

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB24-1372 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 18-1-707, **add** (2.7)
4 as follows:

5 **18-1-707. Use of force by peace officers - definitions.**

6 (2.7) (a) AS USED IN THIS SUBSECTION (2.7), UNLESS THE CONTEXT
7 OTHERWISE REQUIRES:

8 (I) "MECHANICAL RESTRAINT" MEANS A PHYSICAL DEVICE USED TO
9 INVOLUNTARILY RESTRICT THE MOVEMENT OF A PERSON OR THE
10 MOVEMENT OR NORMAL FUNCTION OF A PORTION OF A PERSON'S BODY.

11 (II) "PRONE POSITION" MEANS A POSITION IN WHICH A PERSON IS
12 LYING ON A SOLID SURFACE WITH THE PERSON'S CHEST AND ABDOMEN
13 POSITIONED DOWNWARD EVEN IF THE PERSON'S FACE IS TURNED TO THE
14 SIDE OR THE PERSON HAS ONE SHOULDER LIFTED.

15 (III) "PRONE RESTRAINT" MEANS A USE OF PHYSICAL FORCE,
16 INCLUDING, BUT NOT LIMITED TO, THE USE OF A MECHANICAL RESTRAINT,
17 IN WHICH THE PERSON WHO IS BEING RESTRAINED IS IN A PRONE POSITION.

18 (IV) "RECOVERY POSITION" MEANS A POSITION OTHER THAN A
19 PRONE POSITION THAT ALLOWS THE PERSON TO BREATHE NORMALLY.

20 (b) ON OR BEFORE JULY 1, 2025, ANY COLORADO LAW
21 ENFORCEMENT AGENCY THAT EMPLOYS A PEACE OFFICER REQUIRED TO BE
22 CERTIFIED BY THE P.O.S.T. BOARD PURSUANT TO SECTION 16-2.5-102; A
23 SHERIFF; AND THE COLORADO STATE PATROL SHALL:

24 (I) ADOPT WRITTEN POLICIES AND PROCEDURES CONCERNING USE
25 OF THE PRONE POSITION AND PRONE RESTRAINT BY:

26 (A) PEACE OFFICERS REQUIRED TO BE CERTIFIED BY THE P.O.S.T.
27 BOARD PURSUANT TO SECTION 16-2.5-102 EMPLOYED BY A COLORADO
28 LAW ENFORCEMENT AGENCY;

29 (B) SHERIFF'S DEPUTIES, REGARDLESS OF P.O.S.T. CERTIFICATION,
30 WHO ARE ENGAGED IN PATROL, ARREST, TAKING SUSPECTS INTO CUSTODY,
31 TRANSPORTING DETAINEES, OR WHO HAVE DIRECT CONTACT WITH
32 INMATES WITHIN COUNTY OR LOCAL JAILS; OR

33 (C) COLORADO STATE PATROL OFFICERS; AND

34 (II) POST THE ADOPTED POLICIES AND PROCEDURES ON THE
35 ENTITY'S WEBSITE, OR, IF THE ENTITY DOES NOT HAVE A WEBSITE, SHALL
36 MAKE THE POLICY AND PROCEDURES PUBLICLY AVAILABLE UPON REQUEST.

37 (c) THE POLICIES AND PROCEDURES ADOPTED PURSUANT TO
38 SUBSECTION (2.7)(b) OF THIS SECTION MUST INCLUDE, BUT NEED NOT BE
39 LIMITED TO, THE FOLLOWING:

40 (I) WHEN AND HOW TO REQUEST MEDICAL AID FOR USE OF FORCE

1 INVOLVING A PRONE RESTRAINT;
2 (II) WHEN TO GET MEDICAL CLEARANCE FOR USE OF FORCE
3 INVOLVING A PRONE RESTRAINT WHEN THERE ARE INJURIES OR
4 COMPLAINTS OF INJURIES;
5 (III) HOW AND WHEN APPROPRIATE MEDICAL AID WITHIN THE
6 SCOPE OF A PEACE OFFICER'S TRAINING SHOULD BE RENDERED FOR ANY
7 USE OF FORCE INVOLVING PRONE RESTRAINT; AND
8 (IV) HOW AND WHEN TO APPROPRIATELY AND SAFELY TRANSITION
9 ANY PERSON PLACED IN A PRONE POSITION INTO A RECOVERY POSITION AS
10 SOON AS PRACTICABLE.
11 (d) EACH ENTITY MUST REVIEW POLICIES AND PROCEDURES
12 ADOPTED PURSUANT TO SUBSECTION (2.7)(b) OF THIS SECTION AT LEAST
13 EVERY FIVE YEARS TO ENSURE THE POLICIES AND PROCEDURES ARE
14 UPDATED TO INCLUDE CURRENT BEST PRACTICES.
15 (e) BEGINNING ON OR BEFORE JULY 1, 2026, EACH ENTITY
16 REQUIRED TO ADOPT POLICIES AND PROCEDURES PURSUANT TO
17 SUBSECTION (2.7)(b) OF THIS SECTION SHALL IMPLEMENT AND TRAIN ITS
18 PEACE OFFICERS ON THE PROVISIONS OF THE POLICIES AND PROCEDURES
19 ADOPTED PURSUANT TO SUBSECTION (2.7)(b) OF THIS SECTION.
20 (f) THE P.O.S.T. BOARD, CREATED IN SECTION 24-31-302, SHALL
21 MAKE ITS TRAINING ON THE USE OF THE PRONE POSITION AVAILABLE TO
22 ALL LAW ENFORCEMENT AGENCIES IN THE STATE.
23 **SECTION 2. Safety clause.** The general assembly finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety or for appropriations for
26 the support and maintenance of the departments of the state and state
27 institutions.".

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