

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0756.01 Michael Dohr x4347

SENATE BILL 15-185

SENATE SPONSORSHIP

Johnston,

HOUSE SPONSORSHIP

Fields,

Senate Committees

Judiciary
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING PROVISIONS TO IMPROVE POLICE OPERATIONS.

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>.)

The bill requires the Colorado commission on criminal and juvenile justice to convene an advisory committee to study community policing practices and create a report regarding best practices.

The bill requires each law enforcement agency to report data on stops and arrests, including race, ethnicity, gender, and incident report number, to the division of criminal justice (division). The bill requires the judicial department to report data on charges, dispositions, sentences, and probation revocations, including race, ethnicity, gender, and incident

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.

report number, to the division. The bill requires the department of corrections to report data on parole hearings, grants of parole, and parole denials, including race, ethnicity, and gender, to the division. The division then compiles and reports the data on an annual basis. After an officer-involved shooting occurs, the peace officer's law enforcement agency shall provide the division with demographic information on the officer and individual involved within 10 days of the shooting. The division shall compile and report the data annually.

The bill creates a community policing grant program to provide funding to local law enforcement agencies in conjunction with community-based organizations for innovative community policing practices.

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-11.3-103, **add**
3 (2.6) as follows:

4 **16-11.3-103. Duties of the commission - mission - staffing.**

5 (2.6) THE COMMISSION SHALL CONVENE AN ADVISORY COMMITTEE
6 REGARDING COMMUNITY POLICING ONE YEAR AFTER GRANTS HAVE BEEN
7 AWARDED PURSUANT TO SECTION 24-33.5-518, C.R.S. THE ADVISORY
8 COMMITTEE SHALL STUDY THE CIVILIAN AND LAW ENFORCEMENT
9 RELATIONS PROGRAMS THAT RECEIVED GRANTS PURSUANT TO SECTION
10 24-33.5-518, C.R.S., AND CREATE A REPORT THAT DESCRIBES BEST
11 PRACTICES THAT RESULTED FROM THE CIVILIAN AND LAW ENFORCEMENT
12 RELATIONS GRANT PROGRAM CREATED IN SECTION 24-33.5-518, C.R.S.
13 THE REPORT SHALL BE PUBLISHED ON THE COMMISSION'S WEB SITE AND
14 MADE AVAILABLE TO ALL LAW ENFORCEMENT AGENCIES IN THE STATE.

15 **SECTION 2.** In Colorado Revised Statutes, **add** 24-33.5-517 and
16 24-33.5-518 as follows:

17 **24-33.5-517. Criminal justice data collection.** (1) (a) EACH LAW
18 ENFORCEMENT AGENCY IN THE STATE SHALL COLLECT AND REPORT THE
19 FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY

1 JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:

2 (I) THE NUMBER OF LAW ENFORCEMENT STOPS OR CONTACTS
3 MADE; THE RACE, ETHNICITY, AND GENDER OF THE PERSONS STOPPED OR
4 CONTACTED; AND THE ASSOCIATED INCIDENT REPORT NUMBERS; AND

5 (II) THE NUMBER OF ARRESTS THAT RESULTED FROM THE LAW
6 ENFORCEMENT STOPS OR CONTACTS; THE RACE, ETHNICITY, AND GENDER
7 OF THE PERSONS ARRESTED; AND THE ASSOCIATED INCIDENT REPORT
8 NUMBERS.

9 (b) THE JUDICIAL DEPARTMENT SHALL COLLECT AND REPORT THE
10 FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY
11 JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:

12 (I) THE NUMBER AND TYPE OF CHARGES THAT RESULTED FROM THE
13 ARRESTS REPORTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION
14 (1); THE RACE, ETHNICITY, AND GENDER OF THE DEFENDANTS; AND THE
15 ASSOCIATED INCIDENT REPORT NUMBERS;

16 (II) THE DISPOSITION OF THE CHARGES REPORTED PURSUANT TO
17 SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), INCLUDING CONVICTIONS AT
18 TRIAL, ACQUITTALS, PLEA AGREEMENTS, AND DISMISSALS; THE RACE,
19 ETHNICITY, AND GENDER OF THE DEFENDANTS; AND THE ASSOCIATED
20 INCIDENT REPORT NUMBERS;

21 (III) THE SENTENCES IMPOSED FOR ALL CONVICTIONS AND PLEA
22 AGREEMENTS REPORTED PURSUANT TO SUBPARAGRAPH (II) OF THIS
23 PARAGRAPH (b); THE RACE, ETHNICITY, AND GENDER OF THE DEFENDANTS;
24 AND THE ASSOCIATED INCIDENT REPORT NUMBERS; AND

25 (IV) IF A SENTENCE REPORTED PURSUANT TO SUBPARAGRAPH (III)
26 OF THIS PARAGRAPH (b) IS A SENTENCE TO PROBATION, WHETHER A
27 PETITION TO REVOKE PROBATION WAS FILED AGAINST THE DEFENDANT;

1 THE DISPOSITION OF THE PETITION; THE RACE, ETHNICITY, AND GENDER OF
2 THE DEFENDANT; AND THE ASSOCIATED INCIDENT REPORT NUMBER.

3 (c) THE DEPARTMENT OF CORRECTIONS SHALL COLLECT AND
4 REPORT THE FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR
5 YEAR BY JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:

6 (I) THE NUMBER OF PAROLE HEARINGS HELD AND THE RACE,
7 ETHNICITY, AND GENDER OF THE INMATES WHO RECEIVED PAROLE
8 HEARINGS;

9 (II) THE NUMBER OF INMATES GRANTED PAROLE AND THE RACE,
10 ETHNICITY, AND GENDER OF THE INMATES; AND

11 (III) THE NUMBER OF INMATES DENIED PAROLE AND THE RACE,
12 ETHNICITY, AND GENDER OF THE INMATES.

13 (d) THE DIVISION SHALL COMPILE AND REPORT THE DATA
14 RECEIVED IN PARAGRAPHS (a) TO (c) OF THIS SUBSECTION (1) BY MARCH
15 31 OF EACH YEAR. THE REPORT SHALL BE PROVIDED TO THE JUDICIARY
16 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY
17 SUCCESSOR COMMITTEES, AND THE COLORADO COMMISSION ON CRIMINAL
18 AND JUVENILE JUSTICE CREATED IN SECTION 16-11.3-102, C.R.S.

19 (2) (a) A LAW ENFORCEMENT AGENCY THAT EMPLOYS A PEACE
20 OFFICER WHO IS INVOLVED IN AN OFFICER-INVOLVED SHOOTING SHALL
21 REPORT THE FOLLOWING DEMOGRAPHIC INFORMATION TO THE DIVISION
22 WITHIN TEN DAYS AFTER THE SHOOTING:

23 (I) THE GENDER, AGE, RACE, AND ETHNICITY OF THE PEACE
24 OFFICER; AND

25 (II) THE GENDER, AGE, RACE, AND ETHNICITY OF THE INDIVIDUAL
26 INVOLVED.

27 (b) THE DIVISION SHALL COMPILE AND REPORT THE DATA

1 RECEIVED IN PARAGRAPH (a) OF THIS SUBSECTION (2) FOR THE LAST
2 CALENDAR YEAR BY MARCH 31 OF EACH YEAR. THE REPORT SHALL BE
3 PROVIDED TO THE JUDICIARY COMMITTEES OF THE HOUSE OF
4 REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES, AND
5 THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
6 CREATED IN SECTION 16-11.3-102, C.R.S.

7 **24-33.5-518. Civilian and law enforcement relations grant**
8 **program - repeal.** (1) THERE IS CREATED A CIVILIAN AND LAW
9 ENFORCEMENT RELATIONS GRANT PROGRAM TO BE ADMINISTERED BY THE
10 DIVISION. THE DIVISION SHALL MAKE CIVILIAN AND LAW ENFORCEMENT
11 RELATIONS GRANTS TO FUND AND IMPLEMENT INNOVATIVE COMMUNITY
12 POLICING POLICIES FOR PROGRAMS OPERATED BY LOCAL LAW
13 ENFORCEMENT AGENCIES IN CONJUNCTION WITH A COMMUNITY-BASED
14 ORGANIZATION. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION
15 SHALL PAY GRANTS OUT OF THE MONEYS APPROPRIATED TO THE DIVISION
16 FOR THE GRANT PROGRAM.

17 (2) THE DIVISION SHALL SOLICIT AND REVIEW APPLICATIONS FROM
18 LAW ENFORCEMENT AGENCIES IN CONJUNCTION WITH A
19 COMMUNITY-BASED ORGANIZATION FOR GRANTS PURSUANT TO THIS
20 SECTION.

21 (3) EACH APPLICATION, AT A MINIMUM, MUST DESCRIBE HOW THE
22 APPLICANT LAW ENFORCEMENT AGENCY AND COMMUNITY-BASED
23 ORGANIZATION WILL USE ANY AWARDED GRANT MONEYS, INCLUDING AN
24 ITEMIZED BUDGET FOR BOTH THE LAW ENFORCEMENT AGENCY AND THE
25 COMMUNITY-BASED ORGANIZATION BASED ON THE REQUESTED GRANT
26 AWARD, TO IMPLEMENT COMMUNITY POLICING PRACTICES.

27 (4) ON OR BEFORE A DATE SPECIFIED BY THE EXECUTIVE DIRECTOR

1 PURSUANT TO SUBSECTION (5) OF THIS SECTION, THE DIVISION SHALL
2 SUBMIT ANNUALLY TO THE JUDICIARY COMMITTEES OF THE SENATE AND
3 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND THE
4 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE CREATED
5 IN SECTION 16-11.3-102, C.R.S., THE FOLLOWING INFORMATION
6 REGARDING THE ADMINISTRATION OF THE PROGRAM IN THE PRECEDING
7 YEAR:

8 (a) THE NUMBER OF GRANT RECIPIENTS THAT RECEIVED GRANTS
9 UNDER THE PROGRAM;

10 (b) THE AMOUNT OF EACH GRANT AWARDED TO EACH GRANT
11 RECIPIENT;

12 (c) THE AVERAGE AMOUNT OF EACH GRANT AWARDED UNDER THE
13 PROGRAM;

14 (d) A DESCRIPTION OF THE COMMUNITY POLICING PRACTICES THAT
15 WERE IMPLEMENTED BY EACH GRANT RECIPIENT; AND

16 (e) AN EVALUATION OF THE SUCCESS OF THE COMMUNITY
17 POLICING PRACTICES THAT RECEIVED GRANT FUNDING.

18 (5) ON OR BEFORE OCTOBER 1, 2015, THE EXECUTIVE DIRECTOR
19 SHALL PROMULGATE RULES FOR THE ADMINISTRATION OF THIS SECTION,
20 INCLUDING BUT NOT LIMITED TO:

21 (a) APPLICATION PROCEDURES BY WHICH A LAW ENFORCEMENT
22 AGENCY AND A COMMUNITY-BASED ORGANIZATION MAY APPLY FOR A
23 GRANT PURSUANT TO THIS SECTION;

24 (b) CRITERIA FOR THE DIVISION TO APPLY IN SELECTING THE LAW
25 ENFORCEMENT AGENCIES AND COMMUNITY-BASED ORGANIZATIONS THAT
26 RECEIVE GRANTS AND DETERMINING THE AMOUNT OF GRANT MONEYS TO
27 BE AWARDED TO EACH GRANT RECIPIENT, WHICH CRITERIA, AT A

1 MINIMUM, REQUIRE EACH GRANT RECIPIENT TO USE AWARDED GRANT
2 MONEYS TO IMPLEMENT COMMUNITY POLICING PRACTICES; AND

3 (c) THE DESIGNATION OF A DATE BY WHICH THE DIVISION SHALL
4 ANNUALLY SUBMIT TO THE JUDICIARY COMMITTEES OF THE SENATE AND
5 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, THE
6 INFORMATION DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

7 (6) (a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2018.

8 (b) PRIOR TO SAID REPEAL, THE GRANT PROGRAM SHALL BE
9 REVIEWED AS PROVIDED FOR IN SECTION 24-34-104.

10 **SECTION 3.** In Colorado Revised Statutes, **repeal** part 6 of
11 article 33.5 of title 24.

12 **SECTION 4. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly
15 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
16 if a referendum petition is filed pursuant to section 1 (3) of article V of
17 the state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2016 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.