



## **DEPARTMENT OF PUBLIC SAFETY COLORADO BUREAU OF INVESTIGATION**

**8 CCR 1507-33**

### **RULES AND REGULATIONS CONCERNING THE MEDINA ALERT PROGRAM**

#### **STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE**

Pursuant to 24-33.5-416.7 C.R.S., the Executive Director of the Colorado Department of Public Safety shall promulgate rules and regulations concerning the Medina Alert Program.

It was declared by the General Assembly that this act is necessary for the immediate preservation of the public peace, health and safety of Colorado citizens. The absence of implementing rules to carry out the purpose of the statute would be contrary to this declaration. For these reasons, it is imperatively necessary that the proposed rules be adopted.

A handwritten signature in blue ink, appearing to read "Stan Hilkey", written over a horizontal line.

Stan Hilkey, Executive Director  
Colorado Department of Public Safety

A handwritten date in blue ink, "Oct. 31 2014", written over a horizontal line.

Date of Adoption

**DEPARTMENT OF PUBLIC SAFETY  
COLORADO BUREAU OF INVESTIGATION**

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MEDINA ALERT PROGRAM  
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**Authority to Adopt Rules and Regulations**

The Executive Director of the Colorado Department of Public Safety is mandated to promulgate rules and regulations regarding the Medina Alert Program (MAP) pursuant to 24-33.5-416.7, C.R.S.

**Definitions**

The definitions provided in section 24-33.5-416.7(2) shall apply to these rules and regulations. The following definitions shall also apply.

**“Notification Period”**- means the time the alert will be active until the suspect(s) is apprehended or the requesting agency provides information that the alert is no longer necessary and should be canceled.

**“Serious Bodily Injury”** – has the same meaning as defined in section 42-4-1601(4)(b), C.R.S., namely: injury that involves, either at the time of the actual injury or at a later time, a substantial risk of death, a substantial risk of serious permanent disfigurement, or a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

**“Hi t A n d R u n”** - means an incident when the driver of a motor vehicle involved in an accident fails to stop at the scene of the accident as required by section 42-4-1601, C.R.S.

**“Med in a A l e r t B r o a d c a s t”** – means a public broadcast notification issued pursuant to these rules containing information regarding the imminent threat to the safety of the public when a person kills or inflicts a serious bodily injury upon a person during a motor vehicle accident and flees the scene.

**Applicability**

These Rules and Regulations shall apply to the Colorado Bureau of Investigation (CBI) and law enforcement agencies statewide.

## **Rules / Regulations / Procedures**

### **CBI-MAP 1**

- A. During the course of their investigation, and upon verifying that a motor vehicle accident has occurred that involves a death or serious bodily injury and the suspect or suspects have fled the scene of the offense, a local law enforcement agency, operating under their individual policy and procedures, may notify the CBI at the main number and request that the information be conveyed to the bureau for a Medina Alert Broadcast.

### **CBI-MAP 2**

- A. The CBI will verify the accuracy of the information based on personal contact with a representative from the law enforcement agency. The verification of information provided by the law enforcement agency will include, but is not limited to:
  1. Verifying the identity of the law enforcement agency and the reporting law enforcement official;
  2. Verifying all appropriate information that the reporting law enforcement agency has that may assist in the apprehension of the suspect or suspects;
  3. Verifying that the information being reported meets the definition of "Hit and Run" and "Serious Bodily Injury" as defined in Colorado statute and this rule;
  4. Verifying law enforcement has sufficient additional information concerning the suspect or the suspect's vehicle, including but not limited to;
    - A complete license plate number of the suspect's vehicle;
    - A partial license plate number and the make, style, and color of the suspect's vehicle; and/or
    - The identity of the Suspect.

### **CBI-MAP 3**

- A. The Medina Alert Broadcast may contain, but is not limited to, the following information:
  1. All appropriate information that the reporting law enforcement agency has that may assist in the apprehension of the suspect(s);
  2. A statement instructing anyone with information related to the hit and run accident to contact his or her local law enforcement agency;
  3. A warning that the suspect(s) are dangerous and that members of the public should not attempt to apprehend the suspect(s) themselves.

### **CBI-MAP 4**

- A. The Medina Alert Broadcast may be rebroadcast to the public as often as possible, but it is recommended to rebroadcast every 15 minutes the first 2 hours, then every 30 minutes thereafter. The update of information may be at the request of state or local law enforcement, as additional information becomes available, or as investigation circumstances change. This information is provided to the CBI and forwarded to the broadcasters.
- B. The cancellation of the Medina Alert Broadcast shall be the responsibility of the CBI. The requesting law enforcement agency must contact the CBI designee to deactivate the Medina Alert Broadcast once the suspect or suspects have been apprehended or at the end of the determined notification period.

- C. The CBI will notify the participating radio stations, television stations, and other media outlets in Colorado that the suspect or suspects have been apprehended or at the end of the determined notification period, whichever comes first.
- D. A list of broadcasters receiving the alert will be maintained by the CBI.