

Summary of Legislation

2024



Criminal and Juvenile Justice Systems

The Colorado General Assembly passed a variety of criminal and juvenile justice related bills in 2024. The new laws changed record sealing, criminal penalties, court procedures, behavioral health, bail, recidivism, and other relevant topics.

Record Sealing

A permanent criminal record can make it hard to secure housing, education, employment, and other necessary resources. Two new laws aim to make record sealing easier and more cost effective for those who qualify. Another bill addresses professional licenses and criminal histories.

Fees and process updates. [House Bill 24 1432](#) repeals the Colorado Bureau of Investigation record sealing fee to make the process more accessible and affordable. [House Bill 24-1133](#) clarifies and makes changes to existing criminal record sealing and expungement practices. These changes address mistaken identity, attorney access, remote hearings, waiting periods, and other procedures about automatic sealing. It also accounts for convictions for actions that are no longer illegal under new state laws.

Professional licenses. Individuals in Colorado may be denied professional licenses based on their criminal history, even if there is no direct relationship between the two. In response, [House Bill 24-1004](#) creates a uniform process for people with criminal

records to petition licensing bodies if they are denied for a previous conviction.

Human Trafficking

The Colorado General Assembly passed two bills about human trafficking to raise awareness and provide protections for survivors.

Enforcement. During various committee hearings, lawmakers learned the statutes of limitations for reporting a human trafficking crime is three years, even though it may take much longer for a survivor to report due to fear and the emotional toll. Additionally, testimony explained that human trafficking of an adult or a minor is not classified as a crime of violence despite the exploitation and coercion perpetrated on victims. In response to these concerns, [Senate Bill 24-035](#) enacts mandatory minimum sentences for perpetrators of human trafficking, while extending the statute of limitations from 3 to 20 years for adult human trafficking survivors.

Awareness. The Human Trafficking Council (council) was created in 2014 and provides support and services to combat human trafficking in Colorado. These services include training, collecting data, accessing services for victims, and conducting outreach campaigns. The council was set to repeal this year, but [House Bill 24-1345](#) extended it to 2031.

Criminal and Juvenile Justice Systems

Behavioral Health

A pair of bills about competency to stand trial became law in 2024. Additional behavioral health related measures address juvenile emergency commitments, diversion, and medical definitions.

Competency. [House Bill 24-1034](#) aims to streamline the adult competency process by:

- clarifying who raises the competency question in parole hearings;
- requiring the Colorado Department of Human Services to report records of past competency evaluations to the court when a new one is ordered;
- changing what is included in a competency evaluation report;
- updating hearing procedures for determining competency; and,
- changing the amount of time a defendant may remain in custody while deemed incompetent to proceed.

To reduce the competency waitlist for defendants with behavioral health issues, [House Bill 24-1355](#) creates the Bridges Wraparound Care Program. The program specifically diverts eligible individuals from the criminal justice system into community-based mental health services. The bill outlines in more detail program eligibility, the referral process, hearings, and diversion components.

Emergency commitments. [House Bill 24-1079](#) prohibits the use of jails for juvenile emergency commitments, or brief involuntary detentions for those who may have a mental illness or a substance use disorder. Instead, law enforcement is directed to take the youth to withdrawal

management facilities or an emergency room to receive care. The bill also requires law enforcement and treatment facilities to submit related data to the Behavioral Health Administration.

Diversion. Data supports the theory that youth with behavioral health and intellectual disabilities are more likely to become involved in the juvenile justice system. Lawmakers agreed that correctional facilities may not be the best place to treat this population and recommended to make diversion opportunities more readily available. [Senate Bill 24-006](#) allows District Attorneys' offices to consider the use of juvenile diversion programs instead of formal delinquency proceedings for youth with behavioral or mental health issues.

Prohibiting term "excited delirium." Legislators heard concerns about first responders using the term "excited delirium" to describe and respond to people who become distressed or aggressive from a mental illness or the use of stimulants. [House Bill 24-1103](#) prohibits the use of the term "excited delirium" in first responder trainings, in peace officer incident reports, and as the cause of death in death certificates.

Bail

Two bail related measures made it through the legislative process in 2024.

First degree murder. In 2020, the General Assembly passed a law that abolished Colorado's death penalty. As a result, there is no longer an exception to the bail requirement for first degree murder and differing interpretations emerged on whether or not judges must set bail in first



Criminal and Juvenile Justice Systems

degree murder cases. [House Concurrent Resolution 24-1002](#), a constitutional amendment requiring voter approval, allows judges to deny bail to person charged with first degree murder when the judge determines that the proof is evident or presumption is great that the person committed the crime.

Petty property crimes. To close a technical loophole, [House Bill 24-1241](#) aligns state and municipal practice by prohibiting municipal courts from setting cash bonds for municipal charges that mirror state petty property crimes. This ensures that Coloradans accused of the lowest level property crimes are treated equally no matter if in state or municipal court.

Recidivism

The legislature approved two working groups to study how to better measure and define recidivism. [Senate Bill 24-029](#) creates a working group to study metrics other than recidivism to measure criminal justice outcomes. [Senate Bill 24-030](#) creates another study group to develop a common definition of recidivism to be used across all state entities.

Other Bills of Interest

Criminal justice bills also covered diverse subjects covering evidence, name changes, and probation and parole supervision requirements.

Rape shield laws. [House Bill 24-1072](#) eliminates an exception in state law that allowed evidence of a survivor's prior or subsequent sexual relationship with the

defendant to be entered into court automatically. A judge is now required to evaluate the relevance of such evidence. The bill is intended to provide survivors of sexual assault with protections about what can be presented as evidence during criminal proceedings.

Name change. Under current law, a person convicted of a felony who wishes to change their name must demonstrate they have "good cause" to do so. [House Bill 24-1071](#) expands the definition of "good cause" to include a name change that conforms with the person's gender identify. Courts may require that convicted felons give public notice of their name change.

Probation and parole reporting and fees. [House Bill 24-1445](#) increases opportunities for individuals on probation or parole to check in remotely with their supervising officers. The bill also requires the annual reporting of certain fees assessed and eliminates non-payment of probation or parole fees as a grounds for revocation.

