.T. board.** (1) The
24 P.O.S.T. board has the following duties:

25 (l) To promulgate rules deemed necessary by the board concerning
26 annual in-service training requirements for certified peace officers,
27 including but not limited to evaluation of the training program and

1 processes to ensure substantial compliance by law enforcement agencies
2 and departments; and

3 (n) TO COMPLETE A REVIEW AND EVALUATION OF THE BASIC
4 ACADEMY CURRICULUM, INCLUDING USING COMMUNITY OUTREACH AS A
5 REVIEW AND EVALUATION COMPONENT, BY JANUARY 1, 2016, AND EVERY
6 FIVE YEARS THEREAFTER;

7 (o) (I) TO ESTABLISH, AT A MINIMUM, FOUR SUBJECT MATTER
8 EXPERTISE COMMITTEES, INCLUDING ARREST CONTROL, CURRICULUM,
9 DRIVING, AND FIREARMS, TO:

10 (A) DEVELOP SKILLS TRAINING PROGRAMS, ACADEMIC
11 CURRICULUMS, AND P.O.S.T. BOARD RULES;

12 (B) REVIEW DOCUMENTS FOR AND APPROVE OR DENY ACADEMY
13 PROGRAMS, LESSON PLANS, TRAINING SITES, AND SKILLS INSTRUCTORS;
14 AND

15 (C) ASSIST P.O.S.T. BOARD STAFF WITH ACADEMY INSPECTIONS
16 AND SKILLS TEST-OUTS;

17 (II) (A) IN ORDER TO CREATE DIVERSIFIED SUBJECT MATTER
18 EXPERTISE COMMITTEES, THE CHAIR OF THE P.O.S.T. BOARD SHALL
19 CONSIDER AN APPLICANT'S AGE, GENDER, RACE, PROFESSIONAL
20 EXPERIENCE, AND GEOGRAPHIC LOCATION WHEN MAKING APPOINTMENTS
21 TO THE COMMITTEES.

22 (B) THE ARREST CONTROL, CURRICULUM, DRIVING, AND FIREARMS
23 SUBJECT MATTER COMMITTEES SHALL EACH INCLUDE AT LEAST FOUR
24 NON-LAW ENFORCEMENT MEMBERS WHO HAVE LAW ENFORCEMENT
25 EXPERTISE OR EXPERTISE IN PROVIDING EFFECTIVE TRAINING THROUGH
26 PROFESSIONAL EXPERIENCE OR SUBJECT MATTER TRAINING. AT LEAST ONE
27 OF THE NON-LAW ENFORCEMENT MEMBERS SHALL RESIDE IN A COUNTY

1 WITH TWENTY-FIVE THOUSAND RESIDENTS OR LESS.

2 (III) THE P.O.S.T. BOARD MAY ADD ADDITIONAL SUBJECT MATTER
3 EXPERTISE COMMITTEES AS APPROPRIATE WHEN NEEDS ARISE.

4 (p) TO DEVELOP A COMMUNITY OUTREACH PROGRAM THAT
5 INFORMS THE PUBLIC OF THE ROLE AND DUTIES OF THE P.O.S.T. BOARD;
6 AND

7 (q) TO DEVELOP A RECRUITMENT PROGRAM THAT CREATES A
8 DIVERSIFIED APPLICANT POOL FOR APPOINTMENTS TO THE P.O.S.T. BOARD
9 AND THE SUBJECT MATTER EXPERTISE COMMITTEES.

10 **SECTION 3.** In Colorado Revised Statutes, **add** 24-31-315 as
11 follows:

12 **24-31-315. Annual in-service training requirements.** (1) THE
13 ANNUAL IN-SERVICE TRAINING PROGRAMS SHALL INCLUDE PROPER
14 RESTRAINT AND HOLDS TRAINING, A TWO-HOUR ANTI-BIAS TRAINING
15 PROGRAM AND, IN ALTERNATING YEARS, EITHER A TWO-HOUR COMMUNITY
16 POLICING AND COMMUNITY PARTNERSHIPS TRAINING PROGRAM OR A
17 TWO-HOUR SITUATION DE-ESCALATION TRAINING PROGRAM. THE
18 PROGRAMS AND CURRICULUM SHALL BE AVAILABLE BY JANUARY 1, 2016,
19 AND MAY INCLUDE INTERACTIVE WEB-BASED TRAINING. EACH CERTIFIED
20 PEACE OFFICER SHALL SATISFACTORILY COMPLETE THE TRAINING BY JULY
21 1, 2016, AND SHALL SATISFACTORILY COMPLETE THE TRAINING AT LEAST
22 ONCE EVERY FIVE YEARS THEREAFTER.

23 (2) (a) THE P.O.S.T. BOARD SHALL SUSPEND A PEACE OFFICER'S
24 CERTIFICATION IF THE PEACE OFFICER FAILS TO COMPLY WITH THE
25 TRAINING REQUIREMENTS IN SUBSECTION (1) OF THIS SECTION. THE
26 P.O.S.T. BOARD SHALL REINSTATE A PEACE OFFICER'S CERTIFICATION
27 THAT WAS SUSPENDED PURSUANT TO THIS PARAGRAPH (a) UPON

1 COMPLETION OF THE TRAINING REQUIREMENTS IN SUBSECTION (1) OF THIS
2 SECTION.

3 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
4 THIS SUBSECTION (2), THE P.O.S.T. BOARD SHALL NOT SUSPEND A PEACE
5 OFFICER'S CERTIFICATION IF THE PEACE OFFICER HAS NOT COMPLIED WITH
6 THE TRAINING REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION
7 BECAUSE THE OFFICER IS NOT SERVING AS A FULL-TIME PEACE OFFICER.
8 WHEN THE OFFICER RETURNS TO HIS OR HER FULL-TIME PEACE-OFFICER
9 DUTIES, HE OR SHE SHALL HAVE SIX MONTHS TO COMPLETE THE TRAINING
10 REQUIRED BY SUBSECTION (1) OF THIS SECTION.

11 **SECTION 4. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.