

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0747.01 Shelby Ross x4510

SENATE BILL 26-095

SENATE SPONSORSHIP

Weissman,

HOUSE SPONSORSHIP

Froelich and Willford,

Senate Committees

Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES TO SUPPORT VICTIM-SURVIVORS OF CERTAIN
102 CRIMES THAT DO NOT INCLUDE CHANGES TO SUBSTANTIVE
103 CRIMINAL OFFENSES.

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>.)

Sections 1 and 2 of the bill require a licensee, nurse, or certified midwife who performs a medical forensic examination to inform the victim-survivor about how to determine when the testing related to the examination is complete and how to obtain the results and records.

Section 3 of the bill authorizes a hospital employee or agent who

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

is treating an emergency room patient for sexual assault to dispense a 30-day supply of drugs for prophylaxis of sexually transmitted infections to the patient.

Section 4 subjects a cause of action against a person arising from any protected statement by a victim-survivor to a special motion to dismiss unless the court determines that the plaintiff has established that there is a reasonable likelihood that the plaintiff will prevail on the claim.

Section 5 of the bill makes a predispute arbitration agreement and predispute joint-action waiver void and unenforceable upon request of an individual who alleges conduct that results in a sexual harassment dispute or a sexual misconduct dispute or upon request of a named representative of a joint action, class action, or collective action that results in a sexual harassment dispute or a sexual misconduct dispute.

Section 6 of the bill requires a judge to allow a forensic scientist to testify remotely in a criminal proceeding if a party requests and both parties consent to the remote testimony.

Section 7 of the bill authorizes the court to order that the testimony of a victim-survivor of domestic violence, unlawful sexual behavior, stalking, human trafficking for involuntary servitude, or human trafficking for sexual servitude be taken in a room other than the courtroom and be televised by closed-circuit television in the courtroom under certain circumstances.

Section 8 of the bill requires peace officer annual in-service training programs to include a 2-hour training to improve a peace officer's understanding of the impact of trauma on victim-survivors of crimes and the optimal way for a peace officer to respond to victim-survivors who are experiencing trauma. **Section 10** of the bill includes trauma-informed investigation and response training as a permissible use of peace officer training and support fund money.

Section 9 of the bill renames the Colorado sexual assault forensic medical evidence review board as the Colorado sexual assault response review board and adds 3 members to the board.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-240-139, **amend**
3 (1)(b)(V)(B) and (1)(b)(V)(C); and **add** (1)(b)(V)(D) as follows:

4 **12-240-139. Injuries to be reported - exemptions - penalty for**
5 **failure to report - immunity from liability - definitions.**

6 (1) (b) (V) A licensee, nurse, or certified midwife who performs
7 a medical forensic examination as described in subsection (1)(b)(I) of this

1 section shall inform the victim:

2 (B) Of the contact information for the nearest community-based
3 victim advocate pursuant to section 13-90-107 (1)(k)(II) if the victim
4 makes a medical report pursuant to subsection (1)(b)(I)(B) of this section
5 or an anonymous report pursuant to subsection (1)(b)(I)(C) of this
6 section; ~~and~~

7 (C) That any forensic medical evidence collected must be
8 maintained until after the assailant may no longer be prosecuted for the
9 crime and that the victim must be notified prior to the destruction of ~~such~~
10 THE evidence; AND

11 (D) HOW TO DETERMINE WHEN THE TESTING RELATED TO THE
12 MEDICAL FORENSIC EXAMINATION IS COMPLETE AND HOW TO OBTAIN THE
13 RESULTS AND RECORDS.

14 **SECTION 2.** In Colorado Revised Statutes, 12-255-133.5,
15 **amend** (1)(b) and (1)(c); and **add** (1)(d) as follows:

16 **12-255-133.5. Licensee duties related to medical forensic**
17 **evidence.**

18 (1) A licensee who performs a medical forensic examination as
19 described in section 12-240-139 (1)(b)(I) shall inform the victim:

20 (b) Of the contact information for the nearest community-based
21 victim advocate pursuant to section 13-90-107 (1)(k)(II) if the victim
22 makes a medical report pursuant to section 12-240-139 (1)(b)(I)(B) or an
23 anonymous report pursuant to section 12-240-139 (1)(b)(I)(C); ~~and~~

24 (c) That any forensic medical evidence collected must be
25 maintained until after the assailant may no longer be prosecuted for the
26 crime and that the victim must be notified prior to the destruction of ~~such~~
27 THE evidence; AND

1 (d) HOW TO DETERMINE WHEN THE TESTING RELATED TO THE
2 MEDICAL FORENSIC EXAMINATION IS COMPLETE AND HOW TO OBTAIN THE
3 RESULTS AND RECORDS.

4 **SECTION 3.** In Colorado Revised Statutes, 12-280-120, **amend**
5 (10)(a)(II) as follows:

6 **12-280-120. Compounding - dispensing - sale of drugs and**
7 **devices - rules - definition.**

8 (10) (a) (II) Notwithstanding subsection (10)(a)(I) of this section,
9 if the hospital employee or agent described in subsection (10)(a)(I) of this
10 section is treating a registered emergency room patient for sexual assault,
11 the hospital employee or agent may, in accordance with the guidelines of
12 the federal centers for disease control and prevention, dispense ~~between~~
13 ~~a seven-day and twenty-eight-day~~ UP TO A THIRTY-DAY supply of drugs
14 for prophylaxis of sexually transmitted infections to the patient.

15 **SECTION 4.** In Colorado Revised Statutes, **add** 13-20-1102 as
16 follows:

17 **13-20-1102. Motion to dismiss - appeal - definitions.**

18 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES:

20 (a) "COMPLAINT" MEANS A PETITION OR CROSS-COMPLAINT.

21 (b) "DEFENDANT" MEANS A RESPONDENT OR CROSS-DEFENDANT.

22 (c) "PLAINTIFF" MEANS A PETITIONER OR CROSS-COMPLAINANT.

23 (d) "PROTECTED STATEMENT BY A VICTIM-SURVIVOR" MEANS:

24 (I) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
25 CONNECTION WITH ANY PHASE OF A CRIMINAL INVESTIGATION OR
26 PROCEEDING;

27 (II) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN

1 CONNECTION WITH AN INVESTIGATION CONDUCTED PURSUANT TO TITLE
2 IX OF THE FEDERAL "EDUCATION AMENDMENTS OF 1972", 20 U.S.C. SEC.
3 1681;

4 (III) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
5 CONNECTION WITH A CHILD WELFARE INVESTIGATION;

6 (IV) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
7 CONNECTION WITH A PETITION FOR CIVIL PROTECTION ORDER PURSUANT
8 TO ARTICLE 14 OF THIS TITLE 13 OR AN EXTREME RISK PROTECTION ORDER
9 PURSUANT TO ARTICLE 14.5 OF THIS TITLE 13;

10 (V) ANY WRITTEN OR ORAL STATEMENT OR WRITING TO ANY
11 PERSON REQUIRED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT
12 PURSUANT TO SECTION 19-3-304; AND

13 (VI) ANY WRITTEN OR ORAL STATEMENT OR WRITING MADE IN
14 CONNECTION WITH ANY OTHER QUASI-JUDICIAL PROCEEDING.

15 (e) "VICTIM-SURVIVOR" MEANS A VICTIM-SURVIVOR OF A CRIME
16 INVOLVING DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3;
17 UNLAWFUL SEXUAL BEHAVIOR, AS DESCRIBED IN PART 4 OF ARTICLE 3 OF
18 TITLE 18; STALKING, AS DEFINED IN SECTION 18-3-602; HUMAN
19 TRAFFICKING FOR INVOLUNTARY SERVITUDE, AS DEFINED IN SECTION
20 18-3-503; OR HUMAN TRAFFICKING FOR SEXUAL SERVITUDE, AS DEFINED
21 IN SECTION 18-3-504.

22 (2) (a) A CAUSE OF ACTION AGAINST A PERSON ARISING FROM ANY
23 PROTECTED STATEMENT BY A VICTIM-SURVIVOR IS SUBJECT TO A SPECIAL
24 MOTION TO DISMISS UNLESS THE COURT DETERMINES THAT THE PLAINTIFF
25 HAS ESTABLISHED THAT THERE IS A REASONABLE LIKELIHOOD THAT THE
26 PLAINTIFF WILL PREVAIL ON THE CLAIM.

27 (b) IN MAKING ITS DETERMINATION, THE COURT SHALL CONSIDER

1 THE PLEADINGS AND SUPPORTING AND OPPOSING AFFIDAVITS STATING THE
2 FACTS UPON WHICH THE LIABILITY OR DEFENSE IS BASED.

3 (c) IF THE COURT DETERMINES THAT THE PLAINTIFF HAS
4 ESTABLISHED A REASONABLE LIKELIHOOD THAT THE PLAINTIFF WILL
5 PREVAIL ON THE CLAIM, THE COURT'S DETERMINATION IS NOT ADMISSIBLE
6 AS EVIDENCE AT ANY LATER STAGE OF THE CASE OR AT ANY SUBSEQUENT
7 PROCEEDING, AND NO BURDEN OF PROOF OR DEGREE OF PROOF OTHERWISE
8 APPLICABLE IS AFFECTED BY THE COURT'S DETERMINATION AT ANY LATER
9 STAGE OF THE CASE OR AT ANY SUBSEQUENT PROCEEDING.

10 (3) THE SPECIAL MOTION MUST BE FILED WITHIN SIXTY-THREE
11 DAYS AFTER THE SERVICE OF THE COMPLAINT OR, IN THE COURT'S
12 DISCRETION, AT A LATER TIME UPON TERMS IT DEEMS PROPER. THE COURT
13 SHALL SCHEDULE THE MOTION FOR A HEARING NOT MORE THAN
14 TWENTY-EIGHT DAYS AFTER THE SERVICE OF THE MOTION UNLESS THE
15 DOCKET CONDITIONS OF THE COURT REQUIRE A LATER HEARING.

16 (4) ALL DISCOVERY PROCEEDINGS IN THE ACTION ARE STAYED
17 UPON THE FILING OF A NOTICE OF MOTION MADE PURSUANT TO THIS
18 SECTION. THE STAY OF DISCOVERY REMAINS IN EFFECT UNTIL NOTICE OF
19 ENTRY OF THE ORDER RULING ON THE MOTION. NOTWITHSTANDING THIS
20 SUBSECTION (4), THE COURT MAY, ON NOTICED MOTION AND FOR GOOD
21 CAUSE SHOWN, ORDER THAT SPECIFIED DISCOVERY BE CONDUCTED.

22 (5) IN ANY ACTION SUBJECT TO SUBSECTION (2) OF THIS SECTION,
23 A PREVAILING DEFENDANT ON A SPECIAL MOTION TO DISMISS IS ENTITLED
24 TO RECOVER THE DEFENDANT'S ATTORNEY FEES AND COSTS. IF THE COURT
25 FINDS THAT A SPECIAL MOTION TO DISMISS IS FRIVOLOUS OR IS SOLELY
26 INTENDED TO CAUSE UNNECESSARY DELAY, PURSUANT TO PART 1 OF
27 ARTICLE 17 OF THIS TITLE 13, THE COURT SHALL AWARD COSTS AND

1 REASONABLE ATTORNEY FEES TO A PLAINTIFF PREVAILING ON THE MOTION.

2 **SECTION 5.** In Colorado Revised Statutes, **add** 13-22-203.5 as
3 follows:

4 **13-22-203.5. Sexual harassment or sexual misconduct dispute**
5 **- determination of applicability - definitions.**

6 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "PREDISPUTE ARBITRATION AGREEMENT" MEANS ANY
9 AGREEMENT TO ARBITRATE A DISPUTE THAT HAS NOT ARISEN AT THE TIME
10 OF MAKING THE AGREEMENT.

11 (b) "PREDISPUTE JOINT-ACTION WAIVER" MEANS AN AGREEMENT,
12 WHETHER OR NOT PART OF A PREDISPUTE ARBITRATION AGREEMENT, THAT
13 PROHIBITS OR WAIVES THE RIGHTS OF A PARTY TO THE AGREEMENT FROM
14 PARTICIPATING IN A JOINT ACTION, CLASS ACTION, OR COLLECTIVE ACTION
15 IN A JUDICIAL, ARBITRAL, ADMINISTRATIVE, OR OTHER FORUM
16 CONCERNING A DISPUTE THAT HAS NOT ARISEN AT THE TIME OF MAKING
17 THE AGREEMENT.

18 (c) "SEXUAL HARASSMENT DISPUTE" MEANS A DISPUTE RELATING
19 TO CONDUCT THAT IS ALLEGED TO CONSTITUTE SEXUAL HARASSMENT
20 PURSUANT TO THE "COLORADO ANTI-DISCRIMINATION ACT", PARTS 3 TO
21 8 OF ARTICLE 34 OF TITLE 24.

22 (d) "SEXUAL MISCONDUCT DISPUTE" MEANS A DISPUTE INVOLVING
23 SEXUAL MISCONDUCT, AS DEFINED IN SECTION 13-80-103.7 (2).

24 (2) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
25 CONTRARY, A PREDISPUTE ARBITRATION AGREEMENT OR PREDISPUTE
26 JOINT-ACTION WAIVER IS NOT VALID OR ENFORCEABLE UPON REQUEST OF
27 AN INDIVIDUAL WHO ALLEGES CONDUCT THAT RESULTS IN A SEXUAL

1 HARASSMENT DISPUTE OR A SEXUAL MISCONDUCT DISPUTE, OR UPON
2 REQUEST OF A NAMED REPRESENTATIVE OF A JOINT ACTION, CLASS
3 ACTION, OR COLLECTIVE ACTION THAT RESULTS IN A SEXUAL HARASSMENT
4 DISPUTE OR A SEXUAL MISCONDUCT DISPUTE.

5 (3) THIS SECTION APPLIES TO AN AGREEMENT TO ARBITRATE. THE
6 COURT, RATHER THAN AN ARBITRATOR, SHALL DETERMINE THE VALIDITY
7 AND ENFORCEABILITY OF AN ARBITRATION AGREEMENT REGARDLESS OF
8 WHETHER THE PARTY RESISTING ARBITRATION CHALLENGES THE
9 ARBITRATION AGREEMENT, SPECIFICALLY OR IN CONJUNCTION WITH OTHER
10 TERMS OF THE CONTRACT THAT CONTAIN AN ARBITRATION AGREEMENT,
11 AND REGARDLESS OF WHETHER THE ARBITRATION AGREEMENT DELEGATES
12 VALIDITY AND ENFORCEABILITY DETERMINATIONS TO AN ARBITRATOR.

13 **SECTION 6.** In Colorado Revised Statutes, **add** 13-90-101.5 as
14 follows:

15 **13-90-101.5. Remote testimony by forensic scientists.**

16 UPON THE REQUEST OF A PARTY AND CONSENT OF BOTH PARTIES,
17 A JUDGE SHALL ALLOW A FORENSIC SCIENTIST TO TESTIFY REMOTELY IN A
18 CRIMINAL PROCEEDING.

19 **SECTION 7.** In Colorado Revised Statutes, **add** 16-10-402.5 as
20 follows:

21 **16-10-402.5. Use of closed-circuit television - victims of certain**
22 **offenses involving domestic violence, unlawful sexual behavior,**
23 **stalking, or human trafficking - definitions.**

24 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
25 REQUIRES:

26 (a) "DOMESTIC VIOLENCE" HAS THE MEANING SET FORTH IN
27 SECTION 18-6-800.3.

1 (b) "HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE" HAS
2 THE MEANING SET FORTH IN SECTION 18-3-503.

3 (c) "HUMAN TRAFFICKING FOR SEXUAL SERVITUDE" HAS THE
4 MEANING SET FORTH IN SECTION 18-3-504.

5 (d) "STALKING" HAS THE MEANING SET FORTH IN SECTION
6 18-3-602.

7 (e) "UNLAWFUL SEXUAL BEHAVIOR" MEANS UNLAWFUL SEXUAL
8 BEHAVIOR DESCRIBED IN PART 4 OF ARTICLE 3 OF TITLE 18.

9 (f) "VICTIM-SURVIVOR" MEANS A VICTIM-SURVIVOR OF A CRIME
10 INVOLVING DOMESTIC VIOLENCE, UNLAWFUL SEXUAL BEHAVIOR,
11 STALKING, HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE, OR
12 HUMAN TRAFFICKING FOR SEXUAL SERVITUDE.

13 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION,
14 IN ANY PROSECUTION FOR A CRIME INVOLVING DOMESTIC VIOLENCE,
15 UNLAWFUL SEXUAL BEHAVIOR, STALKING, HUMAN TRAFFICKING FOR
16 INVOLUNTARY SERVITUDE, OR HUMAN TRAFFICKING FOR SEXUAL
17 SERVITUDE, THE COURT MAY, UPON MOTION OF A PARTY OR UPON ITS OWN
18 MOTION, ORDER THAT THE VICTIM-SURVIVOR'S TESTIMONY BE TAKEN IN
19 A ROOM OTHER THAN THE COURTROOM AND BE TELEVISED BY
20 CLOSED-CIRCUIT TELEVISION IN THE COURTROOM IF:

21 (I) THE TESTIMONY IS TAKEN DURING THE PROCEEDING;

22 (II) THE JUDGE DETERMINES PURSUANT TO SUBSECTION (2)(b)(II)
23 OF THIS SECTION THAT TESTIMONY BY THE VICTIM-SURVIVOR IN THE
24 COURTROOM AND IN THE PRESENCE OF THE DEFENDANT IN THE
25 COURTROOM WOULD RESULT IN THE VICTIM-SURVIVOR SUFFERING SERIOUS
26 EMOTIONAL DISTRESS OR TRAUMA; AND

27 (III) CLOSED-CIRCUIT TELEVISION EQUIPMENT IS AVAILABLE FOR

1 TESTIMONY.

2 (b) (I) TO OBTAIN AN ORDER AUTHORIZING THE USE OF
3 CLOSED-CIRCUIT TELEVISION FOR TESTIMONY BY A VICTIM-SURVIVOR, A
4 PARTY SHALL FILE A WRITTEN MOTION WITH THE COURT NO LESS THAN
5 THIRTY-FIVE DAYS PRIOR TO THE TRIAL. THE COURT MAY EXTEND THE
6 TIME TO FILE A WRITTEN MOTION FOR GOOD CAUSE.

7 (II) THE COURT SHALL HOLD AN EVIDENTIARY HEARING TO
8 DETERMINE WHETHER TESTIMONY BY THE VICTIM-SURVIVOR IN THE
9 COURTROOM AND IN THE PRESENCE OF THE DEFENDANT IN THE
10 COURTROOM WOULD RESULT IN THE VICTIM-SURVIVOR SUFFERING SERIOUS
11 EMOTIONAL DISTRESS OR TRAUMA. THE COURT MAY USE THE TESTIMONY
12 OF A MEDICAL PROFESSIONAL OR MENTAL HEALTH PROFESSIONAL WHO HAS
13 EVALUATED OR TREATED THE VICTIM-SURVIVOR TO SUPPORT THE COURT'S
14 DETERMINATION.

15 (c) ONLY THE PROSECUTING ATTORNEY, THE ATTORNEY FOR THE
16 DEFENDANT, AND THE JUDGE MAY QUESTION THE VICTIM-SURVIVOR WHEN
17 THE VICTIM-SURVIVOR TESTIFIES BY CLOSED-CIRCUIT TELEVISION.

18 (d) THE OPERATORS OF THE CLOSED-CIRCUIT TELEVISION
19 EQUIPMENT SHALL MAKE EVERY EFFORT TO BE UNOBTRUSIVE WHILE THE
20 VICTIM-SURVIVOR IS TESTIFYING.

21 (3) (a) ONLY THE FOLLOWING INDIVIDUALS MAY BE IN THE ROOM
22 WITH THE VICTIM-SURVIVOR WHEN THE VICTIM-SURVIVOR TESTIFIES BY
23 CLOSED-CIRCUIT TELEVISION:

24 (I) THE PROSECUTING ATTORNEY;

25 (II) THE ATTORNEY FOR THE DEFENDANT;

26 (III) THE OPERATORS OF THE CLOSED-CIRCUIT TELEVISION
27 EQUIPMENT;

1 (IV) A PERSON WHOSE PRESENCE, IN THE OPINION OF THE COURT,
2 CONTRIBUTES TO THE WELFARE AND WELL-BEING OF THE
3 VICTIM-SURVIVOR, INCLUDING AN INDIVIDUAL WHO HAS DEALT WITH THE
4 VICTIM-SURVIVOR IN A THERAPEUTIC SETTING; AND

5 (V) THE JURY.

6 (b) DURING THE VICTIM-SURVIVOR'S TESTIMONY BY
7 CLOSED-CIRCUIT TELEVISION, THE JUDGE AND THE DEFENDANT, IF
8 PRESENT, SHALL REMAIN IN THE COURTROOM.

9 (c) THE JUDGE AND THE DEFENDANT MUST BE ALLOWED TO
10 COMMUNICATE WITH THE INDIVIDUALS IN THE ROOM WHERE THE
11 VICTIM-SURVIVOR IS TESTIFYING BY AN APPROPRIATE ELECTRONIC
12 METHOD.

13 (4) THIS SECTION DOES NOT APPLY IF THE DEFENDANT IS
14 APPEARING PRO SE.

15 (5) THIS SECTION DOES NOT APPLY IF THE VICTIM-SURVIVOR
16 TESTIFYING IS, AT THE TIME OF A TRIAL, A CHILD LESS THAN TWELVE
17 YEARS OLD OR IS A PERSON WHO HAS AN INTELLECTUAL AND
18 DEVELOPMENTAL DISABILITY, AS DEFINED IN SECTION 25.5-10-202.
19 CLOSED-CIRCUIT TELEVISION TESTIMONY BY A VICTIM-SURVIVOR AT THE
20 TIME OF TRIAL WHO IS A CHILD LESS THAN TWELVE YEARS OLD OR WHO
21 HAS AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY IS GOVERNED BY
22 SECTION 16-10-402.

23 (6) (a) THIS SECTION DOES NOT PRECLUDE, FOR PURPOSES OF
24 IDENTIFYING A DEFENDANT, THE PRESENCE OF BOTH THE
25 VICTIM-SURVIVOR AND THE DEFENDANT IN THE COURTROOM AT THE SAME
26 TIME.

27 (b) THIS SECTION DOES NOT PRECLUDE THE REMOVAL OF THE

1 DEFENDANT, RATHER THAN THE VICTIM-SURVIVOR, FROM THE
2 COURTROOM UPON THE STIPULATION OF BOTH PARTIES AND THE APPROVAL
3 OF THE COURT.

4 (c) THIS SECTION DOES NOT PRECLUDE A COURT FROM TAKING
5 OTHER, CONSTITUTIONALLY PERMISSIBLE MEASURES TO ACCOMMODATE
6 THE NEEDS OF A TESTIFYING VICTIM-SURVIVOR.

7 **SECTION 8.** In Colorado Revised Statutes, 24-31-315, **amend**
8 (1)(a) as follows:

9 **24-31-315. Annual in-service training requirements.**

10 (1) (a) The annual in-service training programs must include
11 proper restraint and holds training, a two-hour anti-bias training program,
12 A TWO-HOUR TRAINING TO IMPROVE A PEACE OFFICER'S UNDERSTANDING
13 OF THE IMPACT OF TRAUMA ON VICTIM-SURVIVORS OF CRIMES AND THE
14 OPTIMAL WAY FOR A PEACE OFFICER TO RESPOND TO VICTIM-SURVIVORS
15 WHO ARE EXPERIENCING OR RESPONDING TO TRAUMA, and, in alternating
16 years, either a two-hour community policing and community partnerships
17 training program or a two-hour situation de-escalation training program.
18 The programs and curriculum may include interactive web-based training.
19 Each certified peace officer shall satisfactorily complete the training by
20 July 1, 2017, and shall satisfactorily complete the training at least once
21 every five years thereafter.

22 **SECTION 9.** In Colorado Revised Statutes, 24-31-1401, **amend**
23 (1)(b), (2), (3)(c)(VI), and (3)(c)(VII); and **add** (3)(c)(VIII) and (3)(c)(IX)
24 as follows:

25 **24-31-1401. Colorado sexual assault response review board -**
26 **creation - membership - duties - report - short title - definitions -**
27 **repeal.**

1 (1) As used in this section, unless the context otherwise requires:

2 (b) "Review board" means the Colorado sexual assault ~~forensic~~
3 ~~medical evidence~~ RESPONSE review board, established in subsection (2)
4 of this section.

5 (2) The Colorado sexual assault ~~forensic medical evidence~~
6 RESPONSE review board is established in the department to carry out the
7 duties described in subsection (6) of this section and submit the report
8 described in subsection (7) of this section.

9 (3) The board consists of:

10 (c) The following members, appointed by the attorney general:

11 (VI) Three representatives from organizations that provide
12 services or advocate for communities that experience disproportionate
13 rates of sexual assault; ~~and~~

14 (VII) Up to three members, at the discretion of the attorney
15 general, whose contributions the attorney general determines would be
16 valuable to the work of the review board; ~~and~~

17 (VIII) A REPRESENTATIVE OF A MUNICIPAL CRIME LABORATORY;
18 AND

19 (IX) TWO VICTIM-SURVIVORS, ONE REPRESENTING A RURAL
20 COMMUNITY AND ONE REPRESENTING A METRO AREA OR URBAN
21 COMMUNITY; AND

22 **SECTION 10.** In Colorado Revised Statutes, 24-33.5-122,
23 **amend (1)(j)(I) as follows:**

24 **24-33.5-122. Peace officer training and support fund - peace**
25 **officer training and support distribution - first responder death**
26 **benefit administration - death benefit fund - rules - definitions -**
27 **repeal.**

1 (1) **Definitions.** As used in this section, unless the context
2 otherwise requires:

3 (j) (I) "Permissible purpose" means the initial and continuing
4 education and training for peace officers, INCLUDING TRAINING AND
5 EDUCATION FOR TRAUMA-INFORMED INVESTIGATIONS AND
6 VICTIM-SURVIVOR RESPONSE FOR PEACE OFFICERS, and the compensation
7 of peace officers.

8 **SECTION 11. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.