

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0087.03 Owen Hatch x2698

HOUSE BILL 26-1275

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A BILL FOR AN ACT

101 **CONCERNING THE CONDUCT OF LAW ENFORCEMENT, AND, IN**
102 **CONNECTION THEREWITH, PROHIBITING PEACE OFFICERS FROM**
103 **CONCEALING THEIR IDENTITIES, CLARIFYING STATE CRIMINAL**
104 **LAW JURISDICTION OVER FEDERAL OFFICERS, REQUIRING**
105 **TRAINING ON IMMIGRATION LAWS, AND EXPANDING THE**
106 **CONDUCT BY WHICH A PERSON COMMITS IMPERSONATING A**
107 **PEACE OFFICER.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

The bill prohibits local and state law enforcement officers from concealing their identity while interacting with the public, with certain exceptions.

The bill clarifies state criminal jurisdiction to cover criminal conduct committed by a federal law enforcement officer in the state, even if the officer was acting under color of federal authority. Federal criminal immunity or defense from prosecution does not prohibit state criminal prosecution of a federal law enforcement officer.

The bill requires the peace officer standards and training board (P.O.S.T. board) to deny certification to an individual who has previously been employed or who is currently employed by the United States immigration and customs enforcement agency or the United States customs and border protection agency.

The bill requires the P.O.S.T. board to prescribe a training for all current and future peace officers regarding immigration law, a peace officer's duty to intervene, excessive force policies, and a peace officer's jurisdictional limit.

A peace officer is required to intervene to prevent a federal law enforcement officer from using excessive force.

The bill expands the conduct that can constitute the crime of impersonating a peace officer to include a person performing a law enforcement act while concealing the person's identity.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Short title.** The short title of this act is the "Visible
3 and Accountable Policing Act".

4 **SECTION 2. Legislative declaration.** (1) The general assembly
5 finds and declares that:

6 (a) Colorado law enforcement operates with fidelity to Colorado
7 law. Local law enforcement have authority over their jurisdictions. It is
8 detrimental to the trust established between law enforcement and
9 community when federal agents act unlawfully and when there is
10 excessive use of force, constitutional violations, and absence of due
11 process.

12 (b) Colorado law must put visibility and public trust at the center

1 of law enforcement in Colorado, which includes requiring clear
2 identification and accountability for actions that impact community safety
3 and civil rights. Colorado law already prohibits law enforcement officers
4 from using crowd control methods such as tear gas, among other
5 physically harmful methods.

6 (c) Our nation has been shocked by the escalation of unlawful
7 actions by federal agents, which violate the first, fourth, and fifth
8 amendments to the United States constitution and have resulted in illegal
9 detentions, sudden and unprovoked use of force, the deaths of people with
10 no criminal record, and, in the case of at least two people, United States
11 citizens exercising their right to assemble and protest;

12 (d) Keith Porter was killed by an off-duty United States
13 immigration and customs enforcement (ICE) agent on New Year's Eve
14 2025 in Northridge, California;

15 (e) Silverio Villagas González, a man with no criminal record,
16 was shot by ICE agents in Franklin Park, Illinois, shortly after dropping
17 off his 2 children at school and daycare. Initially, he was accused of
18 driving his car at agents, but police footage subsequently proved
19 otherwise.

20 (f) Renee Nicole Good was killed by an ICE agent in
21 Minneapolis, Minnesota, on January 6, 2026. Not only was she shot 3
22 times at point blank range, including shots to the head, but agents refused
23 to allow aid to be rendered. Additionally, the shooter left the scene.

24 (g) Thirty-seven-year-old Alex Jeffrey Pretti, an intensive care
25 nurse described by the Minneapolis police chief as a United States citizen
26 and a federal worker, as well as a member of the American Federation of
27 Government Employees local 3669, with no criminal record, was shot

1 multiple times and killed by United States customs and border protection
2 agents in Minneapolis on January 24, 2026;

3 (h) Civil rights violations and clear law enforcement identification
4 violations were evident long before these shootings, including throughout
5 2025 during raids targeted at communities of color and with ICE regularly
6 concealing agency insignias and using unmarked vehicles to detain people
7 in their cars and at courthouses, schools, workplaces, homes, on the street,
8 and using public transport; and

9 (i) It is imperative that we protect all Coloradans and preserve
10 their civil rights. We all have a right to life, liberty, and the pursuit of
11 happiness. We all have a right to due process.

12 **SECTION 3.** In Colorado Revised Statutes, **add** 24-31-908 as
13 follows:

14 **24-31-908. Prohibition on peace officers concealing their**
15 **identity - required publishing of policy - exceptions - penalty.**

16 (1) A PEACE OFFICER SHALL NOT CONCEAL THE PEACE OFFICER'S
17 IDENTITY, EXCEPT WHEN SPECIFICALLY NECESSARY TO DO SO DURING
18 UNDERCOVER OPERATIONS OR SITUATIONS NECESSITATING A PEACE
19 OFFICER TO WEAR A HAZARDOUS MATERIALS SUIT TO PROTECT AGAINST
20 EXPOSURE TO KNOWN TOXINS, IDENTIFIED AIRBORNE HAZARDS, OR
21 IMMINENT RISK OF PHYSICAL HARM FROM PROJECTILES, FIRE, SMOKE, OR
22 CHEMICAL IRRITANTS IN A SPECIFIC, ONGOING INCIDENT.

23 (2) A PEACE OFFICER SHALL NOT PARTICIPATE IN A
24 MULTIJURISDICTIONAL LAW ENFORCEMENT TASK FORCE WITH A LAW
25 ENFORCEMENT AGENCY FROM ANOTHER STATE OR A FEDERAL AGENCY IF
26 OFFICERS OF THE LAW ENFORCEMENT AGENCY FROM ANOTHER STATE OR
27 FEDERAL AGENCY KNOWINGLY CONCEAL THEIR IDENTITY.

1 (3) AN INDIVIDUAL WHO BELIEVES A PEACE OFFICER HAS VIOLATED
2 A PROVISION OF THIS SECTION MAY REPORT THE VIOLATION TO THE
3 ATTORNEY GENERAL'S OFFICE. THE ATTORNEY GENERAL SHALL INFORM
4 THE P.O.S.T. BOARD OF A REPORTED VIOLATION.

5 (4) NOTWITHSTANDING ANY PROVISION OF LAW, THE P.O.S.T.
6 BOARD SHALL REVOKE THE CERTIFICATION OF A PEACE OFFICER IF, AFTER
7 AN INVESTIGATION AND HEARING PURSUANT TO THE RULES IN SECTION
8 24-31-303, THE BOARD DETERMINES THE PEACE OFFICER VIOLATED THIS
9 SECTION. IF A LAW ENFORCEMENT OFFICER FROM ANOTHER STATE
10 VIOLATES THIS SECTION, THE P.O.S.T. BOARD SHALL DRAFT A DETAILED
11 REPORT DESCRIBING THE OFFICER'S CONDUCT AND SEND THE REPORT TO
12 THE OFFICER'S STATE POLICE OVERSIGHT BOARD OR AN EQUIVALENT
13 AGENCY.

14 **SECTION 4.** In Colorado Revised Statutes, **add** 18-1-201.5 as
15 follows:

16 **18-1-201.5. Jurisdiction over federal law enforcement officers**
17 **- immunity unavailable.**

18 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A FEDERAL
19 LAW ENFORCEMENT OFFICER WHO COMMITS AN ACT IN THE STATE THAT
20 CONSTITUTES A VIOLATION OF STATE CRIMINAL LAW IS SUBJECT TO
21 ARREST, PROSECUTION, AND PUNISHMENT UNDER THE CRIMINAL LAWS OF
22 THE STATE TO THE SAME EXTENT AS ANY OTHER PERSON.

23 (2) TO THE MAXIMUM EXTENT ALLOWED PURSUANT TO THE
24 UNITED STATES CONSTITUTION, NO CRIMINAL IMMUNITY OR DEFENSE IS
25 AVAILABLE TO A CRIMINAL DEFENDANT DESCRIBED IN SUBSECTION (1) OF
26 THIS SECTION.

27 (3) NOTHING IN THIS SECTION LIMITS AN INDIVIDUAL'S RIGHT TO

1 PURSUE CIVIL REMEDIES FOR THE WRONGFUL ACT OF A FEDERAL LAW
2 ENFORCEMENT AGENCY OR OFFICER UNDER STATE OR FEDERAL LAW.

3 (4) PURSUANT TO THE AUTHORITY GRANTED IN SECTION 16-3-102,
4 A PEACE OFFICER MAY IMMEDIATELY ARREST A FEDERAL LAW
5 ENFORCEMENT OFFICER WHEN THE PEACE OFFICER HAS PROBABLE CAUSE
6 TO BELIEVE THAT THE FEDERAL OFFICER HAS COMMITTED A VIOLATION OF
7 STATE CRIMINAL LAW, REGARDLESS OF WHETHER THE ALLEGED CONDUCT
8 OCCURRED WHILE THE FEDERAL OFFICER WAS ACTING UNDER COLOR OF
9 FEDERAL AUTHORITY.

10 (5) THIS SECTION APPLIES TO ANY FEDERAL LAW ENFORCEMENT
11 OFFICER, INCLUDING, BUT NOT LIMITED TO, AN OFFICER OR AGENT OF THE
12 UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY AND
13 THE UNITED STATES CUSTOMS AND BORDER PROTECTION AGENCY, WHILE
14 PRESENT IN THE STATE.

15 **SECTION 5.** In Colorado Revised Statutes, 18-8-802, **add** (1.7)
16 as follows:

17 **18-8-802. Duty to report use of force by peace officers or law**
18 **enforcement animals - duty to intervene.**

19 (1.7) A PEACE OFFICER, AS DEFINED IN SECTION 24-31-901 (3),
20 WHO IS ON DUTY SHALL INTERVENE TO PREVENT OR STOP A FEDERAL LAW
21 ENFORCEMENT OFFICER, INCLUDING A FEDERAL LAW ENFORCEMENT
22 OFFICER WHO IS THE HANDLER OF A LAW ENFORCEMENT ANIMAL, FROM
23 USING MORE THAN THE COMMENSURATE AMOUNT OF PHYSICAL FORCE A
24 PEACE OFFICER IS PERMITTED TO USE PURSUANT TO SECTION 18-1-707 IN
25 PURSUANCE OF THE FEDERAL LAW ENFORCEMENT OFFICER'S DUTIES IN
26 CARRYING OUT AN ARREST OF A PERSON, PLACING A PERSON UNDER
27 DETENTION, TAKING A PERSON INTO CUSTODY, BOOKING A PERSON, OR IN

1 THE PROCESS OF CROWD OR RIOT CONTROL, WITHOUT REGARD FOR CHAIN
2 OF COMMAND.

3 **SECTION 6.** In Colorado Revised Statutes, 24-31-305, **add**
4 (1.5)(c) as follows:

5 **24-31-305. Certification - issuance - renewal - revocation -**
6 **rules - definition.**

7 (1.5) (c) THE P.O.S.T. BOARD SHALL DENY CERTIFICATION TO A
8 PERSON WHO HAS PREVIOUSLY BEEN EMPLOYED OR WHO IS CURRENTLY
9 EMPLOYED BY THE UNITED STATES IMMIGRATION AND CUSTOMS
10 ENFORCEMENT AGENCY OR UNITED STATES CUSTOMS AND BORDER
11 PROTECTION AGENCY.

12 **SECTION 7.** In Colorado Revised Statutes, **add** 24-31-311.5 as
13 follows:

14 **24-31-311.5. Basic training - certain required subjects - repeal.**

15 (1) IN ADDITION TO ANY OTHER BASIC TRAINING REQUIRED BY THE
16 P.O.S.T. BOARD, THE BOARD SHALL PRESCRIBE A UNIFORM TRAINING
17 REGARDING:

18 (a) CURRENT IMMIGRATION LAWS AND REQUIREMENTS;

19 (b) A LAW ENFORCEMENT OFFICER'S LIMITATIONS ON WORKING
20 WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT
21 AGENCY AND THE UNITED STATES CUSTOMS AND BORDER PROTECTION
22 AGENCY;

23 (c) A PEACE OFFICER'S DUTY TO INTERVENE PURSUANT TO SECTION
24 18-8-802 (1.7);

25 (d) EXCESSIVE FORCE POLICIES; AND

26 (e) A PEACE OFFICER'S JURISDICTIONAL LIMIT TO ENFORCE THE
27 LAW.

1 (2) A PEACE OFFICER SEEKING CERTIFICATION PURSUANT TO THIS
2 PART 3 MUST COMPLETE THE TRAINING REQUIRED BY THIS SECTION PRIOR
3 TO BEING CERTIFIED.

4 (3) (a) A CERTIFIED PEACE OFFICER ON THE EFFECTIVE DATE OF
5 THIS SECTION SHALL COMPLETE THE TRAINING REQUIRED BY THIS SECTION
6 NO LATER THAN JULY 1, 2027.

7 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JUNE 30, 2028.

8 **SECTION 8.** In Colorado Revised Statutes, 18-8-112, **add** (1.5)
9 as follows:

10 **18-8-112. Impersonating a peace officer.**

11 (1.5) A PERSON COMMITS IMPERSONATING A PEACE OFFICER IF THE
12 PERSON KNOWINGLY PERFORMS AN ACT OF A LAW ENFORCEMENT OFFICER
13 WHILE KNOWINGLY CONCEALING THE PERSON'S IDENTITY, EXCEPT, IF THE
14 PERSON IS A PEACE OFFICER, WHEN CONCEALING THE PEACE OFFICER'S
15 IDENTITY IS SPECIFICALLY NECESSARY DURING UNDERCOVER OPERATIONS
16 OR SITUATIONS NECESSITATING A PEACE OFFICER TO WEAR A HAZARDOUS
17 MATERIALS SUIT TO PROTECT AGAINST EXPOSURE TO KNOWN TOXINS,
18 IDENTIFIED AIRBORNE HAZARDS, OR IMMINENT RISK OF PHYSICAL HARM
19 FROM PROJECTILES, FIRE, SMOKE, OR CHEMICAL IRRITANTS IN A SPECIFIC,
20 ONGOING INCIDENT.

21 **SECTION 9. Applicability.** This act applies to offenses and
22 violations committed on or after the effective date of this act.

23 **SECTION 10. 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.