

CHAPTER 197

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 13-1129

BY REPRESENTATIVE(S) Pettersen, Fields, Kagan, Labuda, May, Rosenthal, Ryden, Schafer, Singer;
also SENATOR(S) Newell, Aguilar, Kefalas, Steadman.

AN ACT

CONCERNING CREATING THE EVIDENCE-BASED PRACTICES IMPLEMENTATION FOR CAPACITY RESOURCE CENTER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

(a) Public safety is enhanced by combining evidence-based correctional practices with the science of program implementation to promote pro-social change among offenders;

(b) Public safety is enhanced by continuously improving the skills of Colorado's criminal justice professionals and by expanding the state's capacity to provide evidence-based offender supervision, case management, and service practices;

(c) The systematic use of implementation science is critical to effect long-term, system-wide, organizational change to promote pro-social change among offenders, reduce victimization, and enhance public safety;

(d) Building and sustaining agency implementation capacity is essential to maximizing the use of evidence-based practices;

(e) The judicial department and the departments of public safety, corrections, and human services are committed to the use of evidence-based practices and implementation science to most effectively use public safety resources;

(f) Research indicates that agencies must invest in the development and use of implementation strategies that are grounded in science and improved through

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

accumulated professional experience;

(g) Research shows that client outcomes can be predicted by the quality of the relationship between the professional and the client;

(h) Organizational flexibility is required to use research to change strategies, services, and systems when new evidence about best practices emerges over time; and

(i) Outcomes are most likely to be improved when multiple agencies work together to enhance cooperation and collaboration and expand knowledge of the criminal justice system.

(2) Therefore, the general assembly determines that implementation of a centralized resource center to promote the use of evidence-based correctional practices and the use of implementation science helps build the long-term capacity of each department to develop strategies, services, and systems to benefit the state.

SECTION 2. In Colorado Revised Statutes, **add** 24-33.5-514 as follows:

24-33.5-514. Evidence-based practices implementation for capacity program

- repeal. (1) THERE IS HEREBY CREATED THE EVIDENCE-BASED PRACTICES IMPLEMENTATION FOR CAPACITY RESOURCE CENTER IN THE DIVISION, REFERRED TO IN THIS SECTION AS THE "CENTER". THE INTENT OF THE CENTER IS TO ASSIST AGENCIES SERVING JUVENILE AND ADULT POPULATIONS TO DEVELOP AND SUSTAIN EFFECTIVE IMPLEMENTATION FRAMEWORKS TO SUPPORT THE USE OF EVIDENCE-BASED PRACTICES. THE CENTER IS A COLLABORATIVE EFFORT AMONG THE DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF CORRECTIONS, THE DEPARTMENT OF HUMAN SERVICES, AND THE JUDICIAL DEPARTMENT TO INCREASE THE EFFICACY OF INDIVIDUALS WHO WORK WITH VARIOUS OFFENDER AND VICTIM POPULATIONS BY ESTABLISHING AN EDUCATIONAL, SKILL-BUILDING, AND CONSULTATION RESOURCE CENTER TO SUPPORT PRACTITIONERS IN THE IMPLEMENTATION OF EVIDENCE-BASED PRACTICES.

(2) (a) THERE IS HEREBY CREATED IN THE DIVISION THE EPIC ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD".

(b) THE BOARD SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY.

(c) (I) THE BOARD SHALL CONSIST OF, AT A MINIMUM, THE FOLLOWING FIVE MEMBERS:

(A) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY OR HIS OR HER DESIGNEE;

(B) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS OR HIS OR HER DESIGNEE;

(C) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES OR HIS OR HER DESIGNEE;

(D) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY; AND

(E) THE DIRECTOR OF THE DIVISION OF PROBATION SERVICES IN THE JUDICIAL DEPARTMENT OR HIS OR HER DESIGNEE.

(II) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE MAY APPOINT ADDITIONAL MEMBERS TO ENSURE ADEQUATE REPRESENTATION AND OVERSIGHT.

(d) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

(e) THE BOARD SHALL MEET AT LEAST FOUR TIMES PER CALENDAR YEAR. THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE MAY CALL SUCH ADDITIONAL MEETINGS AS MAY BE NECESSARY FOR THE BOARD TO COMPLETE ITS DUTIES.

(f) THE BOARD SHALL SUPPORT THE CENTER TO CREATE AND MAINTAIN INTERNAL, SUSTAINABLE STRUCTURAL IMPLEMENTATION COMPONENTS OF EVIDENCE-BASED PRACTICES.

(g) THE DEPARTMENT SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES AS MAY BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(h) (I) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.

(II) PRIOR TO SAID REPEAL, THE BOARD SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 2-3-1203, C.R.S.

(3) (a) THE DIVISION IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT THAT THE DIVISION MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE DIVISION SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE EPIC FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DIVISION FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS SECTION.

(b) THE GENERAL ASSEMBLY FINDS THAT THE IMPLEMENTATION OF THIS SECTION DOES NOT RELY ENTIRELY OR IN ANY PART ON THE RECEIPT OF ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS. THEREFORE, THE DIVISION IS NOT SUBJECT TO THE NOTICE REQUIREMENTS SPECIFIED IN SECTION 24-75-1303 (3).

(4) BY JULY 1, 2014, AND JULY 1 EVERY THREE YEARS THEREAFTER, THE DIVISION SHALL PROVIDE A REPORT TO THE MEMBERS OF THE GENERAL ASSEMBLY REGARDING THE STATUS OF THE CENTER. THE REPORT MUST INCLUDE QUANTITATIVE MEASURES IDENTIFIED BY THE ADVISORY BOARD THAT DESCRIBE THE CENTER'S IMPACT.

SECTION 3. In Colorado Revised Statutes, 2-3-1203, **add** (3) (jj.5) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(jj.5) SEPTEMBER 1, 2023:

(II) THE EPIC ADVISORY BOARD CREATED IN SECTION 24-33.5-514 (2), C.R.S.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$739,591 and 6.0 FTE, or so much thereof as may be necessary, for allocation to the division of criminal justice for the evidence-based practices implementation for capacity resource center created in this act.

SECTION 5. Act subject to petition - effective date. This act takes effect October 1, 2013; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 11, 2013