

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

**ENGROSSED**

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

LLS NO. 22-0013.01 Michael Dohr x4347

**HOUSE BILL 22-1063**

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**HOUSE SPONSORSHIP**

**Amabile and Benavidez,**

**SENATE SPONSORSHIP**

**Coleman and Cooke,**

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**House Committees**

Judiciary  
Legislative Council  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING CREATION OF A JAIL STANDARDS COMMISSION TO**  
102                      **STANDARDIZE THE OPERATION OF COLORADO JAILS, AND, IN**  
103                      **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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 creates the Colorado jail standards commission (commission) in the department of public safety. The commission creates standards for the operation of Colorado's county jails (jails) and updates the standards as necessary. The commission consists of the following 20 members:

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

HOUSE  
Amended 2nd Reading  
April 29, 2022

- 5 sheriffs or senior jail administrators;
- 2 county commissioners;
- 3 people with lived experience of being incarcerated or having a family member who is or was incarcerated in a jail;
- One mental health professional with experience working in a jail;
- One health professional with experience working in a jail;
- One person representing a lesbian, gay, bisexual, transgender, or queer advocacy organization;
- One person representing an organization advocating for the rights of people with disabilities;
- One person representing an organization advocating for the rights of communities of color;
- One person representing an organization advocating for the rights of persons with mental or physical disabilities;
- One non-law-enforcement person with experience working in a jail, appointed by the executive director of the department of public safety;
- The state public defender or the state public defender's designee;
- One district attorney, appointed by the Colorado district attorneys' council; and
- One person representing the department of public safety with expertise in jail operations.

The commission shall develop standards for all aspects of jail operations as follows:

- Reception and release;
- Classification of inmates;
- Security;
- Housing;
- Sanitation and environmental conditions;
- Communication;
- Visitation;
- Health care, mental and behavioral health care, and dental care;
- Food service;
- Recreation and programming;
- Inmate disciplinary processes;
- Restrictive housing;
- Inmate grievances;
- Staffing; and
- Inmates' prerogatives.

The commission shall establish standards regarding oversight of the standards; compliance with the standards, including a requirement for

a biennial compliance inspection of each jail; a complaint process and investigation process; and possible sanctions for noncompliance with or violations of the standards. The department of public safety shall promulgate rules adopting the standards and possible sanctions.

The department of public safety shall provide oversight of the implementation of the standards. The commission shall evaluate the effectiveness of the standards after implementation and make any needed changes to the standards.

The bill sunsets the commission on September 1, 2029.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 19 to article  
3 3 of title 2 as follows:

4 **PART 19**

5 **COLORADO JAIL STANDARDS COMMISSION**

6 **2-3-1901. Legislative oversight committee for Colorado jail**  
7 **standards - creation - duties.** (1) **Creation.** (a) THERE IS CREATED A  
8 LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING COLORADO JAIL  
9 STANDARDS, REFERRED TO IN THIS PART 19 AS THE "COMMITTEE".

10 (b) THE COMMITTEE CONSISTS OF SIX MEMBERS. THE PRESIDENT  
11 OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF  
12 THE HOUSE OF REPRESENTATIVES, AND THE MINORITY LEADER OF THE  
13 HOUSE OF REPRESENTATIVES SHALL APPOINT THE MEMBERS OF THE  
14 COMMITTEE AS FOLLOWS:

15 (I) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO SENATORS  
16 TO SERVE ON THE COMMITTEE AND DESIGNATE ONE OF THE SENATORS AS  
17 THE VICE-CHAIR OF THE COMMITTEE, AND THE MINORITY LEADER OF THE  
18 SENATE SHALL APPOINT ONE SENATOR TO SERVE ON THE COMMITTEE;

19 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
20 APPOINT TWO REPRESENTATIVES TO SERVE ON THE COMMITTEE AND

1 DESIGNATE ONE OF THE REPRESENTATIVES AS THE CHAIR OF THE  
2 COMMITTEE, AND THE MINORITY LEADER OF THE HOUSE OF  
3 REPRESENTATIVES SHALL APPOINT ONE REPRESENTATIVE TO SERVE ON THE  
4 COMMITTEE;

5 (III) THE PRESIDENT OF THE SENATE, THE MINORITY LEADER OF  
6 THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE  
7 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL MAKE THEIR  
8 APPOINTMENTS BY JULY 1, 2022. IN THE CASE OF A VACANCY, THE PERSON  
9 MAKING THE ORIGINAL APPOINTMENT OR REAPPOINTMENT SHALL FILL ANY  
10 VACANCY BY APPOINTMENT.

11 (c) (I) MEMBERS OF THE COMMITTEE MAY RECEIVE PAYMENT OF  
12 PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES  
13 AUTHORIZED PURSUANT TO SECTION 2-2-307.

14 (II) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
15 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL  
16 SUPPLY STAFF ASSISTANCE TO THE COMMITTEE, BUT SHALL NOT SUPPLY  
17 STAFF ASSISTANCE TO ANY SUBCOMMITTEES CREATED BY THE COMMITTEE.

18 (2) **Duties.** (a) THE COMMITTEE SHALL MEET NO MORE THAN FOUR  
19 TIMES EACH YEAR.

20 (b) THE COMMITTEE IS RESPONSIBLE FOR THE OVERSIGHT OF THE  
21 COMMISSION. THE CHAIR OF THE COMMITTEE SHALL ESTABLISH  
22 ORGANIZATIONAL RULES AND PROCEDURAL RULES AS ARE NECESSARY FOR  
23 THE OPERATION OF THE COMMISSION.

24 (c) THE COMMITTEE MAY INTRODUCE UP TO A TOTAL OF THREE  
25 BILLS, JOINT RESOLUTIONS, OR CONCURRENT RESOLUTIONS DURING THE  
26 2024 LEGISLATIVE SESSION. BILLS THAT THE COMMITTEE INTRODUCES ARE  
27 EXEMPT FROM THE FIVE-BILL LIMITATION SPECIFIED IN RULE 24 (b)(1)(A)

1 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.  
2 JOINT RESOLUTIONS AND CONCURRENT RESOLUTIONS THAT THE  
3 COMMITTEE INTRODUCES ARE EXEMPT FROM THE LIMITATIONS SET OUT IN  
4 RULE 26 (g) OF THE RULES OF THE HOUSE OF REPRESENTATIVES AND RULE  
5 30 (f) OF THE RULES OF THE SENATE. THE COMMITTEE IS EXEMPT FROM  
6 THE REQUIREMENT TO REPORT BILLS OR OTHER MEASURES TO THE  
7 LEGISLATIVE COUNCIL AS SPECIFIED IN RULE 24 (b)(1)(D) AND RULE 24A  
8 (d)(8) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF  
9 REPRESENTATIVES AND IN SECTION 2-3-303 (1)(f), COLORADO REVISED  
10 STATUTES. THE COMMITTEE IS SUBJECT TO RULE 24A OF THE JOINT RULES  
11 OF THE SENATE AND HOUSE OF REPRESENTATIVES, EXCEPT TO THE EXTENT  
12 THAT THE RULE MAY CONFLICT WITH THIS PART 19. BILLS RECOMMENDED  
13 BY THE COMMITTEE MUST BE INTRODUCED BY THE INTRODUCTION  
14 DEADLINE FOR HOUSE BILLS SPECIFIED IN RULE 23 (a)(1) OF THE JOINT  
15 RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES. THE CHAIR AND  
16 VICE-CHAIR SHALL JOINTLY ESTABLISH THE LAST DATE FOR THE MEETING  
17 AT WHICH THE COMMITTEE MAY APPROVE BILL REQUESTS, THE LAST DATE  
18 BY WHICH COMMITTEE MEMBERS MUST FINALIZE BILL DRAFTS OR BY  
19 WHICH BILL DRAFTS WILL BE DEEMED FINALIZED FOR FISCAL NOTE  
20 PURPOSES, AND THE LAST DATE BY WHICH THE COMMITTEE WILL CONSIDER  
21 AND TAKE FINAL ACTION ON BILL DRAFTS.

22 (d) THE COMMITTEE SHALL RECEIVE AND APPROVE THE REPORT OF  
23 THE COMMISSION REQUIRED BY SECTION 2-3-1903 (2).

24 **2-3-1902. Colorado jail standards commission - creation -**  
25 **membership.** (1) THE COLORADO JAIL STANDARDS COMMISSION IS  
26 CREATED AND REFERRED TO IN THIS PART 19 AS THE "COMMISSION".  
27 THE COMMISSION SHALL RECOMMEND STANDARDS FOR THE SAFE AND

1 EFFECTIVE OPERATION OF COLORADO'S COUNTY JAILS, REFERRED TO IN  
2 THIS PART 19 AS "JAILS".

3 (2) THE COMMISSION IS COMPOSED OF THE FOLLOWING  
4 TWENTY-TWO MEMBERS:

5 (a) FIVE SHERIFFS OR SENIOR JAIL ADMINISTRATORS, APPOINTED BY  
6 THE STATEWIDE ORGANIZATION REPRESENTING COUNTY:

7 (I) ONE FROM A COUNTY IN EACH COUNTY CATEGORY I-IV, AS  
8 DEFINED BY SECTION 30-2-102; AND

9 (II) ONE FROM EITHER A CATEGORY V OR CATEGORY VI COUNTY,  
10 AS DEFINED BY SECTION 30-2-102;

11 (b) TWO COUNTY COMMISSIONERS, APPOINTED BY THE STATEWIDE  
12 ORGANIZATION REPRESENTING COUNTY COMMISSIONERS:

13 (I) ONE FROM EITHER A COUNTY CATEGORY I OR II COUNTY, AS  
14 DEFINED BY SECTION 30-2-102; AND

15 (II) ONE FROM A CATEGORY III, IV, V, OR VI COUNTY, AS DEFINED  
16 BY SECTION 30-2-102;

17 (c) THREE PERSONS WITH LIVED EXPERIENCE OF BEING  
18 INCARCERATED OR HAVING A FAMILY MEMBER WHO IS OR WAS  
19 INCARCERATED IN A JAIL, APPOINTED BY A STATEWIDE ORGANIZATION  
20 ADVOCATING FOR THE RIGHTS OF THE INCARCERATED IN COLORADO;

21 (d) ONE MENTAL HEALTH PROFESSIONAL WITH EXPERIENCE  
22 WORKING IN A JAIL, APPOINTED BY A STATEWIDE ORGANIZATION  
23 ADVOCATING FOR MENTAL HEALTH IN COLORADO;

24 (e) ONE PERSON REPRESENTING COMPETENCY SERVICES,  
25 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN  
26 SERVICES;

27 (f) ONE PERSON REPRESENTING THE BEHAVIORAL HEALTH

1 ADMINISTRATION, APPOINTED BY THE COMMISSIONER OF THE BEHAVIORAL  
2 HEALTH ADMINISTRATION;

3 (g) ONE PERSON REPRESENTING POLICE OFFICERS, APPOINTED BY  
4 THE PRESIDENT OF A STATEWIDE ORGANIZATION REPRESENTING POLICE  
5 OFFICERS;

6 (h) ONE PERSON REPRESENTING A LESBIAN, GAY, BISEXUAL,  
7 TRANSGENDER, OR QUEER ADVOCACY ORGANIZATION, APPOINTED BY A  
8 STATEWIDE ORGANIZATION ADVOCATING FOR THE RIGHTS OF THE  
9 INCARCERATED IN COLORADO;

10 (i) ONE PERSON REPRESENTING AN ORGANIZATION ADVOCATING  
11 FOR THE RIGHTS OF PEOPLE WITH DEVELOPMENTAL DISABILITIES,  
12 APPOINTED BY A STATEWIDE ORGANIZATION ADVOCATING FOR THE RIGHTS  
13 OF THE INCARCERATED IN COLORADO;

14 (j) ONE PERSON REPRESENTING AN ORGANIZATION ADVOCATING  
15 FOR THE RIGHTS OF PEOPLE OF COLOR, APPOINTED BY A STATEWIDE  
16 ORGANIZATION ADVOCATING FOR THE RIGHTS OF THE INCARCERATED IN  
17 COLORADO;

18 (k) ONE PERSON REPRESENTING AN ORGANIZATION ADVOCATING  
19 FOR THE RIGHTS OF PERSONS WITH MENTAL OR PHYSICAL DISABILITIES,  
20 APPOINTED BY A STATEWIDE ORGANIZATION ADVOCATING FOR THE RIGHTS  
21 OF THE INCARCERATED IN COLORADO;

22 (l) ONE NON-LAW-ENFORCEMENT PERSON WITH EXPERIENCE  
23 WORKING IN A JAIL, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
24 DEPARTMENT OF PUBLIC SAFETY;

25 (m) THE STATE PUBLIC DEFENDER OR THE STATE PUBLIC  
26 DEFENDER'S DESIGNEE;

27 (n) ONE PERSON REPRESENTING DISTRICT ATTORNEYS, APPOINTED

1 BY THE COLORADO DISTRICT ATTORNEYS' COUNCIL; AND

2 (o) ONE PERSON REPRESENTING THE DEPARTMENT OF PUBLIC  
3 SAFETY WITH EXPERTISE IN JAIL OPERATIONS, APPOINTED BY THE  
4 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY.

5

6 (3) THE INITIAL COMMISSION MEMBERS MUST BE APPOINTED BY  
7 JULY 1, 2022.

8 (4) THE FIRST MEETING OF THE COMMISSION MUST BE HELD BY  
9 JULY 31, 2022. THE COMMISSION SHALL MEET MONTHLY. THE CHAIR OF  
10 THE COMMITTEE SHALL APPOINT A CHAIR AND VICE-CHAIR FROM AMONG  
11 THE COMMISSION MEMBERS. THE CHAIR OF THE COMMISSION SHALL SET  
12 THE MEETING DATES AND TIMES.

13 **2-3-1903. Commission - duties - report.** (1) THE COMMISSION  
14 SHALL RECOMMEND STANDARDS IN COMPLIANCE WITH STATE AND  
15 FEDERAL LAW FOR ALL ASPECTS OF JAIL OPERATIONS AS FOLLOWS:

16 (a) RECEPTION AND RELEASE, INCLUDING:

17 (I) IDENTIFYING THE ARRESTING, TRANSPORTING, OR COMMITTING  
18 OFFICER;

19 (II) RECORDING INMATE INFORMATION IN A BOOKING AND  
20 IDENTIFICATION RECORD FOR EVERY COMMITMENT;

21 (III) IDENTIFYING INMATES DURING RECEPTION BY PHOTOGRAPH,  
22 IDENTIFICATION BRACELET, OR OTHER MEANS;

23 (IV) PROVIDING ACCESS TO TELEPHONES AFTER THE RECEPTION  
24 PROCESS;

25 (V) SEARCHING, CONFISCATING, INVENTORYING, AND SECURING  
26 OF UNAUTHORIZED ITEMS;

27 (VI) CONFISCATION, COUNTING, AND SECURING OF MONEY OR ANY



- 1 FORM OF CURRENCY;
- 2 (VII) SECURING THE INMATE'S SIGNATURE AND REQUIREMENTS  
3 FOR WITNESS SIGNATURES ON A COMPLETED INVENTORY OF ITEMS AND  
4 MONEY CONFISCATED;
- 5 (VIII) STRIP SEARCHES AND BODY CAVITY SEARCHES CONSISTENT  
6 WITH COLORADO LAW;
- 7 (IX) DETERMINING WHEN AN INMATE SHOULD RECEIVE A SHOWER;
- 8 (X) PROVIDING INMATES WITH CLEAN UNIFORM CLOTHING OR  
9 STANDARDS FOR WEARING PERSONAL CLOTHING;
- 10 (XI) THE AMOUNT OF TIME INMATES ARE CONFINED IN THE  
11 RECEPTION AREA;
- 12 (XII) THE POSSESSION OF MONEY BY INMATES, INCLUDING  
13 PROVISIONS TO PREVENT INMATE GAMBLING, THEFT, AND EXTORTION;
- 14 (XIII) PROVIDING INMATES WITH A LIST OF GENERALLY  
15 APPLICABLE INMATE RULES;
- 16 (XIV) ASSISTING INMATES IN UNDERSTANDING THESE RULES IF  
17 THERE ARE LITERACY OR LANGUAGE OBSTACLES;
- 18 (XV) OBTAINING SIGNED ACKNOWLEDGMENT FROM INMATES OF  
19 RECEIPT AND UNDERSTANDING OF RULES;
- 20 (XVI) ENSURING THE SAFETY OF MALE, FEMALE, AND NONBINARY  
21 INMATES DURING RECEPTION;
- 22 (XVII) VERIFYING INMATES' IDENTIFICATION AND RELEASE  
23 DOCUMENTATION;
- 24 (XVIII) DOCUMENTING AN INMATE'S RELEASE TO ANOTHER  
25 AGENCY;
- 26 (XIX) OBTAINING A RECEIPT FROM THE INMATE OR THE RECEIVING  
27 OFFICER, AS APPROPRIATE, FOR ALL PROPERTY RETURNED AT THE TIME OF

1 RELEASE OR TRANSFER;

2 (XX) CONFINING JUVENILES WHEN PERMITTED BY COURT ORDER

3 PURSUANT TO SECTION 19-2.5-305;

4 (XXI) SCREENING AND ASSESSMENT FOR PHYSICAL DISABILITIES,

5 MENTAL OR BEHAVIORAL HEALTH DISORDERS, TRAUMATIC BRAIN INJURIES,

6 OR DEVELOPMENTAL DISABILITIES;

7 (XXII) PROVIDING ACCOMMODATIONS FOR PEOPLE WITH

8 DISABILITIES AS REQUIRED BY ALL APPLICABLE STATE AND FEDERAL LAW;

9 AND

10 (XXIII) CONSIDERING AGE AS A FACTOR IN THE CLASSIFICATION

11 OF INMATES;

12 (b) CLASSIFICATION OF INMATES, INCLUDING:

13 (I) A WRITTEN INMATE CLASSIFICATION SYSTEM THAT SPECIFIES

14 THE CRITERIA AND PROCEDURES FOR DETERMINING AND CHANGING THE

15 CLASSIFICATION OF INMATES TO DETERMINE THE LEVEL OF CUSTODY

16 REQUIRED, SPECIAL NEEDS, HOUSING ASSIGNMENT, AND PARTICIPATION IN

17 PROGRAMMING;

18 (II) HOUSING MALE, FEMALE, AND NONBINARY INMATES

19 SEPARATELY BY SIGHT AND TOUCH, AND OUT OF RANGE OF NORMAL

20 CONVERSATION WITH EACH OTHER;

21 (III) SUPERVISING MALE, FEMALE, AND NONBINARY INMATES

22 WHEN PLACED TOGETHER FOR PROGRAMMING, TRANSPORTATION, OR

23 OTHER SIMILAR ACTIVITIES;

24 (IV) HOUSING VIOLENT AND NONVIOLENT INMATES SEPARATELY;

25 (V) SUPERVISING VIOLENT AND NONVIOLENT INMATES WHEN

26 PLACED TOGETHER FOR PROGRAMMING, TRANSPORTATION, OR OTHER

27 SIMILAR ACTIVITIES;

- 1 (VI) HOUSING JUVENILE AND ADULT INMATES SEPARATELY;
- 2 (VII) SUPERVISING JUVENILE AND ADULT INMATES WHEN PLACED  
3 TOGETHER FOR PROGRAMMING, DINING, TRANSPORTATION, OR OTHER  
4 SIMILAR ACTIVITIES;
- 5 (VIII) ENSURING JUVENILE INMATES HAVE ACCESS TO  
6 LARGE-MUSCLE EXERCISE, EDUCATION, WORK OPPORTUNITIES, AND OTHER  
7 DEVELOPMENTALLY APPROPRIATE PROGRAMMING;
- 8 (IX) EVALUATING AND SELECTING INMATES FOR WORK WHILE  
9 INCARCERATED;
- 10 (X) HOUSING INMATES PARTICIPATING IN WORK OR EDUCATIONAL  
11 RELEASE PROGRAMS SEPARATELY FROM THE GENERAL POPULATION; AND
- 12 (XI) ESTABLISHING THE ACCEPTABLE PERSONAL AND HYGIENE  
13 ITEMS PROVIDED TO INMATES IN THE GENERAL POPULATION;
- 14 (c) SECURITY, INCLUDING:
- 15 (I) ESTABLISHING A SECURITY PERIMETER;
- 16 (II) ESTABLISHING A SECURE BOOKING AND RELEASE AREA;
- 17 (III) IF INSTALLED, ENSURING CLOSED-CIRCUIT TELEVISIONS ARE  
18 OPERATIONAL AND PRECLUDE THE MONITORING OF SHOWER, TOILET, AND  
19 CLOTHING EXCHANGE AREAS;
- 20 (IV) TWO-WAY COMMUNICATIONS BETWEEN CENTRAL CONTROL,  
21 STAFFED POSTS, AND INMATE-OCCUPIED AREAS;
- 22 (V) HAVING EQUIPMENT NECESSARY TO MAINTAIN UTILITIES,  
23 COMMUNICATIONS, SECURITY, LIFE-SAVING DEVICES, AND FIRE  
24 PROTECTION IN AN EMERGENCY AND SCHEDULES TO TEST, REPAIR, AND  
25 REPLACE EQUIPMENT IN A TIMELY MANNER;
- 26 (VI) PROCEDURES GOVERNING AVAILABILITY, CONTROL  
27 INVENTORY, STORAGE, AND USE OF FIREARMS, LESS-THAN-LETHAL

1 DEVICES, AND RELATED SECURITY DEVICES AND SPECIFYING THE LEVEL OF  
2 AUTHORITY REQUIRED FOR THEIR ACCESS AND USE;

3 (VII) USE OF AND AUTHORIZATION FOR CHEMICAL AGENTS AND  
4 ELECTRICAL DISABLERS;

5 (VIII) RESTRICTIONS FOR ACCESS TO STORAGE AREAS;

6 (IX) SEPARATING STORAGE SPACE FROM INMATE HOUSING OR  
7 ACTIVITY AREAS;

8 (X) ENSURING THE SAFETY OF MALE, FEMALE, AND NONBINARY  
9 INMATES DURING RECEPTION;

10 (XI) INMATE SEARCHES WHEN INMATES ENTER OR LEAVE THE  
11 JAIL'S SECURITY PERIMETER TO CONTROL CONTRABAND;

12 (XII) PROCEDURES AND PRACTICES GOVERNING STRIP AND BODY  
13 CAVITY SEARCHES;

14 (XIII) EMERGENCY PLANS, INCLUDING TRAINING FOR JAIL  
15 PERSONNEL IN THE IMPLEMENTATION OF EMERGENCY PLANS, AND  
16 PROCEDURES TO BE FOLLOWED IN SITUATIONS THAT THREATEN JAIL  
17 SECURITY;

18 (XIV) LOGGING ROUTINE INFORMATION, EMERGENCY SITUATIONS,  
19 AND UNUSUAL INCIDENTS;

20 (XV) COUNTING TO VERIFY EACH INMATE'S PHYSICAL PRESENCE  
21 AND IDENTIFICATION, INCLUDING THE NUMBER OF OFFICIAL DAILY COUNTS,  
22 RECONCILIATION OF JAIL COUNTS, AND RECORDING OF JAIL COUNTS;

23 (XVI) PERSONAL OBSERVATION CHECKS OF INMATES, INCLUDING  
24 REGULAR AND VARIABLE TIMING OF SUCH CHECKS AND DOCUMENTATION  
25 OF SUCH CHECKS;

26 (XVII) POLICIES FOR ADDRESSING THE MANAGEMENT OF INMATES  
27 WITH SPECIALIZED PHYSICAL AND MENTAL OR BEHAVIORAL HEALTH

- 1 NEEDS;
- 2 (XVIII) USE OF PHYSICAL AND MECHANICAL RESTRAINTS,  
3 INCLUDING AUTHORIZING USE OF PHYSICAL RESTRAINTS AND MONITORING  
4 AND RECORDING THE CHECKS OF INMATES IN RESTRAINTS;
- 5 (XIX) DEFINING JUSTIFIABLE SELF-DEFENSE, PREVENTING  
6 SELF-INFLICTED HARM, PROTECTION OF OTHERS, RIOT PREVENTION,  
7 DISCHARGE OF A FIREARM OR OTHER WEAPON, ESCAPE OR OTHER CRIME,  
8 AND CONTROLLING OR SUBDUING AN INMATE WHO REFUSES TO OBEY A  
9 STAFF COMMAND OR ORDER;
- 10 (XX) DEFINING DE-ESCALATION STRATEGIES AND THE LIMITS OF  
11 THE AMOUNT OF FORCE NECESSARY TO CONTROL A GIVEN SITUATION, AND  
12 SPECIFYING THAT IN NO CIRCUMSTANCE IS PHYSICAL FORCE TO BE USED AS  
13 PUNISHMENT;
- 14 (XXI) SPECIFYING THAT AN EXAMINATION, TREATMENT, AND  
15 PHOTOGRAPHIC DOCUMENTATION BY QUALIFIED HEALTH-CARE PERSONNEL  
16 IS PROVIDED TO INMATES OR STAFF INVOLVED IN A USE OF FORCE INCIDENT  
17 WHEN THERE IS OBVIOUS PHYSICAL INJURY OR THERE IS A COMPLAINT OF  
18 INJURY OR REQUEST FOR MEDICAL ATTENTION;
- 19 (XXII) SPECIFYING WHEN AND HOW AN INCIDENT WILL BE  
20 RECORDED AND REVIEWED BY THE JAIL ADMINISTRATOR OR DESIGNEE;
- 21 (XXIII) SEARCHES OF JAILS AND INMATES TO CONTROL  
22 CONTRABAND;
- 23 (XXIV) TIMING FOR INSPECTING INMATE-ACCESSIBLE AREAS;
- 24 (XXV) TIMING FOR A SECURITY INSPECTION OF THE JAIL;
- 25 (XXVI) NOTIFYING THE JAIL ADMINISTRATOR OR DESIGNEE OF  
26 ANY DISCOVERED CONTRABAND OR PHYSICAL SECURITY DEFICIENCIES;
- 27 (XXVII) DOCUMENTING THE DISPOSITION OF CONTRABAND AND

1 THE REMEDIATION OF PHYSICAL SECURITY DEFICIENCIES;  
2 (XXVIII) CONTROLLING INMATE MOVEMENT FROM ONE AREA TO  
3 ANOTHER;  
4 (XXIX) STAFF SUPERVISION AND SEARCHES OF AN INMATE  
5 PERFORMING WORK;  
6 (XXX) ENSURING AN INMATE IS NOT GIVEN CONTROL OF OR  
7 AUTHORITY OVER ANY OTHER INMATE, SECURITY FUNCTION, OR SERVICE  
8 ACTIVITY;  
9 (XXXI) REQUIRING SAME-GENDER AND CROSS-GENDER  
10 SUPERVISION GUIDELINES;  
11 (XXXII) CONTROLLING AND INVENTORYING KEYS, TOOLS, AND  
12 CULINARY EQUIPMENT;  
13 (XXXIII) ENSURING TOXIC, CORROSIVE, AND FLAMMABLE  
14 SUBSTANCES AND TOOLS ARE SECURED, USED ONLY BY AUTHORIZED  
15 PERSONS, USED BY INMATES ONLY UNDER DIRECT SUPERVISION, AND USED  
16 ONLY IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS; AND  
17 (XXXIV) REQUIREMENTS THAT EACH JAIL HAVE POLICIES  
18 GOVERNING STAFF DISCIPLINE, INCLUDING COMPLAINTS AGAINST  
19 OFFICERS, THAT ARE AVAILABLE FOR PUBLIC INSPECTION;  
20 (d) HOUSING, INCLUDING:  
21 (I) SUFFICIENT SPACE STANDARDS REGARDING SQUARE FOOTAGE  
22 AND MAXIMUM OCCUPANCY FIGURES FOR ALL HOUSING AND HOLDING  
23 AREAS, INCLUDING HOLDING CELLS, HOUSING CELLS, DORMITORIES, DAY  
24 ROOMS, AND EATING AREAS;  
25 (II) SUFFICIENT SEATING FOR ALL HOLDING AREAS, HOLDING  
26 CELLS, HOUSING CELLS, DORMITORIES, DAY ROOMS, AND EATING AREAS  
27 FOR EACH INMATE;

- 1 (III) AIR CIRCULATION FOR HOUSING CELLS;
- 2 (IV) TEMPERATURE STANDARDS AND MECHANICAL CONTROLS FOR
- 3 ACCEPTABLE COMFORT LEVELS;
- 4 (V) ACCESS TO SANITATION FACILITIES WITHOUT STAFF
- 5 ASSISTANCE;
- 6 (VI) A MINIMUM NUMBER OF TOILET FACILITIES, SHOWER
- 7 FACILITIES, AND WASH BASINS FOR A SPECIFIED NUMBER OF OCCUPANTS;
- 8 (VII) WATER TEMPERATURE STANDARDS AND CONTROLS;
- 9 (VIII) MAXIMUM NOISE LEVELS MEASURED IN DECIBELS AND
- 10 STANDARDS FOR MEASUREMENTS TO ENSURE COMPLIANCE;
- 11 (IX) NATURAL LIGHT PROVIDED IN HOUSING UNITS, DORMS, CELLS,
- 12 AND DAY SPACES; AND
- 13 (X) STANDARDS FOR SUSPENDING AND REINSTATING INMATE
- 14 ACCESS TO CLOTHING, BEDS, BEDDING, TOILETS, LAVATORIES, AND
- 15 SHOWERS BY THE JAIL ADMINISTRATOR OR DESIGNEE;
- 16 (e) SANITATION AND ENVIRONMENTAL CONDITIONS, INCLUDING:
- 17 (I) PROVIDING INMATES WITH HYGIENE ITEMS AT INTAKE AND
- 18 REPLACEMENT ITEMS TO INDIGENT INMATES;
- 19 (II) SAFETY AND SANITARY STANDARDS FOR ALL AREAS OF THE
- 20 JAIL, INCLUDING FOOD SERVICE AND LAUNDRY AREAS;
- 21 (III) DEFINING STAFF AND INMATE HOUSEKEEPING
- 22 RESPONSIBILITIES, INCLUDING DAILY CLEANING OF TOILETS, URINALS,
- 23 SINKS, DRINKING FACILITIES, AND SHOWERS IN AREAS OCCUPIED BY
- 24 INMATES, AND DISPOSAL OF GARBAGE;
- 25 (IV) TIMING AND PROCESSES FOR INSPECTING FOR SANITATION
- 26 AND VERMIN;
- 27 (V) MAINTENANCE AND REPAIRS;

- 1 (VI) INSPECTIONS BY LOCAL OR STATE HEALTH AUTHORITIES;
- 2 (VII) NIGHTTIME LIGHTING OF GROUNDS, WALKWAYS,
- 3 DRIVEWAYS, AND PARKING AREAS;
- 4 (VIII) INTERIOR LIGHTING STANDARDS;
- 5 (IX) BEDDING AND MATTRESS STANDARDS, INCLUDING THAT THE
- 6 BEDDING AND MATTRESS ARE IN GOOD REPAIR AND CLEANED PRIOR TO
- 7 BEING REISSUED;
- 8 (X) TIMING AND DOCUMENTATION FOR THE EXCHANGE AND
- 9 LAUNDERING OF BED LINENS, BLANKETS, TOWELS, CLOTHING, AND
- 10 UNDERGARMENTS;
- 11 (XI) TIMING TO CLEAN MATTRESSES;
- 12 (XII) A REQUIREMENT THAT WHEN SOILED, BEDDING,
- 13 MATTRESSES, TOWELS, AND CLOTHING BE EXCHANGED OR CLEANED;
- 14 (XIII) INMATE HAIRCUTS;
- 15 (XIV) SHAVING EQUIPMENT AND SUPPLIES AND DOCUMENTING
- 16 ISSUANCE AND RETRIEVAL OF SHAVING EQUIPMENT; AND
- 17 (XV) TIMING OF INSPECTION BY A CERTIFIED LOCAL OR STATE FIRE
- 18 SAFETY INSPECTOR APPLYING THE APPLICABLE JURISDICTIONAL AND STATE
- 19 FIRE CODE, REQUIREMENTS FOR A WRITTEN FIRE SAFETY PLAN APPROVED
- 20 BY LOCAL FIRE OFFICIALS THAT IS REVIEWED ANNUALLY AND UPDATED AS
- 21 NEEDED, REQUIREMENTS FOR TRAINING IN JAIL FIRE SAFETY EQUIPMENT,
- 22 REQUIREMENTS FOR FIRE DRILLS, REQUIREMENTS FOR JAIL FURNISHINGS TO
- 23 MEET FIRE SAFETY PERFORMANCE STANDARDS, AND REQUIREMENTS FOR
- 24 JAIL EXITS TO BE CLEAR AND THAT EVACUATION ROUTES BE POSTED OR
- 25 CLEARLY MARKED THROUGHOUT THE JAIL;
- 26 (f) COMMUNICATION, INCLUDING:
- 27 (I) DELIVERING INCOMING OR OUTGOING MAIL OR



- 1 CORRESPONDENCE VIA THE POSTAL SERVICE;
- 2 (II) OPENING AND INSPECTING INCOMING INMATE MAIL,  
3 CORRESPONDENCE, AND PACKAGES TO INTERCEPT NONPERMITTED ITEMS;
- 4 (III) OPENING AND INSPECTING OUTGOING MAIL;
- 5 (IV) DOCUMENTING PROCEDURES FOR THE APPROPRIATE  
6 DISPOSITION OF INTERCEPTED ITEMS;
- 7 (V) PERMITTING LEGAL MAIL OR CORRESPONDENCE TO BE OPENED  
8 AND INSPECTED IN THE PRESENCE OF THE INMATE TO INTERCEPT  
9 CONTRABAND;
- 10 (VI) CIRCUMSTANCES IN WHICH MAIL, CORRESPONDENCE, AND  
11 PACKAGES ARE WITHHELD OR REJECTED, INCLUDING NOTIFICATION TO THE  
12 INMATE;
- 13 (VII) WRITING MATERIALS, ENVELOPES, AND POSTAGE FOR  
14 INDIGENT INMATES;
- 15 (VIII) INMATE E-MAIL SERVICE;
- 16 (IX) INMATE TELEPHONE SERVICE; AND
- 17 (X) ACCESS TO LEGAL COUNSEL;
- 18 (g) VISITATION, INCLUDING:
- 19 (I) A SECURE VISITING AREA, INCLUDING STANDARDS FOR  
20 PHYSICALLY SEPARATING THE INMATE AND VISITOR AND CAPABILITIES FOR  
21 TWO-WAY CONVERSATIONS AND NONOBSCURED VISITS OR VIDEO VISITS;
- 22 (II) SEATING IN THE VISITATION AREA;
- 23 (III) IDENTIFICATION REQUIREMENTS FOR VISITORS;
- 24 (IV) REGISTRY REQUIREMENTS FOR VISITORS;
- 25 (V) GENERAL VISITATION HOURS;
- 26 (VI) VIDEO VISITATIONS HOURS;
- 27 (VII) VISITOR SECURITY PROTOCOLS TO PREVENT CONTRABAND

1 FROM ENTERING THE JAIL;

2 (VIII) VISIT RESTRICTIONS BASED ON THREATS TO SAFETY OR  
3 SECURITY;

4 (IX) MONITORING AND RECORDING VISITS, PHONE CALLS, AND  
5 ELECTRONIC COMMUNICATIONS; AND

6 (X) PROFESSIONAL VISITS BY LEGAL COUNSEL OR CLERGY,  
7 INCLUDING MEASURES TO PROTECT CONFIDENTIALITY;

8 (h) HEALTH CARE, MENTAL AND BEHAVIORAL HEALTH CARE, AND  
9 DENTAL CARE, INCLUDING:

10 (I) ALL LEVELS OF HEALTH CARE, MENTAL AND BEHAVIORAL  
11 HEALTH CARE, AND DENTAL CARE THAT ASSURE QUALITY, ACCESSIBILITY,  
12 AND TIMELY SERVICES FOR INMATES;

13 (II) ARRANGING CARE FROM AN APPROPRIATE OUTSIDE PROVIDER  
14 WHEN CARE IS NOT AVAILABLE AT THE JAIL;

15 (III) REQUIRING THAT MEDICAL, MENTAL, AND BEHAVIORAL  
16 HEALTH DECISIONS AND ACTIONS ARE MADE ONLY BY QUALIFIED  
17 HEALTH-CARE AND MENTAL AND BEHAVIORAL HEALTH-CARE  
18 PROFESSIONALS;

19 (IV) REQUIRING THAT AN INMATE IS NOT DENIED NECESSARY  
20 CARE;

21 (V) REQUIRING THAT ALL EXAMINATIONS, TREATMENTS, AND  
22 PROCEDURES ARE GOVERNED BY INFORMED CONSENT PRACTICES  
23 APPLICABLE IN THE JAIL'S JURISDICTION;

24 (VI) REQUIRING THAT THE JAIL ASSESS THE HEALTH OF EACH  
25 INMATE AT INTAKE AND ON AN ONGOING BASIS AND CREATE A PLAN TO  
26 PROVIDE CONTINUITY OF CARE FOR INMATES WHO ARE BEING TREATED FOR  
27 A HEALTH CONDITION;

1 (VII) PROVIDING EMERGENCY CARE, SICK CHECKS, AND PHYSICAL  
2 HEALTH CARE, MENTAL AND BEHAVIORAL HEALTH CARE, AND DENTAL  
3 CARE THAT ENSURES NEEDS ARE:

- 4 (A) ADDRESSED IN A TIMELY MANNER;
- 5 (B) RECORDED AND MAINTAINED ON FILE; AND
- 6 (C) REVIEWED BY QUALIFIED HEALTH-CARE PERSONNEL WITH  
7 TREATMENT OR FOLLOW-UP PROVIDED;

8 (VIII) DISPENSING AND ADMINISTERING PRESCRIBED  
9 MEDICATIONS, INCLUDING:

10 (A) REQUIRING THAT HEALTH-TRAINED PERSONNEL OR  
11 PROFESSIONALLY TRAINED PERSONNEL DISPENSE AND ADMINISTER  
12 MEDICATIONS;

13 (B) REQUIRING ADEQUATE MANAGEMENT OF CONTROLLED  
14 MEDICATIONS;

15 (C) PROVIDING MEDICATION TO INMATES IN SPECIAL  
16 MANAGEMENT UNITS;

17 (D) REQUIRING THE APPLICABLE INFORMED CONSENT PRACTICES  
18 IN THE JAIL'S JURISDICTION BE FOLLOWED; AND

19 (E) DEVELOPING A STANDARDIZED FORMULARY AND A PROCESS  
20 FOR ACCESSING MEDICATIONS NOT LISTED WHEN MEDICALLY NECESSARY;

21 (IX) REDUCING SUICIDE BY IDENTIFYING AT-RISK INMATES AND  
22 TRAINING STAFF MEMBERS ON HOW TO RECOGNIZE VERBAL AND  
23 BEHAVIORAL CUES THAT INDICATE POTENTIAL SUICIDE AND HOW TO  
24 RESPOND APPROPRIATELY;

25 (X) PROVIDING INFECTIOUS DISEASE CONTROL;

26 (XI) PROVIDING CARE FOR PREGNANT INMATES; AND

27 (XII) ASSESSING AND REPORTING INMATE DEATHS;

- 1 (i) FOOD SERVICE, INCLUDING:
- 2 (I) NUTRITIONAL STANDARDS;
- 3 (II) TIMING AND FREQUENCY OF MEALS;
- 4 (III) SPECIAL DIETS; AND
- 5 (IV) SAFE STORAGE AND PREPARATION OF FOOD;
- 6 (j) RECREATION AND PROGRAMMING, INCLUDING:
- 7 (I) REGULAR ACCESS TO EXERCISE AND EQUIPMENT FOR INMATES;
- 8 (II) TELEVISION VIEWING AND TABLE GAMES;
- 9 (III) READING MATERIALS;
- 10 (IV) TREATMENT FOR ALCOHOL AND DRUG ABUSE;
- 11 (V) ACADEMIC TRAINING;
- 12 (VI) PSYCHOLOGICAL AND SOCIAL SERVICES AND OTHER
- 13 COMMUNITY SERVICES; AND
- 14 (VII) RELIGIOUS PRACTICE;
- 15 (k) INMATE DISCIPLINARY PROCESSES, INCLUDING:
- 16 (I) STANDARDS FOR RESTRICTIVE HOUSING;
- 17 (II) PROHIBITED ACTS OR CONDUCT, DEGREES OF VIOLATIONS,
- 18 RANGES OF PENALTIES, AND DISCIPLINARY HEARING PROCEDURES;
- 19 (III) A SANCTION SCHEDULE FOR RULE VIOLATIONS;
- 20 (IV) ESTABLISHING FUNDAMENTAL RIGHTS FOR INMATES THAT
- 21 CANNOT BE SUSPENDED EXCEPT IN AN EMERGENCY OR OTHER CONDITION
- 22 BEYOND THE CONTROL OF THE JAIL ADMINISTRATOR;
- 23 (V) BANNING THE USE OF CORPORAL PUNISHMENT, DISCIPLINE
- 24 ADMINISTERED BY INMATES, AND WITHHOLDING FOOD FROM INMATES;
- 25 (VI) CIRCUMSTANCES UNDER WHICH A DISCIPLINARY HEARING IS
- 26 CONDUCTED;
- 27 (VII) PRE-DISCIPLINARY HEARING REQUIREMENTS;

1 (VIII) ESTABLISHING A MINIMUM PERIOD AFTER RECEIVING  
2 WRITTEN NOTIFICATION OF A RULE VIOLATION TO ALLOW AN INMATE TO  
3 PREPARE FOR THE DISCIPLINARY HEARING;

4 (IX) DISCIPLINARY HEARING REQUIREMENTS THAT INCLUDE  
5 ENSURING DUE PROCESS PROTECTIONS ARE AFFORDED; AND

6 (X) THE OPPORTUNITY TO APPEAL DISCIPLINARY ACTIONS TO THE  
7 JAIL ADMINISTRATOR OR DESIGNEE;

8 (I) RESTRICTIVE HOUSING, INCLUDING:

9 (I) WRITTEN POLICIES AND PROCEDURES GOVERNING THE  
10 RESTRICTIVE HOUSING OF INMATES FROM THE GENERAL POPULATION;

11 (II) BANNING THE USE OF RESTRICTIVE HOUSING AS A PENALTY;

12 (III) CIRCUMSTANCES WHEN RESTRICTIVE HOUSING MAY BE USED  
13 TO SEPARATE AN INMATE FROM THE GENERAL POPULATION;

14 (IV) WRITTEN NOTIFICATIONS OF RESTRICTIVE HOUSING TO THE  
15 INMATE; AND

16 (V) TIMING FOR REVIEW OF RESTRICTIVE HOUSING;

17 (m) INMATE GRIEVANCES, INCLUDING:

18 (I) ESTABLISHING A WRITTEN GRIEVANCE PROCEDURE FOR  
19 INMATES WITH AT LEAST ONE LEVEL OF APPEAL; AND

20 (II) PROHIBITING RETALIATION BY STAFF BASED ON AN INMATE  
21 GRIEVANCE;

22 (n) JAIL STAFFING, INCLUDING:

23 (I) QUALIFICATIONS FOR STAFF TO SUPERVISE AND CONTROL  
24 INMATES;

25 (II) PRE-EMPLOYMENT BACKGROUND CHECKS;

26 (III) STANDARDIZED PERFORMANCE REVIEWS;

27 (IV) STAFFING PLANS;

- 1 (V) POSTS AND FUNCTIONS;
- 2 (VI) GENDER OF STAFF;
- 3 (VII) REVIEW OF STAFFING PLANS;
- 4 (VIII) REQUIRING REVIEW OF THE STAFFING PLANS AT LEAST ONCE
- 5 A YEAR BY THE JAIL ADMINISTRATOR AND REVISED AS NEEDED;
- 6 (IX) VOLUNTEER POLICIES;
- 7 (X) CODE OF ETHICS; AND
- 8 (XI) STAFF TRAINING STANDARDS FOR ALL LEVELS OF EMPLOYEES;
- 9 AND
- 10 (o) INMATE PREROGATIVES REGARDING:
- 11 (I) EXPRESSION AND COMMUNICATION;
- 12 (II) RELIGIOUS PRACTICE;
- 13 (III) ACCESS TO THE COURTS;
- 14 (IV) ACCESS TO LEGAL COUNSEL, INCLUDING THE ABILITY FOR
- 15 LEGAL COUNSEL TO CONTACT A CLIENT BY SCHEDULING A TELEPHONE OR
- 16 VIDEO MEETING;
- 17 (V) ACCESS TO LEGAL MATERIALS AND DISABILITY RIGHTS;
- 18 (VI) ACCESS TO THE MEDIA;
- 19 (VII) STANDARDS FOR WHEN ACCESS TO EDUCATION IS
- 20 APPROPRIATE; AND
- 21 (VIII) DISCIPLINARY ACTION AND USE OF FORCE.

22 (2) THE COMMISSION SHALL COMPLETE A REPORT THAT INCLUDES  
23 ITS RECOMMENDATIONS REGARDING THE FEASIBILITY OF JAILS OF  
24 VARIOUS SIZES AND THEIR ABILITY TO IMPLEMENT THE  
25 RECOMMENDATIONS AND PRESENT IT TO THE COMMITTEE FOR APPROVAL  
26 BY NOVEMBER 15, 2023. THE DIRECTOR OF RESEARCH OF THE  
27 LEGISLATIVE COUNCIL SHALL SUPPLY STAFF ASSISTANCE TO THE

1 COMMISSION, INCLUDING ASSISTING WITH COMPLETING THE REPORT. THE  
2 DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL SHALL NOT SUPPLY  
3 STAFF ASSISTANCE TO ANY SUBCOMMITTEES CREATED BY THE  
4 COMMISSION.

5 **2-3-1904. Repeal of part.** THIS PART 19 IS REPEALED, EFFECTIVE  
6 JULY 1, 2024.

7  
8 **SECTION 2.** In Session Laws of Colorado 2021, **amend** section  
9 4 of chapter 322 as follows:

10 Section 4. **Effective date.** This act takes effect upon passage;  
11 except that section 1 of this act takes effect on ~~July 1, 2022~~ JULY 1, 2023,  
12 and section 2 of this act takes effect on January 1, 2022.

13 **SECTION 3. Appropriation.** For the 2022-23 state fiscal year,  
14 \$96,039 is appropriated to the legislative department. This appropriation  
15 is from the general fund. To implement this act, the department may use  
16 this appropriation as follows:

17 (a) \$90,379 for use by the legislative council, which amount is  
18 based on an assumption that the council will require an additional 0.9  
19 FTE; and

20 (b) \$5,660 for use by the general assembly.

21 **SECTION 4. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, or safety.