

C.R.S.A. § 18-1-414

West's Colorado Revised Statutes Annotated [Currentness](#)

Title 18. Criminal Code ([Refs & Annos](#))

[Article 1](#). Provisions Applicable to Offenses Generally ([Refs & Annos](#))

[Part 4](#). Rights of Defendant ([Refs & Annos](#))

➔§ 18-1-414. Preservation of evidence

(1) A petitioner shall not be entitled to relief based solely on an allegation that a law enforcement agency failed to preserve biological evidence.

(2) A court granting a motion for hearing pursuant to [section 18-1-412](#) shall order the appropriate law enforcement agency to preserve existing biological evidence for DNA testing.

(3) Notwithstanding the provisions of subsection (2) of this section, this section does not create a duty to preserve biological evidence nor does it create a liability on the part of a law enforcement agency for failing to preserve biological evidence.

CREDIT(S)

Added by [Laws 2003, Ch. 90, § 1, eff. Aug. 6, 2003](#).

LIBRARY REFERENCES

2004 Main Volume

[Criminal Law](#) ~~700~~(9), [1505](#), [1590](#).

Westlaw Topic No. [110](#).

[C.J.S. Criminal Law §§ 541](#) to [548](#).

C. R. S. A. § 18-1-414, CO ST § 18-1-414

Current through the end of the 2005 First Regular Session of the 65th General Assembly