

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 22-0005.01 Conrad Imel x2313

SENATE BILL 22-150

SENATE SPONSORSHIP

Danielson, Buckner, Coleman, Donovan, Fenberg, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Rodriguez, Story, Winter, Zenzinger

HOUSE SPONSORSHIP

Duran and Herod,

Senate Committees

Judiciary
Appropriations

House Committees

State, Civic, Military, & Veterans Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING RESPONDING TO THE MISSING INDIGENOUS PERSONS**
102 **CRISIS, AND, IN CONNECTION THEREWITH, ESTABLISHING THE**
103 **OFFICE OF LIAISON FOR MISSING AND MURDERED INDIGENOUS**
104 **RELATIVES AND MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes the office of liaison for missing and murdered indigenous relatives (office) in the department of public safety (department). The bill lists the office's duties, which include assisting

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
May 3, 2022

SENATE
3rd Reading Unamended
April 22, 2022

SENATE
Amended 2nd Reading
April 21, 2022

with missing indigenous persons investigations and homicide cases involving indigenous victims; taking measures to address issues relating to missing or murdered indigenous persons; and providing assistance to families of victims. Office personnel have access to criminal justice records and medical, coroner, and laboratory records in the custody of a state or local agency that are relevant and necessary for the office to perform its duties.

A community volunteer advisory board (board) is established in the office to identify and advise the office on areas of concern regarding missing or murdered indigenous relatives and issues of collaborative efforts related to missing or murdered indigenous relatives. The executive director appoints members to the board. Members are not office personnel.

In carrying out its duties, the office is required to collaborate with the Colorado commission of Indian affairs; federally recognized tribes; state, local, and tribal law enforcement agencies; and indigenous-led organizations. The office must publish on its public website an overview of missing and murdered indigenous persons injustice.

The bill requires the Colorado bureau of investigation (bureau) to work with the office and federal, state, tribal, and local law enforcement agencies for the efficient investigation of missing or murdered indigenous persons. The bureau must operate a clearinghouse database on missing indigenous persons from Colorado and prepare an annual report on information about missing or murdered indigenous persons. The bureau is required to operate a missing indigenous person alert program.

The bill requires peace officers to receive training concerning issues relating to missing or murdered indigenous persons. The peace officer standards and training board must work with the office to develop and facilitate the training.

The bill requires a law enforcement agency that receives a report of a missing indigenous person to notify the bureau.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Sixty-one percent of American Indian and Alaska native
5 women have been assaulted in their lifetimes;

6 (b) Compared to all other races, American Indians and Alaska
7 natives are two and one-half times more likely to experience violent

1 crimes and at least two times more likely to experience rape or sexual
2 assault crimes;

3 (c) Jurisdictional issues and data-sharing barriers between
4 intergovernmental agencies and tribal governments result in confusing
5 reporting mechanisms for those whose relatives are missing or murdered
6 and very limited data about those missing or murdered indigenous
7 relatives;

8 (d) It is necessary to develop and promote best practices and
9 training for:

10 (I) Promoting community relations with indigenous populations;

11 (II) Law enforcement's response to indigenous persons who report
12 missing relatives; and

13 (III) Data collection relating to reports of missing or murdered
14 indigenous relatives;

15 (e) Other states, including Montana, Oklahoma, Minnesota,
16 Washington, and Wyoming, have adopted legislation establishing entities
17 to address issues related to violence against indigenous persons, including
18 addressing jurisdictional and data-sharing barriers and a lack of best
19 practices for law enforcement; and

20 (f) Colorado can best serve and seek justice for indigenous
21 persons who have been the victims of violence by establishing an office
22 to serve as a liaison on behalf of missing or murdered indigenous
23 relatives.

24 **SECTION 2.** In Colorado Revised Statutes, **add** part 25 to article
25 33.5 of title 24 as follows:

26 PART 25

27 OFFICE OF LIAISON FOR

1 MISSING AND MURDERED INDIGENOUS RELATIVES

2 **24-33.5-2501. Definitions.** AS USED IN THIS PART 25, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE, APPOINTED
5 PURSUANT TO SECTION 24-33.5-2502 (2).

6 (2) "INDIGENOUS" MEANS HAVING DESCENDED FROM PEOPLE WHO
7 WERE LIVING IN NORTH AMERICA PRIOR TO THE TIME PEOPLE FROM
8 EUROPE BEGAN SETTLING IN NORTH AMERICA, BEING AN ENROLLED
9 MEMBER OF A FEDERALLY RECOGNIZED INDIAN TRIBE, OR BEING A LINEAL
10 DESCENDANT OF A TRIBALLY ENROLLED PARENT OR GUARDIAN.

11 (3) "INDIGENOUS-LED ORGANIZATION" MEANS AN ORGANIZATION
12 OR ENTITY WHOSE BOARD OR DECISION-MAKING BODY MEMBERSHIP IS
13 ENTIRELY INDIGENOUS AND WHOSE STAFF IS COMPRISED OF AT LEAST
14 SEVENTY PERCENT INDIGENOUS PERSONS.

15 (4) "MISSING OR MURDERED INDIGENOUS RELATIVE" MEANS ANY
16 MISSING OR MURDERED INDIGENOUS PERSON.

17 (5) "OFFICE" MEANS THE OFFICE OF LIAISON FOR MISSING AND
18 MURDERED INDIGENOUS RELATIVES ESTABLISHED IN SECTION
19 24-33.5-2502.

20 **24-33.5-2502. Office of liaison for missing and murdered**
21 **indigenous relatives - created - director - collaboration.** (1) THERE IS
22 CREATED IN THE DEPARTMENT THE OFFICE OF LIAISON FOR MISSING AND
23 MURDERED INDIGENOUS RELATIVES TO WORK ON BEHALF OF THOSE WHO
24 ARE MISSING OR MURDERED. THE OFFICE SHALL EXERCISE ITS POWERS AND
25 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT AS IF THE
26 OFFICE WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER
27 AS DEFINED IN SECTION 24-1-105.

1 (2) (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
2 APPOINT THE DIRECTOR OF THE OFFICE PURSUANT TO SECTION 13 OF
3 ARTICLE XII OF THE STATE CONSTITUTION. THE DIRECTOR OF THE OFFICE
4 MUST BE A PERSON CLOSELY CONNECTED TO A TRIBE OR THE INDIGENOUS
5 COMMUNITY AND WHO IS HIGHLY KNOWLEDGEABLE ABOUT CRIMINAL
6 INVESTIGATIONS. THE EXECUTIVE DIRECTOR IS ENCOURAGED TO CONSIDER
7 CANDIDATES FOR APPOINTMENT WHO ARE RECOMMENDED BY TRIBES AND
8 INDIGENOUS COMMUNITIES.

9 (b) THE DIRECTOR MAY APPOINT STAFF AS NECESSARY TO CARRY
10 OUT THE DUTIES OF THE OFFICE. IN APPOINTING STAFF FOR THE OFFICE, THE
11 DIRECTOR SHALL GIVE PREFERENCE TO THOSE WITH EXPERIENCE WORKING
12 WITH INDIGENOUS PERSONS AND INDIAN TRIBES. THE DIRECTOR SHALL
13 ENCOURAGE INDIGENOUS PERSONS TO APPLY FOR POSITIONS IN THE OFFICE.

14 (3) IN CARRYING OUT ITS DUTIES, THE OFFICE SHALL COLLABORATE
15 WITH ANY RELEVANT ENTITIES, INCLUDING THE COLORADO COMMISSION
16 OF INDIAN AFFAIRS, FEDERALLY RECOGNIZED TRIBES, INDIGENOUS-LED
17 ORGANIZATIONS, TRIBAL AND LOCAL LAW ENFORCEMENT AGENCIES, THE
18 COLORADO BUREAU OF INVESTIGATION, AND THE COLORADO STATE
19 PATROL.

20 **24-33.5-2503. Office of liaison for missing and murdered**
21 **indigenous relatives - duties - access to information - community**
22 **advisory board.** (1) AT A MINIMUM, THE OFFICE SHALL:

23 (a) FACILITATE TECHNICAL ASSISTANCE AND WORK WITH TRIBAL,
24 STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES ON MISSING PERSONS
25 INVESTIGATIONS AND HOMICIDE CASES INVOLVING INDIGENOUS VICTIMS;

26 (b) DEVELOP A BEST PRACTICES PROTOCOL FOR LAW
27 ENFORCEMENT RESPONSE TO REPORTS OF MISSING INDIGENOUS PEOPLE;

1 (c) CONDUCT CASE REVIEWS AND REPORT ON THE RESULTS OF
2 CASE REVIEWS FOR THE FOLLOWING TYPES OF MISSING OR MURDERED
3 INDIGENOUS RELATIVES CASES:

4 (I) COLD CASES FOR MISSING INDIGENOUS PEOPLE; AND

5 (II) DEATH INVESTIGATION REVIEW FOR CASES OF INDIGENOUS
6 PEOPLE RULED AS SUICIDE OR OVERDOSE UNDER SUSPICIOUS
7 CIRCUMSTANCES;

8 (d) IN ORDER TO BETTER UNDERSTAND CAUSES OF CRIMES WITH A
9 MISSING OR MURDERED INDIGENOUS VICTIM, CONDUCT CASE REVIEWS OF
10 THE PROSECUTION AND SENTENCING FOR CASES WHEN A PERPETRATOR
11 COMMITTED A VIOLENT OR EXPLOITATIVE CRIME AGAINST AN INDIGENOUS
12 PERSON. THE CASE REVIEWS SHOULD IDENTIFY THOSE CASES WHEN THE
13 PERPETRATOR IS A REPEAT OFFENDER.

14 (e) DEVELOP AND MAINTAIN COMMUNICATION WITH RELEVANT
15 DIVISIONS IN THE DEPARTMENT REGARDING ANY CASES INVOLVING
16 MISSING OR MURDERED INDIGENOUS RELATIVES AND REGARDING THE
17 PROCEDURES FOR INVESTIGATING CASES INVOLVING MISSING OR
18 MURDERED INDIGENOUS RELATIVES;

19 (f) UPDATE TRIBAL LAW ENFORCEMENT AGENCIES ON THE STATUS
20 OF CASES INVOLVING A MISSING OR MURDERED MEMBER OF THE TRIBE;

21 (g) COORDINATE, AS RELEVANT, WITH THE FEDERAL BUREAU OF
22 INDIAN AFFAIRS' COLD CASE OFFICE ESTABLISHED AS PART OF ITS
23 OPERATION LADY JUSTICE INITIATIVE, OTHER FEDERAL EFFORTS, AND
24 EFFORTS IN NEIGHBORING STATES TO INVESTIGATE COLD CASES INVOLVING
25 MISSING OR MURDERED INDIGENOUS RELATIVES. THIS SUBSECTION (1)(g)
26 PERTAINS TO STATE AND FEDERAL INVESTIGATIVE EFFORTS. TRIBES ARE
27 SOVEREIGN NATIONS THAT HAVE THE RIGHT TO DETERMINE IF AND HOW

1 THEY WILL COORDINATE ANY INVESTIGATIVE EFFORTS.

2 (h) COORDINATE WITH OTHER STATE AND LOCAL OFFICES
3 INCLUDING, BUT NOT LIMITED TO, AGENCY TRIBAL LIAISONS, THE
4 COLORADO COMMISSION OF INDIAN AFFAIRS, AND COUNTY CORONERS TO
5 DEVELOP TRAINING AND EDUCATION ON MISSING OR MURDERED
6 INDIGENOUS PERSONS ISSUES, SPIRITUAL PRACTICES OR CEREMONIES
7 PERTAINING TO HUMAN REMAINS OF AN INDIGENOUS PERSON, AND THE
8 GOVERNMENT-TO-GOVERNMENT RELATIONSHIP BETWEEN THE STATE AND
9 TRIBES;

10 (i) WORK WITH THE PEACE OFFICER STANDARD AND TRAINING
11 BOARD TO FACILITATE TRAINING FOR LAW ENFORCEMENT AND MEMBERS
12 OF THE PUBLIC ON ISSUES RELATING TO MISSING OR MURDERED
13 INDIGENOUS PERSONS;

14 (j) DEVELOP BEST PRACTICES FOR DATA ACCURACY AND
15 PROCEDURES TO UPDATE RECORDS WHEN INDIGENOUS VICTIMS ARE
16 INCORRECTLY IDENTIFIED IN REPORTS AND RECOMMEND POLICIES AND
17 BEST PRACTICES FOR MAINTAINING ACCURATE DATA AND CORRECTING
18 VICTIM IDENTITY INACCURACIES IN REPORTS TO RELEVANT TRIBAL, STATE,
19 AND FEDERAL LAW ENFORCEMENT AGENCIES AND ANY OTHER RELEVANT
20 GOVERNMENT AGENCIES;

21 (k) RECOMMEND TO THE HOUSE OF REPRESENTATIVES JUDICIARY
22 COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
23 SUCCESSOR COMMITTEES, AND ANY RELEVANT LAW ENFORCEMENT
24 AGENCIES, LEGISLATIVE AND AGENCY ACTIONS TO ADDRESS INJUSTICE IN
25 THE CRIMINAL JUSTICE SYSTEM'S RESPONSE TO THE CASES OF MISSING OR
26 MURDERED INDIGENOUS RELATIVES;

27 (l) REVIEW SENTENCING RANGES FOR CRIMES RELATING TO

1 MISSING OR MURDERED INDIGENOUS RELATIVES AND RECOMMEND TO THE
2 HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE
3 JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, ANY
4 NECESSARY CHANGES TO THE SENTENCING RANGES;

5 (m) DEVELOP RECOMMENDATIONS AND FACILITATE TRAINING TO
6 STRENGTHEN THE TRAUMA-INFORMED AND VICTIM-CENTERED RESPONSE
7 OF LAW ENFORCEMENT, COURTS, AND THE HEALTH-CARE SYSTEM AS TO
8 THE CAUSE OF VIOLENCE AGAINST INDIGENOUS SURVIVORS AND MAKE THE
9 RECOMMENDATIONS AVAILABLE TO INTERESTED ORGANIZATIONS,
10 RELEVANT TRIBAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES,
11 AND ANY OTHER RELEVANT AGENCIES;

12 (n) ASSIST FAMILIES, TRIBAL AGENCIES, AND NONGOVERNMENTAL
13 ENTITIES IN USING THE NATIONAL MISSING AND UNIDENTIFIED PERSONS
14 SYSTEM ADMINISTERED BY THE NATIONAL INSTITUTE OF JUSTICE WITHIN
15 THE UNITED STATES DEPARTMENT OF JUSTICE, AND OTHER RESOURCES;

16 (o) PROVIDE GUIDANCE TO FAMILIES OF INDIGENOUS VICTIMS ON
17 HOW TO NAVIGATE STATE AND FEDERAL DISTRICT COURT CASES;

18 (p) INFORM INDIGENOUS COMMUNITY MEMBERS AND FAMILY
19 MEMBERS ABOUT ACTIVE COMMUNITY-LED GRASSROOTS OR VOLUNTEER
20 COLLABORATIONS THAT ARE ORGANIZING OR CONDUCTING SEARCH
21 EFFORTS, SUPPORT GROUPS, OR OTHER SUPPORTIVE EFFORTS THAT ARE
22 RELEVANT TO THE COMMUNITY'S OR FAMILY MEMBER'S MISSING OR
23 MURDERED INDIGENOUS RELATIVE; AND

24 (q) CONSULT WITH INDIGENOUS-LED COMMUNITY ORGANIZATIONS
25 THAT SERVE INDIGENOUS POPULATIONS TO PROMOTE, AND DEVELOP BEST
26 PRACTICES FOR PROMOTING, COMMUNITY RELATIONS WITH INDIGENOUS
27 POPULATIONS.

1 (2) (a) NOTWITHSTANDING ANY OTHER STATE LAW TO THE
2 CONTRARY, BUT SUBJECT TO THE REQUIREMENTS OF APPLICABLE
3 PROVISIONS OF FEDERAL LAW, OFFICE PERSONNEL MAY INSPECT, HAVE
4 ACCESS TO, AND OBTAIN INFORMATION FROM CRIMINAL JUSTICE RECORDS,
5 INCLUDING ANY CORRECTIONAL OR DETENTION RECORDS, AND ANY
6 PERTINENT PATIENT MEDICAL, CORONER, AND LABORATORY RECORDS, IN
7 THE CUSTODY OF ANY STATE OR LOCAL AGENCY THAT ARE RELEVANT AND
8 NECESSARY FOR THE OFFICE TO PERFORM ITS DUTIES DESCRIBED IN THIS
9 PART 25. OFFICE PERSONNEL MAY ONLY REVIEW AND INSPECT RECORDS AT
10 REASONABLE TIMES AND WITH NOTICE THAT IS REASONABLE UNDER THE
11 CIRCUMSTANCES. UNDER NO CIRCUMSTANCES MAY OFFICE PERSONNEL
12 HAVE ACCESS PURSUANT TO THIS SUBSECTION (2) TO ANY CRIMINAL
13 JUSTICE OR MEDICAL RECORD THAT IS NOT PERTINENT, RELEVANT, OR
14 NECESSARY FOR THE OFFICE TO PERFORM ITS DUTIES DESCRIBED IN THIS
15 PART 25.

16 (b) ANY RECORD INSPECTED, ACCESSED, OR OTHERWISE OBTAINED
17 OR REVIEWED BY OFFICE PERSONNEL PURSUANT TO THIS SUBSECTION (2)
18 IS STRICTLY CONFIDENTIAL. THE OFFICE SHALL NOT RELEASE, SHARE WITH
19 ANY AGENCY OR INSTITUTION, OR MAKE PUBLIC THE REPORTS OR ANY
20 INFORMATION CONTAINED IN THE REPORTS, EXCEPT AS FOLLOWS:

21 (I) THE OFFICE MAY PUBLICLY RELEASE AGGREGATED
22 INFORMATION IN A MANNER THAT DOES NOT IDENTIFY AN INDIVIDUAL
23 PERSON AND DOES NOT RELEASE ANY INFORMATION THAT MAY BE LINKED
24 TO ANY INDIVIDUAL;

25 (II) THE OFFICE MAY RELEASE THE REPORT OR RECORD, OR
26 INFORMATION LEARNED FROM THE REPORT OR RECORD, TO THE PERSON
27 WHO IS THE SUBJECT OF THE REPORT OR RECORD;

1 (III) THE OFFICE MAY RELEASE A REPORT OR RECORD RELATED TO
2 A PERSON WHO HAS BEEN MISSING FOR FIVE YEARS OR MORE, OR A PERSON
3 WHO HAS DIED AND THE OFFICE HAS CONFIRMED THE DEATH, OR
4 INFORMATION LEARNED FROM THE REPORT OR RECORD, TO THE
5 FOLLOWING PEOPLE WHO ARE RELATED TO THE PERSON WHO IS THE
6 SUBJECT OF THE REPORT OR RECORD: THE PERSON'S SPOUSE, PARENT,
7 GRANDPARENT, STEPFATHER, STEPMOTHER, CHILD, GRANDCHILD,
8 BROTHER, SISTER, HALF BROTHER, HALF SISTER, OR SPOUSE'S PARENTS,
9 INCLUDING ANY OF THOSE RELATIONSHIPS CREATED AS A RESULT OF
10 ADOPTION;

11 (IV) THE OFFICE MAY RELEASE THE REPORT OR RECORD, OR
12 INFORMATION LEARNED FROM THE REPORT OR RECORD, TO THE EXTENT
13 NECESSARY FOR ANY INVESTIGATION OR PROSECUTION RELATED TO A
14 MISSING OR MURDERED INDIGENOUS PERSON TO A FEDERAL, STATE, OR
15 LOCAL LAW ENFORCEMENT AGENCY, INCLUDING THE FEDERAL BUREAU OF
16 INVESTIGATION, OR ANY PROSECUTOR; AND

17 (V) IF THE OFFICE IS ORDERED TO RELEASE THE REPORT OR RECORD
18 PURSUANT TO A SEARCH WARRANT, SUBPOENA, OR OTHER COURT ORDER,
19 THE OFFICE MAY RELEASE THE REPORT OR RECORD TO THE PERSON AND TO
20 THE EXTENT ORDERED.

21 (c) AN OFFICER, EMPLOYEE, OR AGENT OF THE OFFICE WHO
22 VIOLATES THIS SECTION BY RELEASING OR MAKING PUBLIC A
23 CONFIDENTIAL REPORT OR RECORD OR CONFIDENTIAL INFORMATION
24 LEARNED FROM A REPORT OR RECORD COMMITS A CLASS 2 MISDEMEANOR
25 AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN
26 SECTION 18-1.3-501 (1).

27 (3) (a) THERE IS ESTABLISHED IN THE OFFICE THE COMMUNITY

1 VOLUNTEER ADVISORY BOARD TO IDENTIFY AND ADVISE THE OFFICE ON
2 AREAS OF CONCERN REGARDING MISSING OR MURDERED INDIGENOUS
3 RELATIVES AND ISSUES RELATING TO ORGANIZING OR CONDUCTING
4 SEARCH EFFORTS, SUPPORT GROUPS, OR OTHER SUPPORTIVE EFFORTS
5 RELATED TO MISSING OR MURDERED INDIGENOUS RELATIVES. THE
6 ADVISORY BOARD SHALL MEET AT LEAST ONCE PER QUARTER IN STATE
7 FISCAL YEAR 2022-23, AND BIANNUALLY THEREAFTER, AT DATES AND
8 TIMES AS CALLED BY THE EXECUTIVE DIRECTOR. THE ADVISORY BOARD
9 MAY MEET ELECTRONICALLY.

10 (b) THE ADVISORY BOARD IS COMPRISED OF THE FOLLOWING
11 MEMBERS:

12 (I) TEN MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR, AS
13 FOLLOWS:

14 (A) ONE REPRESENTATIVE OF AN INDIGENOUS-LED ORGANIZATION
15 THAT PROVIDES ADVOCACY OR COUNSELING FOR INDIGENOUS VICTIMS OF
16 VIOLENCE;

17 (B) ONE REPRESENTATIVE OF AN INDIGENOUS-LED ORGANIZATION
18 THAT PROVIDES LEGAL SERVICES FOR INDIGENOUS VICTIMS OF VIOLENCE;

19 (C) ONE REPRESENTATIVE OF AN INDIGENOUS-LED ORGANIZATION
20 THAT PROVIDES HEALTH SERVICES TO INDIGENOUS VICTIMS OF VIOLENCE;

21 (D) ONE REPRESENTATIVE OF A COMMUNITY-BASED
22 ORGANIZATION THAT PROVIDES SERVICES TO AN URBAN INDIGENOUS
23 COMMUNITY;

24 (E) ONE REPRESENTATIVE OF A COMMUNITY-BASED
25 ORGANIZATION THAT PROVIDES SERVICES TO A RURAL INDIGENOUS
26 COMMUNITY;

27 (F) ONE REPRESENTATIVE OF A COMMUNITY-BASED VICTIM

1 ADVOCATE ORGANIZATION SERVING COLORADO'S INDIGENOUS
2 POPULATION;

3 (G) ONE REPRESENTATIVE OF A NATIONAL ORGANIZATION THAT
4 PROVIDES EDUCATION AND AWARENESS OF MISSING AND MURDERED
5 INDIGENOUS RELATIVES; AND

6 (H) THREE MEMBERS WHO ARE INDIGENOUS PEOPLE WHO HAVE
7 BEEN VICTIMS OF VIOLENCE OR ARE A FAMILY MEMBER OF AN INDIGENOUS
8 PERSON WHO HAS BEEN A VICTIM OF VIOLENCE;

9 (II) ONE MEMBER WHO REPRESENTS THE UTE MOUNTAIN UTE
10 TRIBE, APPOINTED BY THE UTE MOUNTAIN UTE TRIBAL COUNCIL;

11 (III) ONE MEMBER WHO REPRESENTS THE SOUTHERN UTE INDIAN
12 TRIBE, APPOINTED BY THE SOUTHERN UTE TRIBAL COUNCIL;

13 (IV) ONE MEMBER WHO REPRESENTS THE UTE INDIAN TRIBE OF
14 THE UINTAH AND OURAY RESERVATION, APPOINTED BY THE NORTHERN
15 UTE TRIBAL COUNCIL;

16 (V) FOUR MEMBERS WHO ARE EACH AN ENROLLED MEMBER OF A
17 TRIBE WITH HISTORICAL TIES TO COLORADO, AS IDENTIFIED ON THE
18 COLORADO TRIBAL CONTACTS LIST DEVELOPED BY HISTORY COLORADO
19 IN PARTNERSHIP WITH THE COLORADO COMMISSION OF INDIAN AFFAIRS;

20 (VI) TWO MEMBERS WITH EXPERTISE IN LAW ENFORCEMENT,
21 APPOINTED BY THE EXECUTIVE DIRECTOR FROM ANY TWO OF THE
22 FOLLOWING CATEGORIES:

23 (A) A PEACE OFFICER WHO WORKS OR RESIDES ON A FEDERALLY
24 RECOGNIZED INDIAN TRIBE'S RESERVATION IN COLORADO;

25 (B) A SHERIFF FROM A COUNTY WITH A POPULATION OF FEWER
26 THAN ONE HUNDRED THOUSAND PERSONS;

27 (C) A SHERIFF FROM AN URBAN COUNTY;

1 (D) A REPRESENTATIVE OF THE COLORADO STATE PATROL, WITH
2 THE APPROVAL OF THE CHIEF OF THE STATE PATROL; OR

3 (E) A REPRESENTATIVE OF THE COLORADO BUREAU OF
4 INVESTIGATION, WITH THE APPROVAL OF THE DIRECTOR OF THE BUREAU;
5 AND

6 (VII) TWO MEMBERS, APPOINTED BY THE EXECUTIVE DIRECTOR,
7 WHO EACH REPRESENT ONE OF THE FOLLOWING:

8 (A) THE ATTORNEY GENERAL'S OFFICE, APPOINTED WITH THE
9 APPROVAL OF THE ATTORNEY GENERAL;

10 (B) THE JUDICIAL BRANCH, APPOINTED WITH THE APPROVAL OF
11 THE STATE COURT ADMINISTRATOR;

12 (C) THE COLORADO COMMISSION OF INDIAN AFFAIRS, APPOINTED
13 WITH THE APPROVAL OF THE COMMISSION'S DIRECTOR;

14 (D) CERTIFIED DEATH INVESTIGATORS, WHO MUST BE A DEATH
15 INVESTIGATOR CERTIFIED BY THE STATE CORONERS ASSOCIATION; OR

16 (E) THE STATE DEPARTMENT OF HUMAN SERVICES, APPOINTED
17 WITH THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

18 (c) MEMBERS SERVE AT THE PLEASURE OF THE APPOINTING
19 AUTHORITY. ADVISORY BOARD MEMBERS SERVE WITHOUT COMPENSATION
20 AND WITHOUT REIMBURSEMENT FOR EXPENSES. ADVISORY BOARD
21 MEMBERS ARE NOT OFFICE PERSONNEL.

22 **24-33.5-2504. Gifts, grants, and donations.** THE OFFICE MAY
23 SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE
24 OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 25.

25 **24-33.5- 2505. Information dashboard - report.** (1) THE OFFICE
26 SHALL PUBLISH ON ITS PUBLIC WEBSITE OR, IF THE OFFICE DOES NOT HAVE
27 ITS OWN WEBSITE, THE DEPARTMENT'S PUBLIC WEBSITE, A DASHBOARD

1 THAT DISPLAYS, IN AN INTERACTIVE, INTUITIVE, AND VISUAL MANNER,
2 INFORMATION REGARDING MISSING OR MURDERED INDIGENOUS PERSONS,
3 INCLUDING:

4 (a) THE NUMBER OF CASES OF MISSING OR MURDERED INDIGENOUS
5 RELATIVES;

6 (b) THE TRIBAL AFFILIATION OF EACH MISSING OR MURDERED
7 INDIGENOUS RELATIVE, TO THE EXTENT THAT PUBLISHING TRIBAL
8 AFFILIATION DOES NOT IDENTIFY AN INDIVIDUAL PERSON;

9 (c) GEOGRAPHIC INFORMATION REGARDING CASES OF MISSING OR
10 MURDERED INDIGENOUS RELATIVES;

11 (d) THE RESULTS OF CASES OF MISSING OR MURDERED INDIGENOUS
12 RELATIVES; FOR EXAMPLE, WHETHER THE PERSON IS FOUND AND WHETHER
13 A PERPETRATOR HAS BEEN ARRESTED AND CHARGED IN THE CASE AND THE
14 DISPOSITION OF THE CHARGES; AND

15 (e) RESOURCES AVAILABLE FOR FAMILY MEMBERS OF MISSING OR
16 MURDERED INDIGENOUS RELATIVES.

17 (2) (a) ON OR BEFORE DECEMBER 31, 2023, AND ON OR BEFORE
18 DECEMBER 31 OF EACH YEAR THEREAFTER, THE OFFICE SHALL SUBMIT A
19 REPORT ON MISSING OR MURDERED INDIGENOUS RELATIVES TO THE HOUSE
20 OF REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE JUDICIARY
21 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE GOVERNOR'S
22 OFFICE. THE OFFICE SHALL MAKE THE REPORT AVAILABLE TO THE PUBLIC
23 ON ITS WEBSITE. THE REPORT MUST INCLUDE AN UPDATE ABOUT MISSING
24 OR MURDERED INDIGENOUS RELATIVES IN COLORADO, INCLUDING THE
25 INFORMATION INCLUDED IN THE DASHBOARD DESCRIBED IN SUBSECTION
26 (1) OF THIS SECTION; THE RECOMMENDATIONS FOR LEGISLATIVE AND
27 GOVERNMENTAL AGENCY ACTIONS REQUIRED PURSUANT TO 24-33.5-2503

1 (1) AND ANY OTHER RECOMMENDATIONS TO ADDRESS INJUSTICE IN THE
2 CRIMINAL JUSTICE SYSTEM'S RESPONSE TO THE CASES OF MISSING OR
3 MURDERED INDIGENOUS RELATIVES; AND A SUMMARY OF THE OFFICE'S
4 WORK DURING THE YEAR.

5 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
6 REPORTING REQUIREMENT DESCRIBED IN THIS SUBSECTION (2) CONTINUES
7 INDEFINITELY.

8 **SECTION 3.** In Colorado Revised Statutes, **add** 24-31-319 as
9 follows:

10 **24-31-319. Training related to missing indigenous persons -**
11 **development - basic and in-service training required.** (1) THE
12 P.O.S.T. BOARD SHALL WORK WITH THE OFFICE OF LIAISON FOR MISSING
13 AND MURDERED INDIGENOUS RELATIVES CREATED IN SECTION
14 24-33.5-2502 TO DEVELOP AND FACILITATE TRAINING FOR PEACE OFFICERS
15 ON ISSUES RELATING TO MISSING OR MURDERED INDIGENOUS PERSONS
16 INVESTIGATIONS.

17 (2) BEGINNING JANUARY 1, 2023, THE BASIC ACADEMY
18 CURRICULUM AND ANNUAL IN-SERVICE TRAINING PROGRAMS MUST
19 INCLUDE TRAINING CONCERNING ISSUES RELATING TO MISSING OR
20 MURDERED INDIGENOUS PERSONS.

21 **SECTION 4.** In Colorado Revised Statutes, **add** 24-33.5-431 as
22 follows:

23 **24-33.5-431. Missing indigenous persons - interagency**
24 **cooperation - data repository - alert program - report - rules.**

25 (1) (a) THE BUREAU SHALL COOPERATE WITH THE OFFICE OF LIAISON FOR
26 MISSING AND MURDERED INDIGENOUS RELATIVES ESTABLISHED IN SECTION
27 24-33.5-2502 AND FEDERAL, STATE, TRIBAL, AND LOCAL LAW

1 ENFORCEMENT AGENCIES FOR THE EFFICIENT INVESTIGATION OF MISSING
2 OR MURDERED INDIGENOUS PEOPLE.

3 (b) ANY TIME THE BUREAU RECEIVES A REPORT OF A MISSING OR
4 MURDERED INDIGENOUS RELATIVE, AS DEFINED IN SECTION 24-33.5-2501,
5 WHO IS A MEMBER OF A FEDERALLY RECOGNIZED TRIBE, THE BUREAU
6 SHALL, AS SOON AS PRACTICABLE, NOTIFY THE TRIBAL ENTITY OF THE
7 REPORT.

8 (2) (a) THE BUREAU IS THE CENTRAL REPOSITORY OF INFORMATION
9 AND SHALL OPERATE A CLEARINGHOUSE DATABASE ON MISSING
10 INDIGENOUS PERSONS FROM COLORADO.

11 (b) AS A FUNCTION OF THE CENTRAL REPOSITORY, THE BUREAU
12 SHALL PREPARE AND MAKE PUBLICLY AVAILABLE AN ANNUAL REPORT ON
13 INFORMATION COMPILED FROM THE CLEARINGHOUSE DATABASE. THE
14 REPORT MUST INCLUDE BIOGRAPHICAL INFORMATION COLLECTED ON
15 MISSING PERSONS AND INCLUDE INFORMATION SUBMITTED BY FEDERAL,
16 STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT AGENCIES.

17 (c) THE BUREAU MAY MAKE PUBLICLY AVAILABLE INFORMATION
18 ABOUT ONGOING MISSING PERSON INVESTIGATIONS TO AID IN THE
19 EFFICIENT INVESTIGATION AND SWIFT RECOVERY OF MISSING PERSONS OR
20 WHEN OTHERWISE IN THE PUBLIC INTEREST.

21 (3) (a) IN ORDER TO AID IN THE SAFE RECOVERY OF MISSING
22 INDIGENOUS PERSONS, THE BUREAU SHALL OPERATE A MISSING
23 INDIGENOUS PERSON ALERT PROGRAM. THE PROGRAM MUST BE A
24 COORDINATED EFFORT AMONG THE BUREAU, LOCAL LAW ENFORCEMENT
25 AGENCIES, FEDERALLY RECOGNIZED TRIBES, ANY GOVERNMENTAL
26 AGENCY THAT MAY BE INVOLVED IN THE SEARCH AND RECOVERY OF A
27 MISSING PERSON, AND THE STATE'S PUBLIC AND COMMERCIAL TELEVISION

1 AND RADIO BROADCASTERS. THE BUREAU MAY OPERATE THE ALERT
2 SYSTEM AS A PART OF ANY OTHER MISSING PERSON ALERT PROGRAM
3 OPERATED BY THE BUREAU.

4 (b) UPON RECEIVING NOTICE OF A MISSING INDIGENOUS PERSON
5 FROM A LAW ENFORCEMENT AGENCY PURSUANT TO SECTION 16-2.7-103,
6 OR FROM ANY GOVERNMENTAL AGENCY THAT MAY BE INVOLVED IN THE
7 SEARCH AND RECOVERY OF A MISSING PERSON, THE BUREAU SHALL
8 CONFIRM THE ACCURACY OF THE INFORMATION AND THEN ISSUE AN
9 ALERT. THE ALERT MUST BE SENT TO DESIGNATED MEDIA OUTLETS IN
10 COLORADO. PARTICIPATING RADIO STATIONS, TELEVISION STATIONS, AND
11 OTHER MEDIA OUTLETS MAY ISSUE THE ALERT AT DESIGNATED INTERVALS
12 AS SPECIFIED BY RULE. THE ALERT MUST INCLUDE ALL APPROPRIATE
13 INFORMATION FROM THE LAW ENFORCEMENT AGENCY THAT MAY ASSIST
14 IN THE SAFE RECOVERY OF THE MISSING PERSON AND A STATEMENT
15 INSTRUCTING ANYONE WITH INFORMATION RELATED TO THE MISSING
16 PERSON TO CONTACT A LOCAL LAW ENFORCEMENT AGENCY.

17 (c) THE BUREAU SHALL CANCEL THE ALERT UPON NOTIFICATION
18 THAT THE MISSING PERSON HAS BEEN FOUND OR AT THE END OF THE
19 NOTIFICATION PERIOD, WHICHEVER OCCURS FIRST. A LOCAL LAW
20 ENFORCEMENT AGENCY THAT LOCATES A MISSING PERSON WHO IS THE
21 SUBJECT OF AN ALERT SHALL NOTIFY THE BUREAU AS SOON AS POSSIBLE
22 THAT THE MISSING PERSON HAS BEEN LOCATED.

23 (d) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
24 PROMULGATE RULES IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE
25 PROCEDURE ACT", ARTICLE 4 OF THIS TITLE 24, FOR THE IMPLEMENTATION
26 OF THE PROGRAM. THE RULES MUST INCLUDE:

27 (I) THE PROCESS TO BE FOLLOWED BY THE BUREAU IN CONFIRMING

1 THE LOCAL LAW ENFORCEMENT AGENCY'S INFORMATION REGARDING A
2 MISSING INDIGENOUS PERSON;

3 (II) THE PROCESS FOR REPORTING THE INFORMATION TO THE
4 FEDERAL COMMUNICATIONS COMMISSION'S DESIGNATED STATE
5 EMERGENCY ALERT SYSTEM BROADCASTER IN COLORADO; AND

6 (III) ANY ADDITIONAL PROCESSES NECESSARY FOR THE EFFECTIVE
7 IMPLEMENTATION OF THE PROGRAM.

8 (e) IN ITS ANNUAL REPORT TO THE COMMITTEES OF REFERENCE
9 PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL REPORT THE
10 NUMBER OF TIMES AND DATES WHEN THE ALERT SYSTEM WAS USED; THE
11 AGE AND GENDER OF EACH MISSING PERSON; AND WHETHER THE ALERT
12 SYSTEM ASSISTED IN LOCATING THE MISSING PERSON. NOTWITHSTANDING
13 SUBSECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT SET
14 FORTH IN THIS SUBSECTION (3)(e) CONTINUES INDEFINITELY.

15 **SECTION 5.** In Colorado Revised Statutes, 16-2.7-103, **add** (3)
16 as follows:

17 **16-2.7-103. Missing person reports - response.** (3) IF THE
18 MISSING PERSON IS AN INDIGENOUS PERSON, THE BEST COURSE OF ACTION
19 FOR THE LAW ENFORCEMENT AGENCY INCLUDES APPROPRIATE
20 COMMUNICATIONS WITH OTHER LAW ENFORCEMENT AGENCIES THAT MAY
21 ASSIST IN LOCATING THE MISSING INDIGENOUS PERSON. ADDITIONALLY,
22 THE LAW ENFORCEMENT AGENCY SHALL, WITHIN EIGHT HOURS AFTER
23 RECEIVING A REPORT OF A MISSING ADULT OR WITHIN TWO HOURS OF
24 RECEIVING A REPORT OF A MISSING CHILD, NOTIFY THE COLORADO BUREAU
25 OF INVESTIGATION.

26 **SECTION 6. Appropriation.** (1) For the 2022-23 state fiscal
27 year, \$497,250 is appropriated to the department of public safety. This

1 appropriation is from the general fund. To implement this act, the
2 department may use this appropriation as follows:

3 (a) \$15,982 for use by the executive director's office for vehicle
4 lease payments;

5 (b) \$372,798 for use by the Colorado bureau of investigation for
6 personal services related to laboratory and investigative services, which
7 amount is based on an assumption that the bureau will require an
8 additional 4.5 FTE;

9 (c) \$93,590 for use by the Colorado bureau of investigation for
10 operating expenses related to laboratory and investigative services; and

11 (d) \$14,880 for use by the Colorado bureau of investigation for
12 overtime related to laboratory and investigative services.

13 (2) For the 2022-23 state fiscal year, \$15,982 is appropriated to
14 the department of personnel. This appropriation is from reappropriated
15 funds received from the department of public safety under subsection
16 (1)(a) of this section. To implement this act, the department of personnel
17 may use this appropriation to provide fleet vehicles for the department of
18 public safety.

19 **SECTION 7. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.