

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

PREAMENDED

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

LLS NO. 15-0756.01 Michael Dohr x4347

SENATE BILL 15-185

SENATE SPONSORSHIP

Johnston,

HOUSE SPONSORSHIP

Fields,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING PROVISIONS TO IMPROVE POLICE OPERATIONS, AND, IN**
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

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.*

judicial department to report data on charges, dispositions, sentences, and probation revocations, including race, ethnicity, gender, and incident 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, add 24-33.5-517 as**
3 **follows:**

4 **24-33.5-517. Criminal justice data collection. (1) THIS SECTION**
5 **SHALL BE KNOWN AND MAY BE CITED AS THE "COMMUNITY LAW**
6 **ENFORCEMENT ACTION REPORTING ACT" OR THE "C.L.E.A.R. ACT".**

7 **(2) EACH LAW ENFORCEMENT AGENCY IN THE STATE SHALL**
8 **REPORT THE DATA REPORTED PURSUANT TO SECTION 24-33.5-412 (5),**
9 **INCLUDING OFFENSE AND ARREST INFORMATION DISAGGREGATED BY**
10 **SUMMONS, CUSTODY, AND ON VIEW, TO THE DIVISION FOR EACH CALENDAR**
11 **YEAR BY JANUARY 31 OF THE FOLLOWING CALENDAR YEAR.**

12 **(3) THE JUDICIAL DEPARTMENT SHALL COLLECT AND REPORT THE**
13 **FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY**
14 **JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:**

15 **(a) THE NUMBER AND TYPES OF CHARGES THAT RESULTED FROM**
16 **THE ARRESTS REPORTED PURSUANT TO SUBSECTION (2) OF THIS SECTION,**
17 **THE RACE AND GENDER OF THE DEFENDANTS, AND THE ASSOCIATED**

1 INCIDENT REPORT NUMBERS;

2 (b) THE DISPOSITION OF THE CHARGES REPORTED PURSUANT TO
3 PARAGRAPH (a) OF THIS SUBSECTION (3), INCLUDING CONVICTIONS AT
4 TRIAL, ACQUITTALS, PLEA AGREEMENTS, AND DISMISSALS; THE RACE AND
5 GENDER OF THE DEFENDANTS; AND THE ASSOCIATED INCIDENT REPORT
6 NUMBERS;

7 (c) THE SENTENCES IMPOSED FOR ALL CONVICTIONS AND PLEA
8 AGREEMENTS REPORTED PURSUANT TO PARAGRAPH (b) OF THIS
9 SUBSECTION (3), THE RACE AND GENDER OF THE DEFENDANTS, AND THE
10 ASSOCIATED INCIDENT REPORT NUMBERS; AND

11 (d) IF A SENTENCE REPORTED PURSUANT TO PARAGRAPH (c) OF
12 THIS SUBSECTION (3) IS A SENTENCE TO PROBATION, WHETHER A PETITION
13 TO REVOKE PROBATION WAS FILED AGAINST THE DEFENDANT, THE
14 DISPOSITION OF THE PETITION, THE RACE AND GENDER OF THE DEFENDANT,
15 AND THE ASSOCIATED INCIDENT REPORT NUMBER.

16 (4) THE STATE BOARD OF PAROLE SHALL COLLECT AND REPORT
17 THE FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY
18 JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:

19 (a) THE NUMBER OF PAROLE HEARINGS HELD AND THE RACE,
20 ETHNICITY, AND GENDER OF THE INMATES WHO RECEIVED PAROLE
21 HEARINGS;

22 (b) THE NUMBER OF INMATES GRANTED PAROLE AND THE RACE,
23 ETHNICITY, AND GENDER OF THE INMATES; AND

24 (c) THE NUMBER OF INMATES DENIED PAROLE AND THE RACE,
25 ETHNICITY, AND GENDER OF THE INMATES.

26 (5) THE DIVISION SHALL COMPILE AND REPORT THE DATA
27 RECEIVED IN SUBSECTIONS (2) TO (4) OF THIS SECTION BY MARCH 31 OF

1 EACH YEAR. THE REPORT SHALL BE PROVIDED TO THE JUDICIARY
2 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY
3 SUCCESSOR COMMITTEES, AND THE COLORADO COMMISSION ON CRIMINAL
4 AND JUVENILE JUSTICE CREATED IN SECTION 16-11.3-102, C.R.S.

5 **SECTION 2. Appropriation.** (1) For the 2015-16 state fiscal
6 year, \$38,799 is appropriated to the department of public safety. This
7 appropriation is from the general fund. To implement this act, the
8 department may use this appropriation as follows:

9 (a) \$32,299 for DCJ administrative services, which amount is
10 based on an assumption that the division of criminal justice will require
11 an additional 0.4 FTE; and

12 (c) \$6,500 for Colorado integrated criminal justice information
13 system (CICJIS) operating expenses.

14 (2) For the 2015-16 state fiscal year, \$9,800 is appropriated to the
15 department of corrections. This appropriation is from the general fund. To
16 implement this act, the department may use this appropriation for the
17 purchase of information technology services.

18 (3) For the 2015-16 state fiscal year, \$9,800 is appropriated to the
19 office of the governor for use by the office of information technology.
20 This appropriation is from reappropriated funds received from the
21 department of corrections under subsection (2) of this section. To
22 implement this act, the office may use this appropriation to provide
23 information technology services for the department of corrections.

24 **SECTION 3. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2016 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.