

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 26-0953.03 Conrad Imel x2313

SENATE BILL 26-190

SENATE SPONSORSHIP

Coleman and Weissman, Amabile, Benavidez, Cutter, Danielson, Exum, Gonzales J., Hinrichsen, Jodeh, Kipp, Marchman, Sullivan

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 3rd Reading
May 11, 2026

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 (1.5),
13 (1.7), (2.8), and (5.5) as follows:

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

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

16 (1.5) "DECEDENT" MEANS A PERSON WHOSE DEATH IS CAUSED BY
17 A PEACE OFFICER'S USE OF FORCE.

18 (1.7) "DECEDENT'S IMMEDIATE FAMILY" MEANS THE SPOUSE, A
19 CHILD BY BIRTH OR ADOPTION, A STEPCHILD, THE PARENT, THE
20 STEPPARENT, A SIBLING, A LEGAL GUARDIAN, A SIGNIFICANT OTHER, OR A
21 LAWFUL REPRESENTATIVE OF THE DECEDENT

22 (2.8) "LAWFUL REPRESENTATIVE" MEANS A PERSON WHO IS

1 DESIGNATED BY A DECEDENT OR APPOINTED BY THE COURT TO ACT IN THE
2 BEST INTERESTS OF THE DECEDENT.

3 (5.5) "SIGNIFICANT OTHER" MEANS A PERSON WHO IS IN A
4 FAMILY-TYPE LIVING ARRANGEMENT WITH A DECEDENT AND WHO WOULD
5 CONSTITUTE A SPOUSE OF THE DECEDENT IF THE DECEDENT AND THE
6 PERSON WERE MARRIED.

7

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

10 **24-31-902. Incident recordings - release - tampering - fine.**

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

24 (II) FOR ALL INCIDENTS IN WHICH THERE IS A COMPLAINT OF PEACE
25 OFFICER MISCONDUCT TO THE LAW ENFORCEMENT AGENCY INVOLVED IN
26 THE ALLEGED MISCONDUCT ARISING FROM A PEACE OFFICER'S USE OF
27 FORCE THAT RESULTS IN A DECEDENT'S DEATH, THE LAW ENFORCEMENT

1 AGENCY THAT EMPLOYS THE PEACE OFFICER SHALL RELEASE, UPON
2 REQUEST OF ANY PERSON, ALL UNEDITED VIDEO AND AUDIO RECORDINGS
3 OF THE INCIDENT, INCLUDING THOSE FROM BODY-WORN CAMERAS, DASH
4 CAMERAS, OR OTHERWISE COLLECTED THROUGH INVESTIGATION, TO THE
5 PERSON WHO MADE THE REQUEST FOLLOWING THE EXPIRATION OF THE
6 TWENTY-ONE-DAY PERIOD DESCRIBED IN SUBSECTION (2)(b)(I) OF THIS
7 SECTION.

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

21 (b) (I) FOR ALL INCIDENTS IN WHICH THE USE OF FORCE BY A PEACE
22 OFFICER RESULTS IN A DECEDENT'S DEATH, THE LAW ENFORCEMENT
23 AGENCY THAT EMPLOYS THE PEACE OFFICER SHALL MAKE REASONABLE
24 EFFORTS TO IDENTIFY THE DECEDENT'S IMMEDIATE FAMILY AND PROVIDE
25 all video and audio recordings depicting a THE DECEDENT'S death must be
26 provided upon request to the victim's spouse, parent, legal guardian, child,
27 sibling, grandparent, grandchild, significant other, or other lawful

1 representative, and such TO EACH IDENTIFIED MEMBER OF THE DECEDENT'S
2 IMMEDIATE FAMILY AND A PERSON DESIGNATED BY THE DECEDENT'S
3 IMMEDIATE FAMILY, UNLESS THE FAMILY MEMBER OR DESIGNATED PERSON
4 DECLINES, WITHIN TWENTY-ONE DAYS AFTER THE INCIDENT. THE person
5 shall be notified of his or her THEIR right, pursuant to section
6 24-4.1-302.5 (1)(j.8), to receive and review the recording at least
7 seventy-two hours prior to A public disclosure MADE PURSUANT TO
8 SUBSECTION (2)(a)(II) OF THIS SECTION. A person seventeen years of age
9 and under is considered incapacitated, unless legally emancipated.

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

12 **PART 3**

13 **PEACE OFFICER USE OF FORCE**

14 **INVESTIGATIONS AND PROCEDURES**

15 **16-2.5-301. Definitions.**

16 AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE
17 REQUIRES:

18 (1) "DECEDENT" MEANS A PERSON WHOSE DEATH IS CAUSED BY
19 A PEACE OFFICER'S USE OF FORCE.

20 (2) "DECEDENT'S IMMEDIATE FAMILY" MEANS THE SPOUSE, ANY
21 CHILD BY BIRTH OR ADOPTION, ANY STEPCHILD, THE PARENT, THE
22 STEPPARENT, A SIBLING, A LEGAL GUARDIAN, A SIGNIFICANT OTHER, OR A
23 LAWFUL REPRESENTATIVE OF THE DECEDENT.

24 **16-2.5-302. Peace officer actions leading to injury or death**
25 **investigations - protocol - notification to decedent's immediate family.**

26 (1) (a) EACH POLICE DEPARTMENT, SHERIFF'S OFFICE, AND
27 DISTRICT ATTORNEY WITHIN THE STATE SHALL MAINTAIN PROTOCOLS FOR

1 PARTICIPATING IN A MULTI-AGENCY TEAM, WHICH MUST INCLUDE AT
2 LEAST ONE OTHER POLICE DEPARTMENT OR SHERIFF'S OFFICE, OR THE
3 COLORADO BUREAU OF INVESTIGATION, IN CONDUCTING ANY
4 INVESTIGATION, EVALUATION, OR REVIEW OF AN INCIDENT INVOLVING THE
5 DISCHARGE OF A FIREARM BY A PEACE OFFICER THAT RESULTED IN INJURY
6 OR DEATH, OR OTHER USE OF FORCE BY A PEACE OFFICER THAT RESULTED
7 IN DEATH. THE LAW ENFORCEMENT AGENCIES PARTICIPATING NEED NOT
8 BE FROM THE SAME JUDICIAL DISTRICT.

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

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

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

24 (b) THE STATUS OF THE INVESTIGATION.

25 **16-2.5-303. Extrajudicial statement concerning use of force -**
26 **requirements for videos released to the public.**

27 (1) A PEACE OFFICER WHO IS PARTICIPATING OR HAS PARTICIPATED

1 IN THE INVESTIGATION OF A CRIMINAL MATTER INVOLVING THE USE OF
2 FORCE BY ANOTHER PEACE OFFICER THAT RESULTS IN DEATH SHALL NOT
3 MAKE AN EXTRAJUDICIAL STATEMENT ON BEHALF OF A LAW
4 ENFORCEMENT AGENCY THAT THE PEACE OFFICER KNOWS OR REASONABLY
5 SHOULD KNOW WILL BE DISSEMINATED BY MEANS OF PUBLIC
6 COMMUNICATION AND WILL HAVE A SUBSTANTIAL LIKELIHOOD OF
7 MATERIALLY PREJUDICING AN ADJUDICATIVE PROCEEDING IN THE MATTER.

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

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

13 (b) OPINIONS THAT A DECEDENT OR A WITNESS IS GUILTY OF A
14 CRIME; AND

15 (c) INFORMATION CONCERNING THE PRIOR CRIMINAL RECORD OF
16 A DECEDENT OR A WITNESS.

17 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
18 FOR THE PURPOSES OF THIS SECTION, A PEACE OFFICER DOES NOT MAKE AN
19 EXTRAJUDICIAL STATEMENT BY PROVIDING:

20 (a) INFORMATION CONTAINED IN A PUBLIC RECORD;

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

23 (c) THE TYPE OF CALL AS REPORTED; THE CHARGES INCLUDED IN
24 A COMPLAINT, INDICTMENT, OR INFORMATION; AND THE APPROXIMATE
25 LOCATION OF THE OFFENSE;

26 (d) THAT AN INVESTIGATION OF A CRIMINAL MATTER IS IN
27 PROGRESS, THE IDENTITY OF THE INVESTIGATING AND ARRESTING

1 OFFICERS OR AGENCIES, AND THE LENGTH OF THE INVESTIGATION;

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

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

6 (g) A WARNING OF DANGER CONCERNING THE BEHAVIOR OF A
7 PERSON INVOLVED WHEN THERE IS REASON TO BELIEVE THAT THE
8 LIKELIHOOD OF SUBSTANTIAL HARM TO AN INDIVIDUAL OR TO THE PUBLIC
9 INTEREST EXISTS;

10 (h) THE FACT, TIME, AND PLACE OF ARREST AND THE
11 CIRCUMSTANCES IMMEDIATELY SURROUNDING THE ARREST, INCLUDING
12 RESISTANCE, PURSUIT, AND POSSESSION AND USE OF WEAPONS, AND A
13 DESCRIPTION OF PHYSICAL ITEMS SEIZED AT THE TIME OF ARREST;

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

17 (j) INFORMATION THAT THE PEACE OFFICER REASONABLY BELIEVES
18 IS IN THE INTEREST OF THE FAIR ADMINISTRATION OF JUSTICE AND THE LAW
19 ENFORCEMENT PROCESS IN A PARTICULAR CASE, WITH THE PRIOR WRITTEN
20 APPROVAL OF THE CHIEF OF POLICE, SHERIFF, OR CHIEF LAW ENFORCEMENT
21 OFFICER OF THE AGENCY. PRIOR WRITTEN APPROVAL IS NOT REQUIRED IF
22 THE CHIEF OF POLICE, SHERIFF, OR CHIEF LAW ENFORCEMENT OFFICER OF
23 THE AGENCY IS PROVIDING THE INFORMATION.

24 (4) THE PRODUCTION OF A VIDEO FOR PURPOSES OF A COMMUNITY
25 OR CRITICAL INCIDENT BRIEFING MUST PROVIDE A DISCLAIMER INDICATING
26 THAT THE RECORDING HAS BEEN MODIFIED FROM ITS ORIGINAL FORM.
27 NARRATION OR TEXT MUST BE LIMITED TO THE FACTS OF THE INCIDENT

1 KNOWN AT THE TIME OF THE RECORDING AND MUST NOT INCLUDE
2 EDITORIAL COMMENTARY THAT IS OPINION OR THAT PROVIDES A LEGAL
3 CONCLUSION AS TO CRIMINALITY, LIABILITY, OR MISCONDUCT.
4 AUGMENTATION OR ENHANCEMENT TO HIGHLIGHT ASPECTS OF A VIDEO,
5 AS WELL AS BLURRING DONE TO PROTECT SUBSTANTIAL PRIVACY
6 INTERESTS, MUST BE READILY PERCEPTIBLE OR INDICATED BY AN
7 APPROPRIATE DISCLAIMER.

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

11 **24-4.1-302.5. Rights afforded to victims - definitions.**

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

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

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

18 **20-1-114. Peace officer-involved shooting investigations -**
19 **disclosure.**

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

27 **SECTION 7. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions.