

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0518.01 Ken Fowler x2372

HOUSE BILL 26-1123

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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.*

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.**

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) NOTWITHSTANDING SECTION 16-3-405 (1), PERSONNEL SHALL
10 ONLY CONDUCT A STRIP SEARCH ON A PERSON WHO IS DETAINED IN A
11 LOCAL DETENTION FACILITY IF:

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

16 (b) TWO PERSONNEL HAVE MADE INDEPENDENT DETERMINATIONS
17 AND REASONABLY BELIEVE AN INMATE IS CONCEALING A WEAPON OR A
18 CONTROLLED SUBSTANCE ON THE INMATE'S PERSON.

19 (3) PERSONNEL CONDUCTING A STRIP SEARCH SHALL DOCUMENT
20 IN A REPORT THE REASON FOR THE STRIP SEARCH AND THE RESULTS OF THE
21 STRIP SEARCH.

22 (4) (a) PERSONNEL CONDUCTING A STRIP SEARCH SHALL RECORD
23 THE STRIP SEARCH VIA BODY-WORN CAMERA. PERSONNEL CONDUCTING A
24 STRIP SEARCH SHALL NOTIFY THE PERSON THAT THEY ARE STRIP
25 SEARCHING PRIOR TO BEGINNING A STRIP SEARCH THAT THE STRIP SEARCH
26 IS BEING VIDEO RECORDED.

27 (b) PERSONNEL SHALL USE THE BODY-WORN CAMERA'S TAGGING

1 FUNCTION TO TAG ALL STRIP SEARCH FOOTAGE AS A STRIP SEARCH.

2 (5) ON OR BEFORE JANUARY 31 OF EACH YEAR, EACH LOCAL
3 DETENTION FACILITY SHALL SUBMIT A REPORT TO THE JAIL STANDARDS
4 ADVISORY COMMITTEE CREATED IN SECTION 30-10-530 AND THE
5 COLORADO ATTORNEY GENERAL STATING THE NUMBER OF STRIP
6 SEARCHES THAT OCCURRED IN THE FACILITY IN THE LAST CALENDAR YEAR
7 AND THE REASON FOR AND THE RESULT OF EACH STRIP SEARCH.

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

10 **17-26-141. Access to jail video recordings showing prisoner**
11 **nudity - when authorized - definitions.**

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

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

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

21 (2) PERSONNEL OF A LOCAL DETENTION FACILITY WHO CONDUCT
22 STRIP SEARCHES SHALL TAG BODY-WORN CAMERA FOOTAGE OF STRIP
23 SEARCHES WITH A STRIP SEARCH TAG USING THE BODY-WORN CAMERA'S
24 TAGGING FEATURE. ALL STRIP SEARCH FOOTAGE MUST BE STORED
25 SEPARATELY FROM ALL OTHER BODY-WORN CAMERA FOOTAGE.

26 (3) PERSONNEL OF A LOCAL DETENTION FACILITY SHALL NOT
27 RECORD A STRIP SEARCH USING AN OVERHEAD CAMERA OR RECORDING

1 DEVICE OTHER THAN A BODY-WORN CAMERA.

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

5 (5) PERSONNEL OF A LOCAL DETENTION FACILITY MUST OBTAIN
6 WRITTEN APPROVAL FROM THE SHERIFF OR EQUIVALENT HEAD OF A
7 MUNICIPAL JAIL AND DOCUMENT WHAT VIDEO FOOTAGE THEY ARE
8 ACCESSING AND THE REASON THEY ARE ACCESSING IT BEFORE ACCESSING
9 ANY FOOTAGE OF STRIP SEARCHES CAPTURED IN A LOCAL DETENTION
10 FACILITY. WHEN A SHERIFF OR EQUIVALENT HEAD OF A MUNICIPAL JAIL IS
11 ACCESSING STRIP SEARCH FOOTAGE CAPTURED IN A LOCAL DETENTION
12 FACILITY, THEY MUST DOCUMENT WHAT FOOTAGE THEY ARE ACCESSING
13 AND THE REASON THEY ARE ACCESSING IT.

14

15 (6) THIS SECTION IS NOT APPLICABLE TO DISCOVERY OF VIDEO
16 RECORDINGS OR THE USE OF VIDEO RECORDINGS BY PARTIES IN A CIVIL,
17 CRIMINAL, OR ADMINISTRATIVE COURT CASE, OR AN INTERNAL
18 INVESTIGATION OR IN RESPONSE TO REQUESTS MADE PURSUANT TO
19 SECTION 24-72-303.

20 (7) LOCAL DETENTION FACILITIES SHALL HAVE A WRITTEN POLICY
21 REGARDING THE RETENTION OF STRIP SEARCH FOOTAGE THAT COMPLIES
22 WITH THIS SECTION.

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

25 **17-26-142. Sexual assault prevention program - required**
26 **policies and procedures - audit required - definitions.**

27 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2

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

6 (b) "PRISON RAPE ELIMINATION ACT" OR "PREA" MEANS THE
7 FEDERAL "PRISON RAPE ELIMINATION ACT OF 2003", 34 U.S.C. SEC.
8 30301 ET SEQ.

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

11 (2) EACH LOCAL DETENTION FACILITY SHALL DEVELOP POLICIES
12 AND PROCEDURES TO:

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

15 (b) ESTABLISH PROTOCOLS FOR STAFF MEMBERS TO RESPOND TO
16 SUSPECTED, ALLEGED, OR WITNESSED SEXUAL ABUSE, WHICH PROTOCOLS
17 MUST INCLUDE PROTECTING THE VICTIM FROM IMMEDIATE HARM;
18 CONNECTING THE VICTIM WITH MEDICAL CARE; PRESERVING EVIDENCE OF
19 THE SUSPECTED, ALLEGED, OR WITNESSED OFFENSE; AND REPORTING THE
20 ALLEGED SEXUAL ABUSE;

21 (c) INFORM PRISONERS OF THEIR RIGHTS ESTABLISHED PURSUANT
22 TO THE FEDERAL "PRISON RAPE ELIMINATION ACT";

23 (d) INFORM PRISONERS UPON BOOKING, IN WRITING AND IN AN
24 ACCESSIBLE LANGUAGE, OF RESOURCES FOR VICTIMS OF SEXUAL ABUSE,
25 INCLUDING THE TELEPHONE NUMBER FOR A SEXUAL ASSAULT CRISIS LINE
26 AND THE MAILING ADDRESS OF THE NEAREST CONFIDENTIAL SEXUAL
27 ASSAULT ADVOCACY PROGRAM; AND

1 (e) ALLOW CONFIDENTIAL SEXUAL ASSAULT ADVOCATES TIMELY
2 ACCESS TO PRISONERS WHO HAVE REACHED OUT TO A CONFIDENTIAL
3 SEXUAL ASSAULT ADVOCACY PROGRAM FOR ADVOCACY SERVICES.

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

12 (b) THE JAIL SHALL INFORM STAFF MEMBERS AND PRISONERS OF
13 THE NAME AND CONTACT INFORMATION FOR THE PREA COORDINATOR
14 AND MAKE THE NAME AND CONTACT INFORMATION OF THE PREA
15 COORDINATOR AVAILABLE TO THE PUBLIC.

16 ■ ■

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

19 **17-26-143. Retaliation against whistleblower jail staff**
20 **prohibited - private right of action - exemptions - procedures -**
21 **definitions.**

22 (1) (a) A LOCAL DETENTION FACILITY SHALL NOT DISCHARGE,
23 DISCIPLINE, DEMOTE, DENY A PROMOTION TO, TRANSFER OR REASSIGN,
24 DISCRIMINATE AGAINST, HARASS, SUSPEND, CREATE A HOSTILE WORK
25 ENVIRONMENT FOR, SUBJECT TO CORRECTIVE ACTION OR REPRIMAND,
26 ISSUE AN EMPLOYMENT RATING THAT RESULTS IN THE LOSS OF PAY OR
27 ADVERSELY AFFECTS ELIGIBILITY FOR PROMOTION OR FOR AN ASSIGNMENT

1 FOR, LAY OFF, REDUCE WORK HOURS FOR, KNOWINGLY PROVIDE FALSE
2 INFORMATION FOR THE PURPOSE OF NEGATIVELY AFFECTING FUTURE
3 EMPLOYMENT OPPORTUNITIES FOR, OR THREATEN ANY ACTIONS AGAINST
4 OR OTHERWISE DISCRIMINATE AGAINST A STAFF MEMBER IN TERMS,
5 CONDITIONS, OR PRIVILEGES OF EMPLOYMENT BECAUSE THE STAFF
6 MEMBER DISCLOSES INFORMATION IN GOOD FAITH TO THE PROPER
7 SUPERVISING AUTHORITY THAT THE STAFF MEMBER REASONABLY
8 BELIEVES SHOWS SUSPECTED, ALLEGED, OR WITNESSED SEXUAL ABUSE OR
9 SEX-BASED HARASSMENT IN THE LOCAL DETENTION FACILITY.

10 (b) ADMINISTRATIVE PROCEDURES, INCLUDING SUSPENSION
11 DURING AN INVESTIGATION OR DEPARTMENTAL PROCEDURES USED TO
12 DISTRIBUTE ASSIGNMENTS OR DUTIES OR MEET THE OPERATIONAL NEEDS
13 OF THE LOCAL DETENTION FACILITY, DO NOT VIOLATE SUBSECTION (1)(a)
14 OF THIS SECTION.

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

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

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

27 (3) A STAFF MEMBER WHOSE PROTECTED ACTIVITY DESCRIBED

1 PURSUANT TO SUBSECTION (1) OF THIS SECTION WAS A CONTRIBUTING
2 FACTOR IN THE LOCAL DETENTION FACILITY'S ACTION DESCRIBED IN
3 SUBSECTION (1) OF THIS SECTION MAY BE AWARDED ALL RELIEF
4 NECESSARY TO MAKE THE STAFF MEMBER WHOLE, INCLUDING, BUT NOT
5 LIMITED TO:

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

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

12 (b) ANY OTHER EQUITABLE RELIEF THE COURT DEEMS
13 APPROPRIATE;

14 (c) COMPENSATORY DAMAGES FOR OTHER PECUNIARY LOSSES,
15 EMOTIONAL PAIN AND SUFFERING, INCONVENIENCE, MENTAL ANGUISH,
16 LOSS OF ENJOYMENT OF LIFE, AND OTHER NONPECUNIARY LOSSES; AND

17 (d) REASONABLE ATTORNEY FEES AND COSTS.

18 (4) ANY REQUEST FOR REINSTATEMENT OR FOR AN AWARD OF
19 REASONABLE ATTORNEY FEES MUST BE MADE TO THE COURT AFTER A
20 JUDGMENT IS ENTERED IN FAVOR OF THE STAFF MEMBER. THE PARTIES ARE
21 ENTITLED TO A HEARING ON THE REQUEST PRIOR TO THE COURT'S
22 DETERMINATION.

23 (5) IT IS AN AFFIRMATIVE DEFENSE TO AN ACTION BROUGHT
24 PURSUANT TO THIS SECTION IF THE LOCAL DETENTION FACILITY SHOWS BY
25 A PREPONDERANCE OF THE EVIDENCE THAT THE LOCAL DETENTION
26 FACILITY WOULD HAVE TAKEN THE ACTION THAT FORMS THE BASIS OF THE
27 SUIT AGAINST THE STAFF MEMBER BASED ON A LEGITIMATE

1 NONRETALIATORY BASIS.

2 (6) AN ACTION BROUGHT PURSUANT TO THIS SECTION IS NOT
3 SUBJECT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE
4 10 OF TITLE 24.

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

10 (8) AN ACTION BROUGHT PURSUANT TO THIS SECTION MUST BE
11 BROUGHT WITHIN TWO YEARS AFTER THE DATE OF THE MOST RECENT
12 ADVERSE EMPLOYMENT ACTION DESCRIBED IN SUBSECTION (1) OF THIS
13 SECTION.

14 (9) (a) THIS SECTION DOES NOT APPLY TO A STAFF MEMBER WHO
15 DISCLOSES INFORMATION THAT THE STAFF MEMBER KNOWS TO BE FALSE,
16 WHO DISCLOSES INFORMATION WITH DISREGARD FOR THE TRUTH, OR WHO
17 DISCLOSES INFORMATION WITHOUT FULLY COMPLYING WITH SUBSECTION
18 (10) OF THIS SECTION.

19 (b) A STAFF MEMBER'S DISCLOSURE OF THE STAFF MEMBER'S OWN
20 ACT OF NEGLIGENCE, UNPROFESSIONAL CONDUCT, OR VIOLATION OF ANY
21 LOCAL, STATE, OR FEDERAL LAW IS NOT AN ACTIVITY PROTECTED
22 PURSUANT TO THIS SECTION AND DOES NOT PROVIDE THE STAFF MEMBER
23 WITH IMMUNITY RELATED TO THE ACTIVITY SUBJECT TO THE DISCLOSURE.

24 (c) THIS SECTION DOES NOT PREVENT A LOCAL DETENTION
25 FACILITY FROM TAKING DISCIPLINARY ACTION AGAINST A STAFF MEMBER
26 FOR REASONS OTHER THAN THOSE SPECIFIED IN SUBSECTION (1) OF THIS
27 SECTION.

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

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

17 (II) IF A LOCAL DETENTION FACILITY DOES NOT ADOPT AN
18 INTERNAL ADMINISTRATIVE PROCEDURE OR DOES NOT COMPLETE THE
19 INTERNAL ADMINISTRATIVE PROCEDURE WITHIN ONE HUNDRED EIGHTY
20 DAYS AFTER A REPORT OR DISCLOSURE, THIS SUBSECTION (10) IS DEEMED
21 COMPLIED WITH AND THE STAFF MEMBER MAY FILE A PRIVATE RIGHT OF
22 ACTION IN A COURT OF COMPETENT JURISDICTION PURSUANT TO
23 SUBSECTION (2) OF THIS SECTION. IF THE LOCAL DETENTION FACILITY'S
24 INTERNAL ADMINISTRATIVE PROCEDURE HAS NOT BEEN COMPLETED WHEN
25 THE STAFF MEMBER INITIATES A PRIVATE RIGHT OF ACTION PURSUANT TO
26 SUBSECTION (2) OF THIS SECTION FOR REASONS BEYOND THE CONTROL OF
27 THE LOCAL DETENTION FACILITY, INCLUDING, BUT NOT LIMITED TO, THE

1 EXISTENCE OF AN OPEN CRIMINAL PROCEEDING OR AN OPEN CRITICAL
2 INCIDENT RESPONSE TEAM INVESTIGATION, THE LOCAL DETENTION
3 FACILITY MAY SEEK A STAY OF THE PRIVATE RIGHT OF ACTION PENDING
4 RESOLUTION OF THE SOURCE OF THE DELAY.

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

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

10 (b) "PROPER SUPERVISING AUTHORITY" MEANS THE PERSON OR
11 DEPARTMENT DESIGNATED IN THE LOCAL DETENTION FACILITY TO
12 INVESTIGATE ALLEGATIONS OF INTERNAL MISCONDUCT. IF THE LOCAL
13 DETENTION FACILITY DOES NOT HAVE A POLICY DESIGNATING A PERSON OR
14 DEPARTMENT TO INVESTIGATE ALLEGATIONS OF MISCONDUCT, THE PROPER
15 SUPERVISING AUTHORITY IS THE HIGHEST-RANKING STAFF MEMBER IN THE
16 LOCAL DETENTION FACILITY.

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

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

22 **24-31-904. Peace officer certification discipline - definition.**

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

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

1 or

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

5 (VI) AN ADMINISTRATIVE LAW JUDGE, HEARING OFFICER, OR
6 INTERNAL INVESTIGATION FINDS THAT A PEACE OFFICER PERPETRATED AN
7 ACT THAT CONSTITUTES SEXUAL ASSAULT, AS DESCRIBED IN SECTION
8 18-3-402; UNLAWFUL SEXUAL CONTACT, AS DESCRIBED IN SECTION
9 18-3-404; OR INVASION OF PRIVACY FOR SEXUAL GRATIFICATION, AS
10 DESCRIBED IN SECTION 18-3-405.6, AND THE ACT INVOLVED A PERSON IN
11 THE CUSTODY OF A LOCAL DETENTION FACILITY.

12 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES, "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 **SECTION 6.** In Colorado Revised Statutes, **amend 30-10-511** as
17 **follows:**

18 **30-10-511. Sheriff custodian of jail - duties - strip search**
19 **footage.**

20 (1) Except as provided in section 16-11-308.5, ~~C.R.S.~~, the sheriff
21 ~~shall have~~ HAS charge and custody of the jails of the county, and of the
22 prisoners in the jails, and THE SHERIFF shall supervise ~~them himself or~~
23 ~~herself~~ THE PRISONERS THEMSELF or through a deputy or jailer.

24 (2) (a) EACH SHERIFF SHALL COORDINATE WITH THE SHERIFF'S
25 BODY-WORN CAMERA VENDOR TO IMPLEMENT A TAG FOR STRIP SEARCHES
26 IN THE BODY-WORN CAMERA FOOTAGE TAGGING OPTIONS. ALL FOOTAGE
27 TAGGED WITH THE STRIP SEARCH TAG MUST BE DIRECTED TO AND STORED

1 IN A SEPARATE, SECURE STORAGE SYSTEM. THE SEPARATE, SECURE
2 STORAGE SYSTEM FOR STRIP SEARCH FOOTAGE MUST HAVE AN ELECTRONIC
3 TRACKING SYSTEM THAT RETAINS A LOG OF EVERY USER WHO ACCESSES
4 STRIP SEARCH FOOTAGE. THE SHERIFF AND JAIL PERSONNEL SHALL ONLY
5 ACCESS STRIP SEARCH FOOTAGE ON THE SECURE STORAGE SYSTEM
6 PURSUANT TO SECTION 17-26-141 (4).

7 (b) BY AUGUST 1, 2026, EACH SHERIFF MUST IMPLEMENT
8 BODY-WORN CAMERA FOOTAGE TAGGING AND A SEPARATE, SECURE
9 STORAGE SYSTEM FOR STRIP SEARCH FOOTAGE.

10 **SECTION 7. Appropriation.** For the 2026-27 state fiscal year,
11 \$38,916 is appropriated to the department of law. This appropriation is
12 from the P.O.S.T. board cash fund created in section 24-31-303 (2)(b),
13 C.R.S., and is based on an assumption that the department will require an
14 additional 0.3 FTE. To implement this act, the department may use this
15 appropriation for peace officers standards and training board support.

16 **SECTION 8. Safety clause.** The general assembly finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety or for appropriations for
19 the support and maintenance of the departments of the state and state
20 institutions.