



## JUSTICE and PUBLIC SAFETY

Friday April 21, 2017

CCI Office

(This meeting is recorded)

Teleconference: 1.857.216.6700 Passcode: 171009

### AGENDA

#### WELCOME

David Weaver, Chair

Nancy Jackson, Vice Chair

Allison Daley, CCI

#### INTRODUCTIONS

#### LEGISLATION

<a href="#">HB17-1053</a>	Warrant Or Order For Electronic Communications	Monitor PI'd
<a href="#">HB17-1215</a>	Mental Health Support For Peace Officers	Support Awaiting Gov Sig
<a href="#">HB17-1230</a>	Protect Colorado Residents From Federal Government Overreach	Monitor PI'd
<a href="#">SB17-136</a>	Reporting and Limiting Civil Forfeiture	PI'd
<a href="#">SB17-185</a>	District Attorney Salary Compensation And PERA Public Employees' Retirement Association	Support PI'd

<b>Bill #</b>	<a href="#">HB17-1070</a>
<b>Title</b>	<b>Drone Use By Public Safety Agencies</b>
<b>H-Spon</b>	J. Wilson
<b>S-Spon</b>	K. Donovan, D. Coram
<b>Summary</b>	The bill requires the center of excellence within the division of fire prevention and control within the department of public safety to conduct a study concerning the integration of unmanned aircraft systems (UAS) within state and local government operations that relate to public safety. The bill also creates an UAS pilot program to integrate UAS within state and local government operations that relate to public safety.
<b>Position</b>	Support
<b>Bill #</b>	<a href="#">HB17-1313</a>
<b>Title</b>	<b>Civil Forfeiture Reform</b>

<b>H-Spon</b>	S. Humphrey, L. Herod
<b>S-Spon</b>	T. Neville, D. Kagan
<b>Summary</b>	<p>The bill requires asset-seizing agencies to submit biannual reports to the Department of Local Affairs (DOLA) containing specified information on all seizures during the reporting period; except that an agency need not include information if the disclosure of the information could endanger a person or disclose certain confidential information. DOLA will use the information to create a searchable online database.</p> <p>If seizing agencies fail to submit reports by the deadline, DOLA will send notice of the failure and shall impose a civil fine if the delay was not for good cause. If the late report is filed within 45 days after the notice of the failure is sent, the fine is not less than \$500 or an amount equal to 25% of the forfeiture proceeds received during the reporting period. If the late report is not filed within 45 days, the fine is the greater of \$500 or the total amount of forfeiture proceeds received during the reporting period.</p> <p>The bill also prohibits seizing agencies from receiving forfeiture proceeds from or referring forfeiture prosecution to the federal government unless the aggregate net value of the property and currency seized is in excess of \$50,000 and relates to a filed criminal case.</p>
<b>Position</b>	
<b>Bill #</b>	<a href="#">SB17-207</a>
<b>Title</b>	<b>Strengthen Colorado Behavioral Health Crisis System</b>
<b>H-Spon</b>	J. Salazar, L. Sias
<b>S-Spon</b>	J. Cooke, D. Kagan
<b>Summary</b>	<p>The bill puts systems in place to help Colorado end the use of jails and correctional facilities as placement options for individuals placed on emergency mental health holds if they have not also been charged with a crime and enhances the ability of emergency departments to serve individuals who are experiencing a behavioral health crisis. The bill expands and strengthens the current crisis system in the following ways:</p> <ul style="list-style-type: none"> <li>• Encourages crisis system contractors in each region to develop partnerships with the broad array of crisis intervention services in the region;</li> <li>• Increases the ability of all crisis services facilities, including walk-in centers, acute treatment units, and crisis stabilization units within the crisis system, regardless of facility licensure, to adequately care for an individual brought to the facility in need of an emergency 72-hour mental health hold;</li> <li>• Expands the ability of mobile response units to be available within 2 hours, either face-to-face or using telehealth operations for mobile crisis evaluations;</li> <li>• Requires that, on or before January 1, 2018, all walk-in centers throughout the state be appropriately designated, adequately prepared, and properly staffed to accept an individual in need of an emergency 72-hour mental health hold.</li> </ul> <p>The bill removes language from statute that allows, at any time for any reason, an individual who is being held on an emergency 72-hour mental health hold to be detained or housed in a jail, lockup, or other place used for the confinement of persons charged with or convicted of criminal offenses. The effective date of this component of the bill is May 1, 2018. An appropriation from the marijuana tax cash fund is authorized.</p>

<b>Position</b>	Support
<b>Bill #</b>	<a href="#">SB17-221</a>
<b>Title</b>	<b>Sunset Review Court Security Cash Fund Commission</b>
<b>H-Spon</b>	J. Melton
<b>S-Spon</b>	L. Court
<b>Summary</b>	The Court Security Cash Fund Commission is scheduled to sunset July 1, 2017. The Commission consists of county commissioners, sheriffs, court staff, and judges and awards grants to counties to supplement staffing and equipment costs, with priority given to rural and poor counties. The grants are funded by a \$5 surcharge assessed on court cases. This bill continues the Commission until July 1, 2027.
<b>Position</b>	Support
<b>Bill #</b>	<a href="#">SB17-281</a>
<b>Title</b>	<b>Hold Colorado Government Accountable Sanctuary Jurisdictions</b>
<b>H-Spon</b>	D. Williams, P. Covarrubias
<b>S-Spon</b>	T. Neville, V. Marble
<b>Summary</b>	<p>The bill waives governmental immunity against a jurisdiction and against its public employees for personal injuries caused to crime victims as a result of the jurisdiction creating sanctuary jurisdiction policies. The bill defines these sanctuary jurisdictions as those who have been deemed by the US Secretary of Homeland Security or notified by the US Department of Justice or Department of Homeland Security that they are out of compliance with the requirements of federal immigration law because the jurisdiction prohibits or restricts cooperation with federal immigration agencies.</p> <p>The bill requires jurisdictions to provide written notice to each elected official, employee, and law enforcement officer of the jurisdiction of his or her duty to communicate and cooperate with the federal government concerning enforcement of any federal or state immigration law.</p> <p>All jurisdictions are required to annually submit a written report and affirmation to the Department of Public Safety that the jurisdiction is in compliance with federal immigration law and the provisions of the bill. If the jurisdiction fails to comply with the requirement, the state controller shall withhold state funds until the jurisdiction is in compliance.</p>
<b>Position</b>	

## OTHER BUSINESS

## ADJOURN



## *State of Colorado*

***Requests must be finalized and completed no later than April 14, 2017.***

### **LEGISLATIVE REQUEST FOR INTERIM STUDY COMMITTEE**

(Please Note: Requests will become public upon final approval of the requesting legislator. Working drafts are considered work product. It is assumed the Legislative Council Staff and the Office of Legislative Legal Services will provide staff support for any approved interim committees and legislative members will receive per diem and reimbursement of expenses. Prior to approval, the Legislative Council may modify the nature and scope of the interim study committee requested. Approved interim study committees are subject to Joint Rule 24A, Interim Committee Requirements – Voting Requirements – Electronic Participation.)

**To:** Legislative Council

**Requested by:** Senator Garcia

**Re:** Request for Interim Study Committee Regarding State and Local Public Safety Solutions

**Date:** 04/14/2017

#### **Information Required Pursuant to Section 2-3-303.3, C.R.S.**

I hereby request that an interim study committee be formed to study State and local public safety solutions during the interim between the 2017 and 2018 legislative sessions. The interim study committee would be named the "Interim Study Committee on County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee."

The policy issues to be studied are:

- the current cost of maintaining and staffing county courthouses, jail facilities, and justice centers in each county;
- the current availability of state resources to aid in the funding of county courthouse facilities, including the Underfunded Courthouse Cash Fund and the Courthouse Security Cash Fund;
- the current availability of state resources to aid in the funding of, and overcrowding issues in, county jail facilities;
- approaches to increase state funds for county courthouses and jails, including the creation or alteration of grant programs for courthouse and jail construction, maintenance, and staffing;
- reforms in sentencing, probation, or parole policies that encourage the use of county jail facilities in place of Department of Corrections facilities or diversion programs; and

- approaches to address the growing problems of heroin and prescription opiate addiction and mental health issues that result in growing jail populations, including those of drug courts, mental health courts, rehabilitation efforts, and other diversion methods.

The interim study committee would need to meet five times to study the issues.

The interim study committee should consist of six members of the General Assembly selected as follows:

- three members of the Senate, with two appointed by the President of the Senate, and one appointed by the minority leader of the Senate.
- three members of the House of Representatives, with two appointed by the Speaker of the House of Representatives, and one appointed by the minority leader of the House of Representatives.

The chair and vice-chair will be elected by the committee.

The appointments must be made by June 15, 2017.

Nonlegislative members will have a role in the interim study committee. The following entities have critical knowledge and experience in the issues to be studied by the committee, and need to participate in the conversation:

- the Chief Justice of the Colorado Supreme Court, or his or her designee;
- the Chair of the Colorado Criminal and Juvenile Justice Commission, or his or her designee;
- the Executive Director of the Colorado District Attorneys' Council, or his or her designee;
- the Colorado State Public Defender, or his or her designee;
- the Executive Director of the County Sheriffs of Colorado, or his or her designee;
- the Executive Director of the Colorado Department of Corrections, or his or her designee;
- the Executive Director of the Colorado Department of Public Safety, or his or her designee;
- the Executive Director of the Colorado Department of Human Services, or his or her designee;
- a representative of Colorado Counties, Inc., as appointed by the Speaker of the House of Representatives;
- a member of the Underfunded Courthouse Facility Commission within the Judicial Department, as appointed by the Speaker of the House of Representatives;
- a member of the Colorado Court Security Cash Fund Commission, as appointed by the President of the Senate; and
- a representative of a residential treatment center, as appointed by the President of the Senate.

A task force is not necessary to assist the interim study committee in studying the scope of policy issues described above.

The interim study committee will need five bills to address the issues it studies.

Thank you for your consideration of this request.