

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 19-0628.02 Michael Dohr x4347

HOUSE BILL 19-1149

HOUSE SPONSORSHIP

Gonzales-Gutierrez,

SENATE SPONSORSHIP

Lee,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DIRECTING THE AGE OF DELINQUENCY TASK FORCE OF**
102 **THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE**
103 **JUSTICE TO STUDY SERVING EMERGING ADULTS IN THE JUVENILE**
104 **JUSTICE SYSTEM.**

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>.)

The bill directs the age of delinquency task force of the Colorado commission on criminal and juvenile justice to study using juvenile justice services and systems for adults 18 through 20 years of age

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

(emerging adults). The task force shall:

- ! Compile data regarding all criminal filings in the state from the last 3 years that data is available in which a defendant is 18 through 20 years of age;
- ! Study the established brain research for emerging adults, study the data collected, study the potential impacts on the division of youth services and youthful offender system if they also served emerging adults, and make recommendations to the general assembly regarding appropriate uses of the juvenile justice system for emerging adults; and
- ! Create a report of the collected data and recommendations for the judiciary committees of the house of representatives and senate by March 31, 2020.

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-11.3-103, **add**
3 (2.9) as follows:

4 **16-11.3-103. Duties of the commission - mission - staffing -**
5 **definition - repeal.** (2.9) (a) ON OR BEFORE JUNE 30, 2020, THE
6 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE SHALL
7 COMPLETE THE STUDY DESCRIBED IN SUBSECTION (2.9)(b) OF THIS SECTION
8 AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY
9 REGARDING AGE OF DELINQUENCY ISSUES. THE COMMISSION MAY INVITE
10 ADDITIONAL INTERESTED PARTIES TO BE PART OF THE STUDY.

11 (b) THE COMMISSION SHALL:

12 (I) COMPILE DATA REGARDING ALL CRIMINAL FILINGS IN THE STATE
13 FROM THE LAST THREE YEARS THAT DATA IS AVAILABLE IN WHICH A
14 DEFENDANT IS AT LEAST EIGHTEEN YEARS OF AGE, BUT YOUNGER THAN
15 TWENTY-FIVE YEARS OF AGE, WHICH DATA, AS AVAILABLE, MUST INCLUDE
16 THE FOLLOWING:

17 (A) THE AGE, RACE, AND ETHNICITY OF THE DEFENDANT;

1 (B) THE JUDICIAL DISTRICT OF THE FILING;
2 (C) THE CRIME OR CRIMES CHARGED;
3 (D) THE DISPOSITION OF THE CHARGES FILED;
4 (E) THE SENTENCE IMPOSED AND THE OUTCOME;
5 (F) THE OVERALL OUTCOME OF THE PERSON IN THE SYSTEM AND
6 WHETHER THE PERSON WAS SUCCESSFUL OR NOT IN COMPLETING HIS OR
7 HER SENTENCE;

8 (G) ANY PRIOR SERVICES PROVIDED THROUGH CRIMINAL AND
9 JUVENILE JUSTICE INVOLVEMENT; AND

10 (H) ANY OTHER RESEARCH OR DATA THAT THE COMMISSION
11 BELIEVES WOULD BE USEFUL IN STUDYING AGE OF DELINQUENCY ISSUES
12 FOR YOUNG ADULTS WHO ARE AT LEAST EIGHTEEN YEARS OF AGE BUT
13 YOUNGER THAN TWENTY-FIVE YEARS OF AGE.

14 (II) STUDY THE ESTABLISHED BRAIN RESEARCH, WHICH SHOWS
15 THAT YOUNG ADULTS WHO ARE AT LEAST EIGHTEEN YEARS OF AGE BUT
16 YOUNGER THAN TWENTY-FIVE YEARS OF AGE ARE SIMILAR TO JUVENILES
17 IN THAT THEIR BRAINS ARE STILL DEVELOPING AND HAVE DIFFICULTY WITH
18 QUALITATIVE DECISION-MAKING, AND THEY ARE SUSCEPTIBLE TO PEER
19 INFLUENCE, RISK-TAKERS, AND LESS FUTURE-ORIENTED THAN OLDER
20 ADULTS; STUDY THE DATA COLLECTED PURSUANT TO SUBSECTION
21 (2.9)(b)(I) OF THIS SECTION; STUDY THE POTENTIAL IMPACTS ON THE
22 DIVISION OF YOUTH SERVICES AND YOUTHFUL OFFENDER SYSTEM IF THEY
23 ALSO SERVED YOUNG ADULTS; AND MAKE RECOMMENDATIONS
24 REGARDING APPROPRIATE USES OF THE JUVENILE JUSTICE SYSTEM OR
25 YOUTHFUL OFFENDER SYSTEM FOR YOUNG ADULTS;

26 (III) CREATE A REPORT CONTAINING THE DATA COLLECTED
27 PURSUANT TO SUBSECTION (2.9)(b)(I) OF THIS SECTION AND ANY

1 RECOMMENDATIONS MADE PURSUANT TO SUBSECTION (2.9)(b)(II) OF THIS
2 SECTION BY JUNE 30, 2020, AND PROVIDE THAT REPORT TO THE JUDICIARY
3 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OR
4 ANY SUCCESSOR COMMITTEES.

5 (c) THIS SUBSECTION (2.9) IS REPEALED, EFFECTIVE JULY 1, 2021.

6 **SECTION 2. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.