

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB25-304 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 19.

2 Strike pages 3 through 7 and substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** part 14 to
4 article 31 of title 24 as follows:

PART 14

COLORADO SEXUAL ASSAULT

FORENSIC MEDICAL EVIDENCE REVIEW BOARD

24-31-1401. Colorado sexual assault forensic medical evidence

9 **review board - creation - membership - duties - report - definitions**
10 **- repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES:

12 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF LAW.

(b) "REVIEW BOARD" MEANS THE COLORADO SEXUAL ASSAULT FORENSIC MEDICAL EVIDENCE REVIEW BOARD, ESTABLISHED IN SUBSECTION (2) OF THIS SECTION.

(2) THE COLORADO SEXUAL ASSAULT FORENSIC MEDICAL EVIDENCE REVIEW BOARD IS ESTABLISHED IN THE DEPARTMENT TO CARRY OUT THE DUTIES DESCRIBED IN SUBSECTION (6) OF THIS SECTION AND SUBMIT THE REPORT DESCRIBED IN SUBSECTION (7) OF THIS SECTION

19 SUBMIT THE REPORT DESCRIBED IN 5
20 (3) THE BOARD CONSISTS OF:

21 (a) THE ATTORNEY GENERAL, OR THEIR DESIGNEE, WHO IS THE
22 CHAIR OF THE REVIEW BOARD:

25 (c) THE FOLLOWING MEMBERS, APPOINTED BY THE ATTORNEY
26 GENERAL:

27 (I) A REPRESENTATIVE OF A STATEWIDE NONPROFIT ORGANIZATION
28 THAT OFFERS TRAINING AND EXPERT ADVICE TO SEXUAL ASSAULT
29 PROGRAMS:

29 PROGRAMS,
30 (II) A REPRESENTATIVE OF A STATEWIDE NONPROFIT
31 ORGANIZATION THAT PROVIDES LEGAL ASSISTANCE TO VICTIMS OF SEXUAL
32 ASSAULT:

36 (IV) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF CHIEFS
37 OF POLICE:

38 (V) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF
39 SHERIFFS:

40 (VI) THREE REPRESENTATIVES FROM ORGANIZATIONS THAT

1 PROVIDE SERVICES OR ADVOCATE FOR COMMUNITIES THAT EXPERIENCE
2 DISPROPORTIONATE RATES OF SEXUAL ASSAULT; AND

3 (VII) UP TO THREE MEMBERS, AT THE DISCRETION OF THE
4 ATTORNEY GENERAL, WHOSE CONTRIBUTIONS THE ATTORNEY GENERAL
5 DETERMINES WOULD BE VALUABLE TO THE WORK OF THE REVIEW BOARD;
6 AND

7 (d) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

8 (I) A REPRESENTATIVE OF THE DIVISION OF CRIMINAL JUSTICE IN
9 THE DEPARTMENT OF PUBLIC SAFETY WHO HAS OVERSIGHT OF THE
10 STATEWIDE SEXUAL ASSAULT EVIDENCE COLLECTION KIT TRACKING
11 SYSTEM CREATED IN SECTION 24-33.5-113.5; AND

12 (II) A REPRESENTATIVE OF THE DIVISION OF CRIMINAL JUSTICE IN
13 THE DEPARTMENT OF PUBLIC SAFETY WHO HAS OVERSIGHT OF FEDERAL
14 AND STATE VICTIM SERVICE FUNDING AND VICTIM RIGHTS COMPLIANCE.

15 (4) (a) THE ATTORNEY GENERAL AND GOVERNOR SHALL APPOINT
16 THE MEMBERS TO THE REVIEW BOARD ON OR BEFORE AUGUST 1, 2025.

17 (b) THE ATTORNEY GENERAL IS STRONGLY ENCOURAGED TO
18 APPOINT REVIEW BOARD MEMBERS WHO REPRESENT AS FULLY AS POSSIBLE
19 COLORADO'S DIVERSITY WITH REGARD TO RACE, ETHNICITY, DISABILITY
20 STATUS, SEXUAL ORIENTATION, AND GEOGRAPHY.

21 (c) EXCEPT FOR THE ATTORNEY GENERAL AND DIRECTOR OF THE
22 COLORADO DISTRICT ATTORNEYS' COUNCIL, OR THEIR DESIGNEES, REVIEW
23 BOARD MEMBERS SERVE FOUR-YEAR TERMS AND ARE ELIGIBLE FOR
24 REAPPOINTMENT NO MORE THAN TWO TIMES AT THE EXPIRATION OF A
25 FOUR-YEAR TERM.

26 (d) REVIEW BOARD MEMBERS SERVE WITHOUT COMPENSATION BUT
27 MAY RECEIVE PER DIEM AND REIMBURSEMENT FOR COSTS, SUBJECT TO THE
28 AVAILABILITY OF FUNDS.

29 (e) THE APPOINTING AUTHORITY SHALL APPOINT A MEMBER TO FILL
30 A VACANCY, AS NECESSARY.

31 (5) THE REVIEW BOARD SHALL CONVENE ON OR BEFORE AUGUST
32 1, 2025, AND SHALL MEET THEREAFTER AS DETERMINED NECESSARY BY
33 THE REVIEW BOARD.

34 (6) THE REVIEW BOARD SHALL:

35 (a) REVIEW AND MONITOR THE EFFECTIVENESS OF THE CURRENT
36 PROTOCOLS, STANDARDS, AND TRAINING PRACTICES FOR THE MEDICAL,
37 LAW ENFORCEMENT, AND CRIMINAL-LEGAL SYSTEM RESPONSE TO SEXUAL
38 ASSAULT;

39 (b) DEVELOP RECOMMENDATIONS TO IMPROVE SPECIFIC
40 PROTOCOLS, STANDARDS, AND TRAINING PRACTICES FOR THE MEDICAL,
41 LAW ENFORCEMENT, AND CRIMINAL-LEGAL SYSTEM RESPONSE TO SEXUAL
42 ASSAULT;

43 (c) ENSURE VICTIM-CENTERED IMPLEMENTATION OF PROVISIONS

1 REGARDING MEDICAL FORENSIC EXAMS FOR VICTIMS OF SEXUAL ASSAULT
2 IN THE FEDERAL "VIOLENCE AGAINST WOMEN ACT OF 1994", TITLE IV OF
3 PUB. L. 103-322, INCLUDING PROVISIONS IN REAUTHORIZATIONS OF THE
4 FEDERAL ACT, AND STATE LAW PROVISIONS FOR FORENSIC MEDICAL
5 EXAMS;

6 (d) PROVIDE ONGOING REVIEW OF DATA AND INFORMATION
7 REGARDING THE NEEDS, PRIORITIES, AND SERVICES FOR RESPONDING TO
8 SEXUAL ASSAULT THROUGHOUT THE STATE;

9 (e) MONITOR THE EFFECTIVENESS OF LAWS CONCERNING SEXUAL
10 ASSAULT AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO
11 IMPROVE THEIR EFFECTIVENESS; AND

12 (f) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY
13 CONCERNING THE RESPONSE TO SEXUAL ASSAULT, INCLUDING MEDICAL
14 FORENSIC EVIDENCE, LAW ENFORCEMENT REPORTING, AND VICTIM
15 EXPERIENCE.

16 (7)(a)(I) ON OR BEFORE DECEMBER 15, 2025, THE REVIEW BOARD
17 SHALL SUBMIT A PRELIMINARY REPORT TO THE GENERAL ASSEMBLY. THE
18 PRELIMINARY REPORT MUST INCLUDE THE REVIEW BOARD'S
19 RECOMMENDATIONS DESCRIBED IN SUBSECTION (6) OF THIS SECTION.

20 (II) THIS SUBSECTION (7)(a) IS REPEALED, EFFECTIVE JUNE 30,
21 2027.

22 (b) (I) ON OR BEFORE NOVEMBER 1, 2026, AND ON OR BEFORE
23 EACH NOVEMBER 1 THEREAFTER, THE REVIEW BOARD SHALL SUBMIT A
24 REPORT TO THE GENERAL ASSEMBLY. THE REPORT MUST INCLUDE THE
25 REVIEW BOARD'S RECOMMENDATIONS DESCRIBED IN SUBSECTION (6) OF
26 THIS SECTION.

27 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
28 REQUIREMENT TO SUBMIT THE REPORT DESCRIBED IN THIS SUBSECTION
29 (7)(b) CONTINUES INDEFINITELY.".

30 Page 8, line 9, strike "case, upon request," and substitute "case ~~upon~~
31 ~~request~~".

32 Page 8, line 12, strike "AT LEAST ONCE".

33 Page 8, line 13, strike "IF" and substitute "WHEN".

34 Page 8, line 14, after "NOT" insert "YET".

35 Page 8, line 15, strike "LABORATORY;" and substitute "LABORATORY. A
36 LAW ENFORCEMENT AGENCY COMPLIES WITH THIS SUBSECTION
37 (1)(b.8)(II.5) BY NOTIFYING ALL VICTIMS REQUIRED TO BE NOTIFIED AT
38 THE SAME TIME DURING THE FIRST WEEK OF EACH OF MARCH, JUNE,

- 1 SEPTEMBER, AND DECEMBER.".
- 2 Page 8, line 21, strike "ENDEAVOR" and substitute "ENDEAVOR, SUBJECT
3 TO AVAILABLE CAPACITY, FUNDING, AND PERSONNEL,".
- 4 Page 9, strike lines 3 and 4 and substitute "**amend** (4)(a) introductory
5 portion as follows:".
- 6 Page 9, strike lines 14 through 19.
- 7 Page 9, strike lines 21 and 22 and substitute "**amend as added by Senate
8 Bill 25-170** (4)(c) and (4)(d) as follows:"
- 9 Page 9, strike lines 26 and 27.
- 10 Page 10, strike lines 1 through 7 and substitute:
11 "(c) (I) Design and implement, within ninety days after the
12 effective date of this section, a public-facing dashboard on the department
13 of public safety's website that provides reports on the forensic medical
14 evidence and ~~sexual assault kit~~ DNA EVIDENCE backlogs, including the:
15 ~~total caseload numbers subject to the backlog, total fiscal year caseload
16 numbers subject to the backlog, the number of forensic medical evidence
17 tests and sexual assault kit tests completed in the previous thirty days, the
18 number of new cases received within the previous thirty days, and the
19 current average turnaround times to conduct a forensic medical evidence
20 test or a sexual assault kit test.~~ The department shall update the dashboard
21 at least every thirty days:
22 (A) TOTAL CASELOAD NUMBERS SUBJECT TO THE BACKLOG;
23 (B) TOTAL FISCAL YEAR CASELOAD NUMBERS SUBJECT TO THE
24 BACKLOG;
25 (C) TOTAL NUMBER OF CASES WITH PENDING DNA EVIDENCE
26 TESTS;
27 (D) TOTAL NUMBER OF SEXUAL ASSAULT CASES;
28 (E) TOTAL NUMBER OF CASES WITH A PENDING DNA EVIDENCE
29 SAMPLE COLLECTED WITH ATTACHED OR INDEPENDENTLY SUBMITTED
30 FORENSIC MEDICAL EVIDENCE;
31 (F) TOTAL NUMBER OF CASES WITH A PENDING DNA EVIDENCE
32 SAMPLE COLLECTED FROM A CRIME SCENE INVOLVING SEXUAL ASSAULT
33 FOR WHICH NO FORENSIC MEDICAL EVIDENCE HAS BEEN SUBMITTED;
34 (G) CURRENT AVERAGE TURNAROUND TIME FOR A DNA EVIDENCE
35 TEST;
36 (H) CURRENT AVERAGE TURNAROUND TIME FOR A FORENSIC
37 MEDICAL EVIDENCE TEST;

(I) TOTAL NUMBER OF TESTS THAT THE COLORADO BUREAU OF INVESTIGATION HAS COMPLETED IN THE PREVIOUS THIRTY DAYS;

(J) TOTAL NUMBER OF TESTS THAT LABORATORIES WITH WHICH THE COLORADO BUREAU OF INVESTIGATION HAS CONTRACTED HAVE COMPLETED IN THE PREVIOUS THIRTY DAYS;

(K) TOTAL NUMBER OF NEW DNA TESTS AND FORENSIC MEDICAL EVIDENCE TESTS RECEIVED WITHIN THE PREVIOUS THIRTY DAYS;

(L) ANTIQUATED TIMELINE FOR THE COLORADO BUREAU OF INVESTIGATION TO ACHIEVE AN AVERAGE NINETY-DAY TURNAROUND TIME FOR FORENSIC MEDICAL EVIDENCE TESTS;

(M) INFORMATION CONCERNING THE COLORADO BUREAU OF INVESTIGATION'S LAB ANALYST STAFFING LEVELS; AND

(N) THE INFORMATION REQUIRED PURSUANT TO SECTION 24-33.5-113.5 (4).

(II) THE DEPARTMENT SHALL UPDATE THE DASHBOARD AT LEAST EVERY THIRTY DAYS.

(d) Provide email updates every thirty days beginning March 10, 2025, through June 30, 2026, to the general assembly regarding the forensic medical evidence and sexual assault kit backlogs, which include:

(I) The total number of cases with pending forensic medical evidence tests; THE INFORMATION REQUIRED PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION; AND

(II) The total number of cases with pending sexual assault kit tests; INFORMATION OR UPDATES ON DIFFICULTIES CONTRACTING WITH EXTERNAL LABS THAT MAY AFFECT THE BUREAU'S ANTICIPATED TESTING CAPACITY, VOLUME, TURNAROUND EXPECTATIONS, OR OTHER INFORMATION EXPLAINING WHY THE RESULTS VARY FROM THE PROJECTED CASELOAD TIMELINE REFLECTED IN THE FEBRUARY 10, 2025, BUREAU WHITEPAPER DOCUMENT PROVIDED TO THE GENERAL ASSEMBLY.

(III) The current average turnaround time for a forensic medical test.

(IV) The current average turnaround time for a sexual assault kit test.

(V) The number of tests the bureau's internal lab has completed in the previous thirty days.

(VI) The number of tests external contracted labs have completed in the previous thirty days:

(VII) The anticipated timeline for the bureau to achieve an average ninety-day turnaround time for sexual assault kit tests.

(VIII) Updates on the bureau's lab analyst staffing levels; and

(IX) Information or updates on difficulties contracting with external labs that may affect the bureau's anticipated testing capacity, volume, turnaround expectations, or other information explaining why the

1 results vary from the projected caseload timeline reflected in the February
2 10, 2025, bureau whitepaper document provided to the general
3 assembly.".

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