



**Dora**  
Department of Regulatory Agencies

**Office of Policy, Research and Regulatory Reform**

# **2011 Sunset Review: Colorado Cold Case Task Force**

October 14, 2011





**Executive Director's Office**

Barbara J. Kelley  
Executive Director

John W. Hickenlooper  
Governor

October 14, 2011

Members of the Colorado General Assembly  
c/o the Office of Legislative Legal Services  
State Capitol Building  
Denver, Colorado 80203

Dear Members of the General Assembly:

The mission of the Department of Regulatory Agencies (DORA) is consumer protection. As a part of the Executive Director's Office within DORA, the Office of Policy, Research and Regulatory Reform seeks to fulfill its statutorily mandated responsibility to conduct sunset reviews with a focus on protecting the health, safety and welfare of all Coloradans.

DORA has completed the evaluation of the Colorado Cold Case Task Force (Task Force). I am pleased to submit this written report, which will be the basis for my office's oral testimony before the 2012 legislative committee of reference. The report is submitted pursuant to section 24-34-104(8)(a), of the Colorado Revised Statutes (C.R.S.), which states in part:

The department of regulatory agencies shall conduct an analysis of the performance of each division, board or agency or each function scheduled for termination under this section...

The department of regulatory agencies shall submit a report and supporting materials to the office of legislative legal services no later than October 15 of the year preceding the date established for termination....

The report discusses the question of whether there is a need for the Task Force provided under Article 33.5 of Title 24, C.R.S. The report also discusses the effectiveness of the Colorado Department of Public Safety and staff in carrying out the intent of the statutes and makes recommendations for statutory changes in the event this regulatory program is continued by the General Assembly.

Sincerely,

Barbara J. Kelley  
Executive Director





John W. Hickenlooper  
Governor

Barbara J. Kelley  
Executive Director

## **2011 Sunset Review: Colorado Cold Case Task Force**

### **Summary**

#### ***What Is Regulated?***

The Colorado Cold Case Task Force (Task Force) is a Type 2 advisory committee that is charged with creating best practices model related to cold case investigation strategies and practices.

#### ***Why Is It Regulated?***

There are more than 1,700 cold cases throughout Colorado, and the creation of the best practices model for cold case investigation strategies and practices serves to provide training to law enforcement personnel to ultimately solve more cold cases.

#### ***Who Is Regulated?***

The Task Force does not provide direct regulatory oversight. Instead, it serves in an advisory capacity to assist in enhancing Colorado's cold case investigation strategies and practices.

#### ***How Is It Regulated?***

The Task Force is comprised of 15 members consisting of a broad range of participants, including, but not limited to district attorneys, victims advocacy organization representatives, a sheriff and chief of police.

#### ***What Does It Cost?***

There are no direct costs associated with the Task Force. The best practices training related to cold case investigation strategies and practices is funded through a Colorado Peace Officer Standards and Training grant of \$28,490.

#### ***How Many Cold Case Trainings Have There Been?***

Utilizing the cold case best practices model developed by the Task Force, the Colorado Bureau of Investigation has organized and facilitated eight training sessions, with approximately 230 people attending the trainings.

#### ***Where Do I Get the Full Report?***

The full sunset review can be found on the internet at: [www.dora.state.co.us/opr/oprpublications.htm](http://www.dora.state.co.us/opr/oprpublications.htm).

## Key Recommendations

### **Continue the Task Force for seven years, until 2019.**

Although the Task Force has completed its initial charge of the creation of a best practices model for reviewing cold cases, there is a need to continue the Task Force and refine and possibly re-develop its mission. The Task Force also provides a useful forum for law enforcement and members of the public to have an open dialog related to cold case investigations.

### **Amend the current membership of the Task Force to include a forensic pathologist.**

The addition of a forensic pathologist to the Task Force would provide an additional perspective in the consideration and analysis of best practices of cold case investigations. This expertise could be useful to ensure that valuable information is preserved during a death investigation, which, if necessary, could be used in cold case investigations.

## Major Contacts Made During This Review

Colorado Bureau of Investigation  
Colorado Department of Public Safety  
City and County of Denver Police Department  
City of Westminster Police Department  
Families of Homicide Victims and Missing Persons

### What is a Sunset Review?

A sunset review is a periodic assessment of state boards, programs, and functions to determine whether or not they should be continued by the legislature. Sunset reviews focus on creating the least restrictive form of regulation consistent with protecting the public. In formulating recommendations, sunset reviews consider the public's right to consistent, high quality professional or occupational services and the ability of businesses to exist and thrive in a competitive market, free from unnecessary regulation.

Sunset Reviews are Prepared by:  
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## Background

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### Introduction

Enacted in 1976, Colorado's sunset law was the first of its kind in the United States. A sunset provision repeals all or part of a law after a specific date, unless the legislature affirmatively acts to extend it. During the sunset review process, the Department of Regulatory Agencies (DORA) conducts a thorough evaluation of such programs based upon specific statutory criteria<sup>1</sup> and solicits diverse input from a broad spectrum of stakeholders including consumers, government agencies, public advocacy groups, and professional associations.

Sunset reviews are based on the following statutory criteria:

- Whether regulation by the agency is necessary to protect the public health, safety and welfare; whether the conditions which led to the initial regulation have changed; and whether other conditions have arisen which would warrant more, less or the same degree of regulation;
- If regulation is necessary, whether the existing statutes and regulations establish the least restrictive form of regulation consistent with the public interest, considering other available regulatory mechanisms and whether agency rules enhance the public interest and are within the scope of legislative intent;
- Whether the agency operates in the public interest and whether its operation is impeded or enhanced by existing statutes, rules, procedures and practices and any other circumstances, including budgetary, resource and personnel matters;
- Whether an analysis of agency operations indicates that the agency performs its statutory duties efficiently and effectively;
- Whether the composition of the agency's board or commission adequately represents the public interest and whether the agency encourages public participation in its decisions rather than participation only by the people it regulates;
- The economic impact of regulation and, if national economic information is not available, whether the agency stimulates or restricts competition;
- Whether complaint, investigation and disciplinary procedures adequately protect the public and whether final dispositions of complaints are in the public interest or self-serving to the profession;
- Whether the scope of practice of the regulated occupation contributes to the optimum utilization of personnel and whether entry requirements encourage affirmative action;
- Whether administrative and statutory changes are necessary to improve agency operations to enhance the public interest.

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<sup>1</sup> Criteria may be found at § 24-34-104, C.R.S.

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## ***Types of Regulation***

Consistent, flexible, and fair regulatory oversight assures consumers, professionals and businesses an equitable playing field. All Coloradans share a long-term, common interest in a fair marketplace where consumers are protected. Regulation, if done appropriately, should protect consumers. If consumers are not better protected and competition is hindered, then regulation may not be the answer.

As regulatory programs relate to individual professionals, such programs typically entail the establishment of minimum standards for initial entry and continued participation in a given profession or occupation. This serves to protect the public from incompetent practitioners. Similarly, such programs provide a vehicle for limiting or removing from practice those practitioners deemed to have harmed the public.

From a practitioner perspective, regulation can lead to increased prestige and higher income. Accordingly, regulatory programs are often championed by those who will be the subject of regulation.

On the other hand, by erecting barriers to entry into a given profession or occupation, even when justified, regulation can serve to restrict the supply of practitioners. This not only limits consumer choice, but can also lead to an increase in the cost of services.

There are also several levels of regulation.

### Licensure

Licensure is the most restrictive form of regulation, yet it provides the greatest level of public protection. Licensing programs typically involve the completion of a prescribed educational program (usually college level or higher) and the passage of an examination that is designed to measure a minimal level of competency. These types of programs usually entail title protection – only those individuals who are properly licensed may use a particular title(s) – and practice exclusivity – only those individuals who are properly licensed may engage in the particular practice. While these requirements can be viewed as barriers to entry, they also afford the highest level of consumer protection in that they ensure that only those who are deemed competent may practice and the public is alerted to those who may practice by the title(s) used.

### Certification

Certification programs offer a level of consumer protection similar to licensing programs, but the barriers to entry are generally lower. The required educational program may be more vocational in nature, but the required examination should still measure a minimal level of competency. Additionally, certification programs typically involve a non-governmental entity that establishes the training requirements and owns and administers the examination. State certification is made conditional upon the individual practitioner obtaining and maintaining the relevant private credential. These types of programs also usually entail title protection and practice exclusivity.

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While the aforementioned requirements can still be viewed as barriers to entry, they afford a level of consumer protection that is lower than a licensing program. They ensure that only those who are deemed competent may practice and the public is alerted to those who may practice by the title(s) used.

### Registration

Registration programs can serve to protect the public with minimal barriers to entry. A typical registration program involves an individual satisfying certain prescribed requirements – typically non-practice related items, such as insurance or the use of a disclosure form – and the state, in turn, placing that individual on the pertinent registry. These types of programs can entail title protection and practice exclusivity. Since the barriers to entry in registration programs are relatively low, registration programs are generally best suited to those professions and occupations where the risk of public harm is relatively low, but nevertheless present. In short, registration programs serve to notify the state of which individuals are engaging in the relevant practice and to notify the public of those who may practice by the title(s) used.

### Title Protection

Finally, title protection programs represent one of the lowest levels of regulation. Only those who satisfy certain prescribed requirements may use the relevant prescribed title(s). Practitioners need not register or otherwise notify the state that they are engaging in the relevant practice, and practice exclusivity does not attach. In other words, anyone may engage in the particular practice, but only those who satisfy the prescribed requirements may use the enumerated title(s). This serves to indirectly ensure a minimal level of competency – depending upon the prescribed preconditions for use of the protected title(s) – and the public is alerted to the qualifications of those who may use the particular title(s).

Licensing, certification and registration programs also typically involve some kind of mechanism for removing individuals from practice when such individuals engage in enumerated proscribed activities. This is generally not the case with title protection programs.

### Regulation of Businesses

Regulatory programs involving businesses are typically in place to enhance public safety, as with a salon or pharmacy. These programs also help to ensure financial solvency and reliability of continued service for consumers, such as with a public utility, a bank or an insurance company.

Activities can involve auditing of certain capital, bookkeeping and other recordkeeping requirements, such as filing quarterly financial statements with the regulator. Other programs may require onsite examinations of financial records, safety features or service records.

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Although these programs are intended to enhance public protection and reliability of service for consumers, costs of compliance are a factor. These administrative costs, if too burdensome, may be passed on to consumers.

### **Sunset Process**

Regulatory programs scheduled for sunset review receive a comprehensive analysis. The review includes a thorough dialogue with agency officials, representatives of the regulated profession and other stakeholders. Anyone can submit input on any upcoming sunrise or sunset review via DORA's website at: [www.dora.state.co.us/pls/real/OPR\\_Review\\_Comments.Main](http://www.dora.state.co.us/pls/real/OPR_Review_Comments.Main).

The statutory functions of the Colorado Cold Case Task Force (Task Force) as enumerated in Article 33.5 of Title 24, Colorado Revised Statutes (C.R.S.), shall terminate on July 1, 2012, unless continued by the General Assembly. During the year prior to this date, it is the duty of DORA to conduct an analysis and evaluation of the administration of the Task Force pursuant to section 24-34-104, C.R.S.

The purpose of this review is to determine whether the Task Force should be continued for the protection of the public and to evaluate the performance of the Colorado Department of Public Safety (DPS). During this review, the DPS must demonstrate that the Task Force serves to protect the public health, safety or welfare, and that the Task Force is the least restrictive way to protect the public. DORA's findings and recommendations are submitted via this report to the Office of Legislative Legal Services.

### **Methodology**

As part of this review, DORA staff attended Task Force meetings, interviewed DPS staff, interviewed Task Force members, interviewed various interested parties and stakeholders, and reviewed Colorado statutes.

### **Profile of the Colorado Cold Case Task Force**

Currently, there are more than 1,700 cold cases in Colorado. A cold case is defined in section 24-33.5-425(2)(a), C.R.S., as a homicide investigation that is open for more than three years from the date of the commission of the crime and was committed since 1970. Most of the cold cases are concentrated in the Denver metropolitan area; however, cold cases exist in virtually all counties throughout the state.

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In an attempt to address, and ultimately improve, cold case investigations by law enforcement personnel, the General Assembly passed House Bill 07-1272 (HB 07-1272). Specifically, HB 07-1272 included the creation of the Task Force, but it also required the creation of Colorado's cold case homicide team. The cold case homicide team, which currently consists of one employee within the Colorado Bureau of Investigation (CBI), is charged with creating a state-wide database to include each homicide investigation that meets the definition of a cold case. The database serves two purposes: it is a record of all of the unsolved homicides in Colorado and a potential tool for law enforcement to possibly connect multiple cold case investigations.

Further, HB 07-1272 requires each law enforcement agency in the state of Colorado to provide information to the cold case homicide team in an effort to compile a complete database of all of the cold cases in Colorado.

However, the focus of this sunset review, as highlighted in section 24-33.5-109(9)(b), C.R.S., is specific to the Task Force.

The Task Force was charged with a single task: review and make recommendations on best practices related to cold case homicide investigation strategies and practices,<sup>2</sup> which was initiated with a survey provided to all law enforcement agencies. The goal of the survey was to find out how many cold cases the law enforcement agencies had in their jurisdictions, what their resources were and what needs, if any, existed.

One common theme was identified from the surveys: law enforcement agencies needed training on cold case homicide investigations.

In order to facilitate the charge of the Task Force, and address the desire for training from the survey to law enforcement agencies, a curriculum development sub-committee was established to review investigation strategies and practices. The sub-committee included a variety of law enforcement personnel, an employee of the Colorado Office of the Attorney General and an employee of Colorado State University.

The curriculum development sub-committee met 10 times, beginning in August 2008 continuing through September 2009.<sup>3</sup> A curriculum was ultimately developed by the sub-committee and it serves as the basis for a 16-hour (two-day) law enforcement training course.<sup>4</sup> The objective of the training course is,

to provide participants an overview of proven strategies for resolving previously unsolved homicide cases under best practice investigative process and strategies for cold cases incorporating evidence testing and Deoxyribonucleic Acid (DNA) forensic technology.<sup>5</sup>

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<sup>2</sup> § 24-33.5-109(6), C.R.S.

<sup>3</sup> Colorado Cold Case Task Force 2010 Annual Report. Retrieved February 5, 2011, from <http://www.cdpsweb.state.co.us/coldcase/doc/2010%20Annual%20Report-%20final.pdf>

<sup>4</sup> Colorado Cold Case Task Force 2010 Annual Report. Retrieved February 5, 2011, from <http://www.cdpsweb.state.co.us/coldcase/doc/2010%20Annual%20Report-%20final.pdf>

<sup>5</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 13.

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There are a variety of topics (units) that are covered in the cold case training course, which are as follows:<sup>6</sup>

- Why Cases Go Cold;
- Homicide Investigation Basics;
- Cold Case Squads;
- Case Selection;
- Case Review Process;
- Co-Victims;
- Case Resolution; and
- Case Scenarios.

**Unit 1 – Why Cases Go Cold** - provides context and understanding of why homicide cases develop into cold cases.<sup>7</sup> Once an attendee completes Unit 1, he or she should be able to:<sup>8</sup>

- Recognize why cases go cold – including evidence issues;
- Identify victim characteristics contributing to cold case status;
- Describe agency issues that can be factors in cases going cold;
- Understand the consequences of unsolved homicides; and
- Define criminal investigation techniques.

**Unit 2 – Homicide Investigation Basics** – provides a review of homicide investigation and principles of crime scene forensics.<sup>9</sup> Once Unit 2 is completed, an attendee should be able to:<sup>10</sup>

- Review homicide investigation basics;
- Identify individual agency policy on homicide investigations;
- Examine crime scene forensic principles; and
- Define courtroom presentation guidelines.

**Unit 3 – Cold Case Squads** – provides an in-depth review in identifying the types and structures of cold case squads, and the necessary components of successful squads.<sup>11</sup> Upon completion of Unit 3, an attendee should be able to:<sup>12</sup>

- Describe ideal cold case squad personnel;
- Classify cold case squad components;
- Compare innovative department squad designs; and
- Identify external resources for cold case squads.

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<sup>6</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. pp. 7-8.

<sup>7</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 15.

<sup>8</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 15.

<sup>9</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 23.

<sup>10</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 23.

<sup>11</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 53.

<sup>12</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 53.

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**Unit 4 – Case Selection** – provides an in-depth review of the recommended process for case review of “cold case” files.<sup>13</sup> Upon completion, attendees should be able to:<sup>14</sup>

- Describe the triage theory and process for cold case files;
- Define solvability factors for triage review;
- Identify cold case file components; and
- Analyze the various cold case review forms for the recommended process.

**Unit 5 - Case Review Process** – provides an overview of the recommended process for initial case review of cold case files.<sup>15</sup> Unit 5 enables attendees to:<sup>16</sup>

- Examine various case review processes;
- Identify and recommend steps for organizing cold case files;
- Classify “gaps in information” for cold case files; and
- Recommend a process for assessing existing evidence.

**Unit 6 – Co-Victims** – identifies best practices in victim service protocols for cold case investigations.<sup>17</sup> Upon completion of Unit 6, attendees should be able to:<sup>18</sup>

- Recognize victims/co-victim characteristics;
- Describe local resources for advocates;
- Identify model programs for cold case victim service protocols; and
- Review additional resources for dealing with families of victims.

**Unit 7 – Case Resolution** – describes the process and recommended strategies of resolving cold cases through suspect identification, apprehension, interview and interrogation and prosecution.<sup>19</sup> Unit 7 teaches attendees to:<sup>20</sup>

- Define strategies for locating and securing suspects;
- Analyze recommended interview and interrogation skills for cold case suspects;
- Identify suspect apprehension tactics;
- Categorize methods of pro-active investigations; and
- Review DNA analysis methods.

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<sup>13</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 63.

<sup>14</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 63.

<sup>15</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 75.

<sup>16</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 75.

<sup>17</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 101.

<sup>18</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 101.

<sup>19</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 111.

<sup>20</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 111.

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**Unit 8 - Case Scenarios** – provides attendees with the opportunity for application of cold case theories through simulated case scenarios.<sup>21</sup> Unit 8 enables attendees to:<sup>22</sup>

- Analyze case situations and apply best practice investigative strategies;
- Interpret evidence available and recommend further testing options; and
- Present to the group (attendees) an application of course theory from a scenario case.

In addition to completing its single task, to review and make recommendations on best practices related to cold case homicide investigation strategies and practices, and in keeping with the spirit of the mandate of the Task Force, the Task Force was also instrumental in facilitating the CBI-created Cold Case Review Team (Review Team). Specifically, the Task Force was consulted and provided input as to the purpose and role of the Review Team.

The Review Team is a 27-member team comprised of experts from a variety of associations and professions, including, but not limited to the Colorado Association of Chiefs of Police, County Sheriffs of Colorado, district attorneys and investigators, and the Colorado Organization for Victims Assistance.

The purpose of the Review Team is to serve as a “different set of eyes” concerning cold case investigations. In order for the Review Team to ultimately review a specific cold case, law enforcement agencies must request assistance from the Review Team. For example, a police or sheriff’s agency determines that it would be helpful for a particular cold case to be reviewed by the Review Team. The agency presenting the case meets with the Review Team during the review process, receives the suggestions and participates in the discussion of alternatives or options for solving the case.

The Review Team first met on June 2, 2010. During that meeting two cases were heard and one case resulted in the referral to a grand jury and the return of an indictment. Since this time, the Review Team has met four times and a total of nine cases have been reviewed.

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<sup>21</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 171.

<sup>22</sup> Cold Case Homicide Investigation Strategies and Best Practices. Participant Manual. p. 171.

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## Legal Framework

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The Colorado Cold Case Task Force (Task Force) was established in 2007 through House Bill 07-1272. The Task Force is charged with reviewing cold case homicide investigation strategies and practices and making recommendations on best practices.<sup>23</sup>

Prior to the creation of the Task Force, Colorado did not have a comprehensive best practices model related to cold case homicide investigations. The Task Force created the two-day training course: Cold Case Homicide Investigation Strategies and Best Practices.

The Task Force is created in section 24-33.5-109, *et seq.*, Colorado Revised Statutes. The Task Force consists of 15 members, as follows:<sup>24</sup>

- The Executive Director of the Colorado Department of Public Safety or his or her designee;
- The Attorney General or his or her designee;
- Three district attorneys or their designees, each must be appointed by the Executive Director of the Colorado District Attorneys Council;
  - One district attorney must be from an urban judicial district
  - One district attorney must be from a suburban judicial district
  - One district attorney must be from a rural judicial district
- Two members who represent a statewide victims advocacy organization (appointed by the Speaker of the House of Representatives);
- One sheriff and one police chief (both are appointed by the President of the Senate);
- Two representatives from victims' families (appointed by the Speaker of the House of Representatives); and
- Two representatives from victims' families (appointed by the President of the Senate).

The Task Force is required to meet, at a minimum, four times per year.<sup>25</sup>

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<sup>23</sup> § 24-33.5-109(6), C.R.S.

<sup>24</sup> §§ 24-33.5-109(2)(a-h), C.R.S.

<sup>25</sup> § 24-33.5-109(5), C.R.S.

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## Program Description and Administration

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The Colorado Cold Case Task Force (Task Force), which is created in section 24-33.5-109, *et seq.*, Colorado Revised Statutes, is a Type 2 advisory body that is required to review cold case homicide investigation strategies and practices and make recommendations on best practices.

The Task Force is required, in statute, to meet at least four times per year. The Task Force maintains a quarterly meeting schedule.

The Colorado Bureau of Investigation (CBI) within the Colorado Department of Public Safety utilizes one full-time employee to provide administrative oversight to the Task Force, which includes, among other duties, the administration of the Cold Case Homicide Investigation Strategies and Best Practices two-day training course.

The Cold Case Homicide Investigation Strategies and Best Practices training course has been approved by the Colorado Peace Officer Standards and Training (POST) Board.<sup>26</sup> Further, in fiscal year 10-11, the CBI was awarded a POST grant of \$28,490 to conduct additional trainings throughout the state.<sup>27</sup>

Since November 2009, a total of eight Cold Case Homicide Investigation Strategies and Best Practices training courses have been completed. The training courses have been held in a variety of locations throughout Colorado, including: Denver, Grand Junction, Greeley, Ft. Collins and Pueblo. According to CBI staff, approximately 230 people have completed the training course.

The POST grant has served as the funding source for attendees of the Cold Case Homicide Investigation Strategies and Best Practices training courses. As such, attendees were not required to pay for participation in the training courses.

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<sup>26</sup> Colorado Cold Case Task Force 2010 Annual Report. Retrieved February 5, 2011, from <http://www.cdpsweb.state.co.us/coldcase/doc/2010%20Annual%20Report-%20final.pdf>

<sup>27</sup> Colorado Cold Case Task Force 2010 Annual Report. Retrieved February 5, 2011, from <http://www.cdpsweb.state.co.us/coldcase/doc/2010%20Annual%20Report-%20final.pdf>

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## Analysis and Recommendations

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### ***Recommendation 1 – Continue the Colorado Cold Case Task Force for seven years, until 2019.***

The first sunset review criterion asks whether regulation is necessary to protect the health, safety and welfare of the public. The Colorado Cold Case Task Force (Task Force) was created by the General Assembly to establish a best practices model for reviewing cold cases in Colorado. The Task Force consists of 15 members, representing a diverse mixture of expertise, including, but not limited to, law enforcement officials, victims' advocates and prosecutors.

Although the Task Force does not have direct regulatory oversight, it serves as a Type 2 advisory body and its purpose is to enhance public protection by improving cold case investigations in Colorado. In fact, the Task Force was charged with a single task: review and make recommendations on best practices related to cold case homicide investigation strategies and practices.<sup>28</sup>

The Task Force has successfully completed its charge and created a best practices model related to cold case investigations. Utilizing the cold case best practices model developed by the Task Force, the Colorado Bureau of Investigation (CBI) has organized and facilitated a two-day training course. From November 2009 to present, the CBI has held eight training sessions at locations throughout the state, with approximately 230 people attending the trainings.

Since the Task Force has completed its statutorily mandated charge, as highlighted above, the question becomes: Should the Task Force be continued or should it be sunsetted by the General Assembly?

There are three main reasons the Task Force should be continued by the General Assembly. First, even though the best practices model was developed by the Task Force and ultimately utilized by the CBI as a two-day training for interested parties, such as law enforcement officials, there is a need to continually refine and possibly re-develop the best practices model. Because the Task Force is already created in statute, it is efficient to use if and when revisions to the best practices model are needed.

Additionally, the Task Force should be continued because it provides a useful forum for individuals, including professionals within law enforcement and the public, to have an open dialogue related to cold case investigations. Specifically, the Task Force has enabled stakeholders to express their concerns and frustrations with certain aspects of cold case investigations, particularly in the area of law enforcement's communication with victims' families. Also, there have been differing perspectives concerning investigation techniques, and the Task Force provides a setting for discussion and clarification of issues related to cold case investigations.

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<sup>28</sup> § 24-33.5-109(6), C.R.S.

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The Task Force also serves as a sounding board for CBI staff, law enforcement agencies, district attorneys and others related to improving cold case homicide investigations. The diverse representation on the Task Force encourages a constructive and robust exchange of ideas on improving cold case investigations.

The Department of Regulatory Agencies staff interviewed various stakeholders for this sunset review, and stakeholders overwhelmingly supported continuation of the Task Force. Further, stakeholders supported the continuation of the Task Force so they could have a statutorily mandated forum to not only meet and refine the best practices model for cold case investigations in Colorado, but also allow a wide variety of stakeholders to convene and discuss issues or concerns with cold case investigations, and in some instances, legal issues, related to cold cases.

As such, the General Assembly should continue the Task Force for seven years, until 2019.

***Recommendation 2 – Amend the current membership of the Task Force to include a forensic pathologist.***

Currently, the 15-member Task Force is comprised of a variety of stakeholders, but does not include a forensic pathologist. A forensic pathologist is a physician who determines the cause of death of an individual who has died suddenly, suspiciously, unnaturally or unexpectedly.<sup>29</sup>

The addition of a forensic pathologist to the Task Force would add an additional perspective related to the best practices of cold case investigations. This expertise could be useful to ensure that valuable information is preserved during a death investigation, which, if necessary, could be used in cold case investigations.

Therefore, the General Assembly should add a forensic pathologist to the Task Force. Doing so would expand the diverse composition of the Task Force, as well as potentially provide valuable information related to death investigations. This information could be useful in the best practices training utilized for cold cases.

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<sup>29</sup> WiseGEEK. *What is a Forensic Pathologist?* Retrieved July 25, 2011, from <http://www.wisegeek.com/what-is-a-forensic-pathologist.htm>