

SENATE COMMITTEE OF REFERENCE REPORT

March 31, 2022

Chair of Committee

Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB22-067 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1. Legislative declaration.** (1) The general
4 assembly finds and declares that crisis intervention training, which is
5 currently offered in Colorado through the P.O.S.T. board to a limited
6 number of law enforcement officers, is designed to engage peace officers
7 with community support agencies and successfully divert persons from
8 arrest, charges, and incarceration. The program is also effective in
9 improving law enforcement decision-making, responses to crises, use of
10 de-escalation techniques, use of force, and service call resolutions.

11 (2) Therefore, the general assembly declares that additional funds
12 are needed to increase the number of peace officers participating in crisis
13 intervention training.

14 **SECTION 2.** In Colorado Revised Statutes, **add** 24-31-319 as
15 follows:

16 **24-31-319. Crisis intervention team grant program - creation**
17 **- policies - appropriation - report - definitions - repeal.** (1) THERE IS
18 CREATED IN THE P.O.S.T. BOARD THE CRISIS INTERVENTION TEAM GRANT
19 PROGRAM, REFERRED TO IN THIS SECTION AS THE "GRANT PROGRAM", TO
20 PROVIDE CRISIS INTERVENTION TEAM TRAINING TO LOCAL LAW
21 ENFORCEMENT AGENCIES AND TO COLLECT DATA ABOUT CRISIS
22 INTERVENTION TEAM PROGRAMS THAT ARE FUNDED BY GRANTS AWARDED
23 PURSUANT TO THIS SECTION.

24 (2) GRANT RECIPIENTS SHALL USE THE MONEY RECEIVED THROUGH
25 THE GRANT PROGRAM FOR NECESSARY EXPENSES FOR CRISIS
26 INTERVENTION TEAM TRAINING, INCLUDING BUT NOT LIMITED TO TUITION,
27 INSTRUCTOR COSTS, OVERTIME COSTS, CURRICULUM, MATERIALS,

1 SUPPLIES, AND THE DATA COLLECTION AND REPORTING REQUIRED
2 PURSUANT TO THIS SECTION.

3 (3) (a) THE P.O.S.T. BOARD SHALL DEVELOP POLICIES AND
4 PROCEDURES NECESSARY TO MANAGE THE GRANT PROGRAM AND
5 IMPLEMENT THE REQUIREMENTS OF THIS SECTION, INCLUDING
6 STANDARDIZED CRISIS INTERVENTION TEAM TRAINING AND DATA
7 COLLECTION AND REPORTING.

8 (b) THE P.O.S.T. BOARD SHALL DEVELOP STANDARDIZED CRISIS
9 INTERVENTION TEAM TRAINING CONSISTENT WITH BEST PRACTICES, CORE
10 ELEMENTS, AND VALIDATED SCIENTIFIC RESEARCH CONCERNING CRISIS
11 INTERVENTION TEAM MODELS FROM NATIONALLY RECOGNIZED SOURCES.

12 (4) TO RECEIVE A GRANT, A LOCAL LAW ENFORCEMENT AGENCY
13 MUST SUBMIT AN APPLICATION TO THE P.O.S.T. BOARD AND AGREE TO
14 PARTICIPATE IN DATA COLLECTION AND REPORTING REQUIRED PURSUANT
15 TO THIS SECTION AS A CONDITION OF RECEIVING A GRANT.

16 (5) THE P.O.S.T. BOARD SHALL REVIEW THE APPLICATIONS
17 RECEIVED PURSUANT TO SUBSECTION (4) OF THIS SECTION. IN SELECTING
18 GRANT RECIPIENTS AND AWARDING GRANTS, THE P.O.S.T. BOARD SHALL
19 CONSIDER:

20 (a) THE ASSOCIATED COSTS FOR THE APPLICANT'S CRISIS
21 INTERVENTION TRAINING, INCLUDING OVERTIME COSTS;

22 (b) AS A POSITIVE CONSIDERATION FACTOR, THAT THE APPLICANT
23 HAS OR IS SEEKING A NON-LAW-ENFORCEMENT PARTNER; EXCEPT THAT IT
24 MUST NOT BE A NEGATIVE CONSIDERATION FACTOR OR EXCLUSION FROM
25 CONSIDERATION IF THE APPLICANT SERVES A LESSER-POPULATED
26 COMMUNITY OR A RURAL AREA AND THERE IS A LACK OF AVAILABILITY OF
27 NON-LAW-ENFORCEMENT PARTNERS;

28 (c) THE RESPECTIVE NEED OF THE COMMUNITY THAT THE
29 APPLICANT SERVES FOR A CRISIS INTERVENTION TEAM PROGRAM;

30 (d) THE APPLICANT'S ABILITY TO IDENTIFY SERVICE CALLS AND
31 DISPATCH A CRISIS INTERVENTION TEAM APPROPRIATELY; AND

32 (e) THE NUMBER OF EMPLOYEES OF THE LOCAL LAW ENFORCEMENT
33 AGENCY, THE NUMBER OF PEACE OFFICERS WITHIN THE LOCAL LAW
34 ENFORCEMENT AGENCY, AND, TO THE EXTENT KNOWN, THE NUMBER OF
35 PEACE OFFICERS WITHIN THE LOCAL LAW ENFORCEMENT AGENCY WHO ARE
36 TRAINED IN CRISIS INTERVENTION.

37 (6) ON OR BEFORE DECEMBER 1, 2022, THE P.O.S.T. BOARD SHALL
38 AWARD GRANTS.

39 (7) A GRANT RECIPIENT THAT DISPATCHES A CRISIS INTERVENTION
40 TEAM PROGRAM MEMBER FOR A SERVICE CALL SHALL COLLECT RELEVANT
41 INFORMATION, AS DETERMINED BY THE P.O.S.T. BOARD, FOR THE SERVICE
42 CALL.

43 (8) ON OR BEFORE DECEMBER 1, 2023, EACH GRANT RECIPIENT

1 SHALL SUBMIT A REPORT TO THE P.O.S.T. BOARD. AT A MINIMUM, THE
2 REPORT MUST INCLUDE:

3 (a) A DESCRIPTION OF THE ASSOCIATED COSTS FOR THE CRISIS
4 INTERVENTION TRAINING PROVIDED BY THE GRANT;

5 (b) THE NUMBER OF PEACE OFFICERS EMPLOYED BY THE LOCAL
6 LAW ENFORCEMENT AGENCY WHO COMPLETED CRISIS INTERVENTION
7 TRAINING BECAUSE OF THE GRANT AWARD AND THEIR RESPECTIVE YEARS
8 OF EXPERIENCE AS PEACE OFFICERS;

9 (c) DATA COLLECTED FROM THE GRANT RECIPIENT FOLLOWING THE
10 CRISIS INTERVENTION TEAM TRAINING, INCLUDING:

11 (I) THE TOTAL NUMBER OF INCIDENTS INVOLVING THE USE OF
12 FORCE COMPARED TO THE TOTAL NUMBER OF SERVICE CALLS RECEIVED BY
13 THE LOCAL LAW ENFORCEMENT AGENCY;

14 (II) THE TOTAL NUMBER OF INCIDENTS INVOLVING THE USE OF
15 FORCE RESULTING IN SERIOUS BODILY INJURY OR DEATH COMPARED TO
16 THE TOTAL NUMBER OF SERVICE CALLS RECEIVED BY THE LOCAL LAW
17 ENFORCEMENT AGENCY; AND

18 (III) WHETHER THE NUMBERS IN SUBSECTIONS (8)(c)(I) AND
19 (8)(c)(II) OF THIS SECTION ARE HIGHER OR LOWER COMPARED TO DATA
20 COLLECTED BY THE LOCAL LAW ENFORCEMENT AGENCY PRIOR TO THE
21 AGENCY'S CRISIS INTERVENTION TEAM TRAINING;

22 (d) WHETHER THE GRANT RECIPIENT HAS OTHER PROGRAMS THAT
23 ADDRESS INCIDENTS INVOLVING MENTAL HEALTH OR SUBSTANCE ABUSE
24 CRISES, INCLUDING A COMMUNITY-BASED ALTERNATIVE RESPONSE OR
25 CO-RESPONDER COMMUNITY RESPONSE PROGRAM, AS DEFINED IN SECTION
26 24-32-3501 (8); AND

27 (e) ANY ADDITIONAL DATA DEMONSTRATING THE IMPACT OF THE
28 GRANT PROGRAM OR THE CRISIS INTERVENTION TEAM PROGRAM.

29 (9) ON OR BEFORE MARCH 1, 2024, THE P.O.S.T. BOARD SHALL
30 SUBMIT A REPORT TO THE JUDICIARY COMMITTEES OF THE SENATE AND
31 THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,
32 REGARDING THE GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST
33 SUMMARIZE THE INFORMATION REPORTED BY GRANT RECIPIENTS
34 PURSUANT TO SUBSECTION (8) OF THIS SECTION. TO THE EXTENT POSSIBLE,
35 THE REPORT MUST ALSO INCLUDE:

36 (a) THE NUMBER OF CRISIS INTERVENTION TEAM PROGRAMS
37 OPERATING IN COLORADO AND THEIR RESPECTIVE SIZES;

38 (b) THE NUMBER OF LOCAL LAW ENFORCEMENT AGENCIES THAT
39 HAVE CRISIS INTERVENTION TEAMS;

40 (c) THE NUMBER OF PEACE OFFICERS OR NON-PEACE OFFICERS WHO
41 HAVE COMPLETED CRISIS INTERVENTION TEAM TRAINING AND ARE A PART
42 OF CRISIS INTERVENTION TEAM PROGRAMS IN COLORADO;

43 (d) THE IMPACT AND RELATIVE SUCCESS OF CRISIS INTERVENTION

1 TEAM PROGRAMS AND THE GRANT PROGRAM; AND

2 (e) ANY RECOMMENDATIONS CONCERNING THE CONTINUATION OR
3 IMPROVEMENT OF CRISIS INTERVENTION TEAM PROGRAMS, DATA
4 COLLECTION, OR RESPONSE TO SERVICE CALLS FOR SUSPECTED MENTAL
5 HEALTH AND SUBSTANCE ABUSE CRISES.

6 (10) NOTWITHSTANDING THE PROHIBITION OF TRANSFERRING
7 GENERAL FUND MONEY TO THE P.O.S.T. BOARD PURSUANT TO SECTION
8 24-31-310 (3), FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
9 ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FIVE HUNDRED
10 THOUSAND TO THE P.O.S.T. BOARD FOR THE PURPOSES OF THIS SECTION.
11 THE P.O.S.T. BOARD MAY NOT USE MORE THAN FIVE PERCENT OF THE
12 APPROPRIATION FOR COSTS TO ADMINISTER THE GRANT PROGRAM.

13 (11) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
14 REQUIRES:

15 (a) "CRISIS INTERVENTION" MEANS LAW ENFORCEMENT
16 INTERVENTION IN AN INCIDENT THAT HAS THE POTENTIAL TO RESULT IN
17 ESCALATED CONFLICT, INCLUDING THE POTENTIAL FOR INJURY OR DEATH,
18 BETWEEN A PEACE OFFICER AND THE PERSON WITH WHOM THE PEACE
19 OFFICER INTERACTS. "CRISIS INTERVENTION" INCLUDES, BUT IS NOT
20 LIMITED TO, CIRCUMSTANCES INVOLVING A WEAPON, PEACE OFFICER
21 INTERACTIONS WITH PERSONS WITH DISABILITIES, PEACE OFFICER
22 INTERACTIONS WITH PERSONS EXPERIENCING A MENTAL HEALTH OR
23 SUBSTANCE USE CRISIS, AND PEACE OFFICER INTERACTIONS WITH PERSONS
24 WHO ARE ELDERLY.

25 (b) "CRISIS INTERVENTION TEAM PROGRAM" MEANS THE
26 STRUCTURED USE OF PEACE OFFICERS WHO ARE TRAINED IN CRISIS
27 INTERVENTION TO RESPOND TO SERVICE CALLS TO ASSIST PEOPLE WITH
28 MENTAL HEALTH OR SUBSTANCE USE DISORDERS WHO ARE EXPERIENCING
29 A MENTAL HEALTH OR SUBSTANCE USE CRISIS.

30 (c) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A COUNTY
31 SHERIFF'S OFFICE, MUNICIPAL POLICE DEPARTMENT, OR POLICE
32 DEPARTMENT FOR A STATE INSTITUTION OF HIGHER EDUCATION, AS
33 DEFINED IN SECTION 23-5-141 (2)(c).

34 (d) "NON-LAW-ENFORCEMENT PARTNER" MEANS AN ENTITY OR ITS
35 AGENT COLLABORATING WITH A LOCAL LAW ENFORCEMENT AGENCY'S
36 CRISIS INTERVENTION TEAM PROGRAM, INCLUDING A FIRE DEPARTMENT OR
37 DISTRICT; EMERGENCY MEDICAL SERVICES AGENCY; MEDICAL, MENTAL
38 HEALTH, OR SUBSTANCE USE SERVICES PROVIDER; OR SOCIAL SERVICES
39 PROVIDER.

40 (12) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

41 **SECTION 3. Act subject to petition - effective date.** This act
42 takes effect at 12:01 a.m. on the day following the expiration of the
43 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2022 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor."

7 Page 1, line 103, strike "CRITICAL INCIDENT" and insert "CRISIS
8 INTERVENTION TEAM".

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