

CHAPTER 141

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 19-1149

BY REPRESENTATIVE(S) Gonzales-Gutierrez, Benavidez, Buckner, Duran, Exum, Galindo, Herod, Melton, Michaelson Jenet, Snyder, Valdez A., Weissman, Becker;
also SENATOR(S) Lee, Court, Gonzales, Moreno, Pettersen, Todd, Zenzinger.

AN ACT

CONCERNING DIRECTING THE AGE OF DELINQUENCY TASK FORCE OF THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE TO STUDY SERVING EMERGING ADULTS IN THE JUVENILE JUSTICE SYSTEM.

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

SECTION 1. In Colorado Revised Statutes, 16-11.3-103, **add** (2.9) as follows:

16-11.3-103. Duties of the commission - mission - staffing - definition - repeal. (2.9) (a) ON OR BEFORE JUNE 30, 2020, THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE SHALL COMPLETE THE STUDY DESCRIBED IN SUBSECTION (2.9)(b) OF THIS SECTION AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING AGE OF DELINQUENCY ISSUES. THE COMMISSION MAY INVITE ADDITIONAL INTERESTED PARTIES TO BE PART OF THE STUDY.

(b) THE COMMISSION SHALL:

(I) COMPILE DATA REGARDING ALL CRIMINAL FILINGS IN THE STATE FROM THE LAST THREE YEARS THAT DATA IS AVAILABLE IN WHICH A DEFENDANT IS AT LEAST EIGHTEEN YEARS OF AGE, BUT YOUNGER THAN TWENTY-FIVE YEARS OF AGE, WHICH DATA, AS AVAILABLE, MUST INCLUDE THE FOLLOWING:

(A) THE AGE, RACE, AND ETHNICITY OF THE DEFENDANT;

(B) THE JUDICIAL DISTRICT OF THE FILING;

(C) THE CRIME OR CRIMES CHARGED;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(D) THE DISPOSITION OF THE CHARGES FILED;

(E) THE SENTENCE IMPOSED AND THE OUTCOME;

(F) THE OVERALL OUTCOME OF THE PERSON IN THE SYSTEM AND WHETHER THE PERSON WAS SUCCESSFUL OR NOT IN COMPLETING HIS OR HER SENTENCE;

(G) ANY PRIOR SERVICES PROVIDED THROUGH CRIMINAL AND JUVENILE JUSTICE INVOLVEMENT; AND

(H) ANY OTHER RESEARCH OR DATA THAT THE COMMISSION BELIEVES WOULD BE USEFUL IN STUDYING AGE OF DELINQUENCY ISSUES FOR YOUNG ADULTS WHO ARE AT LEAST EIGHTEEN YEARS OF AGE BUT YOUNGER THAN TWENTY-FIVE YEARS OF AGE.

(II) STUDY THE ESTABLISHED BRAIN RESEARCH, WHICH SHOWS THAT YOUNG ADULTS WHO ARE AT LEAST EIGHTEEN YEARS OF AGE BUT YOUNGER THAN TWENTY-FIVE YEARS OF AGE ARE SIMILAR TO JUVENILES IN THAT THEIR BRAINS ARE STILL DEVELOPING AND HAVE DIFFICULTY WITH QUALITATIVE DECISION-MAKING, AND THEY ARE SUSCEPTIBLE TO PEER INFLUENCE, RISK-TAKERS, AND LESS FUTURE-ORIENTED THAN OLDER ADULTS; STUDY THE DATA COLLECTED PURSUANT TO SUBSECTION (2.9)(b)(I) OF THIS SECTION; STUDY THE POTENTIAL IMPACTS ON THE DIVISION OF YOUTH SERVICES AND YOUTHFUL OFFENDER SYSTEM IF THEY ALSO SERVED YOUNG ADULTS; AND MAKE RECOMMENDATIONS REGARDING APPROPRIATE USES OF THE JUVENILE JUSTICE SYSTEM OR YOUTHFUL OFFENDER SYSTEM FOR YOUNG ADULTS;

(III) CREATE A REPORT CONTAINING THE DATA COLLECTED PURSUANT TO SUBSECTION (2.9)(b)(I) OF THIS SECTION AND ANY RECOMMENDATIONS MADE PURSUANT TO SUBSECTION (2.9)(b)(II) OF THIS SECTION BY JUNE 30, 2020, AND PROVIDE THAT REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OR ANY SUCCESSOR COMMITTEES.

(c) THIS SUBSECTION (2.9) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 3, 2019