

SPONSORED BY: COUNCIL MEMBER MONROE

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-105
Series of 2006

Series of 2006

A RESOLUTION SETTING THE FEE SCHEDULE FOR THE SEARCH, RETRIEVAL AND COPYING OF CRIMINAL JUSTICE RECORDS AND REPEALING EARLIER RESOLUTIONS RELATING THERETO

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Pursuant to C.R.S. § 24-72-306, which states “(1) *Criminal justice agencies may assess reasonable fees, not to exceed actual costs, including but not limited to personnel and equipment, for the search, retrieval, and copying of criminal justice records and may waive fees at their discretion.*” the City Council, as the governing body of the City of Northglenn, hereby establishes the following fees for the search, retrieval and copying of criminal justice records, as attached hereto.

Section 2. The fee schedule established, as attached hereto, shall be posted in a prominent place in the City Hall. The Chief of Police and the Police Records Custodian shall review the fee schedule at least every five years, or sooner if requested or required, and make recommendations to the City Council as to any changes.

Section 3. The Chief of Police or the Police Records Custodian may waive fees at their discretion, to include all fees where the criminal justice records requested are for the use of another criminal justice agency or other government entity.

DATED, at Northglenn, Colorado, this _____ day of _____ 2006.

KATHLEEN M. NOVAK
Mayor

ATTEST:

APPROVED AS TO FORM:

DIANA L. LENTZ, CMC
City Clerk

COREY Y. HOFFMANN
City Attorney

NORTHGLENN POLICE DEPARTMENT
FEE SCHEDULE FOR THE SEARCH, RETRIEVAL, AND COPYING OF
CRIMINAL JUSTICE RECORDS-C.R.S. § 24-72-306(1)

Viewing of Report	No Charge
Copy of Report	\$5.00
(Flat fee up to 10 pages hard copied, or complete emailed report)	
Copy of Report – 11 pages or more	\$0.50 each additional page over 10
Copy of Report from Microfilm	\$2.00 per page
Certified Copy of Report	\$2.00 per page
Copy of individual calls for service	\$3.00
(ex: Netviewer printouts)	
Local Criminal History Record's Check	\$10.00
(Research requiring more than ½ hour will be assessed the manual research fee in ½ increments for each additional ½ hour.)	
Copy of Audio Recording	\$15.00
Copy of Video Recording	\$30.00
Printed Photographs	
3.5x5	\$4.00 each or
6 prints or more	\$20.00 + \$0.50 per print
8x10	\$8.00 each or
6 prints or more	\$40.00 + \$5.00 per print
Digital Photos on Disc (not printed)	
1-50 photos	\$10.00
51-100 photos	\$20.00
add	\$10.00 for each 50 photos, fee NOT prorated
Booking Photograph	\$4.50
Manual Research	\$15.00 per hr./Minimum fee
	Thereafter charged in ½ hr. increments
	+Copy Fees as assessed above
Computer Research	\$20.00 per hr./Minimum fee \$10.
	Charged in ½ increments
	(includes report when applicable)
Sex Offender Registration Records	No Charge

Northglenn Police Department Fee Schedule Page 2

Other Fees:

Fingerprinting Services (by Appointment Only)	
Resident or Employed within the City of Northglenn	\$10.00 per person
Non-Resident or Not Employed within the City of NG	\$15.00 per person
Certified VIN Inspection (by Appointment Only)	\$20.00
VIN Inspection	\$9.00
D.U.I. Chemical Test Reimbursement	
Breath Test	\$11.50
Blood Test	\$44.85
Sex Offender Registration – Initial Registration (C.R.S. § 16-22-108(6))	\$75.00
Sex Offender Registration – Annual Registration (C.R.S. § 16-22-108(6))	\$75.00

Russell L. VanHouten

Date

SPONSORED BY: COUNCILWOMAN DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-58
Series of 2003

03-57
Series of 2003

A RESOLUTION SETTING THE FEE SCHEDULE FOR THE SEARCH, RETRIEVAL AND COPYING OF CRIMINAL JUSTICE RECORDS AND REPEALING EARLIER RESOLUTIONS RELATING THERETO


BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Pursuant to C.R.S. § 24-72-306, which states "(1) *Criminal justice agencies may assess reasonable fees, not to exceed actual costs, including but not limited to personnel and equipment, for the search, retrieval, and copying of criminal justice records and may waive fees at their discretion.*" the City Council, as the governing body of the City of Northglenn, hereby establishes the following fees for the search, retrieval and copying of criminal justice records, as attached hereto.

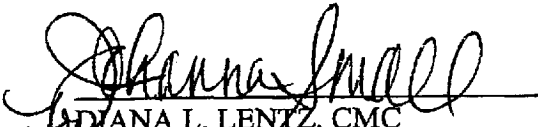
Section 2. The fee schedule established, as attached hereto, shall be posted in a prominent place in the City Hall. The Chief of Police and the Police Records Custodian shall review the fee schedule at least every five years, or sooner if requested or required, and make recommendations to the City Council as to any changes.

Section 3. The Chief of Police or the Police Records Custodian may waive fees at their discretion, to include all fees where the criminal justice records requested are for the use of another criminal justice agency or other government entity.


DATED, at Northglenn, Colorado, this 14th day of August 2003.


KATHLEEN M. NOVAK
Mayor

ATTEST:


DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:


HERBERT C. PHILLIPS
City Attorney

Other Fees:

Fingerprinting Services by Appointment Only

Resident or Employed within the City of Northglenn

\$10.00 per person

Non-Resident or Not Employed within the City of NG

\$15.00 per person

Certified VIN Inspection by Appointment Only

\$20.00

VIN Verification

\$9.00

D.U.I. Chemical Test Reimbursement

Breath Test

\$11.50

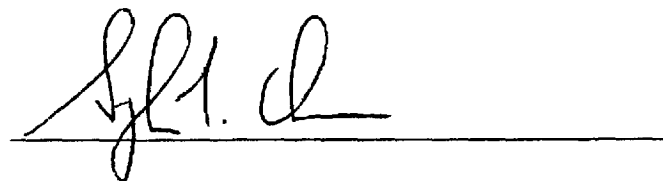
Blood Test

\$44.85

Sex Offender Registration

\$14.50

(C.R.S. § 16-22-108(6))



Stephen N. Cole
Chief of Police

8/27/03

Date

NORTHGLENN POLICE DEPARTMENT
FEE SCHEDULE FOR THE SEARCH, RETRIEVAL, AND COPYING OF CRIMINAL
JUSTICE RECORDS – C.R.S. § 24-72-306(1)

Viewing of Report	No Charge
Copy of Report 1 Page	\$2.00
Copy of Report 2 Pages or More	\$0.25 each additional page over 1
Copy of Report from Microfilm	\$2.00 per page
Certified Copy of Report	\$2.00 per page
Local Criminal History Record	\$10.00
Letter of Clearance	\$5.00
Copy of Audio Recording	\$15.00
Copy of Video Recording	\$30.00
Printed Photographs	
3.5 x 5	\$4.00 each or
6 prints or more	\$20.00 + \$0.50 per print
8 x 10	\$8.00 each or
6 prints or more	\$40.00 + \$5.00 per print
Digital Photos On Disc (not printed)	
1-50 photos	\$10.00
51-100 photos	\$20.00
add	\$10.00 for each 50 photos, fee NOT prorated
Booking Photograph	\$4.50
Manual Research	\$15.00 per hr./Minimum fee Thereafter charged in ½ hr. increments + Copy Fees as assessed above
Computer Research	\$20.00 per hr./Minimum fee \$10. Charged in ½ hr. increments (includes report when applicable)
Sex Offender Registration Records	No Charge

NORTHGLENN POLICE DEPARTMENT

MEMORANDUM

To: ~~Chief Russ Van Houten~~

CC: Commander Rod Walters

From: Sergeant Jeremy Sloan *JAS #230*

Date: May 1st, 2006

Subject: Resolution to Increase Fees- Specifically Sex Offender Registration

Colorado Revised Statute 16-22-108 (7). Registration-procedure-frequency-place-change of address-fee states that "A local law enforcement agency may establish a registration fee to be paid by persons registering and re-registering with the local law enforcement agency pursuant to the provisions of this section. The amount of the fee shall reflect the actual direct costs incurred by the local law enforcement agency in implementing the provisions of this article."

The last resolution change to police department fees was made 12/06/2004 and Sex Offender Registration was not changed at the time-see attached. The fee remains \$14.50 and does not reflect all of the costs associated with the action of registering a sex offender. According to Deb Campbell, Records Supervisor, the current fee schedule was established by Northglenn City Council by Resolution No. 03-57 and is dated the fourteenth of August, 2003-see attached letter.

Several other Colorado Municipalities are also looking at increasing fees for this service and this memorandum should serve as a recommendation for the like.

Attached is a schedule of what some other agencies are charging to register and re-register sex offenders who live in their jurisdictions (not all agencies are listed or surveyed). For example, Arapahoe County charges \$75.00 annually, Aurora recently changed to \$175.00 annually and \$75.00 to re-register, and Denver is looking at changing to \$500.00 annually if City Council approves.

By law, we are only allowed to charge whatever our city resolution states and according to statute this must be the **direct costs** associated with this action. While conducting an internal survey of detectives/officers who

frequently register sex offenders, they have informed me they will spend anywhere from one and a half to two hours total completing the fingerprinting, photograph and associated paperwork with each offender. A detectives/officer hourly rate ranges from \$20.00 to \$28.00 per hour.

Records spends some time fielding phone calls, doing clearances on each offender, scheduling appointments, receiving payment, and completing associated paperwork with each offender. Although it is difficult to monitor, estimates are thirty minutes to one hour maximum for each offender registered. Community Service Officers hourly wage is roughly \$14.00 to \$18.00 per hour.

Again, it is difficult to pin-point the exact costs associated with the technology used in this process. However sex offenders that register should be responsible for a portion of the cost associated with the specific technology used to complete the fingerprint and digital photographs associated with the process. Just this year, the Northglenn Police Department will spend over \$20,000.00 on a new software up-grade for the LIVE-SCAN fingerprinting machine. The unit itself and printer were originally purchased for over \$100,000.00.

Digital cameras like the one we have in the holding facility for taking these photographs cost over \$400.00 each. The software, digital camera controller, computer hard-drive, and keyboard are well over one-thousand dollars total.

A new law regarding the verification of Sexually Violent Predators in our community is going to cause law-enforcement extra work because it will require police to check on these offenders quarterly. Although I believe we could justify raising the registration fees to several hundred dollars each, I don't want to be one of the highest in the state either. My recommendation is that we raise fees to **\$75.00** annually to cover the costs of the officers time, photos, fingerprinting materials, and associated technology.

*Approved \$75.00 each.
Registration & re-registration
RWT*

NORTHGLENN POLICE DEPARTMENT

MEMORANDUM

RVA
Aug 1, 2006
See pg. 2

TO: Sgt. Jeremy Sloan

FROM: Deb Campbell, Records Supervisor *DC*

DATE: 03-02-06

SUBJECT: Proposed recommendations for changes to the fee schedule

The current fee schedule was established by Northglenn City Council Resolution No. 03-57 dated the fourteenth of August, 2003. Section 2 of the Resolution allows the Chief of Police and the Police Records Custodian to review and make recommendations to the City Council as to any changes at least every five years, or sooner if requested or required.

In addition to the changes you are proposing to the sex offender registrations fees, I would like to put forth the below changes. Due to the advances in technology the Department has made, these changes are more reflective of the time and costs involved in retrieving and copying criminal justice records for the public.

Delete:	Copy of Report 1 Page	\$2.00
	Copy of Report 2 Pages or More	\$0.25 each additional page over 1
	Copy of Report from Microfilm	\$2.00 per page
Add:	Copy of Report	\$5.00
	(Flat fee up to 10 pages hard copied/or complete emailed report)	
	Each additional page over 10	\$0.50
	Copy of individual call for service	\$3.00
(Netviewer printout)		
No Change:	Viewing of Report	No Charge
	Certified Copy of Report	\$2.00 per page

Now that we maintain our reports in a computerized RMS a per page fee for copies is cumbersome. The recommended fee changes are comparable to the fees charged by metro area police departments. I would recommend the addition of a lesser fee for copies of the Netviewer printout of an individual call for service. (This replaces copies of DFAR entries. There is less information available on this printout than if a full report had been taken.)

Delete: Local Criminal History Record \$10.00
Letter of Clearance \$ 5.00

Add: Local Criminal History
Record's Check \$10.00
(research requiring more than ½ hour will be assessed
the manual research fee in ½ hour increments for each additional ½ hour.)

I would recommend we charge the same fee for the Letter of Clearance as for the Local Criminal History Record. Each require the same initial research time. For extensive criminal history records checks, I would recommend the addition of the manual research fee for time spent beyond the initial ½ hour.

With the exception of the changes you are requesting on sex offender registration fees, the above changes are the only I have to submit at this time. The remainder of our fees are in line with those of seven metro area police agencies, according to an informal poll.

If you have any questions, or need any additional information from me, please let me know.

*Approved increases
to fee schedule.
RJD*

Document 1 of 1**Source:**

Colorado Statutes/TITLE 16 CRIMINAL PROCEEDINGS/OFFENDERS - REGISTRATION/ARTICLE 22 COLORADO SEX OFFENDER REGISTRATION ACT/16-22-108. Registration - procedure - frequency - place - change of address - fee.

16-22-108. Registration - procedure - frequency - place - change of address - fees

(1) (a) Each person who is required to register pursuant to section 16-22-103 shall register with the local law enforcement agency in each jurisdiction in which the person resides. Each such person shall initially register or, if sentenced on or after January 1, 2005, confirm his or her initial registration within five business days after release from incarceration for commission of the offense requiring registration or within five business days after receiving notice of the duty to register, if the person was not incarcerated. Such person shall register with the local law enforcement agency during business hours by completing a standardized registration form provided to such person by the local law enforcement agency and paying the registration fee imposed by the local law enforcement agency as provided in subsection (7) of this section. The CBI shall provide standardized registration forms to the local law enforcement agencies pursuant to section 16-22-109.

(b) Except as otherwise provided in paragraph (d) of this subsection (1), each person who is required to register pursuant to section 16-22-103 shall reregister on the person's first birthday following initial registration and annually on the person's birthday thereafter. If a person's birthday falls on a Saturday, Sunday, or holiday, the person shall reregister on the first business day following his or her birthday. Such person shall reregister pursuant to this paragraph (b) with the local law enforcement agency of each jurisdiction in which the person resides on his or her birthday, in the manner provided in paragraph (a) of this subsection (1).

(c) Each person who is required to register pursuant to section 16-22-103 and who establishes an additional residence shall, within five business days after establishing an additional residence in any city, town, county, or city and county within Colorado, register with the local law enforcement agency of the jurisdiction in which he or she establishes the additional residence. Such person shall register in said jurisdiction in the manner provided in paragraph (a) of this subsection (1) and shall reregister as provided in paragraph (b) of this subsection (1) or paragraph (d) of this subsection (1), whichever is applicable, in said jurisdiction so long as the person resides in said jurisdiction.

(d) (I) Any person who is a sexually violent predator and any person who is convicted as an adult of any of the offenses specified in subparagraph (II) of this paragraph (d) has a duty to register for the remainder of his or her natural life; except that, if the person receives a deferred judgment and sentence for one of the offenses specified in subparagraph (II) of this paragraph (d), the person may petition the court for discontinuation of the duty to register as provided in section 16-22-113 (1) (d). In addition to registering as required in paragraph (a) of this subsection (1), such person shall reregister ninety days after the date he or she was released from incarceration for commission of the offense requiring registration, or ninety days after the date he or she received notice of the duty to register, if the person was not incarcerated, and every ninety days thereafter until such person's birthday. Such person shall reregister on his or her birthday and shall reregister every ninety days thereafter. If a person's birthday or other reregistration day falls on a Saturday, Sunday, or holiday, the person shall reregister on the first business day following his or her birthday or other reregistration day. Such person shall reregister pursuant to this paragraph (d) with the local law enforcement agency of each jurisdiction in which the person resides on the reregistration date, in the manner provided in paragraph (a) of this subsection (1).

(I.5) (A) A person convicted of an offense in another state or jurisdiction, including but not limited to a military or federal jurisdiction, who, as a result of the conviction, is required to register quarterly as a sex offender in the state or jurisdiction of conviction is required to register as provided in subparagraph (I) of this paragraph (d) so long as the person is a temporary or permanent resident of Colorado.

(B) A person convicted of an offense in another state or jurisdiction, including but not limited to a military or federal jurisdiction, which conviction would require the person to register as provided in subparagraph (I) of this paragraph (d) if the conviction occurred in Colorado, is required to register as provided in said subparagraph (I) so long as the person is a temporary or permanent resident of Colorado.

(II) The provisions of this paragraph (d) shall apply to persons convicted of one or more of the following offenses:

(A) Felony sexual assault, in violation of section 18-3-402, C.R.S., or sexual assault in the first degree, in violation of section 18-3-402, C.R.S., as it existed prior to July 1, 2000, or felony sexual assault in the second degree, in violation of section 18-3-403, C.R.S., as it existed prior to July 1, 2000; or

(B) Sexual assault on a child in violation of section 18-3-405, C.R.S.; or

(C) Sexual assault on a child by one in a position of trust, in violation of section 18-3-405.3, C.R.S.; or

(D) Sexual assault on a client by a psychotherapist, in violation of section 18-3-405.5, C.R.S.; or

(E) Incest, in violation of section 18-6-301, C.R.S.; or

(F) Aggravated incest, in violation of section 18-6-302, C.R.S.

(e) Notwithstanding the time period for registration specified in paragraph (a) of this subsection (1), any person who is discharged from the department of corrections of this state or another state without supervision shall register in the manner provided in paragraph (a) of this subsection (1) no later than the next business day following discharge.

(2) Persons who reside within the corporate limits of any city, town, or city and county shall register at the office of the chief law enforcement officer of such city, town, or city and county; except that, if there is no chief law enforcement officer of the city, town, or city and county in which a person resides, the person shall register at the office of the county sheriff of the county in which the person resides. Persons who reside outside of the corporate limits of any city, town, or city and county shall register at the office of the county sheriff of the county where such person resides.

(3) Any person who is required to register pursuant to section 16-22-103 shall be required to register each time such person:

(a) Changes such person's address, regardless of whether such person has moved to a new address within the jurisdiction of the law enforcement agency with which such person previously registered;

(b) Legally changes such person's name;

(c) Establishes an additional residence in another jurisdiction or an additional residence in the same jurisdiction;

(d) Becomes employed or changes employment or employment location, if employed at an institution of postsecondary education;

(e) Becomes enrolled or changes enrollment in an institution of postsecondary education, or changes the location of enrollment; or

(f) Becomes a volunteer or changes the volunteer work location, if volunteering at an institution of postsecondary education.

(4) (a) Any time a person who is required to register pursuant to section 16-22-103 ceases to reside at an address, the person shall notify the local law enforcement agency of the jurisdiction in which said address is located by completing a written registration cancellation form, available from the local law enforcement agency. At a minimum, the registration cancellation form shall indicate the address at which the person will no longer reside and all addresses at which the person will reside. The person shall file the registration cancellation form within five business days after ceasing to reside at an address. A local law enforcement agency that receives a registration cancellation form shall electronically notify the CBI of the registration cancellation. If the person moves to another state, the CBI shall promptly notify the agency responsible for registration in the new state.

(b) If a person fails to submit the registration cancellation form as required in paragraph (a) of this subsection (4) and the address at which the person is no longer residing is a group facility, officials at such facility may provide information concerning the person's cessation of residency to the local law enforcement agency of the jurisdiction in which the address is located. If the person is a juvenile or developmentally disabled and fails to submit the registration cancellation form as required in paragraph (a) of this subsection (4) and the address at which the person is no longer residing is the residence of his or her parent or legal guardian, the person's parent or legal guardian may provide information concerning the person's cessation of residency to the local law enforcement agency of the jurisdiction in which the address is located. Any law enforcement agency that receives such information shall reflect in its records that the person no longer resides at said group facility or the parent's or legal guardian's residence and shall transmit such information to the CBI. Provision of information by a group facility or a person's parent or legal guardian pursuant to this paragraph (b) shall not constitute a defense to a charge of failure to register as a sex offender.

(5) During the initial registration process for a temporary resident, the local law enforcement agency with which the temporary resident is registering shall provide the temporary resident with the registration information specified in section 16-22-105. A temporary resident who is required to register pursuant to the provisions of section 16-22-103 shall, within five business days after arrival in Colorado, register with the local law enforcement agency of each jurisdiction in which the temporary resident resides.

(6) Any person required to register pursuant to section 16-22-103, at the time the person registers with any local law enforcement agency in this state, and thereafter when annually reregistering on the person's birthday or the first business day following the birthday as required in paragraph (b) of subsection (1) of this section, shall sit for a current photograph or image of himself or herself and shall supply a set of fingerprints to verify the person's identity. The person shall bear the cost of the

photograph or image and fingerprints.

registration = \$1450
re-registration - \$0?

(7) A local law enforcement agency may establish a registration fee to be paid by persons registering and reregistering with the local law enforcement agency pursuant to the provisions of this section. The amount of the fee shall reflect the actual direct costs incurred by the local law enforcement agency in implementing the provisions of this article.

Source: L. 2002: Entire article added, p. 1167, § 1, effective July 1; (3) amended, p. 1201, § 3, effective July 1. L. 2004: (1)(a), (1)(b), (1)(d)(I), (1)(d)(II)(A), (1)(e), (3)(d), (5), and (6) amended and (1)(d)(I.5) and (7) added, pp. 1112, 1114, §§ 8, 9, effective May 27.

ANNOTATION

Defendant charged under former version of registration statute is properly registered if he or she registers either on his or her birthday or the first business day thereafter. Court may not infer the intent of the general assembly by review of a subsequent amendment to the statute, and plain meaning of prior statute allowed for registration on either day. *People v. Duncan*, __ P.3d __ (Colo. App. 2004) (decided under former § 18-3-412.5 (3)(a)(I)).

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