

An Act

SENATE BILL 22-150

BY SENATOR(S) Danielson, Buckner, Coleman, Donovan, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Priola, Rodriguez, Story, Winter, Zenzinger, Fenberg; also REPRESENTATIVE(S) Duran and Herod, Amabile, Bacon, Benavidez, Bernett, Bird, Boesenecker, Caraveo, Cutter, Daugherty, Esgar, Exum, Froelich, Gonzales-Gutierrez, Hooton, Jodeh, Kipp, Lindsay, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Sirota, Snyder, Sullivan, Titone, Valdez A., Valdez D., Woodrow, Garnett.

CONCERNING RESPONDING TO THE MISSING INDIGENOUS PERSONS CRISIS, AND, IN CONNECTION THEREWITH, ESTABLISHING THE OFFICE OF LIAISON FOR MISSING AND MURDERED INDIGENOUS RELATIVES AND MAKING AN APPROPRIATION.

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

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

(a) Sixty-one percent of American Indian and Alaska native women have been assaulted in their lifetimes;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) Compared to all other races, American Indians and Alaska natives are two and one-half times more likely to experience violent crimes and at least two times more likely to experience rape or sexual assault crimes;

(c) Jurisdictional issues and data-sharing barriers between intergovernmental agencies and tribal governments result in confusing reporting mechanisms for those whose relatives are missing or murdered and very limited data about those missing or murdered indigenous relatives;

(d) It is necessary to develop and promote best practices and training for:

(I) Promoting community relations with indigenous populations;

(II) Law enforcement's response to indigenous persons who report missing relatives; and

(III) Data collection relating to reports of missing or murdered indigenous relatives;

(e) Other states, including Montana, Oklahoma, Minnesota, Washington, and Wyoming, have adopted legislation establishing entities to address issues related to violence against indigenous persons, including addressing jurisdictional and data-sharing barriers and a lack of best practices for law enforcement; and

(f) Colorado can best serve and seek justice for indigenous persons who have been the victims of violence by establishing an office to serve as a liaison on behalf of missing or murdered indigenous relatives.

SECTION 2. In Colorado Revised Statutes, **add** part 26 to article 33.5 of title 24 as follows:

PART 26

MISSING AND MURDERED INDIGENOUS RELATIVES

24-33.5-2601. Definitions. AS USED IN THIS PART 26, UNLESS THE

CONTEXT OTHERWISE REQUIRES:

(1) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE, APPOINTED PURSUANT TO SECTION 24-33.5-2603 (2).

(2) "INDIGENOUS" MEANS HAVING DESCENDED FROM PEOPLE WHO WERE LIVING IN NORTH AMERICA PRIOR TO THE TIME PEOPLE FROM EUROPE BEGAN SETTLING IN NORTH AMERICA, BEING AN ENROLLED MEMBER OF A FEDERALLY RECOGNIZED INDIAN TRIBE, OR BEING A LINEAL DESCENDANT OF A TRIBALLY ENROLLED PARENT OR GUARDIAN.

(3) "INDIGENOUS-LED ORGANIZATION" MEANS AN ORGANIZATION OR ENTITY WHOSE BOARD OR DECISION-MAKING BODY MEMBERSHIP IS ENTIRELY INDIGENOUS AND WHOSE STAFF IS COMPRISED OF AT LEAST SEVENTY PERCENT INDIGENOUS PERSONS.

(4) "MISSING OR MURDERED INDIGENOUS RELATIVE" MEANS ANY MISSING OR MURDERED INDIGENOUS PERSON.

(5) "OFFICE" MEANS THE OFFICE OF LIAISON FOR MISSING AND MURDERED INDIGENOUS RELATIVES ESTABLISHED IN SECTION 24-33.5-2603.

24-33.5-2602. Missing and murdered indigenous relatives - department duties. (1) THE DEPARTMENT SHALL IMPROVE THE INVESTIGATION OF MISSING AND MURDERED INDIGENOUS RELATIVE CASES AND ADDRESS INJUSTICE IN THE CRIMINAL JUSTICE SYSTEM'S RESPONSE TO THE CASES OF MISSING AND MURDERED INDIGENOUS RELATIVE CASES. THE EXECUTIVE DIRECTOR SHALL ASSIGN STAFF AS NECESSARY TO CARRY OUT THE DUTIES DESCRIBED IN THIS PART 26 AND MAY ASSIGN THE DUTIES TO THE VARIOUS DIVISIONS AND OFFICES IN THE DEPARTMENT, INCLUDING THE OFFICE OF LIAISON FOR MISSING AND MURDERED INDIGENOUS RELATIVES AND THE COLORADO BUREAU OF INVESTIGATION.

(2) THE DEPARTMENT SHALL:

(a) FACILITATE TECHNICAL ASSISTANCE AND WORK WITH TRIBAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES ON MISSING PERSONS INVESTIGATIONS AND HOMICIDE CASES INVOLVING INDIGENOUS VICTIMS;

(b) DEVELOP A BEST PRACTICES PROTOCOL FOR LAW ENFORCEMENT

RESPONSE TO REPORTS OF MISSING INDIGENOUS PEOPLE;

(c) CONDUCT CASE REVIEWS AND REPORT ON THE RESULTS OF CASE REVIEWS FOR THE FOLLOWING TYPES OF MISSING OR MURDERED INDIGENOUS RELATIVES CASES:

(I) COLD CASES FOR MISSING INDIGENOUS PEOPLE; AND

(II) DEATH INVESTIGATION REVIEW FOR CASES OF INDIGENOUS PEOPLE RULED AS SUICIDE OR OVERDOSE UNDER SUSPICIOUS CIRCUMSTANCES;

(d) DEVELOP AND ENHANCE PARTNERSHIPS WITH TRIBAL LAW ENFORCEMENT AND COMMUNITIES TO BUILD TRUST, ENSURE EASE OF REPORTING, COORDINATE INVESTIGATIONS, AND TIMELY ENTER INFORMATION REGARDING MISSING AND MURDERED INDIGENOUS RELATIVES INTO RELEVANT CRIMINAL JUSTICE DATABASES;

(e) WORK WITH THE FEDERAL BUREAU OF INVESTIGATION ON REPORTED MISSING OR MURDERED INDIGENOUS RELATIVE CASES AND COORDINATE WITH LOCAL LAW ENFORCEMENT AS NECESSARY FOR THE INVESTIGATION OF THE CASES;

(f) UPDATE TRIBAL LAW ENFORCEMENT AGENCIES ON THE STATUS OF CASES INVOLVING A MISSING OR MURDERED MEMBER OF THE TRIBE;

(g) COORDINATE, AS RELEVANT, WITH THE FEDERAL BUREAU OF INDIAN AFFAIRS' COLD CASE OFFICE ESTABLISHED AS PART OF ITS OPERATION LADY JUSTICE INITIATIVE, OTHER FEDERAL EFFORTS, AND EFFORTS IN NEIGHBORING STATES TO INVESTIGATE COLD CASES INVOLVING MISSING OR MURDERED INDIGENOUS RELATIVES. THIS SUBSECTION (1)(g) PERTAINS TO STATE AND FEDERAL INVESTIGATIVE EFFORTS. TRIBES ARE SOVEREIGN NATIONS THAT HAVE THE RIGHT TO DETERMINE IF AND HOW THEY WILL COORDINATE ANY INVESTIGATIVE EFFORTS.

(h) COORDINATE WITH OTHER STATE AND LOCAL OFFICES INCLUDING, BUT NOT LIMITED TO, AGENCY TRIBAL LIAISONS, THE COLORADO COMMISSION OF INDIAN AFFAIRS, AND COUNTY CORONERS TO DEVELOP TRAINING AND EDUCATION ON MISSING OR MURDERED INDIGENOUS PERSONS ISSUES, SPIRITUAL PRACTICES OR CEREMONIES PERTAINING TO HUMAN

REMAINS OF AN INDIGENOUS PERSON, AND THE GOVERNMENT-TO-GOVERNMENT RELATIONSHIP BETWEEN THE STATE AND TRIBES;

(i) WORK WITH THE PEACE OFFICER STANDARD AND TRAINING BOARD TO FACILITATE TRAINING FOR LAW ENFORCEMENT AND MEMBERS OF THE PUBLIC ON ISSUES RELATING TO MISSING OR MURDERED INDIGENOUS PERSONS;

(j) DEVELOP BEST PRACTICES FOR DATA ACCURACY AND PROCEDURES TO UPDATE RECORDS WHEN INDIGENOUS VICTIMS ARE INCORRECTLY IDENTIFIED IN REPORTS AND RECOMMEND POLICIES AND BEST PRACTICES FOR MAINTAINING ACCURATE DATA AND CORRECTING VICTIM IDENTITY INACCURACIES IN REPORTS TO RELEVANT TRIBAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES AND ANY OTHER RELEVANT GOVERNMENT AGENCIES;

(k) COORDINATE WITH OTHER STATES TO ENSURE COLORADO IS ENACTING AND USING BEST PRACTICES FOR REPORTING, TRACKING, AND INVESTIGATING MISSING OR MURDERED INDIGENOUS RELATIVES CASES AND TO IDENTIFY CASES INVOLVING REPEAT OFFENDERS;

(l) RECOMMEND TO THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND ANY RELEVANT LAW ENFORCEMENT AGENCIES, LEGISLATIVE AND AGENCY ACTIONS TO ADDRESS INJUSTICE IN THE CRIMINAL JUSTICE SYSTEM'S RESPONSE TO THE CASES OF MISSING OR MURDERED INDIGENOUS RELATIVES;

(m) DEVELOP RECOMMENDATIONS AND FACILITATE TRAINING TO STRENGTHEN THE TRAUMA-INFORMED AND VICTIM-CENTERED RESPONSE OF LAW ENFORCEMENT, COURTS, AND THE HEALTH-CARE SYSTEM AS TO THE CAUSE OF VIOLENCE AGAINST INDIGENOUS SURVIVORS AND MAKE THE RECOMMENDATIONS AVAILABLE TO INTERESTED ORGANIZATIONS, RELEVANT TRIBAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES, AND ANY OTHER RELEVANT AGENCIES;

(n) ASSIST FAMILIES, TRIBAL AGENCIES, AND NONGOVERNMENTAL ENTITIES IN USING THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM ADMINISTERED BY THE NATIONAL INSTITUTE OF JUSTICE WITHIN THE

UNITED STATES DEPARTMENT OF JUSTICE, AND OTHER RESOURCES;

(o) PROVIDE GUIDANCE TO FAMILIES OF INDIGENOUS VICTIMS ON HOW TO NAVIGATE STATE AND FEDERAL DISTRICT COURT CASES;

(p) INFORM INDIGENOUS COMMUNITY MEMBERS AND FAMILY MEMBERS ABOUT ACTIVE COMMUNITY-LED GRASSROOTS OR VOLUNTEER COLLABORATIONS THAT ARE ORGANIZING OR CONDUCTING SEARCH EFFORTS, SUPPORT GROUPS, OR OTHER SUPPORTIVE EFFORTS THAT ARE RELEVANT TO THE COMMUNITY'S OR FAMILY MEMBER'S MISSING OR MURDERED INDIGENOUS RELATIVE; AND

(q) CONSULT WITH INDIGENOUS-LED COMMUNITY ORGANIZATIONS THAT SERVE INDIGENOUS POPULATIONS TO PROMOTE, AND DEVELOP BEST PRACTICES FOR PROMOTING, COMMUNITY RELATIONS WITH INDIGENOUS POPULATIONS.

24-33.5-2603. Office of liaison for missing and murdered indigenous relatives - created - director - collaboration - advisory board. (1) THERE IS CREATED IN THE DEPARTMENT THE OFFICE OF LIAISON FOR MISSING AND MURDERED INDIGENOUS RELATIVES TO WORK ON BEHALF OF THOSE WHO ARE MISSING OR MURDERED. THE OFFICE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

(2) (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL APPOINT THE DIRECTOR OF THE OFFICE PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION. THE DIRECTOR OF THE OFFICE MUST BE A PERSON CLOSELY CONNECTED TO A TRIBE OR THE INDIGENOUS COMMUNITY AND WHO IS HIGHLY KNOWLEDGEABLE ABOUT CRIMINAL INVESTIGATIONS. THE EXECUTIVE DIRECTOR IS ENCOURAGED TO CONSIDER CANDIDATES FOR APPOINTMENT WHO ARE RECOMMENDED BY TRIBES AND INDIGENOUS COMMUNITIES.

(b) THE DIRECTOR MAY APPOINT STAFF AS NECESSARY TO CARRY OUT THE DUTIES OF THE OFFICE. IN APPOINTING STAFF FOR THE OFFICE, THE DIRECTOR SHALL GIVE PREFERENCE TO THOSE WITH EXPERIENCE WORKING WITH INDIGENOUS PERSONS AND INDIAN TRIBES. THE DIRECTOR SHALL ENCOURAGE INDIGENOUS PERSONS TO APPLY FOR POSITIONS IN THE OFFICE.

(3) THE OFFICE SHALL SERVE AS A LIAISON ON BEHALF OF THE INDIGENOUS COMMUNITY ON ISSUES RELATED TO MISSING OR MURDERED INDIGENOUS RELATIVES, SUPPORT THE ADVISORY BOARD CREATED IN SUBSECTION (4) OF THIS SECTION, AND CARRY OUT ANY DUTIES ASSIGNED BY THE EXECUTIVE DIRECTOR. IN CARRYING OUT ITS DUTIES, THE OFFICE SHALL COLLABORATE WITH ANY RELEVANT ENTITIES, INCLUDING THE COLORADO COMMISSION OF INDIAN AFFAIRS, FEDERALLY RECOGNIZED TRIBES, INDIGENOUS-LED ORGANIZATIONS, TRIBAL AND LOCAL LAW ENFORCEMENT AGENCIES, THE COLORADO BUREAU OF INVESTIGATION, AND THE COLORADO STATE PATROL.

(4) (a) THERE IS ESTABLISHED IN THE OFFICE THE COMMUNITY VOLUNTEER ADVISORY BOARD TO IDENTIFY AND ADVISE THE OFFICE ON AREAS OF CONCERN REGARDING MISSING OR MURDERED INDIGENOUS RELATIVES AND ISSUES RELATING TO ORGANIZING OR CONDUCTING SEARCH EFFORTS, SUPPORT GROUPS, OR OTHER SUPPORTIVE EFFORTS RELATED TO MISSING OR MURDERED INDIGENOUS RELATIVES. THE ADVISORY BOARD SHALL MEET AT LEAST ONCE PER QUARTER IN STATE FISCAL YEAR 2022-23, AND BIANNUALLY THEREAFTER, AT DATES AND TIMES AS CALLED BY THE EXECUTIVE DIRECTOR. THE ADVISORY BOARD MAY MEET ELECTRONICALLY.

(b) THE ADVISORY BOARD IS COMPRISED OF THE FOLLOWING MEMBERS:

(I) TEN MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR, AS FOLLOWS:

(A) ONE REPRESENTATIVE OF AN INDIGENOUS-LED ORGANIZATION THAT PROVIDES ADVOCACY OR COUNSELING FOR INDIGENOUS VICTIMS OF VIOLENCE;

(B) ONE REPRESENTATIVE OF AN INDIGENOUS-LED ORGANIZATION THAT PROVIDES LEGAL SERVICES FOR INDIGENOUS VICTIMS OF VIOLENCE;

(C) ONE REPRESENTATIVE OF AN INDIGENOUS-LED ORGANIZATION THAT PROVIDES HEALTH SERVICES TO INDIGENOUS VICTIMS OF VIOLENCE;

(D) ONE REPRESENTATIVE OF A COMMUNITY-BASED ORGANIZATION THAT PROVIDES SERVICES TO AN URBAN INDIGENOUS COMMUNITY;

(E) ONE REPRESENTATIVE OF A COMMUNITY-BASED ORGANIZATION THAT PROVIDES SERVICES TO A RURAL INDIGENOUS COMMUNITY;

(F) ONE REPRESENTATIVE OF A COMMUNITY-BASED VICTIM ADVOCATE ORGANIZATION SERVING COLORADO'S INDIGENOUS POPULATION;

(G) ONE REPRESENTATIVE OF A NATIONAL ORGANIZATION THAT PROVIDES EDUCATION AND AWARENESS OF MISSING AND MURDERED INDIGENOUS RELATIVES; AND

(H) THREE MEMBERS WHO ARE INDIGENOUS PEOPLE WHO HAVE BEEN VICTIMS OF VIOLENCE OR ARE A FAMILY MEMBER OF AN INDIGENOUS PERSON WHO HAS BEEN A VICTIM OF VIOLENCE;

(II) ONE MEMBER WHO REPRESENTS THE UTE MOUNTAIN UTE TRIBE, APPOINTED BY THE UTE MOUNTAIN UTE TRIBAL COUNCIL;

(III) ONE MEMBER WHO REPRESENTS THE SOUTHERN UTE INDIAN TRIBE, APPOINTED BY THE SOUTHERN UTE TRIBAL COUNCIL;

(IV) ONE MEMBER WHO REPRESENTS THE UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION, APPOINTED BY THE NORTHERN UTE TRIBAL COUNCIL;

(V) FOUR MEMBERS WHO ARE EACH AN ENROLLED MEMBER OF A TRIBE WITH HISTORICAL TIES TO COLORADO, AS IDENTIFIED ON THE COLORADO TRIBAL CONTACTS LIST DEVELOPED BY HISTORY COLORADO IN PARTNERSHIP WITH THE COLORADO COMMISSION OF INDIAN AFFAIRS;

(VI) TWO MEMBERS WITH EXPERTISE IN LAW ENFORCEMENT, APPOINTED BY THE EXECUTIVE DIRECTOR FROM ANY TWO OF THE FOLLOWING CATEGORIES:

(A) A PEACE OFFICER WHO WORKS OR RESIDES ON A FEDERALLY RECOGNIZED INDIAN TRIBE'S RESERVATION IN COLORADO;

(B) A SHERIFF FROM A COUNTY WITH A POPULATION OF FEWER THAN ONE HUNDRED THOUSAND PERSONS;

(C) A SHERIFF FROM AN URBAN COUNTY;

(D) A REPRESENTATIVE OF THE COLORADO STATE PATROL, WITH THE APPROVAL OF THE CHIEF OF THE STATE PATROL; OR

(E) A REPRESENTATIVE OF THE COLORADO BUREAU OF INVESTIGATION, WITH THE APPROVAL OF THE DIRECTOR OF THE BUREAU; AND

(VII) TWO MEMBERS, APPOINTED BY THE EXECUTIVE DIRECTOR, WHO EACH REPRESENT ONE OF THE FOLLOWING:

(A) THE ATTORNEY GENERAL'S OFFICE, APPOINTED WITH THE APPROVAL OF THE ATTORNEY GENERAL;

(B) THE JUDICIAL BRANCH, APPOINTED WITH THE APPROVAL OF THE STATE COURT ADMINISTRATOR;

(C) THE COLORADO COMMISSION OF INDIAN AFFAIRS, APPOINTED WITH THE APPROVAL OF THE COMMISSION'S DIRECTOR;

(D) CERTIFIED DEATH INVESTIGATORS, WHO MUST BE A DEATH INVESTIGATOR CERTIFIED BY THE STATE CORONERS ASSOCIATION; OR

(E) THE STATE DEPARTMENT OF HUMAN SERVICES, APPOINTED WITH THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(c) MEMBERS SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. ADVISORY BOARD MEMBERS SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES. ADVISORY BOARD MEMBERS ARE NOT OFFICE PERSONNEL.

24-33.5-2604. Gifts, grants, and donations. THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 26.

24-33.5-2605. Information dashboard - report. (1) THE DEPARTMENT SHALL PUBLISH ON ITS PUBLIC WEBSITE A DASHBOARD THAT DISPLAYS, IN AN INTERACTIVE, INTUITIVE, AND VISUAL MANNER, INFORMATION REGARDING MISSING OR MURDERED INDIGENOUS PERSONS, INCLUDING:

(a) THE NUMBER OF CASES OF MISSING OR MURDERED INDIGENOUS RELATIVES;

(b) THE TRIBAL AFFILIATION OF EACH MISSING OR MURDERED INDIGENOUS RELATIVE, TO THE EXTENT THAT PUBLISHING TRIBAL AFFILIATION DOES NOT IDENTIFY AN INDIVIDUAL PERSON;

(c) GEOGRAPHIC INFORMATION REGARDING CASES OF MISSING OR MURDERED INDIGENOUS RELATIVES;

(d) THE RESULTS OF CASES OF MISSING OR MURDERED INDIGENOUS RELATIVES; FOR EXAMPLE, WHETHER THE PERSON IS FOUND AND WHETHER A PERPETRATOR HAS BEEN ARRESTED AND CHARGED IN THE CASE AND THE DISPOSITION OF THE CHARGES; AND

(e) RESOURCES AVAILABLE FOR FAMILY MEMBERS OF MISSING OR MURDERED INDIGENOUS RELATIVES.

(2) (a) ON OR BEFORE DECEMBER 31, 2023, AND ON OR BEFORE DECEMBER 31 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT ON MISSING OR MURDERED INDIGENOUS RELATIVES TO THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE GOVERNOR'S OFFICE. THE DEPARTMENT SHALL MAKE THE REPORT AVAILABLE TO THE PUBLIC ON ITS WEBSITE. THE REPORT MUST INCLUDE AN UPDATE ABOUT MISSING OR MURDERED INDIGENOUS RELATIVES IN COLORADO, INCLUDING THE INFORMATION INCLUDED IN THE DASHBOARD DESCRIBED IN SUBSECTION (1) OF THIS SECTION; THE RECOMMENDATIONS FOR LEGISLATIVE AND GOVERNMENTAL AGENCY ACTIONS DESCRIBED IN SECTION 24-33.5-2602 AND ANY OTHER RECOMMENDATIONS TO ADDRESS INJUSTICE IN THE CRIMINAL JUSTICE SYSTEM'S RESPONSE TO THE CASES OF MISSING OR MURDERED INDIGENOUS RELATIVES; AND A SUMMARY OF THE OFFICE'S WORK DURING THE YEAR.

(b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT DESCRIBED IN THIS SUBSECTION (2) CONTINUES INDEFINITELY.

SECTION 3. In Colorado Revised Statutes, add 24-31-319 as follows:

24-31-319. Training related to missing indigenous persons - development - basic and in-service training required. (1) THE P.O.S.T. BOARD SHALL WORK WITH THE OFFICE OF LIAISON FOR MISSING AND MURDERED INDIGENOUS RELATIVES CREATED IN SECTION 24-33.5-2603 TO DEVELOP AND FACILITATE TRAINING FOR PEACE OFFICERS ON ISSUES RELATING TO MISSING OR MURDERED INDIGENOUS PERSONS INVESTIGATIONS.

(2) BEGINNING JANUARY 1, 2023, THE BASIC ACADEMY CURRICULUM AND ANNUAL IN-SERVICE TRAINING PROGRAMS MUST INCLUDE TRAINING CONCERNING ISSUES RELATING TO MISSING OR MURDERED INDIGENOUS PERSONS.

SECTION 4. In Colorado Revised Statutes, add 24-33.5-431 as follows:

24-33.5-431. Missing indigenous persons - interagency cooperation - data repository - alert program - report - rules.

(1) (a) THE BUREAU SHALL COOPERATE WITH THE OFFICE OF LIAISON FOR MISSING AND MURDERED INDIGENOUS RELATIVES ESTABLISHED IN SECTION 24-33.5-2603 AND FEDERAL, STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT AGENCIES FOR THE EFFICIENT INVESTIGATION OF MISSING OR MURDERED INDIGENOUS PEOPLE.

(b) ANY TIME THE BUREAU RECEIVES A REPORT OF A MISSING OR MURDERED INDIGENOUS RELATIVE, AS DEFINED IN SECTION 24-33.5-2601, WHO IS A MEMBER OF A FEDERALLY RECOGNIZED TRIBE, THE BUREAU SHALL, AS SOON AS PRACTICABLE, NOTIFY THE TRIBAL ENTITY OF THE REPORT.

(2) (a) THE BUREAU IS THE CENTRAL REPOSITORY OF INFORMATION AND SHALL OPERATE A CLEARINGHOUSE DATABASE ON MISSING INDIGENOUS PERSONS FROM COLORADO.

(b) AS A FUNCTION OF THE CENTRAL REPOSITORY, THE BUREAU SHALL PREPARE AND MAKE PUBLICLY AVAILABLE AN ANNUAL REPORT ON INFORMATION COMPILED FROM THE CLEARINGHOUSE DATABASE. THE REPORT MUST INCLUDE BIOGRAPHICAL INFORMATION COLLECTED ON MISSING PERSONS AND INCLUDE INFORMATION SUBMITTED BY FEDERAL, STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT AGENCIES.

(c) THE BUREAU MAY MAKE PUBLICLY AVAILABLE INFORMATION

ABOUT ONGOING MISSING PERSON INVESTIGATIONS TO AID IN THE EFFICIENT INVESTIGATION AND SWIFT RECOVERY OF MISSING PERSONS OR WHEN OTHERWISE IN THE PUBLIC INTEREST.

(3) (a) IN ORDER TO AID IN THE SAFE RECOVERY OF MISSING INDIGENOUS PERSONS, THE BUREAU SHALL OPERATE A MISSING INDIGENOUS PERSON ALERT PROGRAM. THE PROGRAM MUST BE A COORDINATED EFFORT AMONG THE BUREAU, LOCAL LAW ENFORCEMENT AGENCIES, FEDERALLY RECOGNIZED TRIBES, ANY GOVERNMENTAL AGENCY THAT MAY BE INVOLVED IN THE SEARCH AND RECOVERY OF A MISSING PERSON, AND THE STATE'S PUBLIC AND COMMERCIAL TELEVISION AND RADIO BROADCASTERS. THE BUREAU MAY OPERATE THE ALERT SYSTEM AS A PART OF ANY OTHER MISSING PERSON ALERT PROGRAM OPERATED BY THE BUREAU.

(b) UPON RECEIVING NOTICE OF A MISSING INDIGENOUS PERSON FROM A LAW ENFORCEMENT AGENCY PURSUANT TO SECTION 16-2.7-103, OR FROM ANY GOVERNMENTAL AGENCY THAT MAY BE INVOLVED IN THE SEARCH AND RECOVERY OF A MISSING PERSON, THE BUREAU SHALL CONFIRM THE ACCURACY OF THE INFORMATION AND THEN ISSUE AN ALERT. THE ALERT MUST BE SENT TO DESIGNATED MEDIA OUTLETS IN COLORADO. PARTICIPATING RADIO STATIONS, TELEVISION STATIONS, AND OTHER MEDIA OUTLETS MAY ISSUE THE ALERT AT DESIGNATED INTERVALS AS SPECIFIED BY RULE. THE ALERT MUST INCLUDE ALL APPROPRIATE INFORMATION FROM THE LAW ENFORCEMENT AGENCY THAT MAY ASSIST IN THE SAFE RECOVERY OF THE MISSING PERSON AND A STATEMENT INSTRUCTING ANYONE WITH INFORMATION RELATED TO THE MISSING PERSON TO CONTACT A LOCAL LAW ENFORCEMENT AGENCY.

(c) THE BUREAU SHALL CANCEL THE ALERT UPON NOTIFICATION THAT THE MISSING PERSON HAS BEEN FOUND OR AT THE END OF THE NOTIFICATION PERIOD, WHICHEVER OCCURS FIRST. A LOCAL LAW ENFORCEMENT AGENCY THAT LOCATES A MISSING PERSON WHO IS THE SUBJECT OF AN ALERT SHALL NOTIFY THE BUREAU AS SOON AS POSSIBLE THAT THE MISSING PERSON HAS BEEN LOCATED.

(d) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL PROMULGATE RULES IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF THIS TITLE 24, FOR THE IMPLEMENTATION OF THE PROGRAM. THE RULES MUST INCLUDE:

(I) THE PROCESS TO BE FOLLOWED BY THE BUREAU IN CONFIRMING THE LOCAL LAW ENFORCEMENT AGENCY'S INFORMATION REGARDING A MISSING INDIGENOUS PERSON;

(II) THE PROCESS FOR REPORTING THE INFORMATION TO THE FEDERAL COMMUNICATIONS COMMISSION'S DESIGNATED STATE EMERGENCY ALERT SYSTEM BROADCASTER IN COLORADO; AND

(III) ANY ADDITIONAL PROCESSES NECESSARY FOR THE EFFECTIVE IMPLEMENTATION OF THE PROGRAM.

(e) IN ITS ANNUAL REPORT TO THE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL REPORT THE NUMBER OF TIMES AND DATES WHEN THE ALERT SYSTEM WAS USED; THE AGE AND GENDER OF EACH MISSING PERSON; AND WHETHER THE ALERT SYSTEM ASSISTED IN LOCATING THE MISSING PERSON. NOTWITHSTANDING SUBSECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT SET FORTH IN THIS SUBSECTION (3)(e) CONTINUES INDEFINITELY.

SECTION 5. In Colorado Revised Statutes, 16-2.7-103, **add** (3) as follows:

16-2.7-103. Missing person reports - response. (3) IF THE MISSING PERSON IS AN INDIGENOUS PERSON, THE BEST COURSE OF ACTION FOR THE LAW ENFORCEMENT AGENCY INCLUDES APPROPRIATE COMMUNICATIONS WITH OTHER LAW ENFORCEMENT AGENCIES THAT MAY ASSIST IN LOCATING THE MISSING INDIGENOUS PERSON. ADDITIONALLY, THE LAW ENFORCEMENT AGENCY SHALL, WITHIN EIGHT HOURS AFTER RECEIVING A REPORT OF A MISSING ADULT OR WITHIN TWO HOURS OF RECEIVING A REPORT OF A MISSING CHILD, NOTIFY THE COLORADO BUREAU OF INVESTIGATION.

SECTION 6. Appropriation. (1) For the 2022-23 state fiscal year, \$497,250 is appropriated to the department of public safety. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$15,982 for use by the executive director's office for vehicle lease payments;

(b) \$372,798 for use by the Colorado bureau of investigation for

personal services related to laboratory and investigative services, which amount is based on an assumption that the bureau will require an additional 4.5 FTE;

(c) \$93,590 for use by the Colorado bureau of investigation for operating expenses related to laboratory and investigative services; and

(d) \$14,880 for use by the Colorado bureau of investigation for overtime related to laboratory and investigative services.

(2) For the 2022-23 state fiscal year, \$15,982 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of public safety under subsection (1)(a) of this section. To implement this act, the department of personnel may use this appropriation to provide fleet vehicles for the department of public safety.

SECTION 7. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.



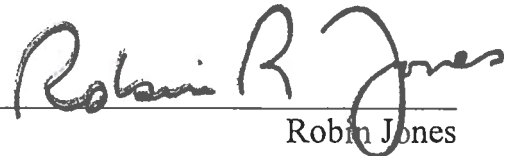
Steve Fenberg
PRESIDENT OF
THE SENATE



Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

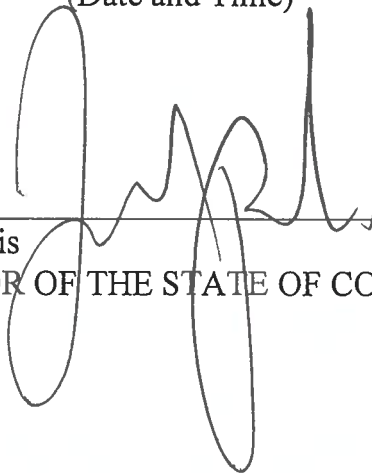


Cindi L. Markwell
SECRETARY OF
THE SENATE



Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED June 8, 2022 at 1:29 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO