

*** Current through all Laws passed and signed in the First Regular and First Extraordinary Sessions of the 71st General Assembly (2017) ***

TITLE 24. GOVERNMENT - STATE: PRINCIPAL DEPARTMENTS
ARTICLE 33.5. PUBLIC SAFETY
PART 5. DIVISION OF CRIMINAL JUSTICE
C.R.S. 24-33.5-503 (2017)

24-33.5-503. Duties of division

(1) The division has the following duties:

(a) In cooperation with other agencies, to collect and disseminate information concerning crime and criminal justice for the purpose of assisting the general assembly and of enhancing the quality of criminal justice at all levels of government in this state;

(b) To analyze this state's activities in the administration of criminal justice and the nature of the problems confronting it and to make recommendations and to develop comprehensive plans of action for the improvement of criminal justice and for crime and delinquency control and related matters for consideration and implementation by the appropriate agencies of state and local government. In developing such plans, the division shall draw upon the planning capabilities of other agencies, particularly the judicial department and the department of corrections.

(c) To advise and assist law enforcement agencies in this state to improve their law enforcement systems and their relationships with other agencies and the statewide system;

(d) To act as the state planning agency under the federal "Crime Control Act of 1973", Pub.L. 93-83;

(e) To do all things necessary to apply for, qualify for, accept, and expend any state, federal, or other moneys 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;

(f) To administer a statistical analysis center for the purpose of collecting and analyzing statewide criminal justice statistics;

(g) To establish and maintain a jail health care project to assist detention facilities in acquiring accreditation from the American medical association, provide technical assistance to jails relating to the development, upgrading, and evaluation of inmate health care delivery systems, act as an educational clearinghouse for information related to jail health care, assist in the development of specialized training programs for detention personnel, provide technical assistance in the planning and construction of new jail facilities relating to inmate health care delivery systems, and implement cooperation between community and state agencies to improve detention health care;

(h) Repealed.

(i) To promulgate rules and regulations which set minimum standards for temporary holding facilities as defined in section 19-1-103 (106), C.R.S.;

(j) To carry out the duties specified in article 27.8 of title 17, C.R.S.;

- (k) To carry out the duties prescribed in article 11.5 of title 16, C.R.S.;
- (l) To carry out the duties prescribed in article 11.7 of title 16, C.R.S.;
- (m) To provide information to the director of research of the legislative council concerning population projections, research data, and other information relating to the projected long-range needs of correctional facilities and juvenile detention facilities and any other related data requested by the director;
- (n) To carry out the duties prescribed in section 16-11-101.7 (3), C.R.S.;
- (o) To develop, in consultation with the sex offender management board and the judicial branch by January 1, 1999, the risk assessment screening instrument that will be provided to the sentencing courts to determine the likelihood that a sex offender would commit one or more of the offenses specified in section 18-3-414.5 (1)(a)(II), C.R.S., under the circumstances described in section 18-3-414.5 (1)(a)(III), C.R.S.;
- (p) To implement, in consultation with the judicial branch, by July 1, 1999, the risk assessment screening instrument developed pursuant to paragraph (o) of this subsection (1);
- (q) To review existing policies relating to the issuance and use of no-knock search warrants pursuant to part 3 of article 3 of title 16, C.R.S.;
- (r) To inspect secure juvenile facilities and collect data on juveniles that are held in secure juvenile facilities, jails, and lockups throughout the state;
- (s) Repealed.
- (t) To analyze the data from the state board of parole provided to the division pursuant to section 17-22.5-404 (6), C.R.S., and to provide training to the board, pursuant to section 17-22.5-404 (6), C.R.S., regarding how to use the data obtained and analyzed to facilitate the board's decision-making;
- (u) Repealed.
- (v) Notwithstanding section 24-1-136 (11)(a)(I), to provide to the judiciary committees of the senate and the house of representatives, or any successor committees, a status report on the effect on parole outcomes and use of any money allocated pursuant to House Bill 10-1360, enacted in 2010;
- (w) To develop the administrative release guideline instrument for use by the state board of parole as described in section 17-22.5-107 (1), C.R.S.;
- (x) To develop the Colorado risk assessment scale as described in section 17-22.5-404 (2)(a), C.R.S.;
- (y) To develop, in cooperation with the department of corrections and the state board of parole, a parole board action form;
- (z) To provide training on the Colorado risk assessment scale and the administrative release guideline instrument as required by section 17-22.5-404 (2)(c), C.R.S.; and
- (aa) To receive the information reported to the division by law enforcement agencies pursuant to section 22-32-146, C.R.S., and by district attorneys pursuant to section 20-1-113, C.R.S., and provide the information, as submitted to the

division, to any member of the public upon request, in a manner that does not include any identifying information regarding any student. If the division provides the information to a member of the public upon request pursuant to this paragraph (aa), the division may charge a fee to the person, which fee shall not exceed the direct and indirect costs incurred by the division in providing the information.

(2) (a) (I) On or before April 1, 2016, and every April 1 thereafter, the division has the duty to compile and analyze the data reported by law enforcement agencies and prepare a report, without identifying information, concerning the total number of tickets, summons, or arrests that occurred on school grounds, in school vehicles, or at a school activity or sanctioned event and describe the final disposition of those tickets, summons, or arrests by reporting agency, school, and location. The report must analyze the data by race, age, gender, ethnicity, and the specific type of offense with all national crime information center crime codes. The division of criminal justice shall support law enforcement agencies in their efforts to submit the required data, actively reach out to agencies that have failed to submit the required data, and provide a reasonable degree of training if necessary.

(II) Notwithstanding section 24-1-136 (11)(a)(I), the division shall submit the report to the education and judiciary committees of the house of representatives and the senate, or any successor committees. The division shall provide the report to any member of the public upon request, in a manner that does not include any identifying information regarding any student. If the division provides the information to a member of the public upon request pursuant to this subsection (2)(a), the division may charge a fee to the person, which fee shall not exceed the direct and indirect costs incurred by the division in providing the information. If the division adheres to all state and federal privacy and confidentiality laws concerning student information, the division may provide the aggregate data gathered by a law enforcement agency to any independent research or community-based organization working to analyze school-based criminal behavior and the response to that behavior by the juvenile and criminal justice systems. The data provided must not include any information that would identify any individual student.

(III) The division shall annually post the report on its website.

(b) The division has the duty to prepare a retroactive report meeting the requirements of paragraph (a) of this subsection (2) using existing data sources for the 2013-14 and 2014-15 school years.

(c) The division is only required to perform the duties of this subsection (2) if existing appropriations or resources are available.

History

Source:

L. 83: Entire article added, p. 935, § 1, effective July 1, 1984. L. 84: (1)(g) added, p. 684, § 17, effective July 1; (1)(h) added, p. 661, § 21, effective July 1. L. 89: (1)(i) added, p. 929, § 6, effective April 23. L. 90: (1)(j) added, p. 970, § 4, effective July 1. L. 91: (1)(k) added, p. 442, § 8, effective May 29. L. 92: (1)(l) added, p. 462, § 7, effective June 1. L. 94: (1)(m) added, p. 1097, § 9, effective May 9; (1)(n) added, p. 1813, § 7, effective June 1. L. 97: (1)(o) and (1)(p) added, p. 1566, § 13, effective July 1. L. 98: (1)(o) amended, p. 401, § 10, effective April 21. L. 99: (1)(o) amended, p. 1150, § 12, effective July 1. L. 2000: (1)(q) added, p. 651, § 3, effective July 1; (1)(i) amended, p. 1863, § 80, effective August 2. L. 2006: (1)(r) added, p. 257, § 5, effective March 31; (1)(e) amended, p. 1124, § 2, effective May 25; (1)(q) amended, p. 144, § 20, effective August 7. L. 2007: (1)(s) added, p. 1697, § 18, effective July 1. L. 2009: (1)(t) added, (SB 09-135), ch. 329, p. 1755, § 2, effective August 5. L. 2010: (1)(v) added, (HB 10-1360), ch. 263, p. 1196, § 6, effective May 25; (1)(w), (1)(x), (1)(y), and (1)(z) added, (HB 10-1374), ch. 261, p. 1187, § 7, effective May 25; (1)(e) amended, (HB 10-1336), ch. 342, p. 1581, § 1, effective June 5; (1)(u) added, (HB 10-1352), ch. 259, p. 1172, § 11, effective August 11. L. 2012: (1)(y) and (1)(z) amended and (1)(aa) added, (HB 12-1345), ch. 188, p. 747, § 33, effective May 19; (1)(u) repealed, (HB 12-

1310), ch. 268, p. 1413, § 38, effective June 7. L. 2015: (2) added, (HB 15-1273), ch. 323, p. 1322, § 5, effective June 5. L. 2016: (2)(a)(II) amended, (HB 16-1098), ch. 103, p. 299, § 5, effective April 15; (2)(a)(I) and (2)(b) amended, (SB 16-189), ch. 210, p. 766, § 47, effective June 6. L. 2017: (1)(s) repealed and (1)(v) and (2)(a)(II) amended, (HB 17-1059), ch. 91, p. 279, § 7, effective August 9.

Notes

Editor's note: (1) Subsection (1)(h)(II) provided for the repeal of paragraph (1)(h), effective July 1, 1988. (See L. 84, p. 661.)

(2) Section 10 of chapter 323 (HB 15-1273), Session Laws of Colorado 2015, provides that changes to this section by the act take effect only if the net reduction in the appropriations from the general fund made in SB 15-124 is equal to or greater than the amount of the general fund appropriation made in section 9 (1) of said HB 15-1273 and the staff director of the joint budget committee files written notice with the revisor of statutes no later than July 1, 2015, that this requirement has been met; and if SB 15-124 becomes law. The revisor of statutes received notification from the staff director of the joint budget committee on June 9, 2015, and SB 15-124 was signed by the governor and took effect May 29, 2015.