

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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May 5, 2026  
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB26-190 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

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

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

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

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

13           **SECTION 2.** In Colorado Revised Statutes, 24-31-901, **add** (2.8),  
14 (5.5), (6.4), and (6.6) as follows:

15           **24-31-901. Definitions.**

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

17           (2.8) "LAWFUL REPRESENTATIVE" HAS THE MEANING SET FORTH  
18 IN SECTION 24-4.1-302.

19           (5.5) "SIGNIFICANT OTHER" HAS THE MEANING SET FORTH IN  
20 SECTION 24-4.1-302.

21           (6.4) "VICTIM" HAS THE MEANING SET FORTH IN SECTION  
22 24-4.1-302.

23           (6.6) "VICTIM'S IMMEDIATE FAMILY" HAS THE MEANING SET FORTH  
24 IN SECTION 24-4.1-302.

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

27           **24-31-902. Incident recordings - release - tampering - fine.**

1 (2) (a) (I) For all incidents in which there is a complaint of peace  
2 officer misconduct ~~by another peace officer, a civilian, or nonprofit~~  
3 ~~organization, through notice to~~ THAT DOES NOT RESULT IN A VICTIM'S  
4 DEATH, the law enforcement agency ~~involved in the alleged misconduct,~~  
5 ~~the local law enforcement agency or the Colorado state patrol~~ THAT  
6 EMPLOYS THE PEACE OFFICER shall release, upon request OF ANY PERSON  
7 OTHER THAN A FOR-PROFIT ENTITY, all unedited video and audio  
8 recordings of the incident, including those from body-worn cameras, dash  
9 cameras, or otherwise collected through investigation, to the public within  
10 twenty-one days after ~~the local law enforcement agency or the Colorado~~  
11 ~~state patrol received the request for release of the video or audio~~  
12 ~~recordings~~ THE REQUEST.

13 (II) FOR ALL INCIDENTS IN WHICH THE USE OF FORCE THAT  
14 RESULTS IN A VICTIM'S DEATH, THE LAW ENFORCEMENT AGENCY THAT  
15 EMPLOYS THE PEACE OFFICER SHALL RELEASE, UPON REQUEST OF ANY  
16 PERSON, ALL UNEDITED VIDEO AND AUDIO RECORDINGS OF THE INCIDENT,  
17 INCLUDING THOSE FROM BODY-WORN CAMERAS, DASH CAMERAS, OR  
18 OTHERWISE COLLECTED THROUGH INVESTIGATION, FOLLOWING THE  
19 EXPIRATION OF THE TWENTY-ONE-DAY PERIOD DESCRIBED IN SUBSECTION  
20 (2)(b)(I) OF THIS SECTION.

21 (III) UPON COMPLETION OF AN INTERNAL INVESTIGATION,  
22 INCLUDING ANY APPEALS PROCESS, THAT EXAMINES AN INCIDENT OF USE  
23 OF FORCE BY A PEACE OFFICER THAT RESULTS IN DEATH; THE COMPLETION  
24 OF THE INVESTIGATION OF A USE OF FORCE BY A PEACE OFFICER THAT  
25 RESULTS IN DEATH BY THE MULTI-AGENCY TEAM DESCRIBED IN SECTION  
26 16-25-302 AND THE ISSUANCE OF THE REPORT REQUIRED BY SECTION  
27 20-1-114; AND THE COMPLETION OF A CRIMINAL CASE ARISING FROM THE  
28 INCIDENT, INCLUDING ANY APPEALS, THE VIDEO AND AUDIO RECORDINGS  
29 DEPICTING THE DEATH SHALL BE RELEASED TO THE VICTIM'S IMMEDIATE  
30 FAMILY, UPON REQUEST, NOTWITHSTANDING THE REQUIREMENTS OF  
31 SECTION 24-31-902 (2)(b)(III) AND SECTION 24-31-902 (2)(c).

32 (b) (I) FOR ALL INCIDENTS IN WHICH THE USE OF FORCE BY A PEACE  
33 OFFICER RESULTS IN A VICTIM'S DEATH, THE LAW ENFORCEMENT AGENCY  
34 THAT EMPLOYS THE PEACE OFFICER SHALL MAKE REASONABLE EFFORTS TO  
35 IDENTIFY THE VICTIM'S IMMEDIATE FAMILY AND PROVIDE all video and  
36 audio recordings depicting a THE VICTIM'S death ~~must be provided upon~~  
37 ~~request to the victim's spouse, parent, legal guardian, child, sibling,~~  
38 ~~grandparent, grandchild, significant other, or other lawful representative,~~  
39 ~~and such~~ TO EACH IDENTIFIED MEMBER OF THE VICTIM'S IMMEDIATE  
40 FAMILY, UNLESS THE MEMBER DECLINES, WITHIN TWENTY-ONE DAYS  
41 AFTER THE INCIDENT. THE person shall be notified of ~~his or her~~ THEIR  
42 right, pursuant to section 24-4.1-302.5 (1)(j.8), to receive and review the  
43 recording at least seventy-two hours prior to A public disclosure MADE

1 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION. ~~A person seventeen~~  
2 ~~years of age and under is considered incapacitated, unless legally~~  
3 ~~emancipated.~~

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

6 PART 3  
7 PEACE OFFICER USE OF FORCE  
8 INVESTIGATIONS AND PROCEDURES

9 **16-2.5-301. Definitions.**

10 AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE  
11 REQUIRES:

12 (1) "VICTIM" HAS THE MEANING SET FORTH IN SECTION 24-4.1-302.

13 (2) "VICTIM'S IMMEDIATE FAMILY" HAS THE MEANING SET FORTH  
14 IN SECTION 24-4.1-302.

15 **16-3.5-302. Peace officer actions leading to injury or death**  
16 **investigations - protocol - notification to victim's immediate family.**

17 (1) (a) EACH POLICE DEPARTMENT, SHERIFF'S OFFICE, AND  
18 DISTRICT ATTORNEY WITHIN THE STATE SHALL MAINTAIN PROTOCOLS FOR  
19 PARTICIPATING IN A MULTI-AGENCY TEAM, WHICH MUST INCLUDE AT  
20 LEAST ONE OTHER POLICE DEPARTMENT OR SHERIFF'S OFFICE, OR THE  
21 COLORADO BUREAU OF INVESTIGATION, IN CONDUCTING ANY  
22 INVESTIGATION, EVALUATION, OR REVIEW OF AN INCIDENT INVOLVING THE  
23 DISCHARGE OF A FIREARM BY A PEACE OFFICER THAT RESULTED IN INJURY  
24 OR DEATH, OR OTHER USE OF FORCE BY A PEACE OFFICER THAT RESULTED  
25 IN DEATH. THE LAW ENFORCEMENT AGENCIES PARTICIPATING NEED NOT  
26 BE FROM THE SAME JUDICIAL DISTRICT.

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

30 (2) WITHIN TWENTY-FOUR HOURS AFTER THE SCENE OF AN  
31 INCIDENT INVOLVING A PEACE OFFICER'S USE OF FORCE THAT RESULTS IN  
32 DEATH IS CLEARED, THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE  
33 PEACE OFFICER SHALL NOTIFY ANY PERSON IN THE VICTIM'S IMMEDIATE  
34 FAMILY KNOWN TO THE EMPLOYING LAW ENFORCEMENT AGENCY OF:

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

38 (b) THE STATUS OF THE INVESTIGATION.

39 **16-2.5-303. Extrajudicial statement concerning use of force.**

40 (1) AN ATTORNEY OR PEACE OFFICER WHO IS PARTICIPATING OR  
41 HAS PARTICIPATED IN THE INVESTIGATION OR LITIGATION OF A CRIMINAL  
42 MATTER INVOLVING THE USE OF FORCE BY A PEACE OFFICER THAT RESULTS  
43 IN A VICTIM'S DEATH SHALL NOT MAKE AN EXTRAJUDICIAL STATEMENT

1 THAT THE ATTORNEY OR PEACE OFFICER KNOWS OR REASONABLY SHOULD  
2 KNOW WILL BE DISSEMINATED BY MEANS OF PUBLIC COMMUNICATION AND  
3 WILL HAVE A SUBSTANTIAL LIKELIHOOD OF MATERIALLY PREJUDICING AN  
4 ADJUDICATIVE PROCEEDING IN THE MATTER; EXCEPT THAT AN ATTORNEY  
5 OR PEACE OFFICER MAY STATE:

6 (a) THE CLAIM, OFFENSE, OR DEFENSE INVOLVED AND, EXCEPT  
7 WHEN PROHIBITED BY LAW, THE IDENTITY OF THE PERSONS INVOLVED;

8 (b) INFORMATION CONTAINED IN A PUBLIC RECORD;

9 (c) THAT AN INVESTIGATION OF A MATTER IS IN PROGRESS;

10 (d) THE SCHEDULING OR RESULT OF ANY STEP IN THE  
11 INVESTIGATION OR LITIGATION;

12 (e) A REQUEST FOR ASSISTANCE IN OBTAINING EVIDENCE AND  
13 INFORMATION NECESSARY THERETO;

14 (f) 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 EXISTS;

18 (g) THE IDENTITY, RESIDENCE, OCCUPATION, AND FAMILY STATUS  
19 OF THE ACCUSED;

20 (h) WHETHER THE ACCUSED PERSON HAS BEEN APPREHENDED AND,  
21 IF NOT, INFORMATION NECESSARY TO AID IN THE APPREHENSION OF THE  
22 PERSON;

23 (i) THE FACT, TIME, AND PLACE OF ARREST;

24 (j) THE IDENTITY OF THE INVESTIGATING AND ARRESTING PEACE  
25 OFFICERS OR AGENCIES AND THE LENGTH OF THE INVESTIGATION; AND

26 (k) INFORMATION THAT A REASONABLE ATTORNEY WOULD  
27 BELIEVE IS REQUIRED TO PROTECT A CLIENT FROM THE SUBSTANTIAL  
28 UNDUE PREJUDICIAL EFFECT OF RECENT PUBLICITY THAT WAS NOT  
29 INITIATED BY THE ATTORNEY OR THE ATTORNEY'S CLIENT. A STATEMENT  
30 MADE PURSUANT TO THIS SUBSECTION (1)(k) MUST BE LIMITED TO  
31 INFORMATION NECESSARY TO MITIGATE THE RECENT ADVERSE PUBLICITY.

32 (2) THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION APPLIES  
33 TO AN ATTORNEY ASSOCIATED IN A LAW FIRM WITH, OR AN ATTORNEY OR  
34 A PEACE OFFICER EMPLOYED BY THE SAME GOVERNMENTAL AGENCY AS,  
35 AN ATTORNEY OR PEACE OFFICER SUBJECT TO SUBSECTION (1) OF THIS  
36 SECTION.

37 **SECTION 5.** In Colorado Revised Statutes, 24-4.1-302.5, **amend**  
38 (1)(j.8) as follows:

39 **24-4.1-302.5. Rights afforded to victims - definitions.**

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

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

1           **SECTION 6.** In Colorado Revised Statutes, 20-1-114, **amend** (1)  
2 as follows:

3           **20-1-114. Peace officer-involved shooting investigations -**  
4 **disclosure.**

5           (1) The district attorney shall, if no criminal charges are filed  
6 following the completion of an investigation pursuant to ~~section~~  
7 ~~16-2.5-301, C.R.S.~~, SECTION 16-2.5-302, release a report and publicly  
8 disclose the report explaining the district attorney's findings, including the  
9 basis for the decision not to charge the officer with any criminal conduct.  
10 The district attorney shall post the written report on its website or, if it  
11 does not have a website, make it publicly available upon request.

12           **SECTION 7. Safety clause.** The general assembly finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, or safety or for appropriations for  
15 the support and maintenance of the departments of the state and state  
16 institutions."

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