

CHAPTER 252

GOVERNMENT - STATE

SENATE BILL 15-185

BY SENATOR(S) Johnston, Aguilar, Carroll, Guzman, Heath, Hill, Hodge, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Steadman, Todd;
also REPRESENTATIVE(S) Fields, Becker K., Esgar, Lee, Pabon, Rosenthal, Salazar, Williams, Winter, Young.

AN ACT

**CONCERNING PROVISIONS TO IMPROVE POLICE OPERATIONS, AND, IN CONNECTION THEREWITH,
MAKING AN APPROPRIATION.**

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

SECTION 1. In Colorado Revised Statutes, **add** 24-33.5-518 as follows:

24-33.5-518. Criminal justice data collection. (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "COMMUNITY LAW ENFORCEMENT ACTION REPORTING ACT" OR THE "C.L.E.A.R. ACT".

(2) EACH LAW ENFORCEMENT AGENCY IN THE STATE SHALL REPORT THE DATA REPORTED PURSUANT TO SECTION 24-33.5-412(5), INCLUDING OFFENSE AND ARREST INFORMATION DISAGGREGATED BY SUMMONS, CUSTODY, AND ON VIEW, TO THE DIVISION FOR EACH CALENDAR YEAR BY MARCH 31 OF THE FOLLOWING CALENDAR YEAR.

(3) THE JUDICIAL DEPARTMENT SHALL COLLECT AND REPORT THE FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY MARCH 31 OF THE FOLLOWING CALENDAR YEAR:

(a) THE NUMBER AND TYPES OF CHARGES THAT RESULTED FROM THE ARRESTS REPORTED PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE RACE AND GENDER OF THE DEFENDANTS, AND THE ASSOCIATED INCIDENT REPORT NUMBERS;

(b) THE DISPOSITION OF THE CHARGES REPORTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), INCLUDING CONVICTIONS AT TRIAL, ACQUITTALS, PLEA AGREEMENTS, AND DISMISSALS; THE RACE AND GENDER OF THE DEFENDANTS; AND

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

THE ASSOCIATED INCIDENT REPORT NUMBERS;

(c) THE SENTENCES IMPOSED FOR ALL CONVICTIONS AND PLEA AGREEMENTS REPORTED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3), THE RACE AND GENDER OF THE DEFENDANTS, AND THE ASSOCIATED INCIDENT REPORT NUMBERS; AND

(d) IF A SENTENCE REPORTED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3) IS A SENTENCE TO PROBATION, WHETHER A PETITION TO REVOKE PROBATION WAS FILED AGAINST THE DEFENDANT, THE DISPOSITION OF THE PETITION, THE RACE AND GENDER OF THE DEFENDANT, AND THE ASSOCIATED INCIDENT REPORT NUMBER.

(4) THE STATE BOARD OF PAROLE SHALL COLLECT AND REPORT THE FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY MARCH 31 OF THE FOLLOWING CALENDAR YEAR:

(a) THE NUMBER OF PAROLE HEARINGS HELD AND THE RACE, ETHNICITY, AND GENDER OF THE INMATES WHO RECEIVED PAROLE HEARINGS;

(b) THE NUMBER OF INMATES GRANTED PAROLE AND THE RACE, ETHNICITY, AND GENDER OF THE INMATES; AND

(c) THE NUMBER OF INMATES DENIED PAROLE AND THE RACE, ETHNICITY, AND GENDER OF THE INMATES.

(5) THE DIVISION SHALL COMPILE AND REPORT THE DATA RECEIVED IN SUBSECTIONS (2) TO (4) OF THIS SECTION BY SEPTEMBER 30 OF EACH YEAR. THE REPORT SHALL BE PROVIDED TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES, AND THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE CREATED IN SECTION 16-11.3-102, C.R.S.

SECTION 2. Appropriation. (1) For the 2015-16 state fiscal year, \$38,799 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) \$32,299 for DCJ administrative services, which amount is based on an assumption that the division of criminal justice will require an additional 0.4 FTE; and

(c) \$6,500 for Colorado integrated criminal justice information system (CICJIS) operating expenses.

(2) For the 2015-16 state fiscal year, \$9,800 is appropriated to the department of corrections. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the purchase of information technology services.

(3) For the 2015-16 state fiscal year, \$9,800 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from

reappropriated funds received from the department of corrections under subsection (2) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of corrections.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 29, 2015