

COLORADO



State legislatures consider and enact laws that address the administration and use of forensic science by state justice systems. Issues addressed in these measures include the delegation of oversight responsibilities for forensic services, accreditation standards for forensic laboratories, access to post-conviction DNA testing, the collection and analysis of DNA samples from arrested and convicted individuals and procedures for eyewitness identification. Following is information on this state's legislative activity on forensic science issues. More information on forensic science policy from all 50 states and the District of Columbia is available on the NCSL [forensic science page](#).



Administration of State Forensic Services § 24-33.5-412

The state administers its forensic services through the Colorado Bureau of Investigation.

State Studies Addressing Forensic Services § 24-33.5-104.5

The Colorado DNA Working Group's primary purpose is to study and make recommendations for DNA evidence retention. The group released reports to the legislature in [January 2010](#), [October 2010](#) and [December 2010](#). The group is required to meet at least annually.

Convicted Offender DNA Analysis § 16-23-103

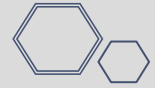
People convicted of any felony or sex crime misdemeanor must submit a DNA sample to state officials. Sample collection applies to juveniles.

Arrestee DNA Analysis §§ 16-23-103, 104, 105

People arrested for all felonies must submit a DNA sample to state officials. A probable cause hearing is required, but the sample can be collected before the hearing (at booking). The sample can be analyzed when the offender is charged with a felony and the sample is expunged upon request.

Post Conviction DNA Analysis §§ 18-1-411 through 417

The state allows an incarcerated individual to apply for post-conviction DNA testing. Their application must demonstrate by a preponderance of evidence that DNA testing will demonstrate actual innocence. Colorado code has specifications for the preservation of biological evidence.



Sexual Assault Evidence and Backlogs § 24-33.5-113

State laws address evidence submission protocols for law enforcement, standards for sexual assault evidence collection, and communication requirements for law enforcement with victims and backlogged sexual assault evidence.

Familial DNA Testing/Partial Match Analysis Administrative Action

The Colorado Bureau of Investigation has a [policy](#) authorizing familial DNA testing when other investigative leads have been exhausted.
