

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

DRAFT  
10.10.19

BILL 3

LLS NO. 20-0363.01 Jacob Baus x2173

INTERIM COMMITTEE BILL

Prison Population Management Interim Study Committee

**BILL TOPIC:** "Crim Jus System Operational Processes Study"

**A BILL FOR AN ACT**

101 **CONCERNING A STUDY TO EXAMINE OPERATIONAL PROCESSES WITHIN**  
102 **THE CRIMINAL 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/>.)*

**Prison Population Management Interim Study Committee.** The bill requires the department of corrections (department) to conduct a study to examine how individuals proceed through the various stages of criminal proceedings and the various sentences and programs managed by criminal justice agencies.

Subject to available appropriations, the department shall issue a

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

request for proposals for an entity to assist with the study.

The department is required to produce a report of its findings to the joint budget committee of the general assembly and the judiciary committees of the house of representatives and the senate.

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

**SECTION 1.** In Colorado Revised Statutes, **add** 17-42-105 as follows:

**17-42-105. Criminal and correctional processes study - request for proposals - report - definition - repeal.** (1) (a) THE DEPARTMENT SHALL CONDUCT A STUDY TO EXAMINE HOW INDIVIDUALS PROCEED THROUGH THE VARIOUS STAGES OF CRIMINAL PROCEEDINGS AND THE VARIOUS SENTENCES AND PROGRAMS MANAGED BY CRIMINAL JUSTICE AGENCIES. THE STUDY MUST INCLUDE, AT A MINIMUM:

(I) AN ANALYSIS OF OPERATIONAL AND TECHNOLOGICAL SYSTEMS AND PROCEDURES USED IN CRIMINAL PROCEEDINGS AND IN CORRECTIONAL FACILITIES AND PROGRAMS BY CRIMINAL JUSTICE AGENCIES AND THEIR EFFECT ON:

(A) THE TIME AND RESOURCES EXPENDED BY PERSONS PROCEEDING THROUGH THE VARIOUS STAGES OF THEIR CASES IN THEIR CRIMINAL PROCEEDINGS AND THEIR VARIOUS SENTENCES AND PROGRAMS; AND

(B) THE TIME AND RESOURCES EXPENDED BY CRIMINAL JUSTICE AGENCIES;

(II) RECOMMENDATIONS AND BEST PRACTICES IMPLEMENTED IN COLORADO OR OTHER STATES FOR CREATING MORE EFFICIENT OPERATIONAL AND TECHNOLOGICAL SYSTEMS AND PROCEDURES TO BE USED IN CRIMINAL PROCEEDINGS AND THE VARIOUS CORRECTIONAL

1 FACILITIES AND PROGRAMS;

2 (III) OBSTACLES PREVENTING THE CREATION OF MORE EFFICIENT  
3 OPERATIONAL AND TECHNOLOGICAL SYSTEMS AND PROCEDURES IN  
4 CRIMINAL PROCEEDINGS AND THE VARIOUS CORRECTIONAL FACILITIES AND  
5 PROGRAMS;

6 (IV) AN ANALYSIS OF THE TYPES OF METRICS AND INFORMATION  
7 COLLECTED AND PREPARED BY CRIMINAL JUSTICE AGENCIES REGARDING  
8 INDIVIDUALS PROCEEDING THROUGH THE VARIOUS STAGES OF CRIMINAL  
9 PROCEEDINGS AND THE VARIOUS SENTENCES AND PROGRAMS. THIS  
10 ANALYSIS MUST EXAMINE THE PURPOSE OF COLLECTING AND PREPARING  
11 THE METRICS AND INFORMATION AND HOW IT IS USED.

12 (b) THE DEPARTMENT SHALL LIMIT THE STUDY TO THE MOST  
13 RECENT EIGHTEEN-MONTH PERIOD FOR WHICH DATA IS AVAILABLE AND  
14 SUFFICIENT TO SATISFY THE OBJECTIVES IN SUBSECTION (1)(a) OF THIS  
15 SECTION.

16 (c) THE DEPARTMENT SHALL SOLICIT AND CONSIDER PUBLIC  
17 COMMENT REGARDING THE OBJECTIVES OF THE STUDY DESCRIBED IN  
18 SUBSECTION (1)(a) OF THIS SECTION. THE DEPARTMENT SHALL NOT  
19 PROHIBIT PUBLIC COMMENT FROM BEING SUBMITTED ANONYMOUSLY.

20 (2) THE DEPARTMENT SHALL COLLABORATE WITH THE OTHER  
21 CRIMINAL JUSTICE AGENCIES AND THE DEPARTMENT OF PUBLIC SAFETY, AS  
22 NECESSARY, TO SATISFY THE OBJECTIVES OF THE STUDY DESCRIBED IN  
23 SUBSECTION (1)(a) OF THIS SECTION.

24 (3) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT  
25 SHALL ISSUE A REQUEST FOR PROPOSALS FOR AN ENTITY TO ASSIST THE  
26 DEPARTMENT IN CONDUCTING THE STUDY, GATHERING INFORMATION,  
27 ANALYZING THE ISSUES, AND PRODUCING A REPORT. THE DEPARTMENT

1 SHALL ENTER INTO A CONTRACT WITH AN ENTITY ON OR BEFORE JUNE 30,  
2 2020.

3 (4) ON OR BEFORE JANUARY 1, 2021, THE DEPARTMENT SHALL  
4 SUBMIT A REPORT OF ITS FINDINGS TO THE JOINT BUDGET COMMITTEE OF  
5 THE GENERAL ASSEMBLY AND THE JUDICIARY COMMITTEES OF THE HOUSE  
6 OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

7 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
8 REQUIRES, "CRIMINAL JUSTICE AGENCY" MEANS A LAW ENFORCEMENT  
9 AGENCY, COURT, LOCAL JAIL, MUNICIPAL JAIL AUTHORIZED PURSUANT TO  
10 SECTION 31-15-401 (1)(j), MULTIJURISDICTIONAL JAIL AUTHORIZED  
11 PURSUANT TO SECTION 17-26.5-101, THE DEPARTMENT, AND PRIVATE  
12 CONTRACT PRISONS.

13 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2021.

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