

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 26-0518.01 Ken Fowler x2372

HOUSE BILL 26-1123

HOUSE SPONSORSHIP

Stewart K. and Mabrey, Duran, Bacon, Boesenecker, Brown, Camacho, Carter, Espenoza, Froelich, Garcia, Jackson, Joseph, Lieder, Lindsay, McCluskie, Nguyen, Phillips, Rutinel, Rydin, Sirota, Smith, Story, Zokaie

SENATE SPONSORSHIP

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House Committees

Judiciary
Appropriations

Senate Committees

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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO PREVENT SEXUAL ABUSE IN JAILS, AND, IN**
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

The bill requires that the reasonable belief standard to conduct a strip search apply to all arrests, not just the arrest of an individual for a traffic or petty offense. The bill requires 2 peace officers to make a determination that there is reasonable belief to conduct a strip search and requires that the reason and results of a strip search be documented in a report. The bill prohibits the use of body-worn cameras to capture videos

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.

SENATE
Amended 3rd Reading
May 5, 2026

SENATE
Amended 2nd Reading
May 4, 2026

HOUSE
3rd Reading Unamended
April 2, 2026

HOUSE
Amended 2nd Reading
March 31, 2026

during strip searches when other forms of recording or surveillance are available. The bill limits access to video recordings that depict prisoner nudity. The bill requires courts to deny requests by a defendant in a criminal proceeding to copy, photograph, duplicate, or otherwise reproduce a video recording of a strip search.

The bill requires local detention facilities to have a policy detailing staff protocol for responding to suspected, alleged, or witnessed sexual abuse and requires jail staff to report suspected, alleged, or witnessed sexual abuse. The bill creates whistleblower protection policies for jail staff.

The bill requires local detention facilities to inform prisoners of their rights and the resources available to them if they are a victim of sexual abuse while in jail and allow sexual assault advocates to access prisoners who request advocacy services. The bill requires local detention facilities to designate a "Prison Rape Elimination Act of 2003" (PREA) coordinator and requires jails to provide the coordinator's contact information to prisoners and the public.

The bill requires the legislative oversight committee concerning Colorado jail standards (committee) to develop guidelines for identifying, and creating a process for, qualified third parties or certified PREA auditors to audit local detention facilities and their sexual abuse prevention policies upon request of the committee.

The bill requires the removal of P.O.S.T. certification from any peace officer who is found by an administrative law judge, hearing officer, or internal investigation to have sexually abused a prisoner in a local detention facility.

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

2

3 **SECTION 1.** In Colorado Revised Statutes, **add 17-26-103.5** as
4 follows:

5 **17-26-103.5. Strip searches in jails - definitions - repeal.**

6 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL AS
9 DESCRIBED IN SECTION 17-26-101 OR MUNICIPAL JAIL AS DESCRIBED IN
10 SECTION 31-15-401 (1)(j).

1 (b) "PERSONNEL" MEANS A PEACE OFFICER, NONCERTIFIED DEPUTY
2 SHERIFF, OR EMPLOYEE OR CONTRACTOR OF A LOCAL DETENTION FACILITY
3 OR MUNICIPAL AGENCY WHO IS AUTHORIZED BY FACILITY OR AGENCY
4 POLICY TO PERFORM A STRIP SEARCH.

5 (c) "STRIP SEARCH" MEANS HAVING A PERSON REMOVE OR
6 ARRANGE SOME OR ALL OF THEIR CLOTHING SO AS TO PERMIT A VISUAL
7 INSPECTION OF THE GENITALS, BUTTOCKS, ANUS, OR FEMALE BREASTS OF
8 THE PERSON.

9 (2) PERSONNEL SHALL ONLY CONDUCT A STRIP SEARCH ON A
10 PERSON WHO IS DETAINED IN A LOCAL DETENTION FACILITY IF:

11 (a) THE LOCAL DETENTION FACILITY IS CONDUCTING AN INTAKE OF
12 A PERSON DETAINED IN A LOCAL DETENTION FACILITY FROM OUTSIDE THE
13 FACILITY AND CONDUCTING STRIP SEARCHES UPON INTAKE FROM OUTSIDE
14 THE FACILITY IS THE LOCAL DETENTION FACILITY'S POLICY; _____

15 (b) TWO PERSONNEL HAVE DETERMINED AND REASONABLY
16 BELIEVE AN INMATE IS CONCEALING ON THE INMATE'S PERSON A
17 CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102 (5); A
18 DANGEROUS INSTRUMENT, AS DEFINED IN SECTION 18-8-203 (4); OR
19 CONTRABAND, AS DEFINED IN SECTION 18-8-204 (2); OR

20 (c) THE STRIP SEARCH OCCURS UNDER A CIRCUMSTANCE OR SET OF
21 CONDITIONS IN WHICH THERE HAS BEEN A DOCUMENTED PRIOR INCIDENT
22 OF POSSESSION OF A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION
23 18-18-102 (5); A DANGEROUS INSTRUMENT, AS DEFINED IN SECTION
24 18-8-203 (4); OR CONTRABAND, AS DEFINED IN SECTION 18-8-204 (2); OR
25 ANY OTHER ITEM THAT CREATES GRAVE DANGER OF DAMAGE TO
26 PROPERTY OR INJURY TO PERSONS AND SUBSTANTIALLY OBSTRUCTS THE
27 PERFORMANCE OF INSTITUTIONAL FUNCTIONS OF THE LOCAL DETENTION

1 FACILITY, AND THE CIRCUMSTANCE OR SET OF CONDITIONS GIVE RISE TO
2 A SUBSTANTIAL LIKELIHOOD THAT A SIMILAR INCIDENT MAY OCCUR
3 AGAIN, AND THE LOCAL DETENTION FACILITY HAS A WRITTEN POLICY
4 AUTHORIZING A STRIP SEARCH UNDER THE CIRCUMSTANCE OR SET OF
5 CONDITIONS.

6 (3) (a) PERSONNEL CONDUCTING A STRIP SEARCH PURSUANT TO
7 SUBSECTION (2)(b) OR (2)(c) OF THIS SECTION SHALL DOCUMENT IN A
8 REPORT THE REASON FOR THE STRIP SEARCH AND THE RESULTS OF THE
9 STRIP SEARCH.

10 (b) "THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1,
11 2031.

12 (4) (a) PERSONNEL CONDUCTING A STRIP SEARCH SHALL RECORD
13 THE STRIP SEARCH VIA BODY-WORN CAMERA. PERSONNEL CONDUCTING A
14 STRIP SEARCH SHALL NOTIFY THE PERSON THAT THEY ARE STRIP
15 SEARCHING PRIOR TO BEGINNING A STRIP SEARCH THAT THE STRIP SEARCH
16 IS BEING VIDEO RECORDED.

17 (b) PERSONNEL SHALL USE THE BODY-WORN CAMERA'S TAGGING
18 FUNCTION TO TAG ALL STRIP SEARCH FOOTAGE AS A STRIP SEARCH.

19 (5) ON OR BEFORE JANUARY 31 OF EACH YEAR, EACH LOCAL
20 DETENTION FACILITY SHALL SUBMIT A REPORT TO THE JAIL STANDARDS
21 ADVISORY COMMITTEE CREATED IN SECTION 30-10-530 AND THE
22 COLORADO ATTORNEY GENERAL STATING THE NUMBER OF STRIP
23 SEARCHES THAT OCCURRED PURSUANT TO SUBSECTION (2)(b) OR (2)(c) OF
24 THIS SECTION IN THE FACILITY IN THE LAST CALENDAR YEAR AND THE
25 REASON FOR AND THE RESULT OF EACH STRIP SEARCH.

26 (6) SECTION 16-3-405 DOES NOT APPLY TO STRIP SEARCHES
27 CONDUCTED PURSUANT TO THIS SECTION.

1 (7) A STRIP SEARCH MUST NOT BE CONDUCTED FOR PURPOSES OF
2 RETALIATION.

3 **SECTION 2.** In Colorado Revised Statutes, **add** 17-26-141 as
4 follows:

5 **17-26-141. Access to jail video recordings showing prisoner**
6 **nudity - when authorized - definitions.**

7 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9 (a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL AS
10 DESCRIBED IN SECTION 17-26-101 OR MUNICIPAL JAIL AS DESCRIBED IN
11 SECTION 31-15-401 (1)(j).

12 (b) "STRIP SEARCH" MEANS HAVING A PERSON REMOVE OR
13 ARRANGE SOME OR ALL OF THEIR CLOTHING SO AS TO PERMIT A VISUAL
14 INSPECTION OF THE GENITALS, BUTTOCKS, ANUS, OR FEMALE BREASTS OF
15 THE PERSON.

16 (2) PERSONNEL OF A LOCAL DETENTION FACILITY WHO CONDUCT
17 STRIP SEARCHES SHALL TAG BODY-WORN CAMERA FOOTAGE OF STRIP
18 SEARCHES WITH A STRIP SEARCH TAG USING THE BODY-WORN CAMERA'S
19 TAGGING FEATURE.

20 (3) PERSONNEL OF A LOCAL DETENTION FACILITY SHALL NOT
21 RECORD A STRIP SEARCH USING AN OVERHEAD CAMERA OR RECORDING
22 DEVICE OTHER THAN A BODY-WORN CAMERA.

23 (4) WHILE NOT ON THE PREMISE OF A LOCAL DETENTION FACILITY,
24 PERSONNEL OF A LOCAL DETENTION FACILITY SHALL NOT ACCESS VIDEO
25 FOOTAGE OF STRIP SEARCHES CAPTURED BY A LOCAL DETENTION FACILITY.

26 (5) PERSONNEL OF A LOCAL DETENTION FACILITY MUST OBTAIN
27 WRITTEN APPROVAL FROM THE SHERIFF OR EQUIVALENT HEAD OF A

1 MUNICIPAL JAIL, OR THE SHERIFF'S OR EQUIVALENT HEAD OF A MUNICIPAL
2 JAIL'S DESIGNEE, AND DOCUMENT WHAT VIDEO FOOTAGE THEY ARE
3 ACCESSING AND THE REASON THEY ARE ACCESSING IT BEFORE ACCESSING
4 ANY FOOTAGE OF STRIP SEARCHES CAPTURED IN A LOCAL DETENTION
5 FACILITY. WHEN A SHERIFF OR EQUIVALENT HEAD OF A MUNICIPAL JAIL IS
6 ACCESSING STRIP SEARCH FOOTAGE CAPTURED IN A LOCAL DETENTION
7 FACILITY, THEY MUST DOCUMENT WHAT FOOTAGE THEY ARE ACCESSING
8 AND THE REASON THEY ARE ACCESSING IT.

9
10 (6) THIS SECTION IS NOT APPLICABLE TO DISCOVERY OF VIDEO
11 RECORDINGS OR THE USE OF VIDEO RECORDINGS BY PARTIES IN A CIVIL,
12 CRIMINAL, OR ADMINISTRATIVE COURT CASE, OR AN INTERNAL
13 INVESTIGATION OR IN RESPONSE TO REQUESTS MADE PURSUANT TO
14 SECTION 24-72-303.

15 (7) EACH LOCAL DETENTION FACILITY SHALL HAVE WRITTEN
16 POLICIES REGARDING:

17 (a) THE CIRCUMSTANCES OR SET OF CONDITIONS WHEN PERSONNEL
18 OF THE LOCAL DETENTION FACILITY ARE AUTHORIZED TO CONDUCT STRIP
19 SEARCHES OF PERSONS IN THE CUSTODY OF THE LOCAL DETENTION
20 FACILITY;

21 (b) THE RESTRICTION OF ACCESS TO BODY-WORN CAMERA
22 FOOTAGE TAGGED AS STRIP SEARCH VIDEO PURSUANT TO SUBSECTION (2)
23 OF THIS SECTION; AND

24 (c) THE RETENTION OF BODY-WORN CAMERA FOOTAGE TAGGED AS
25 STRIP SEARCH VIDEO.

26 (8) ON OR BEFORE AUGUST 1, 2026, EACH SHERIFF SHALL
27 IMPLEMENT THE WRITTEN POLICIES DESCRIBED IN SUBSECTION (7) OF THIS

1 SECTION.

2 **SECTION 3.** In Colorado Revised Statutes, **add** 17-26-142 as
3 follows:

4 **17-26-142. Sexual assault prevention program - required**
5 **policies and procedures - audit required - definitions.**

6 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 ■
9 (a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL AS
10 DESCRIBED IN SECTION 17-26-101 OR MUNICIPAL JAIL AS DESCRIBED IN
11 SECTION 31-15-401 (1)(j).

12 (b) "PRISON RAPE ELIMINATION ACT" OR "PREA" MEANS THE
13 FEDERAL "PRISON RAPE ELIMINATION ACT OF 2003", 34 U.S.C. SEC.
14 30301 ET SEQ.

15 (c) "SEXUAL ABUSE" HAS THE SAME MEANING AS "SEXUAL
16 VIOLENCE" AS DEFINED IN SECTION 13-14-101.

17 (2) EACH LOCAL DETENTION FACILITY SHALL DEVELOP POLICIES
18 AND PROCEDURES TO:

19 (a) REQUIRE STAFF MEMBERS TO REPORT SUSPECTED, ALLEGED, OR
20 WITNESSED SEXUAL ABUSE;

21 (b) ESTABLISH PROTOCOLS FOR STAFF MEMBERS TO RESPOND TO
22 SUSPECTED, ALLEGED, OR WITNESSED SEXUAL ABUSE, WHICH PROTOCOLS
23 MUST INCLUDE PROTECTING THE VICTIM FROM IMMEDIATE HARM;
24 CONNECTING THE VICTIM WITH MEDICAL CARE; PRESERVING EVIDENCE OF
25 THE SUSPECTED, ALLEGED, OR WITNESSED OFFENSE; AND REPORTING THE
26 ALLEGED SEXUAL ABUSE;

27 (c) INFORM PRISONERS OF THEIR RIGHTS ESTABLISHED PURSUANT

1 TO THE FEDERAL "PRISON RAPE ELIMINATION ACT";

2 (d) INFORM PRISONERS UPON BOOKING, IN WRITING AND IN AN
3 ACCESSIBLE LANGUAGE, OF RESOURCES FOR VICTIMS OF SEXUAL ABUSE,
4 INCLUDING THE TELEPHONE NUMBER FOR A SEXUAL ASSAULT CRISIS LINE
5 AND THE MAILING ADDRESS OF THE NEAREST OR OTHER REASONABLY
6 ACCESSIBLE CONFIDENTIAL SEXUAL ASSAULT ADVOCACY PROGRAM; AND

7 (e) ALLOW CONFIDENTIAL SEXUAL ASSAULT ADVOCATES TIMELY
8 ACCESS TO PRISONERS WHO HAVE REACHED OUT TO A CONFIDENTIAL
9 SEXUAL ASSAULT ADVOCACY PROGRAM FOR ADVOCACY SERVICES.

10 (3) (a) EACH LOCAL DETENTION FACILITY SHALL DESIGNATE A
11 STAFF MEMBER AS THE JAIL'S PREA COORDINATOR. THE PREA
12 COORDINATOR SHALL, PURSUANT TO SECTION 2-3-1901.5, IMPLEMENT
13 FEDERAL PREA STANDARDS AS REQUIRED BY THE LEGISLATIVE
14 OVERSIGHT COMMITTEE FOR COLORADO JAIL STANDARDS AND SHALL
15 FACILITATE ACCESS TO CONFIDENTIAL SEXUAL ASSAULT ADVOCACY
16 SERVICES FOR INMATES SEEKING CONFIDENTIAL SEXUAL ASSAULT
17 ADVOCACY SERVICES.

18 (b) THE JAIL SHALL INFORM STAFF MEMBERS AND PRISONERS OF
19 THE NAME AND CONTACT INFORMATION FOR THE PREA COORDINATOR
20 AND MAKE THE NAME AND CONTACT INFORMATION OF THE PREA
21 COORDINATOR AVAILABLE TO THE PUBLIC.

22

23 **SECTION 4.** In Colorado Revised Statutes, **add** 17-26-143 as
24 follows:

25 **17-26-143. Retaliation against whistleblower jail staff**
26 **prohibited - private right of action - exemptions - procedures -**
27 **definitions.**

1 (1) (a) A LOCAL DETENTION FACILITY SHALL NOT DISCHARGE,
2 DISCIPLINE, DEMOTE, DENY A PROMOTION TO, TRANSFER OR REASSIGN,
3 DISCRIMINATE AGAINST, HARASS, SUSPEND, CREATE A HOSTILE WORK
4 ENVIRONMENT FOR, SUBJECT TO CORRECTIVE ACTION OR REPRIMAND,
5 ISSUE AN EMPLOYMENT RATING THAT RESULTS IN THE LOSS OF PAY OR
6 ADVERSELY AFFECTS ELIGIBILITY FOR PROMOTION OR FOR AN ASSIGNMENT
7 FOR, LAY OFF, REDUCE WORK HOURS FOR, KNOWINGLY PROVIDE FALSE
8 INFORMATION FOR THE PURPOSE OF NEGATIVELY AFFECTING FUTURE
9 EMPLOYMENT OPPORTUNITIES FOR, OR THREATEN ANY ACTIONS AGAINST
10 OR OTHERWISE DISCRIMINATE AGAINST A STAFF MEMBER IN TERMS,
11 CONDITIONS, OR PRIVILEGES OF EMPLOYMENT BECAUSE THE STAFF
12 MEMBER DISCLOSES INFORMATION IN GOOD FAITH TO THE PROPER
13 SUPERVISING AUTHORITY THAT THE STAFF MEMBER REASONABLY
14 BELIEVES SHOWS SUSPECTED, ALLEGED, OR WITNESSED SEXUAL ABUSE OR
15 SEX-BASED HARASSMENT IN THE LOCAL DETENTION FACILITY.

16 (b) ADMINISTRATIVE PROCEDURES, INCLUDING SUSPENSION
17 DURING AN INVESTIGATION OR DEPARTMENTAL PROCEDURES USED TO
18 DISTRIBUTE ASSIGNMENTS OR DUTIES OR MEET THE OPERATIONAL NEEDS
19 OF THE LOCAL DETENTION FACILITY, DO NOT VIOLATE SUBSECTION (1)(a)
20 OF THIS SECTION.

21 (c) A STAFF MEMBER WHO IN GOOD FAITH DISCLOSES INFORMATION
22 THAT THE STAFF MEMBER REASONABLY BELIEVES SHOWS SUSPECTED,
23 ALLEGED, OR WITNESSED SEXUAL ABUSE OR SEX-BASED HARASSMENT IN
24 THE LOCAL DETENTION FACILITY IS ENGAGING IN A PROTECTED ACTIVITY.

25 (d) THIS SUBSECTION (1) DOES NOT PREVENT A LOCAL DETENTION
26 FACILITY FROM COMPLYING WITH ANY DISCLOSURE REQUIREMENTS
27 REQUIRED BY LAW OR BY COURT RULE OR PROCEDURE.

1 (2) A STAFF MEMBER AGGRIEVED BY A VIOLATION OF SUBSECTION
2 (1) OF THIS SECTION HAS A PRIVATE RIGHT OF ACTION AGAINST THE LOCAL
3 DETENTION FACILITY THAT VIOLATED SUBSECTION (1) OF THIS SECTION
4 AFTER THE STAFF MEMBER EXHAUSTS THE INTERNAL ADMINISTRATIVE
5 PROCEDURES PURSUANT TO SUBSECTION (10) OF THIS SECTION.

6 (3) A STAFF MEMBER WHOSE PROTECTED ACTIVITY DESCRIBED
7 PURSUANT TO SUBSECTION (1) OF THIS SECTION WAS A CONTRIBUTING
8 FACTOR IN THE LOCAL DETENTION FACILITY'S ACTION DESCRIBED IN
9 SUBSECTION (1) OF THIS SECTION MAY BE AWARDED ALL RELIEF
10 NECESSARY TO MAKE THE STAFF MEMBER WHOLE, INCLUDING, BUT NOT
11 LIMITED TO:

12 (a) (I) REINSTATEMENT, WITH THE SAME SENIORITY STATUS THAT
13 THE STAFF MEMBER WOULD HAVE HAD BUT FOR THE VIOLATION OF
14 SUBSECTION (1) OF THIS SECTION; AND

15 (II) THE AMOUNT OF BACK PAY WITH INTEREST AT AN INTEREST
16 RATE SET BY THE SECRETARY OF STATE PURSUANT TO SECTION 13-21-101
17 (3) FOR THE YEARS BACK PAY IS AWARDED;

18 (b) ANY OTHER EQUITABLE RELIEF THE COURT DEEMS
19 APPROPRIATE;

20 (c) COMPENSATORY DAMAGES FOR OTHER PECUNIARY LOSSES,
21 EMOTIONAL PAIN AND SUFFERING, INCONVENIENCE, MENTAL ANGUISH,
22 LOSS OF ENJOYMENT OF LIFE, AND OTHER NONPECUNIARY LOSSES; AND

23 (d) REASONABLE ATTORNEY FEES AND COSTS.

24 (4) ANY REQUEST FOR REINSTATEMENT OR FOR AN AWARD OF
25 REASONABLE ATTORNEY FEES MUST BE MADE TO THE COURT AFTER A
26 JUDGMENT IS ENTERED IN FAVOR OF THE STAFF MEMBER. THE PARTIES ARE
27 ENTITLED TO A HEARING ON THE REQUEST PRIOR TO THE COURT'S

1 DETERMINATION.

2 (5) IT IS AN AFFIRMATIVE DEFENSE TO AN ACTION BROUGHT
3 PURSUANT TO THIS SECTION IF THE LOCAL DETENTION FACILITY SHOWS BY
4 A PREPONDERANCE OF THE EVIDENCE THAT THE LOCAL DETENTION
5 FACILITY WOULD HAVE TAKEN THE ACTION THAT FORMS THE BASIS OF THE
6 SUIT AGAINST THE STAFF MEMBER BASED ON A LEGITIMATE
7 NONRETALIATORY BASIS.

8 (6) AN ACTION BROUGHT PURSUANT TO THIS SECTION IS NOT
9 SUBJECT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE
10 10 OF TITLE 24.

11 (7) IF A LOCAL DETENTION FACILITY ASSERTS THE AFFIRMATIVE
12 DEFENSE CREATED IN SUBSECTION (5) OF THIS SECTION, THE STAFF
13 MEMBER MUST HAVE THE OPPORTUNITY TO ESTABLISH IN RESPONSE, BY A
14 PREPONDERANCE OF THE EVIDENCE, THAT THE LEGITIMATE
15 NONRETALIATORY BASIS WAS PRETEXTUAL.

16 (8) AN ACTION BROUGHT PURSUANT TO THIS SECTION MUST BE
17 BROUGHT WITHIN TWO YEARS AFTER THE DATE OF THE MOST RECENT
18 ADVERSE EMPLOYMENT ACTION DESCRIBED IN SUBSECTION (1) OF THIS
19 SECTION.

20 (9) (a) THIS SECTION DOES NOT APPLY TO A STAFF MEMBER WHO
21 DISCLOSES INFORMATION THAT THE STAFF MEMBER KNOWS TO BE FALSE,
22 WHO DISCLOSES INFORMATION WITH DISREGARD FOR THE TRUTH, OR WHO
23 DISCLOSES INFORMATION WITHOUT FULLY COMPLYING WITH SUBSECTION
24 (10) OF THIS SECTION.

25 (b) A STAFF MEMBER'S DISCLOSURE OF THE STAFF MEMBER'S OWN
26 ACT OF NEGLIGENCE, UNPROFESSIONAL CONDUCT, OR VIOLATION OF ANY
27 LOCAL, STATE, OR FEDERAL LAW IS NOT AN ACTIVITY PROTECTED

1 PURSUANT TO THIS SECTION AND DOES NOT PROVIDE THE STAFF MEMBER
2 WITH IMMUNITY RELATED TO THE ACTIVITY SUBJECT TO THE DISCLOSURE.

3 (c) THIS SECTION DOES NOT PREVENT A LOCAL DETENTION
4 FACILITY FROM TAKING DISCIPLINARY ACTION AGAINST A STAFF MEMBER
5 FOR REASONS OTHER THAN THOSE SPECIFIED IN SUBSECTION (1) OF THIS
6 SECTION.

7 (10) (a) WHEN MAKING A GOOD FAITH REPORT OR DISCLOSURE
8 PROTECTED BY THIS SECTION, A STAFF MEMBER SHALL FOLLOW THE
9 INTERNAL REPORTING AND INTERNAL ADMINISTRATIVE PROCEDURES OF
10 THE LOCAL DETENTION FACILITY, TO THE EXTENT THE PROCEDURES EXIST
11 AND ARE PROVIDED TO THE EMPLOYEE IN WRITING, AND SHALL EXHAUST
12 THE PROCEDURES PRIOR TO INITIATING A PRIVATE RIGHT OF ACTION
13 PURSUANT TO SUBSECTION (2) OF THIS SECTION. IF THE INTERNAL
14 REPORTING PROCEDURE REQUIRES A STAFF MEMBER TO REPORT TO THE
15 INDIVIDUAL WHO ALLEGEDLY COMMITTED THE ACT DESCRIBED IN
16 SUBSECTION (1)(a) OF THIS SECTION, THE PROCEDURE MUST PROVIDE AN
17 ALTERNATIVE REPORTING PROCEDURE. THE LIMITATIONS PERIOD
18 DESCRIBED IN SUBSECTION (8) OF THIS SECTION IS TOLLED UNTIL THE
19 INTERNAL ADMINISTRATIVE PROCESS IS COMPLETE.

20 (b) (I) A LOCAL DETENTION FACILITY SHALL COMPLETE THE
21 INTERNAL ADMINISTRATIVE PROCEDURE WITHIN ONE HUNDRED EIGHTY
22 DAYS AFTER A REPORT OR DISCLOSURE.

23 (II) IF A LOCAL DETENTION FACILITY DOES NOT ADOPT AN
24 INTERNAL ADMINISTRATIVE PROCEDURE OR DOES NOT COMPLETE THE
25 INTERNAL ADMINISTRATIVE PROCEDURE WITHIN ONE HUNDRED EIGHTY
26 DAYS AFTER A REPORT OR DISCLOSURE, THIS SUBSECTION (10) IS DEEMED
27 COMPLIED WITH AND THE STAFF MEMBER MAY FILE A PRIVATE RIGHT OF

1 ACTION IN A COURT OF COMPETENT JURISDICTION PURSUANT TO
2 SUBSECTION (2) OF THIS SECTION. IF THE LOCAL DETENTION FACILITY'S
3 INTERNAL ADMINISTRATIVE PROCEDURE HAS NOT BEEN COMPLETED WHEN
4 THE STAFF MEMBER INITIATES A PRIVATE RIGHT OF ACTION PURSUANT TO
5 SUBSECTION (2) OF THIS SECTION FOR REASONS BEYOND THE CONTROL OF
6 THE LOCAL DETENTION FACILITY, INCLUDING, BUT NOT LIMITED TO, THE
7 EXISTENCE OF AN OPEN CRIMINAL PROCEEDING OR AN OPEN CRITICAL
8 INCIDENT RESPONSE TEAM INVESTIGATION, THE LOCAL DETENTION
9 FACILITY MAY SEEK A STAY OF THE PRIVATE RIGHT OF ACTION PENDING
10 RESOLUTION OF THE SOURCE OF THE DELAY.

11 (11) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL AS
14 DESCRIBED IN SECTION 17-26-101 OR MUNICIPAL JAIL AS DESCRIBED IN
15 SECTION 31-15-401 (1)(j).

16 (b) "PROPER SUPERVISING AUTHORITY" MEANS THE PERSON OR
17 DEPARTMENT DESIGNATED IN THE LOCAL DETENTION FACILITY TO
18 INVESTIGATE ALLEGATIONS OF INTERNAL MISCONDUCT. IF THE LOCAL
19 DETENTION FACILITY DOES NOT HAVE A POLICY DESIGNATING A PERSON OR
20 DEPARTMENT TO INVESTIGATE ALLEGATIONS OF MISCONDUCT, THE PROPER
21 SUPERVISING AUTHORITY IS THE HIGHEST-RANKING STAFF MEMBER IN THE
22 LOCAL DETENTION FACILITY.

23 (c) "STAFF MEMBER" MEANS A PERSON ASSIGNED TO OR EMPLOYED
24 AT A LOCAL DETENTION FACILITY.

25

26 SECTION 5. In Colorado Revised Statutes, 24-31-904, **amend**
27 (1)(a)(IV) and (1)(a)(V); and **add** (1)(a)(VI) and (7) as follows:

1 **24-31-904. Peace officer certification discipline - definition.**

2 (1) (a) Notwithstanding any provision of law, the P.O.S.T. board
3 shall permanently revoke a peace officer's certification if:

4 (IV) An administrative law judge, hearing officer, or internal
5 investigation finds that a peace officer failed to intervene pursuant to
6 section 18-8-805 (5) and the incident resulted in death to another person;

7 **or**

8 (V) An administrative law judge, hearing officer, or internal
9 investigation finds that a peace officer violated section 18-8-805 (1) or
10 (2)(a)(I) and the incident resulted in death to another person; OR

11 (VI) AN ADMINISTRATIVE LAW JUDGE, HEARING OFFICER, OR
12 INTERNAL INVESTIGATION FINDS THAT A PEACE OFFICER PERPETRATED AN
13 ACT THAT CONSTITUTES SEXUAL ASSAULT, AS DESCRIBED IN SECTION
14 18-3-402; UNLAWFUL SEXUAL CONTACT, AS DESCRIBED IN SECTION
15 18-3-404; OR INVASION OF PRIVACY FOR SEXUAL GRATIFICATION, AS
16 DESCRIBED IN SECTION 18-3-405.6, AND THE ACT INVOLVED A PERSON IN
17 THE CUSTODY OF A LOCAL DETENTION FACILITY.

18 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES, "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL AS
20 DESCRIBED IN SECTION 17-26-101 OR MUNICIPAL JAIL AS DESCRIBED IN
21 SECTION 31-15-401 (1)(j).

22 **SECTION 6.** In Colorado Revised Statutes, **amend 30-10-511 as**
23 follows:

24 **30-10-511. Sheriff custodian of jail - duties - strip search**
25 **footage - repeal.**

26 (1) Except as provided in section 16-11-308.5, ~~C.R.S.~~, the sheriff
27 shall have HAS charge and custody of the jails of the county, and of the

1 prisoners in the jails, and THE SHERIFF shall supervise ~~them himself or~~
2 ~~herself~~ THE PRISONERS THEMSELF or through a deputy or jailer.

3 (2) (a) EACH SHERIFF SHALL COORDINATE WITH THE SHERIFF'S
4 BODY-WORN CAMERA VENDOR TO IMPLEMENT A TAG FOR STRIP SEARCHES
5 IN THE BODY-WORN CAMERA FOOTAGE TAGGING OPTIONS. EACH SHERIFF
6 SHALL ENSURE THAT STRIP SEARCH FOOTAGE HAS THE MOST RESTRICTIVE
7 LEVEL OF ACCESS AVAILABLE WITHIN THE SHERIFF'S BODY-WORN CAMERA
8 SYSTEM. THE SHERIFF AND JAIL PERSONNEL SHALL ONLY ACCESS STRIP
9 SEARCH FOOTAGE PURSUANT TO SECTION 17-26-141 (5).

10 (b) ON OR BEFORE AUGUST 1, 2026, EACH SHERIFF SHALL
11 IMPLEMENT BODY-WORN CAMERA FOOTAGE TAGGING PURSUANT TO
12 SECTION 17-26-141 (2).

13 (3) (a) ON OR BEFORE JANUARY 1 OF EACH YEAR, EACH SHERIFF
14 SHALL REPORT DATA COLLECTED DURING THE PREVIOUS CALENDAR YEAR
15 AS DOCUMENTED IN THE REPORT DESCRIBED IN SECTION 17-26-103.5 (3)
16 TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC
17 SAFETY IN A MANNER PRESCRIBED BY THE DIVISION.

18 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 31,
19 2031.

20 **SECTION 7. In Colorado Revised Statutes, 24-33.5-503, add**
21 **(1)(hh) as follows:**

22 **24-33.5-503. Duties of division - repeal.**

23 (1) The division has the following duties:

24 (hh) (I) TO MAKE PUBLICLY AVAILABLE BY JANUARY 31 OF EACH
25 YEAR DATA SUBMITTED TO THE DIVISION PURSUANT TO SECTION 30-10-511
26 (3). THE DIVISION SHALL USE EXISTING OR FREELY AVAILABLE
27 TECHNOLOGY TO ACCOMPLISH THE REQUIREMENTS OF THIS SUBSECTION

1 (1)(hh).

2 (II) THIS SUBSECTION (1)(hh) IS REPEALED, EFFECTIVE FEBRUARY
3 1, 2031.

4 **SECTION 8. Appropriation.** For the 2026-27 state fiscal year,
5 \$38,916 is appropriated to the department of law. This appropriation is
6 from the P.O.S.T. board cash fund created in section 24-31-303 (2)(b),
7 C.R.S., and is based on an assumption that the department will require an
8 additional 0.3 FTE. To implement this act, the department may use this
9 appropriation for peace officers standards and training board support.

10 **SECTION 9. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.