



COLORADO

**Department of
Regulatory Agencies**

Colorado Office of Policy, Research &
Regulatory Reform

2025 Sunset Review

Cold Case Task Force



October 15, 2025



COLORADO

**Department of
Regulatory Agencies**

Executive Director's Office

October 15, 2025

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 Colorado General Assembly established the sunset review process in 1976 as a way to analyze and evaluate regulatory programs and determine the least restrictive regulation consistent with the public interest. Pursuant to section 24-34-104(5)(a), Colorado Revised Statutes (C.R.S.), the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) at the Department of Regulatory Agencies (DORA) undertakes a robust review process culminating in the release of multiple reports each year on October 15.

A national leader in regulatory reform, COPRRR takes the vision of their office, DORA and more broadly of our state government seriously. Specifically, COPRRR contributes to the strong economic landscape in Colorado by ensuring that we have thoughtful, efficient, and inclusive regulations that reduce barriers to entry into various professions and that open doors of opportunity for all Coloradans.

As part of this year's review, COPRRR has completed an evaluation of the Cold Case Task Force. I am pleased to submit this written report, which will be the basis for COPRRR's oral testimony before the 2026 legislative committee of reference.

The report discusses the question of whether there is a need for the regulation provided under Section 109 of Article 33.5 of Title 24, C.R.S. The report also discusses the effectiveness of the Colorado Bureau of Investigation in carrying out the intent of the statutes and makes recommendations for statutory changes for the review and discussion of the General Assembly.

To learn more about the sunset review process, among COPRRR's other functions, visit coprrr.colorado.gov.

Sincerely,

Patty Salazar
Executive Director





Cold Case Task Force

Background

What is the Cold Case Task Force?

The Colorado Cold Case Task Force (Task Force) is a Type 2 advisory committee housed within the Colorado Bureau of Investigation (CBI). It reviews cold case homicide investigation strategies and makes recommendations on best practices to state and local law enforcement agencies.

What does it do?

There are close to 2,000 cold cases throughout Colorado. The Task Force provides a statewide forum for law enforcement, family members of victims, and members of the public to discuss best practices and ultimately solve more cold cases.

How does it work?

Rather than providing direct intervention, the Task Force serves in an advisory capacity to enhance cold case investigation strategies and practices for law enforcement agencies throughout the state.

Who sits on the Task Force?

The Task Force comprises 16 members including, but not limited to, district attorneys, victims' advocacy organization representatives, a sheriff and chief of police, family members of cold case victims, and a forensic pathologist.

What does it cost?

While there are no expenditures directly related to the Task Force, in fiscal years 19-20 and 20-21, there were reimbursements of \$2,081 for travel expenses for a family representative that sat on the Task Force.

Key Recommendations

- Continue the Cold Case Task Force for 13 years, until 2039, and schedule it for a sunset review under Title 2, Colorado Revised Statutes.
- Authorize the Executive Director of the Department of Public Safety to appoint additional members to the Task Force.

Table of Contents

Background	2
Sunset Criteria.....	2
Sunset Process	4
Methodology	5
Profile of Cold Case Investigations	6
Legal Framework.....	8
History of Regulation	8
Legal Summary	9
Program Description and Administration	11
Analysis and Recommendations.....	14
Recommendation 1 – Continue the Cold Case Task Force for 13 years, until 2039, and schedule it for a sunset review under Title 2, Colorado Revised Statutes.	14
Recommendation 2 – Authorize the Executive Director to appoint additional members to the Task Force.....	16

Background

Sunset Criteria

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 Colorado Office of Policy, Research and Regulatory Reform (COPRRR) within the Department of Regulatory Agencies (DORA) conducts a thorough evaluation of such programs based upon specific statutory criteria¹ and solicits diverse input from a broad spectrum of stakeholders including consumers, government agencies, public advocacy groups, and professional associations.

Sunset reviews are guided by statutory criteria and sunset reports are organized so that a reader may consider these criteria while reading. While not all criteria are applicable to all sunset reviews, the various sections of a sunset report generally call attention to the relevant criteria. For example,

- In order to address the first criterion and determine whether the program under review is necessary to protect the public, it is necessary to understand the details of the profession or industry at issue. The Profile section of a sunset report typically describes the profession or industry at issue and addresses the current environment, which may include economic data, to aid in this analysis.
- To address the second sunset criterion--whether conditions that led to the initial creation of the program have changed--the History of Regulation section of a sunset report explores any relevant changes that have occurred over time in the regulatory environment. The remainder of the Legal Framework section addresses the fifth sunset criterion by summarizing the organic statute and rules of the program, as well as relevant federal, state and local laws to aid in the exploration of whether the program's operations are impeded or enhanced by existing statutes or rules.
- The Program Description section of a sunset report addresses several of the sunset criteria, including those inquiring whether the agency operates in the public interest and whether its operations are impeded or enhanced by existing statutes, rules, procedures and practices; whether the agency or the agency's board performs efficiently and effectively and whether the board, if applicable, represents the public interest.
- The Analysis and Recommendations section of a sunset report, while generally applying multiple criteria, is specifically designed in response to the fourteenth criterion, which asks whether administrative or statutory changes are necessary to improve agency operations to enhance the public interest.

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

These are but a few examples of how the various sections of a sunset report provide the information and, where appropriate, analysis required by the sunset criteria. Just as not all criteria are applicable to every sunset review, not all criteria are specifically highlighted as they are applied throughout a sunset review. While not necessarily exhaustive, the table below indicates where these criteria are applied in this sunset report.

Table 1
Application of Sunset Criteria

Sunset Criteria	Where <u>Applied</u>
(I) Whether regulation or program administration by the agency is necessary to protect the public health, safety, and welfare.	• Profile of Cold Case Investigations • History of Regulation • Recommendation 1
(II) Whether the conditions that led to the initial creation of the program have changed and whether other conditions have arisen that would warrant more, less, or the same degree of governmental oversight.	• History of Regulation • Recommendation 2
(III) If the program is necessary, whether the existing statutes and regulations establish the least restrictive form of governmental oversight consistent with the public interest, considering other available regulatory mechanisms.	• Legal Summary
(IV) If the program is necessary, whether agency rules enhance the public interest and are within the scope of legislative intent.	• Legal Summary
(V) 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.	• Legal Summary • Program Description and Administration • Recommendation 2
(VI) Whether an analysis of agency operations indicates that the agency or the agency's board or commission performs its statutory duties efficiently and effectively.	• Program Description and Administration • Recommendations 1 and 2
(VII) 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.	• Legal Summary • Program Description and Administration • Recommendations 1 and 2
(VIII) Whether regulatory oversight can be achieved through a director model.	• Not Applicable
(IX) The economic impact of the program and, if national economic information is not available, whether the agency stimulates or restricts competition.	• Not Applicable

Sunset Criteria	Where Applied
(X) If reviewing a regulatory program, 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 or regulated entity.	Not Applicable
(XI) If reviewing a regulatory program, whether the scope of practice of the regulated occupation contributes to the optimum use of personnel.	Not Applicable
(XII) Whether entry requirements encourage equity, diversity, and inclusivity.	Not Applicable
(XIII) If reviewing a regulatory program, whether the agency, through its licensing, certification, or registration process, imposes any sanctions or disqualifications on applicants based on past criminal history and, if so, whether the sanctions or disqualifications serve public safety or commercial or consumer protection interests. To assist in considering this factor, the analysis prepared pursuant to subsection (5)(a) of this section must include data on the number of licenses, certifications, or registrations that the agency denied based on the applicant's criminal history, the number of conditional licenses, certifications, or registrations issued based upon the applicant's criminal history, and the number of licenses, certifications, or registrations revoked or suspended based on an individual's criminal conduct. For each set of data, the analysis must include the criminal offenses that led to the sanction or disqualification.	Not Applicable
(XIV) Whether administrative and statutory changes are necessary to improve agency operations to enhance the public interest.	Recommendations 1 and 2

Sunset Process

Regulatory programs scheduled for sunset review receive a comprehensive analysis. The review includes a thorough dialogue with agency officials, and other stakeholders. Anyone can submit input on any upcoming sunrise or sunset review on COPRRR's website at coprrr.colorado.gov.

The functions of the Cold Case Task Force (Task Force) and the Colorado Bureau of Investigation (CBI), as enumerated in Section 109 of Article 33.5 of Title 24, Colorado Revised Statutes (C.R.S.), shall terminate on September 1, 2026, unless continued by the General Assembly. During the year prior to this date, it is the duty of COPRRR to conduct an analysis and evaluation of the Task Force pursuant to section 24-34-104, C.R.S.

The purpose of this review is to determine whether the currently prescribed program should be continued and to evaluate the performance of the Task Force and CBI. During this review, CBI must demonstrate that the program serves the public interest. COPRRR's findings and recommendations are submitted via this report to the Office of Legislative Legal Services.

Methodology

As part of this review, COPRRR staff interviewed CBI staff, members of the Task Force, representatives from law enforcement, and officials with state and national professional associations, and reviewed Colorado statutes and rules, and the laws of other states.

The major contacts made during this review include, but are not limited to:

- Boulder County District Attorney's Office
- City and County of Denver Police Department
- Colorado Association of Chiefs of Police
- Colorado Attorney General's Office
- Colorado Bureau of Investigation
- Colorado Department of Public Safety
- Denver District Attorney's Office
- Thornton Police Department
- Weld County Sheriff's Office

Profile of Cold Case Investigations

In a sunset review, the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) is guided by the sunset criteria located in section 24-34-104(6)(b), C.R.S. The first criterion asks whether regulation or program administration by the agency is necessary to protect the public health, safety, and welfare.

As of 2025, there were close to 25,000 cold cases throughout the country.² The definition of a cold case varies across states and jurisdictions. In Colorado, a cold case is defined as an open homicide investigation that has been active for more than three years from the date of the commission of the crime.³ This designation applies to active cases since 1970.⁴

There are close to 2,000 cold cases throughout Colorado. Jurisdictions such as Denver,⁵ Douglas County,⁶ Arapahoe County,⁷ and Colorado Springs⁸ have units dedicated to investigating cold cases proactively. The Denver metropolitan area has the largest concentration of cold cases in the state.

Cold cases can be particularly challenging for law enforcement agencies to investigate and prosecute. Homicides that took place long ago might lack hard evidence. Witness credibility and recall accuracy can erode the longer a case goes is open.⁹ Other factors include strained resources.¹⁰ Many localities do not have the resources to dedicate personnel to cold cases while trying to simultaneously deal with current investigations.

One of the first steps in cold case investigations is conducting a case review, which involves examining archived documents and arranging existing evidence that make up the original case file. Officers can examine documents such as:¹¹

² Project: Cold Case. *Cold Cases Database*. Retrieved September 2, 2025, from <https://database.projectcoldcase.org/>

³ § 24-33.5-425(2), C.R.S.

⁴ § 24-33.5-425(2), C.R.S.

⁵ City and County of Denver. *Cold Case Homicides*. Retrieved September 2, 2025, from <https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Police-Department/Crime-Information/Cold-Cases>

⁶ Douglas County Sheriff. *Douglas County Cold Case Unit*. Retrieved September 2, 2025, from <https://dcsheriff.net/sheriffs-office/divisions/investigations/major-crimes/cold-cases/>

⁷ Arapahoe County Sheriff. *Cold Case Investigations*. Retrieved September 2, 2025, from https://arapahoeco.gov/your_county/county_departments/sheriffs_office/bureaus/public_safety_bureau/investigation_services/cold_case_investigations/index.php

⁸ City of Colorado Springs. *Cold Cases*. Retrieved September 2, 2025, from <https://coloradosprings.gov/police-department/page/cold-cases>

⁹ Katie Toolin, et al., "Psychological contributions to cold case investigations: A systematic review," *Forensic Science International: Synergy* (2022).

¹⁰ National Institute of Justice. *Serial Killer Connections Through Cold Cases*. Retrieved September 2, 2025, from <https://nij.ojp.gov/topics/articles/serial-killer-connections-through-cold-cases>

¹¹ National Police Foundation. *Cold Case Investigative Checklist*. Retrieved September 2, 2025, from <https://centerforimprovinginvestigations.org/wp-content/uploads/2020/08/Cold-Case-Checklist.pdf>

- Crime scene logs and photos, if available;
- Victim, witness, and suspect statements; and
- Reports of postmortem examinations or other crime laboratory findings.

This can help a detective determine whether there are any other questions that need to be resolved, any additional interviews that need to be completed, and follow up on any existing leads that may have existed in the past.¹²

The agency can choose to use public outreach for help on cold cases. The media can be used to request information, especially in homicides with limited evidence. This might create new leads from members of the public, or other agencies that might have information related to the case. Jurisdictions such as Arapahoe County,¹³ Westminster,¹⁴ Glendale,¹⁵ and Colorado Springs¹⁶ post active cold cases on their websites, for example.

A traditional method of solving cold cases utilizes a combination of fingerprinting technology and DNA analysis.¹⁷ Biological evidence can be analyzed to produce a reliable DNA profile, which can be compared to fingerprint databases or other databases available to law enforcement in order to find a potential match.

An emerging technique for solving cold cases involves using forensic investigative genetic genealogy,¹⁸ which compares DNA evidence to public genealogy databases.¹⁹ This can be used to find relatives of perpetrators or victims. It is a relatively new method that first emerged in 2018.²⁰

¹² *Id.*

¹³ Arapahoe County Sheriff. *Current Cold Cases*. Retrieved September 2, 2025, from https://www.arapahoeco.gov/your_county/county_departments/sheriffs_office/bureaus/public_safety_bureau/investigation_services/cold_case_investigations/current_cold_cases.php

¹⁴ Westminster, Colorado. *Cold Cases*. Retrieved September 2, 2025, from <https://www.westminsterco.gov/590/Cold-Cases>

¹⁵ City of Glendale. *Cold Case Files*. <https://www.glendale.co.us/369/Cold-Case-Files>

¹⁶ City of Colorado Springs. *Cold Cases*. Retrieved September 2, 2025, from <https://coloradosprings.gov/police-department/page/cold-cases>

¹⁷ National Institute of Justice. *Applying Modern Investigation Methods to Solve Cold Cases*. Retrieved September 2, 2025, from <https://nij.ojp.gov/topics/articles/applying-modern-investigation-methods-solve-cold-cases>

¹⁸ Denver 7. *Colorado family finally gets closure they need 50 years after murder of loved one thanks to genetic genealogy*. Retrieved September 2, 2025, from <https://www.denver7.com/news/local-news/colorado-family-finally-gets-closure-they-need-50-years-after-murder-of-loved-one-thanks-to-genetic-genealogy>

¹⁹ NPR. *Using Genetic Genealogy To Identify Unknown Crime Victims, Sometimes Decades Later*. Retrieved September 2, 2025, from <https://www.npr.org/2019/01/08/682925589/using-genetic-genealogy-to-identify-unknown-crime-victims-sometimes-decades-late>

²⁰ Claire Glynn, "Bridging Disciplines to Form a New One: The Emergence of Forensic Genetic Genealogy," *Genes* (2022).

Legal Framework

History of Regulation

In a sunset review, the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) is guided by the sunset criteria located in section 24-34-104(6)(b), Colorado Revised Statutes (C.R.S.). The first and second sunset criteria question:

Whether regulation or program administration by the agency is necessary to protect the public health, safety, and welfare; and

Whether the conditions that led to the initial creation of the program have changed and whether other conditions have arisen that would warrant more, less or the same degree of governmental oversight.

One way that COPRRR addresses this is by examining why the program was established and how it has evolved over time.

In 2007, the General Assembly passed House Bill 07-1272. Prior to this legislation, Colorado did not have a statutorily designated unit dedicated to cold case homicides. The bill created the Colorado Cold Case Unit (Unit) within the Colorado Bureau of Investigation (CBI). It also created the Cold Case Task Force (Task Force), which is the subject of this review. The Task Force was required to review homicide investigation strategies and make recommendations as to best practices for the Unit. The legislation also required the creation of a Cold Case Database.

In 2011, the Task Force underwent its first sunset review. The Colorado Office of Policy, Research, and Regulatory Reform (COPRRR) recommended to continue the Task Force and amend the membership of the Task Force to include a forensic pathologist. A forensic pathologist is a medical professional that specializes in determining the cause and manner of death during postmortem examinations.²¹ Both recommendations were accepted by the General Assembly.

The next sunset review took place in 2018. It again recommended continuation of the Task Force, which was adopted by the General Assembly.

In 2022, the General Assembly passed Senate Bill 013, which repealed language setting specific expiration dates for board members' terms and replaced them with a general requirement that terms be staggered. This provision staggered the terms for members of the Task Force so that a large number of terms will not expire simultaneously.

²¹ College of American Pathologists. *What You Need to Know About Forensic Pathology*. Retrieved September 2, 2025, from <https://www.cap.org/member-resources/articles/what-you-need-to-know-about-forensic-pathology>

Legal Summary

The third, fourth, fifth and seventh sunset criteria question:

Whether the existing statutes and regulations establish the least restrictive form of governmental oversight consistent with the public interest, considering other available regulatory mechanisms;

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; and

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.

A summary of the current statutes and rules is necessary to understand whether governmental oversight is set at the appropriate level and whether the current laws are impeding or enhancing the agency's ability to operate in the public interest.

The Task Force is a Type 2 entity²² enshrined in section 24-33.5-109, Colorado Revised Statutes (C.R.S.) (Act). It is required to review cold case homicide investigation strategies and practices and make recommendations on best practices.²³ On or before October 1 each year, the Task Force is required to report to the judiciary committees of the Senate and the House of Representatives on the implementation of the Act.²⁴

The Task Force is required to meet four times a year,²⁵ and consists of the following 16 members:²⁶

- The Executive Director of the Department of Public Safety (Executive Director and DPS, respectively), or their designee;
- The Attorney General, or their designee;
- Three district attorneys, or their designees, appointed by the Executive Director of the Colorado District Attorneys' Council;
- Two members who represent a statewide victims advocacy organization, appointed by the Governor;

²² § 24-33.5-109(1), C.R.S.

²³ § 24-33.5-109(6), C.R.S.

²⁴ § 24-33.5-109(8), C.R.S.

²⁵ § 24-33.5-109(5), C.R.S.

²⁶ § 24-33.5-109(2), C.R.S.

-
- One sheriff and one police chief appointed by the Speaker of the House of Representatives;
 - One sheriff and one police chief appointed by the President of the Senate;
 - Two representatives from victims' families appointed by the Speaker of the House of Representatives;
 - Two representatives from victims' families appointed by the President of the Senate; and
 - A forensic pathologist who is appointed by the Governor.

The Executive Director, or their designee, chairs the Task Force.²⁷ Of the three district attorneys, one must be from an urban judicial district, another must be from a suburban judicial district, and one must be from a rural judicial district.²⁸

Apart from the Executive Director and the Attorney General, all members serve three-year terms and may not serve more than two consecutive terms.²⁹ Members serve without compensation but are entitled to reimbursement for actual and necessary expenses incurred.³⁰

Although not covered under this sunset review, the Task Force helps to advise the Cold Case Unit (Unit) of CBI. The Unit is required to:

- Develop and maintain a database that contains information related to each homicide investigation since 1970 that is open in a Colorado jurisdiction for more than three years from the date of the commission of the crime;³¹ and
- Provide assistance to local law enforcement agencies, upon request of the local agency or a family member of a homicide victim.³²

²⁷ § 24-33.5-109(2), C.R.S.

²⁸ § 24-33.5-109(2), C.R.S.

²⁹ § 24-33.5-109(3), C.R.S.

³⁰ § 24-33.5-109(4), C.R.S.

³¹ § 24-33.5-425(2), C.R.S.

³² § 24-33.5-425(3), C.R.S.

Program Description and Administration

In a sunset review, the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) is guided by sunset criteria located in section 24-34-104(6)(b), Colorado Revised Statutes (C.R.S.). The fifth, sixth and seventh sunset criteria question:

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 or the agency's board or commission performs its statutory duties efficiently and effectively; and

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.

In part, COPRRR utilizes this section of the report to evaluate the agency according to these criteria.

The Colorado Cold Case Task Force (Task Force) is a Type 2 advisory body³³ required to review cold case homicide investigation strategies and practices and make recommendations on best practices.³⁴ These recommendations can be used by the Colorado Bureau of Investigation (CBI), along with other state and local law enforcement agencies that may work on cold cases.

The Task Force is made up of 16 members:³⁵

- The Executive Director of the Department of Public Safety (Executive Director and DPS, respectively), or their designee;
- The Attorney General, or their designee;
- Three district attorneys, or their designees, appointed by the Executive Director of the Colorado District Attorneys Council;
- Two members who represent a statewide victims advocacy organization, appointed by the Governor;
- One sheriff and one police chief appointed by the Speaker of the House of Representatives;
- One sheriff and one police chief appointed by the President of the Senate;
- Two representatives from victims' families appointed by the Speaker of the

³³ § 24-33.5-109(1), C.R.S.

³⁴ § 24-33.5-109(6), C.R.S.

³⁵ § 24-33.5-109(2), C.R.S.

-
- House of Representatives;
 - Two representatives from victims' families appointed by the President of the Senate; and
 - A forensic pathologist who is appointed by the Governor.

The Task Force must meet four times a year.³⁶ Meetings are held in a hybrid format, with the in-person component being hosted at CBI's Lakewood location. The majority of participants include Task Force members. However, the Task Force will occasionally have in attendance:

- Members of state or local law enforcement agencies not on the Task Force,
- Private investigators, and
- Family members or friends of homicide victims.

Task force members serve three-year terms and may not serve more than two consecutive terms.³⁷ Members serve without compensation but are entitled to reimbursement for actual and necessary expenses incurred.³⁸ In fiscal years 19-20 and 20-21, there were reimbursements for \$2,080.94 for travel expenses for a family representative that sat on the Task Force. No other reimbursements were made during the period examined.

The Task Force effectively acts as an advisory counterpart to the Cold Case Unit (Unit), part of the Colorado Bureau of Investigation (CBI). The Unit, in part, is required to provide assistance to local law enforcement agencies, upon their request or the request of a family member of a homicide victim.³⁹ It is also required to maintain a state-wide database to track cold cases.⁴⁰ Throughout the state, the Unit is colloquially known as the Cold Case Homicide Team. It had 1.0 full time equivalent (FTE) employee until 2022. That year, an additional 10.0 FTE were added as a result of a rightsizing effort within CBI.

After its creation, the Task Force assisted the Unit in setting up the state's cold case database. The database is available online, and contains unresolved homicide cases, long-term missing person cases, and unidentified remains cases dating back to 1970.⁴¹ A cold case is defined as a homicide investigation that has been active for more than three years from the date of its commission.⁴² Every law enforcement agency throughout the state is required to provide information required for inclusion in the database.⁴³ Each year, the Unit contacts local law enforcement to see if any cases should be added to the database based on the three-year benchmark.

³⁶ § 24-33.5-109(5), C.R.S.

³⁷ § 24-33.5-109(3), C.R.S.

³⁸ § 24-33.5-109(4), C.R.S.

³⁹ § 24-33.5-425(3), C.R.S.

⁴⁰ § 24-33.5-425(2), C.R.S.

⁴¹ Colorado Bureau of Investigation. *Cold Case*. Retrieved September 2, 2025, from <https://cbi.colorado.gov/sections/investigations/cold-case>

⁴² § 24-33.5-425(2), C.R.S.

⁴³ § 24-33.5-425(2)(b), C.R.S.

There are currently 2,055 cases listed on the database.⁴⁴ Of all these cases, 1,975 are listed as “open” and seven are listed as “other” cases. “Other” cases also remain unsolved but are listed separately because the reporting agency has not made a decision on whether it was a homicide, so they are reported as “other.” The remaining 73 cases are listed as “solved.” Any member of the public may access the database and search for cases based on queries such as:

- Years;
- Agency;
- Case status;
- Identifying marks;
- Names or aliases of victims;
- Tribal affiliations of victims; and
- Physical details of victims such as age, gender, race, height, weight, hair and eye color.

⁴⁴ Colorado Bureau of Investigation. *Cold Case Files*. Retrieved September 2, 2025, from <https://apps.colorado.gov/apps/coldcase/index.html>

Analysis and Recommendations

The final sunset criterion questions whether administrative and statutory changes are necessary to improve agency operations to enhance the public interest. The recommendations that follow are offered in consideration of this criterion, in general, and any criteria specifically referenced in those recommendations.

Recommendation 1 – Continue the Cold Case Task Force for 13 years, until 2039, and schedule it for a sunset review under Title 2, Colorado Revised Statutes.

Cold cases refer to open homicide investigations that have been active for more than three years from the date of the commission of the crime.⁴⁵ This applies to active cases since 1970.⁴⁶ While the Colorado Bureau of Investigation (CBI) has a Cold Case Unit (Unit) dedicated to tackling these crimes, it relies substantively on the advice of the Cold Case Task Force (Task Force), the subject of this sunset review.

Both the Unit and Task Force were created in 2007. Prior to this, there was no formal, statewide guidance on how to handle such cases. Currently, the Task Force serves in an advisory capacity to assist the Unit and law enforcement agencies statewide in enhancing their cold case investigation strategies and practices. In addition to CBI staff, district attorneys and members of local law enforcement are often in attendance at meetings, which serve as a vital sounding board to discuss techniques and bring up cases.

Investigative strategies are always evolving. The Task Force's composition provides insightful perspectives in the consideration and analysis of best practices of cold case investigations. It currently consists of 16 members including representatives of law enforcement, the Executive Director of the Department of Public Safety (Executive Director and DPS, respectively), the Attorney General, district attorneys, and family members of homicide victims.⁴⁷ If there are differing perspectives concerning investigation techniques, the Task Force serves as a useful setting for law enforcement to have a robust, constructive discussion on issues related to cold case investigations.

One unique perspective on the Task Force is that brought by the forensic pathologist. A forensic pathologist is a medical professional that investigates unexpected or suspicious deaths. They often work in both governmental settings, such as coroner's or medical examiner's offices, to conduct postmortem examinations or autopsies.⁴⁸ Unlike law enforcement and legal experts, this perspective helps bring specialized medical expertise to the Task Force.

⁴⁵ § 24-33.5-425(2), C.R.S.

⁴⁶ *Id.*

⁴⁷ § 24-33.5-109(2), C.R.S.

⁴⁸ College of American Pathologists. *What You Need to Know About Forensic Pathology*. Retrieved September 2, 2025, from <https://www.cap.org/member-resources/articles/what-you-need-to-know-about-forensic-pathology>

The Task Force also includes members from statewide victim advocacy organizations, along with family members of homicide victims. This is a crucial perspective that law enforcement may not always have direct access to. Having these members at Task Force meetings can help to inform law enforcement on how to communicate with victims' families. They can also remind law enforcement personnel of the significance of actively pursuing cold case investigations.

In addition, any member of the public may attend the Task Force's meetings and leave public comments for the members to consider. Given the sensitive nature of cold cases, it is vital to preserve this opportunity for Coloradans who might be family members or friends of homicide victims. It provides a public forum for them to inform law enforcement about the importance of their cases, some of which may have been under investigation for years to no avail. If a case goes unnoticed, the Task Force can also serve as an avenue for loved ones to sound their concerns and place pressure on law enforcement to pursue cases.

The first sunset criterion asks whether the program is necessary to protect public health, safety and welfare. The sixth criterion asks whether an analysis of agency operations indicates that the agency or the agency's board or commission performs its statutory duties efficiently and effectively. The seventh criterion looks at the composition of the agency's board or commission to see if it adequately represents the public interest. Criterion fourteen asks if statutory changes are necessary to improve agency operations to enhance the public interest.

If the Task Force were to sunset, there would be one less avenue for CBI, law enforcement, and members of the public to discuss cold cases. Cold cases are incredibly difficult to prosecute and investigate compared to crimes where commission took place more recently. Additionally, many law enforcement agencies do not have the resources to devote to investigating cold cases on a full-time basis. As such, the Task Force serves as a learning tool for agencies to learn about investigative techniques.

Behind every missing person or unsolved murder case is a family who continues to look for answers. If the Task Force were to sunset, these individuals would lose an avenue to voice their concerns and remind the public, including law enforcement, about their cases.

Because of these reasons, the Task Force is necessary to protect public health, safety, and welfare and the General Assembly should continue it for 13 years. This timeline is commensurate to the recommendations made in this report.

In addition to continuation, a change should be made to the type of sunset review conducted of the Task Force. The Colorado Office of Policy, Research, and Regulatory Reform (COPRRR) conducts two types of sunset reviews. The first type is conducted under section 24-34-104, Colorado Revised Statutes (C.R.S.). Title 24 sunset reviews tend to be longer, more comprehensive reviews of regulatory programs such as those that administer licenses, conduct examinations, receive complaints, levy fines and

enforcement, or have rulemaking functions. Title 24 sunset reviews require a considerable expenditure of time and energy, both by the agency under review and by COPRRR.

Title 2 sunset reviews, on the other hand, tend to focus on advisory committees and provide a means to assess the efficacy of such committees. Title 2 sunset reviews are conducted over a much shorter period of time, are more limited in scope, and are considerably less complex compared to the year-long Title 24 reviews. Title 2 reviews consider the reason for an advisory committee's creation, whether it achieved that mission, and whether there is any work for it left to do. They only make recommendations to continue or sunset. This approach is more logical for advisory committees, to which the Task Force is more akin.

The current sunset review of the Task Force was conducted pursuant to Title 24. The reasoning for this is not known. The Task Force has no licensing, enforcement, or rulemaking authority. It functions mostly in an advisory capacity. When conducting the sunset review, it was difficult to properly assess the program under Title 24's criteria.

The last two sunset reviews combined made only one substantive recommendation—to alter the composition of the Task Force. In 2011, COPRRR recommended continuing the Task Force and adding a new member. In 2018, the sunset review only recommended continuation. Although not completely determinative, this helps to demonstrate that a Title 24 sunset review may not be necessary.

Title 2 sunset reviews are specifically designed for advisory committees and would thus provide a more proper means of evaluating the Task Force. Hence the General Assembly should establish that future sunset reviews of the Task Force are conducted pursuant to Title 2, which focuses on advisory committees, rather than Title 24.

Recommendation 2 – Authorize the Executive Director to appoint additional members to the Task Force.

The overarching duty of the Task Force is to review cold case homicide investigation strategies and make recommendations on best practices.⁴⁹ As such, the Task force is made up of a large, diverse body consisting of the following 16 members:⁵⁰

- The Executive Director, or their designee;
- The Attorney General, or their designee;
- Three district attorneys, or their designees, appointed by the Executive Director of the Colorado District Attorneys' Council;
- Two members who represent a statewide victims advocacy organization, appointed by the Governor;

⁴⁹ § 24-33.5-109(6), C.R.S.

⁵⁰ § 24-33.5-109(2), C.R.S.

- One sheriff and one police chief appointed by the Speaker of the House of Representatives;
- One sheriff and one police chief appointed by the President of the Senate;
- Two representatives from victims' families appointed by the Speaker of the House of Representatives;
- Two representatives from victims' families appointed by the President of the Senate; and
- A forensic pathologist who is appointed by the Governor.

However, cold case investigation techniques are always evolving. In 2018, law enforcement began incorporating forensic investigative genetic genealogy to help solve cold cases.⁵¹ Such techniques involve gathering DNA evidence and comparing them to public genealogy databases.⁵² This might help find new leads in an investigation that has otherwise been stalled.⁵³ CBI anticipates that, as forensic investigative genetic genealogy services become more widely used by law enforcement throughout the state, an expert in the area would be a helpful addition to the Task Force.

Recently there have been advancements made in DNA phenotyping, which can help investigators predict ancestry and physical traits like hair or eye color.⁵⁴ In addition, virtual reality and three-dimensional printing are starting to be utilized to create three-dimensional environments that serve as reconstructions of crime scenes.⁵⁵ Even artificial intelligence is being used by law enforcement to help aggregate existing case evidence.⁵⁶ Algorithms can be formulated to aggregate and analyze digital forensic evidence, witness statements, and public data to find leads about suspects or victims. These examples show that there may always be emerging technologies in the field of cold case investigations.

Because of the complexity of cold case investigations compared to those of other crimes, and the constantly emerging technology used to help solve such crimes, it would be beneficial for the Executive Director to be able to appoint additional members of the Task Force going forward.

The Executive Director currently has no appointing authority. The Speaker of the House and President of the Senate each appoint one sheriff and one police chief. They also

⁵¹ Claire Glynn, " Bridging Disciplines to Form a New One: The Emergence of Forensic Genetic Genealogy," *Genes* (2022).

⁵² NPR. *Using Genetic Genealogy To Identify Unknown Crime Victims, Sometimes Decades Later*. Retrieved September 2, 2025, from <https://www.npr.org/2019/01/08/682925589/using-genetic-genealogy-to-identify-unknown-crime-victims-sometimes-decades-late>

⁵³ NBC News. *50-year-old Colorado cold case solved after DNA technology identifies woman's killer*. Retrieved September 2, 2025, from <https://www.nbcnews.com/news/us-news/50-year-old-colorado-cold-case-solved-womans-killer-identified-dna-tec-rcna136805>

⁵⁴ Melissa Hernandez. "Advancements in Technology to Solve Cold Cases," *Themis: Research Journal of Justice Studies and Forensic Science* (2023), p. 6.

⁵⁵ Chiara Villa, et al, "A Virtual, 3D Multimodal Approach to Victim and Crime Scene Reconstruction," *Diagnostics* (2023), p. 1.

⁵⁶ The Record. *Law enforcement is using AI to synthesize evidence. Is the justice system ready for it?* Retrieved October 2, 2025, from <https://therecord.media/law-enforcement-ai-platforms-synthesize-evidence-criminal-cases>

both appoint family members of cold case victims. The Governor appoints two members who represent a statewide victims advocacy organization, along with a forensic pathologist. Three district attorneys are appointed by the executive director of the Colorado District Attorneys' Council.⁵⁷ A change should be made so that the Executive Director can also appoint members as new cold case investigation strategies arise.

The second sunset criterion asks whether the conditions that led to the initial creation of the program have changed and whether other conditions have arisen that would warrant more, less, or the same degree of governmental oversight. The fifth sunset criterion asks 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. The sixth criterion asks whether an analysis of agency operations indicates that the agency or the agency's board or commission performs its statutory duties efficiently and effectively. Criterion seven asks 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 mission of the Task Force is to review homicide investigation strategies and make recommendations on best practices. Including experts in emerging fields will help keep CBI and state and local law enforcement agencies up to date when it comes to solving cold cases, which are colloquially known to be much more difficult to investigate and prosecute in comparison to other crimes.

For all these reasons, the General Assembly should authorize the Executive Director to appoint additional members to the Task Force.

⁵⁷ § 24-33.5-109(2), C.R.S.