

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 26-0953.03 Conrad Imel x2313

SENATE BILL 26-190

SENATE SPONSORSHIP

Coleman and Weissman,

HOUSE SPONSORSHIP

Bacon and English,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING RELEASING INFORMATION RELATED TO INCIDENTS**
102 **INVOLVING A PEACE OFFICER'S USE OF FORCE THAT RESULTS IN**
103 **DEATH.**

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>.)

Under existing law, all video and audio recordings (recordings) depicting an incident of peace officer misconduct that resulted in death must be provided upon request to the victim's family. The bill clarifies that the recordings depicting an incident of a peace officer's use of force that resulted in death (incident) must be provided to the victim's family

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 2nd Reading
May 8, 2026

regardless of whether there is a complaint of peace officer misconduct for the incident. The bill clarifies what constitutes the incident for the purpose of releasing recordings to the victim's family. The bill requires publicly releasing incident recordings after they are released to the victim's family.

The bill sets deadlines for the victim's family to be informed about a multi-agency team investigation into an incident.

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

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

4 (a) A peace officer's use of force that results in death requires
5 heightened transparency to maintain public trust;

6 (b) Colorado law requires a multi-agency investigation of a peace
7 officer's use of force that results in death or a peace officer's discharge of
8 a firearm that results in injury or death; and

9 (c) The family of a person who dies because of a peace officer's
10 use of force has a compelling interest in timely access to information
11 about the incident.

12 **SECTION 2.** In Colorado Revised Statutes, 24-31-901, add (2.8),
13 (5.5), (6.4), and (6.6) as follows:

14 **24-31-901. Definitions.**

15 As used in this part 9, unless the context otherwise requires:

16 (2.8) "LAWFUL REPRESENTATIVE" MEANS A PERSON WHO IS
17 DESIGNATED BY A VICTIM OR APPOINTED BY THE COURT TO ACT IN THE
18 BEST INTERESTS OF THE VICTIM.

19 (5.5) "SIGNIFICANT OTHER" MEANS A PERSON WHO IS IN A
20 FAMILY-TYPE LIVING ARRANGEMENT WITH A VICTIM AND WHO WOULD
21 CONSTITUTE A SPOUSE OF THE VICTIM IF THE VICTIM AND THE PERSON
22 WERE MARRIED.

1 (6.4) "VICTIM" MEANS A PERSON WHOSE DEATH IS CAUSED BY A
2 PEACE OFFICER'S USE OF FORCE.

3 (6.6) "VICTIM'S IMMEDIATE FAMILY" MEANS THE SPOUSE, ANY
4 CHILD BY BIRTH OR ADOPTION, ANY STEPCHILD, THE PARENT, THE
5 STEPPARENT, A SIBLING, A LEGAL GUARDIAN, A SIGNIFICANT OTHER, OR A
6 LAWFUL REPRESENTATIVE OF THE VICTIM.

7 **SECTION 3.** In Colorado Revised Statutes, 24-31-902, **amend**
8 **(2)(a) and (2)(b)(I) as follows:**

9 **24-31-902. Incident recordings - release - tampering - fine.**

10 (2) (a) (I) For all incidents in which there is a complaint TO THE
11 LAW ENFORCEMENT AGENCY INVOLVED IN ALLEGED MISCONDUCT of peace
12 officer misconduct by another peace officer, a civilian, or nonprofit
13 organization, through notice to THAT DOES NOT RESULT IN A VICTIM'S
14 DEATH, the law enforcement agency involved in the alleged misconduct,
15 the local law enforcement agency or the Colorado state patrol THAT
16 EMPLOYS THE PEACE OFFICER shall release, upon request OF ANY PERSON,
17 all unedited video and audio recordings of the incident, including those
18 from body-worn cameras, dash cameras, or otherwise collected through
19 investigation, to the public PERSON WHO MADE THE REQUEST within
20 twenty-one days after the local law enforcement agency or the Colorado
21 state patrol received the request for release of the video or audio
22 recordings THE REQUEST.

23 (II) FOR ALL INCIDENTS IN WHICH THERE IS A COMPLAINT OF PEACE
24 OFFICER MISCONDUCT ARISING FROM A PEACE OFFICER'S USE OF FORCE
25 THAT RESULTS IN A VICTIM'S DEATH, THE LAW ENFORCEMENT AGENCY
26 THAT EMPLOYS THE PEACE OFFICER SHALL RELEASE, UPON REQUEST OF
27 ANY PERSON, ALL UNEDITED VIDEO AND AUDIO RECORDINGS OF THE

1 INCIDENT, INCLUDING THOSE FROM BODY-WORN CAMERAS, DASH
2 CAMERAS, OR OTHERWISE COLLECTED THROUGH INVESTIGATION,
3 FOLLOWING THE EXPIRATION OF THE TWENTY-ONE-DAY PERIOD DESCRIBED
4 IN SUBSECTION (2)(b)(I) OF THIS SECTION.

5 (III) UPON COMPLETION OF AN INTERNAL INVESTIGATION THAT
6 EXAMINES AN INCIDENT OF USE OF FORCE BY A PEACE OFFICER THAT
7 RESULTS IN DEATH; THE COMPLETION OF THE INVESTIGATION OF A USE OF
8 FORCE BY A PEACE OFFICER THAT RESULTS IN DEATH BY THE
9 MULTI-AGENCY TEAM DESCRIBED IN SECTION 16-25-302 AND THE
10 ISSUANCE OF THE REPORT REQUIRED BY SECTION 20-1-114; AND THE
11 COMPLETION OF A CRIMINAL CASE ARISING FROM THE INCIDENT, THE VIDEO
12 AND AUDIO RECORDINGS DEPICTING THE DEATH SHALL BE RELEASED TO
13 THE VICTIM'S IMMEDIATE FAMILY AND EACH PERSON DESIGNATED BY THE
14 VICTIM'S IMMEDIATE FAMILY, UPON REQUEST, NOTWITHSTANDING THE
15 REQUIREMENTS OF SECTION 24-31-902 (2)(b)(III) AND SECTION 24-31-902
16 (2)(c).

17 (b) (I) FOR ALL INCIDENTS IN WHICH THE USE OF FORCE BY A PEACE
18 OFFICER RESULTS IN A VICTIM'S DEATH, THE LAW ENFORCEMENT AGENCY
19 THAT EMPLOYS THE PEACE OFFICER SHALL MAKE REASONABLE EFFORTS TO
20 IDENTIFY THE VICTIM'S IMMEDIATE FAMILY AND PROVIDE all video and
21 audio recordings depicting a THE VICTIM'S death must be provided upon
22 request to the victim's spouse, parent, legal guardian, child, sibling,
23 grandparent, grandchild, significant other, or other lawful representative,
24 and such TO EACH IDENTIFIED MEMBER OF THE VICTIM'S IMMEDIATE
25 FAMILY AND EACH PERSON DESIGNATED BY THE VICTIM'S IMMEDIATE
26 FAMILY, UNLESS THE FAMILY MEMBER OR DESIGNATED PERSON DECLINES,
27 WITHIN TWENTY-ONE DAYS AFTER THE INCIDENT. The person shall be

1 notified of his or her THEIR right, pursuant to section 24-4.1-302.5
2 (1)(j.8), to receive and review the recording at least seventy-two hours
3 prior to A public disclosure MADE PURSUANT TO SUBSECTION (2)(a) OF
4 THIS SECTION. A person seventeen years of age and under is considered
5 incapacitated, unless legally emancipated.

6 **SECTION 4. In Colorado Revised Statutes, repeal and reenact,**
7 **with amendments, part 3 of article 2.5 of title 16 as follows:**

8 **PART 3**

9 **PEACE OFFICER USE OF FORCE**

10 **INVESTIGATIONS AND PROCEDURES**

11 **16-2.5-301. Definitions.**

12 AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES:

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

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

20 **16-2.5-302. Peace officer actions leading to injury or death**
21 **investigations - protocol - notification to victim's immediate family.**

22 (1) (a) EACH POLICE DEPARTMENT, SHERIFF'S OFFICE, AND
23 DISTRICT ATTORNEY WITHIN THE STATE SHALL MAINTAIN PROTOCOLS FOR
24 PARTICIPATING IN A MULTI-AGENCY TEAM, WHICH MUST INCLUDE AT
25 LEAST ONE OTHER POLICE DEPARTMENT OR SHERIFF'S OFFICE, OR THE
26 COLORADO BUREAU OF INVESTIGATION, IN CONDUCTING ANY
27 INVESTIGATION, EVALUATION, OR REVIEW OF AN INCIDENT INVOLVING THE

1 DISCHARGE OF A FIREARM BY A PEACE OFFICER THAT RESULTED IN INJURY
2 OR DEATH, OR OTHER USE OF FORCE BY A PEACE OFFICER THAT RESULTED
3 IN DEATH. THE LAW ENFORCEMENT AGENCIES PARTICIPATING NEED NOT
4 BE FROM THE SAME JUDICIAL DISTRICT.

5 (b) EACH LAW ENFORCEMENT AGENCY SHALL POST THE PROTOCOL
6 ON ITS WEBSITE OR, IF IT DOES NOT HAVE A WEBSITE, MAKE IT PUBLICLY
7 AVAILABLE UPON REQUEST.

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

17 (a) THE NAMES OF ALL LAW ENFORCEMENT AGENCIES THAT
18 COMPRISE THE MULTI-AGENCY TEAM DESCRIBED IN SUBSECTION (1) OF
19 THIS SECTION THAT IS INVESTIGATING THE USE OF FORCE; AND

20 (b) THE STATUS OF THE INVESTIGATION.

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

23 (1) A PEACE OFFICER WHO IS PARTICIPATING OR HAS PARTICIPATED
24 IN THE INVESTIGATION OF A CRIMINAL MATTER INVOLVING THE USE OF
25 FORCE BY ANOTHER PEACE OFFICER THAT RESULTS IN DEATH SHALL NOT
26 MAKE AN EXTRAJUDICIAL STATEMENT THAT THE PEACE OFFICER KNOWS
27 OR REASONABLY SHOULD KNOW WILL BE DISSEMINATED BY MEANS OF

1 PUBLIC COMMUNICATION AND WILL HAVE A SUBSTANTIAL LIKELIHOOD OF
2 MATERIALLY PREJUDICING AN ADJUDICATIVE PROCEEDING IN THE MATTER.

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

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

8 (b) OPINIONS THAT A DECEDENT OR A WITNESS IS GUILTY OF A
9 CRIME; AND

10 (c) INFORMATION CONCERNING THE PRIOR CRIMINAL RECORD OF
11 A DECEDENT OR A WITNESS.

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

14 (a) INFORMATION CONTAINED IN A PUBLIC RECORD;

15 (b) THE IDENTITY, AGE, RESIDENCE, OCCUPATION, AND FAMILY
16 STATUS OF AN ACCUSED PERSON;

17 (c) THE TYPE OF CALL AS REPORTED; THE CHARGES INCLUDED IN
18 A COMPLAINT, INDICTMENT, OR INFORMATION; AND THE APPROXIMATE
19 LOCATION OF THE OFFENSE;

20 (d) THAT AN INVESTIGATION OF A CRIMINAL MATTER IS IN
21 PROGRESS, THE IDENTITY OF THE INVESTIGATING AND ARRESTING
22 OFFICERS OR AGENCIES, AND THE LENGTH OF THE INVESTIGATION;

23 (e) THE SCHEDULING OR RESULT OF AN OFFICIAL ACTION,
24 INCLUDING THE AMOUNT OF BOND;

25 (f) A REQUEST FOR ASSISTANCE IN OBTAINING EVIDENCE AND
26 INFORMATION NECESSARY TO THE INVESTIGATION;

27 (g) A WARNING OF DANGER CONCERNING THE BEHAVIOR OF A

1 PERSON INVOLVED WHEN THERE IS REASON TO BELIEVE THAT THE
2 LIKELIHOOD OF SUBSTANTIAL HARM TO AN INDIVIDUAL OR TO THE PUBLIC
3 INTEREST EXISTS;

4 (h) THE FACT, TIME, AND PLACE OF ARREST AND THE
5 CIRCUMSTANCES IMMEDIATELY SURROUNDING THE ARREST, INCLUDING
6 RESISTANCE, PURSUIT, AND POSSESSION AND USE OF WEAPONS, AND A
7 DESCRIPTION OF PHYSICAL ITEMS SEIZED AT THE TIME OF ARREST;

8 (i) IF THE ACCUSED HAS NOT BEEN APPREHENDED, INFORMATION
9 NECESSARY TO AID IN THE APPREHENSION OF THAT PERSON, INCLUDING
10 THE ISSUANCE OF ANY WARRANTS; AND

11 (j) INFORMATION THAT THE PEACE OFFICER REASONABLY BELIEVES
12 IS IN THE INTEREST OF THE FAIR ADMINISTRATION OF JUSTICE AND THE LAW
13 ENFORCEMENT PROCESS IN A PARTICULAR CASE, WITH THE PRIOR WRITTEN
14 APPROVAL OF THE CHIEF OF POLICE OR SHERIFF.

15 (4) THE PRODUCTION OF A VIDEO FOR PURPOSES OF A COMMUNITY
16 OR CRITICAL INCIDENT BRIEFING MUST PROVIDE A DISCLAIMER INDICATING
17 THAT THE RECORDING HAS BEEN MODIFIED FROM ITS ORIGINAL FORM.
18 NARRATION OR TEXT MUST BE LIMITED TO THE FACTS OF THE INCIDENT
19 KNOWN AT THE TIME OF THE RECORDING AND MUST NOT INCLUDE
20 EDITORIAL COMMENTARY LEADING THE PUBLIC TO A CONCLUSION OR
21 USING LEGAL TERMINOLOGY SUGGESTING CRIMINALITY, LIABILITY, OR
22 MISCONDUCT. AUGMENTATION OR ENHANCEMENT TO HIGHLIGHT ASPECTS
23 OF A VIDEO, AS WELL AS BLURRING DONE TO PROTECT SUBSTANTIAL
24 PRIVACY INTERESTS, MUST BE READILY PERCEPTIBLE OR INDICATED BY AN
25 APPROPRIATE DISCLAIMER.

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

1 **24-31-305. Certification - issuance - renewal - revocation -**
2 **rules - definition.**

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

10 **SECTION 6. In Colorado Revised Statutes, 24-4.1-302.5, amend**
11 **(1)(j.8) as follows:**

12 **24-4.1-302.5. Rights afforded to victims - definitions.**

13 (1) In order to preserve and protect a victim's rights to justice and
14 due process, each victim of a crime has the following rights:

15 (j.8) The right upon request, to obtain any incident recording as
16 described in section 24-31-902;

17 **SECTION 7. In Colorado Revised Statutes, 20-1-114, amend (1)**
18 **as follows:**

19 **20-1-114. Peace officer-involved shooting investigations -**
20 **disclosure.**

21 (1) The district attorney shall, if no criminal charges are filed
22 following the completion of an investigation pursuant to section
23 ~~16-2.5-301, C.R.S.~~, SECTION 16-2.5-302, release a report and publicly
24 disclose the report explaining the district attorney's findings, including the
25 basis for the decision not to charge the officer with any criminal conduct.
26 The district attorney shall post the written report on its website or, if it
27 does not have a website, make it publicly available upon request.

1 **SECTION 8. Safety clause.** The general assembly finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety or for appropriations for
4 the support and maintenance of the departments of the state and state
5 institutions.