

## SB26-190

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Coleman

- 1 Amend the State, Veterans, & Military Affairs Committee Report, dated  
2 May 5, 2026, page 1, strike lines 17 through 24 and substitute:  
3       (2.8) "LAWFUL REPRESENTATIVE" MEANS A PERSON WHO IS  
4 DESIGNATED BY A VICTIM OR APPOINTED BY THE COURT TO ACT IN THE  
5 BEST INTERESTS OF THE VICTIM.  
6       (5.5) "SIGNIFICANT OTHER" MEANS A PERSON WHO IS IN A  
7 FAMILY-TYPE LIVING ARRANGEMENT WITH A VICTIM AND WHO WOULD  
8 CONSTITUTE A SPOUSE OF THE VICTIM IF THE VICTIM AND THE PERSON  
9 WERE MARRIED.  
10       (6.4) "VICTIM" MEANS A PERSON WHOSE DEATH IS CAUSED BY A  
11 PEACE OFFICER'S USE OF FORCE.  
12       (6.6) "VICTIM'S IMMEDIATE FAMILY" MEANS THE SPOUSE, ANY  
13 CHILD BY BIRTH OR ADOPTION, ANY STEPCHILD, THE PARENT, THE  
14 STEPPARENT, A SIBLING, A LEGAL GUARDIAN, A SIGNIFICANT OTHER, OR A  
15 LAWFUL REPRESENTATIVE OF THE VICTIM."
- 16 Page 2, line 1, after "complaint" insert "TO THE LAW ENFORCEMENT  
17 AGENCY INVOLVED IN ALLEGED MISCONDUCT".
- 18 Page 2, lines 6 and 7, strike "PERSON OTHER THAN A FOR-PROFIT ENTITY,"  
19 and substitute "PERSON,".
- 20 Page 2, line 9, strike "public" and substitute "~~public~~ PERSON WHO MADE  
21 THE REQUEST".
- 22 Page 2, line 13, strike "THE" and substitute "THERE IS A COMPLAINT OF  
23 PEACE OFFICER MISCONDUCT ARISING FROM A PEACE OFFICER'S".
- 24 Page 2, lines 21 and 22, strike "INVESTIGATION, INCLUDING ANY APPEALS  
25 PROCESS," and substitute "INVESTIGATION".
- 26 Page 2, line 28, strike "INCLUDING ANY APPEALS,".
- 27 Page 2, line 30, strike "FAMILY," and substitute "FAMILY AND EACH  
28 PERSON DESIGNATED BY THE VICTIM'S IMMEDIATE FAMILY,".
- 29 Page 2, line 40, strike "FAMILY, UNLESS THE MEMBER" and substitute  
30 "FAMILY AND EACH PERSON DESIGNATED BY THE VICTIM'S IMMEDIATE  
31 FAMILY, UNLESS THE FAMILY MEMBER OR DESIGNATED PERSON".
- 32 Page 3, line 1, strike "(2)(a)(I)" and substitute "(2)(a)".

1 Page 3, strike lines 12 through 14 and substitute:

2 "(1) "VICTIM" MEANS A PERSON WHOSE DEATH IS CAUSED BY A  
3 PEACE OFFICER'S USE OF FORCE.

4 (2) "VICTIM'S IMMEDIATE FAMILY" MEANS THE SPOUSE, ANY CHILD  
5 BY BIRTH OR ADOPTION, ANY STEPCHILD, THE PARENT, THE STEPPARENT,  
6 A SIBLING, A LEGAL GUARDIAN, A SIGNIFICANT OTHER, OR A LAWFUL  
7 REPRESENTATIVE OF THE VICTIM."

8 Page 3, line 15, strike "16-3.5-302." and substitute "16-2.5-302."

9 Page 3, strike lines 30 through 34 and substitute:

10 "(2) THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE PEACE  
11 OFFICER AND THE MULTI-AGENCY TEAM INVESTIGATING AN INCIDENT  
12 INVOLVING THE PEACE OFFICER'S USE OF FORCE THAT RESULTS IN DEATH  
13 SHALL COORDINATE TO NOTIFY EACH PERSON IN THE VICTIM'S IMMEDIATE  
14 FAMILY KNOWN TO THE EMPLOYING LAW ENFORCEMENT AGENCY, AND  
15 EACH PERSON DESIGNATED BY THE VICTIM'S IMMEDIATE FAMILY, ABOUT  
16 THE INVESTIGATION OF THE INCIDENT. THE NOTIFICATION MUST OCCUR  
17 WITHIN TWENTY-FOUR HOURS AFTER THE SCENE OF THE INCIDENT IS  
18 CLEARED AND MUST INCLUDE THE FOLLOWING INFORMATION:"

19 Page 3, strike lines 39 through 43 and substitute:

20 "**16-2.5-303. Extrajudicial statement concerning use of force**  
21 **- requirements for videos released to the public.**

22 (1) A PEACE OFFICER WHO IS PARTICIPATING OR HAS PARTICIPATED  
23 IN THE INVESTIGATION OF A CRIMINAL MATTER INVOLVING THE USE OF  
24 FORCE BY ANOTHER PEACE OFFICER THAT RESULTS IN DEATH SHALL NOT  
25 MAKE AN EXTRAJUDICIAL STATEMENT THAT THE PEACE OFFICER KNOWS  
26 OR REASONABLY SHOULD KNOW WILL BE DISSEMINATED BY MEANS OF  
27 PUBLIC COMMUNICATION AND WILL HAVE A SUBSTANTIAL LIKELIHOOD OF  
28 MATERIALLY PREJUDICING AN ADJUDICATIVE PROCEEDING IN THE MATTER.

29 (2) THE FOLLOWING EXTRAJUDICIAL STATEMENTS ARE PRESUMED  
30 TO HAVE A SUBSTANTIAL LIKELIHOOD OF MATERIALLY PREJUDICING AN  
31 ADJUDICATIVE PROCEEDING IN A CRIMINAL MATTER:

32 (a) SUBJECTIVE OBSERVATIONS, INCLUDING OBSERVATIONS ABOUT  
33 A DECEDENT'S OR WITNESS'S CHARACTER OR CREDIBILITY;

34 (b) OPINIONS THAT A DECEDENT OR A WITNESS IS GUILTY OF A  
35 CRIME; AND

36 (c) INFORMATION CONCERNING THE PRIOR CRIMINAL RECORD OF  
37 A DECEDENT OR A WITNESS.

38 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
39 A PEACE OFFICER MAY MAKE AN EXTRAJUDICIAL STATEMENT PROVIDING:

- 1 (a) INFORMATION CONTAINED IN A PUBLIC RECORD;
- 2 (b) THE IDENTITY, AGE, RESIDENCE, OCCUPATION, AND FAMILY  
3 STATUS OF AN ACCUSED PERSON;
- 4 (c) THE TYPE OF CALL AS REPORTED; THE CHARGES INCLUDED IN  
5 A COMPLAINT, INDICTMENT, OR INFORMATION; AND THE APPROXIMATE  
6 LOCATION OF THE OFFENSE;
- 7 (d) THAT AN INVESTIGATION OF A CRIMINAL MATTER IS IN  
8 PROGRESS, THE IDENTITY OF THE INVESTIGATING AND ARRESTING  
9 OFFICERS OR AGENCIES, AND THE LENGTH OF THE INVESTIGATION;
- 10 (e) THE SCHEDULING OR RESULT OF AN OFFICIAL ACTION,  
11 INCLUDING THE AMOUNT OF BOND;
- 12 (f) A REQUEST FOR ASSISTANCE IN OBTAINING EVIDENCE AND  
13 INFORMATION NECESSARY TO THE INVESTIGATION;
- 14 (g) A WARNING OF DANGER CONCERNING THE BEHAVIOR OF A  
15 PERSON INVOLVED WHEN THERE IS REASON TO BELIEVE THAT THE  
16 LIKELIHOOD OF SUBSTANTIAL HARM TO AN INDIVIDUAL OR TO THE PUBLIC  
17 INTEREST EXISTS;
- 18 (h) THE FACT, TIME, AND PLACE OF ARREST AND THE  
19 CIRCUMSTANCES IMMEDIATELY SURROUNDING THE ARREST, INCLUDING  
20 RESISTANCE, PURSUIT, AND POSSESSION AND USE OF WEAPONS, AND A  
21 DESCRIPTION OF PHYSICAL ITEMS SEIZED AT THE TIME OF ARREST;
- 22 (i) IF THE ACCUSED HAS NOT BEEN APPREHENDED, INFORMATION  
23 NECESSARY TO AID IN THE APPREHENSION OF THAT PERSON, INCLUDING  
24 THE ISSUANCE OF ANY WARRANTS; AND
- 25 (j) INFORMATION THAT THE PEACE OFFICER REASONABLY BELIEVES  
26 IS IN THE INTEREST OF THE FAIR ADMINISTRATION OF JUSTICE AND THE LAW  
27 ENFORCEMENT PROCESS IN A PARTICULAR CASE, WITH THE PRIOR WRITTEN  
28 APPROVAL OF THE CHIEF OF POLICE OR SHERIFF.
- 29 (4) THE PRODUCTION OF A VIDEO FOR PURPOSES OF A COMMUNITY  
30 OR CRITICAL INCIDENT BRIEFING MUST PROVIDE A DISCLAIMER INDICATING  
31 THAT THE RECORDING HAS BEEN MODIFIED FROM ITS ORIGINAL FORM.  
32 NARRATION OR TEXT MUST BE LIMITED TO THE FACTS OF THE INCIDENT  
33 KNOWN AT THE TIME OF THE RECORDING AND MUST NOT INCLUDE  
34 EDITORIAL COMMENTARY LEADING THE PUBLIC TO A CONCLUSION OR  
35 USING LEGAL TERMINOLOGY SUGGESTING CRIMINALITY, LIABILITY, OR  
36 MISCONDUCT. AUGMENTATION OR ENHANCEMENT TO HIGHLIGHT ASPECTS  
37 OF A VIDEO, AS WELL AS BLURRING DONE TO PROTECT SUBSTANTIAL  
38 PRIVACY INTERESTS, MUST BE READILY PERCEPTIBLE OR INDICATED BY AN  
39 APPROPRIATE DISCLAIMER.

40 **SECTION 5.** In Colorado Revised Statutes, 24-31-305, **add** (2.8)  
41 as follows:

42 **24-31-305. Certification - issuance - renewal - revocation -**  
43 **rules - definition.**

1           (2.8) THE P.O.S.T. BOARD MAY REVOKE THE CERTIFICATION OF A  
2 PEACE OFFICER WHOM THE P.O.S.T. BOARD FINDS, BY A PREPONDERANCE  
3 OF THE EVIDENCE, MADE AN EXTRAJUDICIAL STATEMENT IN VIOLATION OF  
4 SECTION 16-2.5-303. PRIOR TO REVOCATION, THE P.O.S.T. BOARD SHALL  
5 NOTIFY THE CERTIFICATE HOLDER OF THE CERTIFICATE HOLDER'S RIGHT TO  
6 A HEARING PURSUANT TO THE RULES OF THE P.O.S.T. BOARD AND IN  
7 COMPLIANCE WITH SECTIONS 24-4-104 AND 24-4-105."

8 Page 4, strike lines 1 through 36.

9 Renumber succeeding sections accordingly.

\*\* \*\*\* \*\* \*\*\* \*\*