



Criminal and Juvenile Justice System

During the 2022 legislative session, the General Assembly considered an array of measures concerning criminal investigations, crime, community safety and crime prevention, victim services, juveniles, and behavioral health. Following is a recap of the major legislation considered in these subject areas.

Missing Person Investigations

Colorado lawmakers aimed to improve missing-person investigations, especially for cases involving women from marginalized groups.

Investigations. [Senate Bill 22-095](#) shortens the time frame before a person can be reported missing, from 24 hours to two hours for minors and eight hours for adults. The bill also requires annual demographic and other reporting metrics concerning missing persons to better understand trends and populations.

Indigenous populations. Lawmakers heard testimony about the disproportional number of missing and murdered indigenous women and relatives in the state. [Senate Bill 22-150](#) implements several policy interventions with respect to this population, including a new state office, an advisory board, and an alert program.

Catalytic Converter Theft

As theft of catalytic converters continue to hit record numbers in Colorado, three bills attempt

to reverse the trend. The package of bills address tracking, public awareness, and civil and criminal penalties for theft and tampering.

[House Bill 22-1217](#) requires people buying or selling catalytic converters to record transactional information and share with law enforcement to track down thieves. The bill also creates a related grant program to fund public awareness campaigns. [Senate Bill 22-009](#) makes it illegal to install, sell, or advertise used or salvaged catalytic converters. Finally, [Senate Bill 22-179](#) prohibits an individual from tampering with an emission control system, including catalytic converters, or selling or operating a tampered with car. The bill also establishes civil penalties for violating these provisions, with funds dedicated to the grant program created in [House Bill 22-1217](#), referenced earlier.

Fentanyl

Fentanyl overdose deaths dramatically increased across the U.S. and in Colorado over the past several years. Legislators heard testimony indicating that over 900 people in Colorado alone died of a fentanyl overdose last year, some of whom did not know they were consuming drugs that contained fentanyl.

Because of the drug's pervasive presence and potency, Colorado lawmakers acted in the 2022 legislative session and enacted [House Bill 22-1326](#). This bill employs both public

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safety and public health approaches to the fentanyl crisis. More specifically, the new law makes it a felony to possess more than one gram of a substance containing fentanyl. The bill also decreases the amount of fentanyl required to charge individuals for distribution. Further, it mandates drug treatment for people convicted of fentanyl-related crimes, requires county jails to provide medication-assisted treatment and withdrawal management, and makes several one-time investments for harm-reduction, including bulk purchases of the opioid overdose reversal drug naloxone.

Victim Services

Several bills made changes to bolster victim services.

Victim Rights Act. *Senate Bill 22-049* updates the Victim Rights Act to make it easier for victims to navigate the criminal justice system and ensure their rights are upheld. Among some of the changes, the bill allows for virtual participation in court proceedings, as well as gives victims cold case updates on an opt-in basis. Further, district attorneys are required to explain the terms of plea deals and other sentence-related concepts, such as early release for good behavior, to victims. Provisions in the bill also require defendants to be present at sentencing to hear victim impact statements.

Funding. To backfill victim services funding, *Senate Bill 22-183* creates a grant program for organizations providing services to crime victims. The measure also expands community-based support for domestic violence programs and requires better reporting of public facing data from state agencies that fund victim services.

Brain injury. *Senate Bill 22-057* creates a task force to develop a plan for a pilot program that screens victims of violent crime for brain injuries.

Crime Prevention and Community Safety

Legislation earmarked grant funding to prevent crime and increase community safety.

Prevention. Lawmakers discussed the relationship between physical environments and crime prevention. As a result, *Senate Bill 22-001* creates a grant program in the Department of Public Safety (DPS) to assist local governments in evaluating and designing safer streets and other neighborhood models that discourage crime, such as lighting and clear pathways.

House Bill 22-1003 focused on preventative measures for juveniles. The bill specifically creates a two-year pilot grant program for collaborative projects aimed at reducing youth violence, crime, and delinquency.

Community safety. *Senate Bill 22-145* provides grant funding for three new programs administered by DPS. These grant funds are specifically dedicated for: 1) disproportionately high crime areas to employ a multi-disciplinary approach; 2) recruitment, training, and tuition to address law enforcement workforce shortages; and, 3) improved community representation for law enforcement officers. Additionally, DPS is required to host a statewide crime prevention forum.

Mental Health Services for Criminal Justice Professionals

Law enforcement, as well as prosecutors and public defenders, are often exposed to disturbing acts of harm and violence, contributing to mental health exhaustion and trauma. Two bills assist with funding so these criminal justice professionals can more easily seek help if needed.

Senate Bill 22-005 modifies and increases funds to an existing grant program for law enforcement mental health services.

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Senate Bill 22-188 funds counseling services, education about secondary trauma, and peer support services for prosecutors and public defenders.

Behavioral Health and Competency

The criminal justice system has long been grappling with how to best handle offenders who are experiencing a mental health crisis. In 2022, lawmakers streamlined competency evaluations and reviewed not guilty by reason of insanity (NGRI) practices.

Competency. Colorado revisited policies to expedite competency evaluations when a defendant is found incompetent to proceed or stand trial. *House Bill 22-1386* adds strategies to decrease the competency restoration waitlist, with particular emphasis on subsequent evaluation time frames. It also requires funding for inpatient beds and a feasibility study related to facility renovation. On a related matter, *House Bill 22-1303* funds at least 16 additional inpatient beds at Fort Logan for persons in need of residential behavioral health treatment, including those for persons needing competency services until the backlog is eliminated.

Not guilty by reason of insanity. Prior to the 2022 legislative session, individuals who were found NGRI could be confined from one day to life, or anywhere in between, for a crime they may not be criminally responsible for because of mental health conditions. *House Bill 22-1061* allows the court to release certain individuals found NGRI on bond, establishes new information to be included in evaluations, and requires annual evaluations for individuals found NGRI in inpatient care.

Juveniles

Policymakers deliberated about youth counsel and legal representation, age of prosecution, and employment prospects this past session.

Counsel. Currently, courts appoint a guardian ad litem to children and youth in dependency and neglect proceedings, which tends to focus less on the child's position and more on the state's. *House Bill 22-1038* requires that youth, age twelve or older, instead be appointed a client-directed counsel in proceedings for dependency and neglect, expedited permanency placement, and adoption.

Age of prosecution. Lawmakers debated whether to increase the minimum age of prosecution for juveniles from ten to thirteen. Instead, *House Bill 22-1131* creates a task force to examine and make recommendations regarding gaps in services for juveniles if the minimum age of juvenile prosecution is increased.

Vocational training. *House Bill 22-1383* allows funding to be used for vocational training programs in Division of Youth Services facilities and prohibits employers from asking or seeking certain information related to a job applicant's juvenile delinquency records.