

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 26-0747.01 Shelby Ross x4510

SENATE BILL 26-095

SENATE SPONSORSHIP

Weissman,

HOUSE SPONSORSHIP

Froelich and Willford,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO SUPPORT VICTIM-SURVIVORS OF CERTAIN**
102 **CRIMES THAT DO NOT INCLUDE CHANGES TO SUBSTANTIVE**
103 **CRIMINAL OFFENSES.**

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://leg.colorado.gov>.)

Sections 1 and 2 of the bill require a licensee, nurse, or certified midwife who performs a medical forensic examination to inform the victim-survivor about how to determine when the testing related to the examination is complete and how to obtain the results and records.

Section 3 of the bill authorizes a hospital employee or agent who

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

is treating an emergency room patient for sexual assault to dispense a 30-day supply of drugs for prophylaxis of sexually transmitted infections to the patient.

Section 4 subjects a cause of action against a person arising from any protected statement by a victim-survivor to a special motion to dismiss unless the court determines that the plaintiff has established that there is a reasonable likelihood that the plaintiff will prevail on the claim.

Section 5 of the bill makes a predispute arbitration agreement and predispute joint-action waiver void and unenforceable upon request of an individual who alleges conduct that results in a sexual harassment dispute or a sexual misconduct dispute or upon request of a named representative of a joint action, class action, or collective action that results in a sexual harassment dispute or a sexual misconduct dispute.

Section 6 of the bill requires a judge to allow a forensic scientist to testify remotely in a criminal proceeding if a party requests and both parties consent to the remote testimony.

Section 7 of the bill authorizes the court to order that the testimony of a victim-survivor of domestic violence, unlawful sexual behavior, stalking, human trafficking for involuntary servitude, or human trafficking for sexual servitude be taken in a room other than the courtroom and be televised by closed-circuit television in the courtroom under certain circumstances.

Section 8 of the bill requires peace officer annual in-service training programs to include a 2-hour training to improve a peace officer's understanding of the impact of trauma on victim-survivors of crimes and the optimal way for a peace officer to respond to victim-survivors who are experiencing trauma. **Section 10** of the bill includes trauma-informed investigation and response training as a permissible use of peace officer training and support fund money.

Section 9 of the bill renames the Colorado sexual assault forensic medical evidence review board as the Colorado sexual assault response review board and adds 3 members to the board.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-240-139, **amend**
3 (1)(b)(V)(B) and (1)(b)(V)(C); and **add** (1)(b)(V)(D) as follows:

4 **12-240-139. Injuries to be reported - exemptions - penalty for**
5 **failure to report - immunity from liability - definitions.**

6 (1) (b) (V) A licensee, nurse, or certified midwife who performs
7 a medical forensic examination as described in subsection (1)(b)(I) of this

1 section shall inform the victim:

2 (B) Of the contact information for the nearest community-based
3 victim advocate pursuant to section 13-90-107 (1)(k)(II) if the victim
4 makes a medical report pursuant to subsection (1)(b)(I)(B) of this section
5 or an anonymous report pursuant to subsection (1)(b)(I)(C) of this
6 section; ~~and~~

7 (C) That any forensic medical evidence collected must be
8 maintained until after the assailant may no longer be prosecuted for the
9 crime and that the victim must be notified prior to the destruction of ~~such~~
10 THE evidence; AND

11 (D) HOW TO DETERMINE WHEN THE TESTING RELATED TO THE
12 MEDICAL FORENSIC EXAMINATION IS COMPLETE AND HOW TO OBTAIN THE
13 RESULTS AND RECORDS.

14 **SECTION 2.** In Colorado Revised Statutes, 12-255-133.5,
15 **amend** (1)(b) and (1)(c); and **add** (1)(d) as follows:

16 **12-255-133.5. Licensee duties related to medical forensic**
17 **evidence.**

18 (1) A licensee who performs a medical forensic examination as
19 described in section 12-240-139 (1)(b)(I) shall inform the victim:

20 (b) Of the contact information for the nearest community-based
21 victim advocate pursuant to section 13-90-107 (1)(k)(II) if the victim
22 makes a medical report pursuant to section 12-240-139 (1)(b)(I)(B) or an
23 anonymous report pursuant to section 12-240-139 (1)(b)(I)(C); ~~and~~

24 (c) That any forensic medical evidence collected must be
25 maintained until after the assailant may no longer be prosecuted for the
26 crime and that the victim must be notified prior to the destruction of ~~such~~
27 THE evidence; AND

1 (d) HOW TO DETERMINE WHEN THE TESTING RELATED TO THE
2 MEDICAL FORENSIC EXAMINATION IS COMPLETE AND HOW TO OBTAIN THE
3 RESULTS AND RECORDS.

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5 **SECTION 3.** In Colorado Revised Statutes, **add** 13-20-1102 as
6 follows:

7 **13-20-1102. Motion to dismiss - appeal - definitions.**

8 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES:

10 (a) "COMPLAINT" MEANS A PETITION OR CROSS-COMPLAINT.

11 (b) "DEFENDANT" MEANS A RESPONDENT OR CROSS-DEFENDANT.

12 (c) "PLAINTIFF" MEANS A PETITIONER OR CROSS-COMPLAINANT.

13 (d) "PROTECTED STATEMENT BY A VICTIM-SURVIVOR" MEANS:

14 (I) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
15 CONNECTION WITH ANY PHASE OF A CRIMINAL INVESTIGATION OR
16 PROCEEDING;

17 (II) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
18 CONNECTION WITH AN INVESTIGATION CONDUCTED PURSUANT TO TITLE
19 IX OF THE FEDERAL "EDUCATION AMENDMENTS OF 1972", 20 U.S.C. SEC.
20 1681;

21 (III) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
22 CONNECTION WITH A CHILD WELFARE INVESTIGATION;

23 (IV) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
24 CONNECTION WITH A PETITION FOR CIVIL PROTECTION ORDER PURSUANT
25 TO ARTICLE 14 OF THIS TITLE 13 OR AN EXTREME RISK PROTECTION ORDER
26 PURSUANT TO ARTICLE 14.5 OF THIS TITLE 13;

27 (V) ANY WRITTEN OR ORAL STATEMENT OR WRITING TO ANY

1 PERSON REQUIRED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT
2 PURSUANT TO SECTION 19-3-304; AND

3 (VI) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
4 CONNECTION WITH ANY OTHER QUASI-JUDICIAL PROCEEDING.

5 (e) "VICTIM-SURVIVOR" MEANS AN INDIVIDUAL WHO IS ALLEGED
6 TO BE A VICTIM OF A CRIME CHARGED IN THE PRESENT CASE WHICH
7 INVOLVES DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3;
8 UNLAWFUL SEXUAL BEHAVIOR, AS DESCRIBED IN PART 4 OF ARTICLE 3 OF
9 TITLE 18; STALKING, AS DEFINED IN SECTION 18-3-602; HUMAN
10 TRAFFICKING FOR INVOLUNTARY SERVITUDE, AS DEFINED IN SECTION
11 18-3-503; OR HUMAN TRAFFICKING FOR SEXUAL SERVITUDE, AS DEFINED
12 IN SECTION 18-3-504.

13 (2) (a) A CAUSE OF ACTION AGAINST A PERSON ARISING FROM ANY
14 PROTECTED STATEMENT BY A VICTIM-SURVIVOR IS SUBJECT TO A SPECIAL
15 MOTION TO DISMISS UNLESS THE COURT DETERMINES THAT THE PLAINTIFF
16 HAS ESTABLISHED THAT THERE IS A REASONABLE LIKELIHOOD THAT THE
17 PLAINTIFF WILL PREVAIL ON THE CLAIM.

18 (b) IN MAKING ITS DETERMINATION, THE COURT SHALL CONSIDER
19 THE PLEADINGS AND SUPPORTING AND OPPOSING AFFIDAVITS STATING THE
20 FACTS UPON WHICH THE LIABILITY OR DEFENSE IS BASED.

21 (c) IF THE COURT DETERMINES THAT THE PLAINTIFF HAS
22 ESTABLISHED A REASONABLE LIKELIHOOD THAT THE PLAINTIFF WILL
23 PREVAIL ON THE CLAIM, THE COURT'S DETERMINATION IS NOT ADMISSIBLE
24 AS EVIDENCE AT ANY LATER STAGE OF THE CASE OR AT ANY SUBSEQUENT
25 PROCEEDING, AND NO BURDEN OF PROOF OR DEGREE OF PROOF OTHERWISE
26 APPLICABLE IS AFFECTED BY THE COURT'S DETERMINATION AT ANY LATER
27 STAGE OF THE CASE OR AT ANY SUBSEQUENT PROCEEDING.

1 (3) THE SPECIAL MOTION MUST BE FILED WITHIN SIXTY-THREE
2 DAYS AFTER THE SERVICE OF THE COMPLAINT OR, IN THE COURT'S
3 DISCRETION, AT A LATER TIME UPON TERMS IT DEEMS PROPER. THE COURT
4 SHALL SCHEDULE THE MOTION FOR A HEARING NOT MORE THAN
5 TWENTY-EIGHT DAYS AFTER THE SERVICE OF THE MOTION UNLESS THE
6 DOCKET CONDITIONS OF THE COURT REQUIRE A LATER HEARING.

7 (4) ALL DISCOVERY PROCEEDINGS IN THE ACTION ARE STAYED
8 UPON THE FILING OF A NOTICE OF MOTION MADE PURSUANT TO THIS
9 SECTION. THE STAY OF DISCOVERY REMAINS IN EFFECT UNTIL NOTICE OF
10 ENTRY OF THE ORDER RULING ON THE MOTION. NOTWITHSTANDING THIS
11 SUBSECTION (4), THE COURT MAY, ON NOTICED MOTION AND FOR GOOD
12 CAUSE SHOWN, ORDER THAT SPECIFIED DISCOVERY BE CONDUCTED.

13 (5) IN ANY ACTION SUBJECT TO SUBSECTION (2) OF THIS SECTION,
14 A PREVAILING DEFENDANT ON A SPECIAL MOTION TO DISMISS IS ENTITLED
15 TO RECOVER THE DEFENDANT'S ATTORNEY FEES AND COSTS. IF THE COURT
16 FINDS THAT A SPECIAL MOTION TO DISMISS IS FRIVOLOUS OR IS SOLELY
17 INTENDED TO CAUSE UNNECESSARY DELAY, PURSUANT TO PART 1 OF
18 ARTICLE 17 OF THIS TITLE 13, THE COURT SHALL AWARD COSTS AND
19 REASONABLE ATTORNEY FEES TO A PLAINTIFF PREVAILING ON THE MOTION.

20 **SECTION 4.** In Colorado Revised Statutes, **add** 13-22-203.5 as
21 follows:

22 **13-22-203.5. Sexual harassment or sexual misconduct dispute**
23 **- determination of applicability - definitions.**

24 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
25 REQUIRES:

26 (a) "PREDISPUTE ARBITRATION AGREEMENT" MEANS ANY
27 AGREEMENT TO ARBITRATE A DISPUTE THAT HAS NOT ARISEN AT THE TIME

1 OF MAKING THE AGREEMENT.

2 (b) "PREDISPUTE JOINT-ACTION WAIVER" MEANS AN AGREEMENT,
3 WHETHER OR NOT PART OF A PREDISPUTE ARBITRATION AGREEMENT, THAT
4 PROHIBITS OR WAIVES THE RIGHTS OF A PARTY TO THE AGREEMENT FROM
5 PARTICIPATING IN A JOINT ACTION, CLASS ACTION, OR COLLECTIVE ACTION
6 IN A JUDICIAL, ARBITRAL, ADMINISTRATIVE, OR OTHER FORUM
7 CONCERNING A DISPUTE THAT HAS NOT ARISEN AT THE TIME OF MAKING
8 THE AGREEMENT.

9 (c) "SEXUAL HARASSMENT DISPUTE" MEANS A DISPUTE RELATING
10 TO CONDUCT THAT IS ALLEGED TO CONSTITUTE SEXUAL HARASSMENT
11 PURSUANT TO THE "COLORADO ANTI-DISCRIMINATION ACT", PARTS 3 TO
12 8 OF ARTICLE 34 OF TITLE 24, OR ANY OTHER APPLICABLE FEDERAL, STATE,
13 OR TRIBAL LAW.

14 (d) "SEXUAL MISCONDUCT DISPUTE" MEANS A DISPUTE INVOLVING
15 SEXUAL MISCONDUCT, AS DEFINED IN SECTION 13-80-103.7 (2).

16 (2) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
17 CONTRARY, A PREDISPUTE ARBITRATION AGREEMENT OR PREDISPUTE
18 JOINT-ACTION WAIVER IS NOT VALID OR ENFORCEABLE UPON REQUEST OF
19 AN INDIVIDUAL WHO ALLEGES CONDUCT THAT RESULTS IN A SEXUAL
20 HARASSMENT DISPUTE OR A SEXUAL MISCONDUCT DISPUTE, OR UPON
21 REQUEST OF A NAMED REPRESENTATIVE OF A JOINT ACTION, CLASS
22 ACTION, OR COLLECTIVE ACTION THAT RESULTS IN A SEXUAL HARASSMENT
23 DISPUTE OR A SEXUAL MISCONDUCT DISPUTE.

24 (3) THIS SECTION APPLIES TO AN AGREEMENT TO ARBITRATE. THE
25 COURT, RATHER THAN AN ARBITRATOR, SHALL DETERMINE THE VALIDITY
26 AND ENFORCEABILITY OF A PREDISPUTE ARBITRATION AGREEMENT AND
27 PREDISPUTE JOINT-ACTION WAIVER REGARDLESS OF WHETHER THE PARTY

1 RESISTING ARBITRATION CHALLENGES THE PREDISPUTE ARBITRATION
2 AGREEMENT OR PREDISPUTE JOINT-ACTION WAIVER, SPECIFICALLY OR IN
3 CONJUNCTION WITH OTHER TERMS OF THE CONTRACT THAT CONTAIN A
4 PREDISPUTE ARBITRATION AGREEMENT OR PREDISPUTE JOINT-ACTION
5 WAIVER, AND REGARDLESS OF WHETHER THE PREDISPUTE ARBITRATION
6 AGREEMENT OR PREDISPUTE JOINT-ACTION WAIVER DELEGATES VALIDITY
7 AND ENFORCEABILITY DETERMINATIONS TO AN ARBITRATOR.

8 **SECTION 5.** In Colorado Revised Statutes, **add** 13-90-101.5 as
9 follows:

10 **13-90-101.5. Remote testimony by forensic scientists.**

11 UPON THE REQUEST OF A PARTY AND CONSENT OF BOTH PARTIES,
12 A JUDGE SHALL ALLOW A FORENSIC SCIENTIST TO TESTIFY REMOTELY IN A
13 CRIMINAL PROCEEDING.

14 **SECTION 6.** In Colorado Revised Statutes, **add** 16-10-402.5 as
15 follows:

16 **16-10-402.5. Use of closed-circuit television - victims of certain**
17 **offenses involving domestic violence, unlawful sexual behavior,**
18 **stalking, or human trafficking - definitions.**

19 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "CLOSED-CIRCUIT TELEVISION" MEANS A DIRECT, CLOSED-LOOP
22 AUDIO AND VIDEO TRANSMISSION SYSTEM THAT ALLOWS PRIVATE VIEWING
23 AND IS NOT PUBLICLY BROADCAST, AND MAY INCLUDE THE USE OF OTHER
24 DIGITAL OR WIRELESS TECHNOLOGIES.

25 (b) "DOMESTIC VIOLENCE" HAS THE MEANING SET FORTH IN
26 SECTION 18-6-800.3.

27 (c) "HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE" HAS THE

1 MEANING SET FORTH IN SECTION 18-3-503.

2 (d) "HUMAN TRAFFICKING FOR SEXUAL SERVITUDE" HAS THE
3 MEANING SET FORTH IN SECTION 18-3-504.

4 (e) "STALKING" HAS THE MEANING SET FORTH IN SECTION
5 18-3-602.

6 (f) "UNLAWFUL SEXUAL BEHAVIOR" MEANS UNLAWFUL SEXUAL
7 BEHAVIOR DESCRIBED IN PART 4 OF ARTICLE 3 OF TITLE 18.

8 (g) "VICTIM-SURVIVOR" MEANS A VICTIM-SURVIVOR OF A CRIME
9 INVOLVING DOMESTIC VIOLENCE, UNLAWFUL SEXUAL BEHAVIOR,
10 STALKING, HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE, OR
11 HUMAN TRAFFICKING FOR SEXUAL SERVITUDE.

12 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION,
13 IN ANY PROSECUTION FOR A CRIME INVOLVING DOMESTIC VIOLENCE,
14 UNLAWFUL SEXUAL BEHAVIOR, STALKING, HUMAN TRAFFICKING FOR
15 INVOLUNTARY SERVITUDE, OR HUMAN TRAFFICKING FOR SEXUAL
16 SERVITUDE, THE COURT MAY, UPON MOTION OF A PARTY OR UPON ITS OWN
17 MOTION, ORDER THAT THE VICTIM-SURVIVOR'S TESTIMONY BE TAKEN IN
18 A ROOM OTHER THAN THE COURTROOM AND BE TELEVISED BY
19 CLOSED-CIRCUIT TELEVISION IN THE COURTROOM IF:

20 (I) THE TESTIMONY IS TAKEN DURING THE PROCEEDING;

21 (II) THE JUDGE DETERMINES PURSUANT TO SUBSECTION (2)(b)(II)
22 OF THIS SECTION THAT TESTIMONY BY THE VICTIM-SURVIVOR IN THE
23 COURTROOM AND IN THE PRESENCE OF THE DEFENDANT IN THE
24 COURTROOM WOULD RESULT IN THE VICTIM-SURVIVOR SUFFERING SERIOUS
25 EMOTIONAL DISTRESS OR TRAUMA, SUCH THAT THE VICTIM-SURVIVOR
26 WOULD NOT BE ABLE TO REASONABLY COMMUNICATE; AND

27 (III) CLOSED-CIRCUIT TELEVISION EQUIPMENT IS AVAILABLE FOR

1 TESTIMONY.

2 (b) (I) TO OBTAIN AN ORDER AUTHORIZING THE USE OF
3 CLOSED-CIRCUIT TELEVISION FOR TESTIMONY BY A VICTIM-SURVIVOR, A
4 PARTY SHALL FILE A WRITTEN MOTION WITH THE COURT NO LESS THAN
5 THIRTY-FIVE DAYS PRIOR TO THE TRIAL. THE COURT MAY EXTEND THE
6 TIME TO FILE A WRITTEN MOTION FOR GOOD CAUSE.

7 (II) THE COURT SHALL HOLD A HEARING TO DETERMINE WHETHER
8 TESTIMONY BY THE VICTIM-SURVIVOR _____ IN THE PRESENCE OF THE
9 DEFENDANT IN THE COURTROOM WOULD RESULT IN THE VICTIM-SURVIVOR
10 SUFFERING SERIOUS EMOTIONAL DISTRESS OR TRAUMA, SUCH THAT THE
11 VICTIM-SURVIVOR WOULD NOT BE ABLE TO REASONABLY COMMUNICATE.

12 (c) ONLY THE PROSECUTING ATTORNEY, THE ATTORNEY FOR THE
13 DEFENDANT, AND THE JUDGE MAY QUESTION THE VICTIM-SURVIVOR WHEN
14 THE VICTIM-SURVIVOR TESTIFIES BY CLOSED-CIRCUIT TELEVISION.

15 (d) THE OPERATORS OF THE CLOSED-CIRCUIT TELEVISION
16 EQUIPMENT SHALL MAKE EVERY EFFORT TO BE UNOBTRUSIVE WHILE THE
17 VICTIM-SURVIVOR IS TESTIFYING.

18 (3) (a) ONLY THE FOLLOWING INDIVIDUALS MAY BE IN THE ROOM
19 WITH THE VICTIM-SURVIVOR WHEN THE VICTIM-SURVIVOR TESTIFIES BY
20 CLOSED-CIRCUIT TELEVISION:

21 (I) THE PROSECUTING ATTORNEY;

22 (II) THE ATTORNEY FOR THE DEFENDANT;

23 (III) THE OPERATORS OF THE CLOSED-CIRCUIT TELEVISION
24 EQUIPMENT;

25 (IV) A PERSON WHOSE PRESENCE, IN THE OPINION OF THE COURT,
26 CONTRIBUTES TO THE WELFARE AND WELL-BEING OF THE
27 VICTIM-SURVIVOR, INCLUDING AN INDIVIDUAL WHO HAS DEALT WITH THE

1 VICTIM-SURVIVOR IN A THERAPEUTIC SETTING; AND

2 (V) THE JURY.

3 (b) DURING THE VICTIM-SURVIVOR'S TESTIMONY BY
4 CLOSED-CIRCUIT TELEVISION, THE JUDGE AND THE DEFENDANT, IF
5 PRESENT, SHALL REMAIN IN THE COURTROOM.

6 (c) THE JUDGE AND THE DEFENDANT MUST BE ALLOWED TO
7 COMMUNICATE WITH THE INDIVIDUALS IN THE ROOM WHERE THE
8 VICTIM-SURVIVOR IS TESTIFYING BY AN APPROPRIATE ELECTRONIC
9 METHOD.

10 (4) THIS SECTION DOES NOT APPLY IF THE DEFENDANT IS
11 APPEARING PRO SE.

12 (5) THIS SECTION DOES NOT APPLY IF THE VICTIM-SURVIVOR
13 TESTIFYING IS, AT THE TIME OF A TRIAL, A CHILD LESS THAN EIGHTEEN
14 YEARS OLD OR IS A PERSON WHO HAS AN INTELLECTUAL AND
15 DEVELOPMENTAL DISABILITY, AS DEFINED IN SECTION 25.5-10-202.
16 CLOSED-CIRCUIT TELEVISION TESTIMONY BY A VICTIM-SURVIVOR AT THE
17 TIME OF TRIAL WHO IS A CHILD LESS THAN EIGHTEEN YEARS OLD OR WHO
18 HAS AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY IS GOVERNED BY
19 SECTION 16-10-402.

20 (6) (a) THIS SECTION DOES NOT PRECLUDE, FOR PURPOSES OF
21 IDENTIFYING A DEFENDANT, THE PRESENCE OF BOTH THE
22 VICTIM-SURVIVOR AND THE DEFENDANT IN THE COURTROOM AT THE SAME
23 TIME.

24 (b) THIS SECTION DOES NOT PRECLUDE THE REMOVAL OF THE
25 DEFENDANT, RATHER THAN THE VICTIM-SURVIVOR, FROM THE
26 COURTROOM UPON THE STIPULATION OF BOTH PARTIES AND THE APPROVAL
27 OF THE COURT.

1 (c) THIS SECTION DOES NOT PRECLUDE A COURT FROM TAKING
2 OTHER, CONSTITUTIONALLY PERMISSIBLE MEASURES TO ACCOMMODATE
3 THE NEEDS OF A TESTIFYING VICTIM-SURVIVOR.

4 **SECTION 7.** In Colorado Revised Statutes, 24-31-315, **amend**
5 (1)(a) as follows:

6 **24-31-315. Annual in-service training requirements.**

7 (1) (a) The annual in-service training programs must include
8 proper restraint and holds training, a two-hour anti-bias training program,
9 A TWO-HOUR TRAINING TO IMPROVE A PEACE OFFICER'S UNDERSTANDING
10 OF THE IMPACT OF TRAUMA ON VICTIM-SURVIVORS OF CRIMES AND THE
11 OPTIMAL WAY FOR A PEACE OFFICER TO RESPOND TO VICTIM-SURVIVORS
12 WHO ARE EXPERIENCING OR RESPONDING TO TRAUMA, and, in alternating
13 years, either a two-hour community policing and community partnerships
14 training program or a two-hour situation de-escalation training program.
15 The programs and curriculum may include interactive web-based training.
16 Each certified peace officer shall satisfactorily complete the training by
17 July 1, 2017, and shall satisfactorily complete the training at least once
18 every five years thereafter.

19 **SECTION 8.** In Colorado Revised Statutes, 24-31-1401, **amend**
20 (1)(b), (2), (3)(c)(VI), (3)(c)(VII), and (3)(d); and **add** (3)(c)(VIII) and
21 (3)(c)(IX) as follows:

22 **24-31-1401. Colorado sexual assault response review board -**
23 **creation - membership - duties - report - short title - definitions -**
24 **repeal.**

25 (1) As used in this section, unless the context otherwise requires:
26 (b) "Review board" means the Colorado sexual assault ~~forensic~~
27 ~~medical evidence~~ RESPONSE review board, established in subsection (2)

1 of this section.

2 (2) The Colorado sexual assault ~~forensic medical evidence~~
3 RESPONSE review board is established in the department to carry out the
4 duties described in subsection (6) of this section and submit the report
5 described in subsection (7) of this section.

6 (3) The board consists of:

7 (c) The following members, appointed by the attorney general:

8 (VI) Three representatives from organizations that provide
9 services or advocate for communities that experience disproportionate
10 rates of sexual assault; ~~and~~

11 (VII) Up to three members, at the discretion of the attorney
12 general, whose contributions the attorney general determines would be
13 valuable to the work of the review board; ~~and~~

14 (VIII) A REPRESENTATIVE OF A MUNICIPAL CRIME LABORATORY;
15 AND

16 (IX) TWO VICTIM-SURVIVORS, ONE REPRESENTING A RURAL
17 COMMUNITY AND ONE REPRESENTING A METRO AREA OR URBAN
18 COMMUNITY; AND

19 (d) The following members, appointed by the governor:

20 (I) A representative of the division of criminal justice in the
21 department of public safety who has oversight of the statewide sexual
22 assault evidence collection kit tracking system created in section
23 24-33.5-113.5; and

24 (II) A representative of the division of criminal justice in the
25 department of public safety who has oversight of federal and state victim
26 service funding and victim rights compliance; AND

27 (III) A REPRESENTATIVE OF THE CRIME LABORATORY OPERATED

1 BY THE COLORADO BUREAU OF INVESTIGATION.

2 **SECTION 9.** In Colorado Revised Statutes, 24-33.5-122, **amend**
3 (1)(j)(I) as follows:

4 **24-33.5-122. Peace officer training and support fund - peace**
5 **officer training and support distribution - first responder death**
6 **benefit administration - death benefit fund - rules - definitions -**
7 **repeal.**

8 (1) **Definitions.** As used in this section, unless the context
9 otherwise requires:

10 (j) (I) "Permissible purpose" means the initial and continuing
11 education and training for peace officers, INCLUDING TRAINING AND
12 EDUCATION FOR TRAUMA-INFORMED INVESTIGATIONS AND
13 VICTIM-SURVIVOR RESPONSE FOR PEACE OFFICERS, and the compensation
14 of peace officers.

15 **SECTION 10. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for
18 the support and maintenance of the departments of the state and state
19 institutions.