

CHAPTER 246

GOVERNMENT - LOCAL

SENATE BILL 06-148

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also REPRESENTATIVE(S) McFadyen, Berens, Frangas, McGihon, Merrifield, Paccione, and Todd.

AN ACT**CONCERNING THE CREATION OF COMMUNITY POLICING PROGRAMS BY LOCAL LAW ENFORCEMENT AGENCIES.**

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

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

(a) Local law enforcement professionals have an opportunity to create an atmosphere of trust between themselves and the families, individuals, children, and youth who reside in the communities and neighborhoods that they serve and protect by implementing nontraditional strategies that proactively target the prevention of crime and the fear of crime through community policing.

(b) Policing is most effective when local law enforcement professionals know and are familiar with the residents in the neighborhoods they serve and are able to provide services to those residents in a personalized manner.

(c) The strategies and tools for community policing may include, but are not limited to, patrolling neighborhoods on foot and by bicycle, training and education, participating in and facilitating community educational and recreational activities, and increasing the opportunities for law enforcement professionals to interact and communicate with and receive input from the public at the neighborhood level.

(d) The implementation of community policing efforts through these partnerships with the public can be utilized to support and bolster traditional law enforcement efforts and strategies.

(e) Assisting local law enforcement agencies with the creation of community

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

policing programs would be beneficial and in the best interests of the residents in the neighborhoods directly affected by those programs and to all the citizens of the state.

SECTION 2. 24-33.5-503 (1) (e), Colorado Revised Statutes, is amended to read:

24-33.5-503. Duties of division. (1) The division has the following duties:

(e) To do all things necessary to apply for, qualify for, accept, and distribute any state, federal, or other funds made available or allotted under said Public Law 93-83 and under any other law or program, INCLUDING THE COLORADO COMMUNITY POLICING PROGRAM DESCRIBED IN PART 6 OF THIS ARTICLE, designed to improve the administration of criminal justice, court systems, law enforcement, prosecution, corrections, probation and parole, juvenile delinquency programs, and related fields;

SECTION 3. Article 33.5 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 6
COLORADO COMMUNITY POLICING ACT

24-33.5-601. Short title. THIS PART 6 SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO COMMUNITY POLICING ACT".

24-33.5-602. Definitions. AS USED IN THIS PART 6, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AT-RISK NEIGHBORHOOD" MEANS AN URBAN OR RURAL NEIGHBORHOOD OR COMMUNITY IN WHICH THERE ARE INCIDENCES OF:

(a) POVERTY, UNEMPLOYMENT AND UNDEREMPLOYMENT, SUBSTANCE ABUSE, CRIME, SCHOOL DROPOUTS, ILLITERACY, TEEN PREGNANCIES AND TEEN PARENTS, DOMESTIC VIOLENCE, OR OTHER CONDITIONS THAT PUT FAMILIES AT RISK; OR

(b) ALCOHOL ABUSE, PUBLIC INTOXICATION, OR REPETITIVE DISTURBANCES OF THE PEACE.

(2) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A POLICE DEPARTMENT IN INCORPORATED MUNICIPALITIES, THE OFFICE OF THE COUNTY SHERIFF, OR A CAMPUS POLICE AGENCY.

24-33.5-603. Colorado community policing program - creation. THERE IS HEREBY CREATED IN THE DIVISION OF CRIMINAL JUSTICE THE COLORADO COMMUNITY POLICING PROGRAM FOR THE PURPOSE OF PROVIDING GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES FOR THE IMPLEMENTATION OF COMMUNITY POLICING PLANS THAT ARE DESIGNED TO PROACTIVELY PREVENT CRIME IN COOPERATION WITH RESIDENTS OF COMMUNITIES AND AT-RISK NEIGHBORHOODS AND PROVIDING TRAINING AND EDUCATION RELATED TO THE PROGRAM.

24-33.5-604. Colorado community policing program - administration.

(1) THE COLORADO COMMUNITY POLICING PROGRAM SHALL BE ADMINISTERED THROUGH THE DIVISION OF CRIMINAL JUSTICE. THE DIVISION SHALL ESTABLISH PROCEDURES AND TIMELINES FOR THE SUBMITTAL OF GRANT APPLICATIONS BY LOCAL LAW ENFORCEMENT AGENCIES SEEKING TO IMPLEMENT A COMMUNITY POLICING PLAN OR TO CONTINUE THE OPERATION OF AN EXISTING COMMUNITY POLICING PROGRAM.

(2) TO BE ELIGIBLE FOR MONEYS FROM THE COMMUNITY POLICING PROGRAM CASH FUND CREATED IN SECTION 24-33.5-605, A LOCAL LAW ENFORCEMENT AGENCY SHALL APPLY TO THE DIVISION OF CRIMINAL JUSTICE IN ACCORDANCE WITH THE PROCEDURES AND TIMELINES DEVELOPED BY THE DIVISION PURSUANT TO SUBSECTION (1) OF THIS SECTION. THE APPLICATION OF A LOCAL LAW ENFORCEMENT AGENCY SHALL INCLUDE A COMMUNITY POLICING PLAN THAT MEETS THE CRITERIA FOR SUCH PLANS DEVELOPED BY THE DIVISION. A PLAN MAY INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(a) THE CREATION OF A PARTNERSHIP OR COLLABORATION BETWEEN THE LOCAL LAW ENFORCEMENT AGENCY AND THE FAMILIES, INDIVIDUALS, CHILDREN, AND YOUTH WHO LIVE IN AT-RISK NEIGHBORHOODS FOR THE PURPOSE OF CRIME PREVENTION ACTIVITIES AND STRATEGIES;

(b) THE UTILIZATION OF PUBLIC OR PRIVATE FACILITIES FOR REGULAR INTERACTION BETWEEN THE LOCAL LAW ENFORCEMENT AGENCY AND THE COMMUNITY, INCLUDING, BUT NOT LIMITED TO, COMMUNITY CENTERS, GYMNASIUMS, AND LIBRARIES OR OTHER READING AREAS;

(c) THE SUPPORT OF AND PARTICIPATION IN LOCAL YOUTH EDUCATIONAL AND RECREATIONAL PROGRAMS BY THE LOCAL LAW ENFORCEMENT AGENCY;

(d) REGULARLY SCHEDULED NEIGHBORHOOD MEETINGS BETWEEN LOCAL LAW ENFORCEMENT PROFESSIONALS AND THE RESIDENTS OF THE COMMUNITY OR AT-RISK NEIGHBORHOOD;

(e) THE ENHANCED AND REGULARIZED PRESENCE OF THE LOCAL LAW ENFORCEMENT AGENCY IN A COMMUNITY OR AT-RISK NEIGHBORHOOD THROUGH THE USE OF FOOT PATROLS, BICYCLES, MOTORCYCLES, AND PARTICIPATION IN ACTIVITIES AND EVENTS; AND

(f) THE PROCESS OR MEASUREMENT FOR EVALUATING WHETHER THE COLORADO COMMUNITY POLICING PROGRAM IS REDUCING OR PREVENTING THE INCIDENCE OF CRIME IN A COMMUNITY OR AT-RISK NEIGHBORHOOD.

(3) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION OF CRIMINAL JUSTICE SHALL SELECT THOSE LOCAL LAW ENFORCEMENT AGENCIES THAT WILL RECEIVE GRANTS THROUGH THE COLORADO COMMUNITY POLICING PROGRAM. THE DIVISION SHALL DETERMINE THE AMOUNT OF EACH GRANT AWARDED TO A LOCAL LAW ENFORCEMENT AGENCY.

24-33.5-605. Community policing program cash fund - creation. (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE COMMUNITY POLICING PROGRAM CASH FUND. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL

APPROPRIATION BY THE GENERAL ASSEMBLY TO AWARD GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES AND FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS PART 6. THE DIVISION OF CRIMINAL JUSTICE IS AUTHORIZED TO ACCEPT ON BEHALF OF THE STATE ANY GRANTS, GIFTS, OR DONATIONS FROM ANY PRIVATE OR PUBLIC SOURCE FOR THE PURPOSE OF THIS PART 6 PURSUANT TO SECTION 24-33.5-503 (1) (e). ALL PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GRANTS, GIFTS, OR DONATIONS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND. ALL INVESTMENT EARNINGS DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR.

(2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, THE DIVISION OF CRIMINAL JUSTICE SHALL NOT IMPLEMENT THE COLORADO COMMUNITY POLICING PROGRAM UNTIL SUFFICIENT GRANTS, GIFTS, OR DONATIONS ARE OBTAINED TO COVER THE COSTS OF IMPLEMENTING THE PROGRAM.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 25, 2006