

Colorado Revised Statutes: Title 18: Criminal Code:
18-8-115. Duty to Report a Crime – (No) Liability for Disclosure.

TITLE 18. CRIMINAL CODE. ARTICLE 8. OFFENSES - GOVERNMENTAL OPERATIONS.

PART 1. OBSTRUCTION OF PUBLIC JUSTICE.

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It is the duty of every
corporation or person
who has reasonable grounds to believe
that a crime has been committed
to report promptly
the suspected crime
to law enforcement authorities.

Notwithstanding any other provision of the law to the contrary,
a corporation or person may disclose information concerning a suspected crime to other persons
or corporations for the purpose of giving notice of the possibility that other such criminal
conduct may be attempted which may affect the persons or corporations notified.

When acting in good faith,
such corporation or person
shall be immune from any civil liability
for such reporting or disclosure.

This duty shall exist
notwithstanding any other provision of the law to the contrary;
except that
this section shall not require disclosure of
any communication privileged by law.

Case Notes, Annotation:

The Tenth Circuit held no general duty exists under this section to stop or report a crime being committed, in context of defending a charge of conspiracy to commit fraud against the government. U.S. v. Zimmermann, 943 F.2d 1204 (10th Cir. 1991).

This section does not require the degree of certainty on the part of a citizen reporting the commission of a crime as does the probable cause standard that police officers are held to in making warrantless arrests. Lunsford v. Western States Life Ins., 919 P.2d 899 (Colo. App. 1996).