

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 26-0604.01 Jacob Baus x2173

HOUSE BILL 26-1315

HOUSE SPONSORSHIP

Soper and Espenoza, Boesenecker, Clifford, Duran, Lieder, Lindsay, Phillips, Ricks, Rydin

SENATE SPONSORSHIP

Weissman and Carson, Amabile, Benavidez, Coleman, Exum, Gonzales J., Jodeh, Kipp, Wallace

House Committees

Judiciary
Appropriations

Senate Committees

Judiciary

A BILL FOR AN ACT

101 **CONCERNING DOCUMENTS RELIED UPON FOR PAROLE**
102 **DETERMINATIONS.**

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 the department of corrections to audit a random sample of risk assessments and documentation of a person's history, supervision requirements, and behavior under supervision, known as a "chronological", to determine whether there were errors in the risk assessments and chronologicals that resulted in an inmate receiving a low or very low risk on their risk assessments. The bill requires the

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
3rd Reading Unamended
May 12, 2026

SENATE
Amended 2nd Reading
May 11, 2026

HOUSE
3rd Reading Unamended
April 28, 2026

HOUSE
Amended 2nd Reading
April 27, 2026

department of corrections to report the results of this audit and any other matters related to corrective actions undertaken to mitigate error rates in risk assessments.

The bill clarifies that risk assessments and chronologicals are criminal justice records for purposes of public inspection; except that any information concerning the person's health must be redacted.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 17-1-169** as
3 follows:

4 **17-1-169. Review of risk assessments - legislative declaration**
5 **- definition - repeal.**

6 (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

7 (a) IN 2025, A COLORADO NEWS OUTLET REPORTED ON
8 HIGH-PROFILE CRIMES AND RAISED QUESTIONS REGARDING THE ACCURACY
9 AND CONSISTENCY OF CERTAIN PAROLE RISK ASSESSMENTS, INCLUDING
10 WHETHER CERTAIN PAROLEES MAY HAVE RECEIVED RISK ASSESSMENT
11 CLASSIFICATIONS THAT DID NOT FULLY ALIGN WITH THEIR DOCUMENTED
12 CRIMINAL HISTORY OR RISK FACTORS;

13 (b) REPORTERS AND LEGISLATORS USED PART 3 OF ARTICLE 72 OF
14 TITLE 24, COMMONLY REFERRED TO AS THE COLORADO CRIMINAL JUSTICE
15 RECORDS ACT, TO OBTAIN RECORDS RELATED TO THE CORRECTIONAL
16 PAROLE SUPERVISION TOOL, WHICH IS AN ACTUARIAL RISK ASSESSMENT
17 TOOL USED BY THE DIVISION OF ADULT PAROLE TO INFORM SUPERVISION
18 PLANNING AND RESOURCE ALLOCATION;

19 (c) EVIDENCE-BASED RISK ASSESSMENT TOOLS ARE DESIGNED TO
20 SUPPORT CONSISTENT AND OBJECTIVE PAROLE SUPERVISION DECISIONS BY
21 APPLYING STRUCTURED CRITERIA TO ASSESS RISK AND IDENTIFY
22 CRIMINOGENIC NEEDS CONSISTENT WITH NATIONALLY RECOGNIZED

1 PRACTICES;

2 (d) IT IS ESSENTIAL TO ENSURE ACCURATE AND CONSISTENT
3 INFORMATION IN RISK ASSESSMENTS TO INFORM PAROLE SUPERVISION
4 PLANNING, IDENTIFY AND APPLY APPROPRIATE PAROLE SUPERVISION
5 STRATEGIES AND RESOURCES, PROMOTE PUBLIC SAFETY, AND SUPPORT
6 SUCCESSFUL REENTRY OUTCOMES;

7 (e) THE DEPARTMENT OF CORRECTIONS CONFIRMED TO THE JOINT
8 BUDGET COMMITTEE AND THE JOINT JUDICIARY COMMITTEE THAT A
9 RANDOM SAMPLE AUDIT REVEALED HIGH ERROR RATES FOR COMMUNITY
10 SUPERVISION TOOL RISK ASSESSMENTS, UP TO NINETY-EIGHT PERCENT IN
11 SOME CASES. IN 2026, THE DEPARTMENT OF CORRECTIONS REPORTED THAT
12 THEY ARE REEXAMINING OVER ONE THOUSAND SEVEN HUNDRED
13 COMMUNITY SUPERVISION TOOL RISK ASSESSMENTS AND IMPLEMENTING
14 MANDATORY SUPERVISORY REVIEW FOR ALL COMMUNITY SUPERVISION
15 TOOL REASSESSMENTS.

16 (f) ESTABLISHING A SYSTEM AND CADENCE OF QUALITY CONTROLS
17 AND QUALITY ASSURANCE PRACTICES, PAIRED WITH ONGOING TRAINING,
18 REVIEW, AND SUPPORT, ARE NECESSARY TO ENSURE ACCURATE AND
19 CONSISTENT APPLICATION OF RISK ASSESSMENT TOOLS ACROSS THE
20 DIVISION OF ADULT PAROLE;

21 (g) IN JANUARY OF 2026, THE DEPARTMENT OF CORRECTIONS
22 STATED THAT IT WILL NO LONGER SUPPLY REQUESTED RISK ASSESSMENTS
23 OR RISK ASSESSMENT SCORES, CITING AN INABILITY TO DISCLOSE THESE
24 RECORDS DUE TO CONTRACT LANGUAGE. HOWEVER, THROUGHOUT 2025,
25 THE DEPARTMENT OF CORRECTIONS SUPPLIED RISK ASSESSMENTS AND RISK
26 ASSESSMENT SCORES TO JOURNALISTS AND LEGISLATORS IN RESPONSE TO
27 OPEN RECORDS REQUESTS, AND IT WAS THROUGH THESE OPEN RECORDS

1 REQUESTS THAT THE PATTERN OF INACCURACIES AND INCONSISTENCIES
2 WERE DISCOVERED. IT IS THE GENERAL ASSEMBLY'S INTENT TO KEEP THESE
3 RECORDS OPEN TO THE PUBLIC TO HOLD GOVERNMENTAL ACTORS
4 ACCOUNTABLE.

5 (h) FOR THE PURPOSES OF TRANSPARENCY AND ACCOUNTABILITY,
6 IT IS NECESSARY FOR THE GENERAL ASSEMBLY TO CREATE REPORTING
7 EXPECTATIONS TO ENSURE THAT REVIEWS OF THE COMMUNITY
8 SUPERVISION TOOL OR SIMILAR SUCCESSOR RISK ASSESSMENT TOOLS ARE
9 ESTABLISHED AND ONGOING.

10 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES, "RISK ASSESSMENT" MEANS A VALIDATED INSTRUMENT THAT
12 ASSESSES A PAROLEE'S CRIMINOGENIC NEEDS AND RISK OF RECIDIVISM,
13 AND IS USED TO GUIDE PAROLE SUPERVISION PLANNING, IDENTIFY
14 APPROPRIATE INTERVENTIONS, AND ESTABLISH PAROLE SUPERVISION
15 LEVELS OR CATEGORIES.

16 (3) (a) THE DEPARTMENT SHALL ESTABLISH A RISK ASSESSMENT
17 QUALITY REVIEW TEAM TO DEVELOP POLICIES AND IMPLEMENT PRACTICES
18 THAT DETERMINE WHETHER RISK ASSESSMENTS ARE COMPLETED
19 ACCURATELY AND CONSISTENTLY, AND TO ENSURE A SUSTAINED PROCESS
20 OF REVIEW AND TRAINING.

21 (b) (I) ON OR BEFORE AUGUST 31, 2026, THE RISK ASSESSMENT
22 QUALITY REVIEW TEAM SHALL IMPLEMENT POLICIES AND PRACTICES FOR
23 A CADENCED SYSTEM OF REVIEW THAT ENSURES, AT A MINIMUM, THE
24 FOLLOWING:

25 (A) SYSTEMATIC REVIEWS OF COMPLETED COMMUNITY
26 SUPERVISION TOOLS OR ANY SIMILAR SUCCESSOR ASSESSMENTS,
27 INCLUDING REVIEWS FOR COMPLETED RISK ASSESSMENTS AT EACH RISK

1 ASSESSMENT LEVEL OR CATEGORY;

2 (B) DEFINED, PERIODIC FIDELITY REVIEWS OF AN ASSESSOR'S

3 WORK; AND

4 (C) APPROPRIATE TRAINING FOR SUSTAINED AND ACCURATE

5 COMPLETION OF RISK ASSESSMENTS.

6 (II) ON OR BEFORE AUGUST 31, 2026, THE RISK ASSESSMENT

7 QUALITY REVIEW POLICIES AND PRACTICES ESTABLISHED PURSUANT TO

8 SUBSECTION (3)(b)(I) OF THIS SECTION MUST BE IMPLEMENTED.

9 (4) (a) IN JANUARY OF 2027, AND IN EACH JANUARY THEREAFTER,

10 THE DEPARTMENT SHALL INCLUDE, AS PART OF ITS PRESENTATION DURING

11 ITS "SMART ACT" HEARING REQUIRED PURSUANT TO SECTION 2-7-203,

12 INFORMATION CONCERNING:

13 (I) THE TOTAL NUMBER OF COMMUNITY SUPERVISION TOOLS OR

14 ANY SIMILAR SUCCESSOR ASSESSMENTS REVIEWED PURSUANT TO

15 SUBSECTION (3) OF THIS SECTION;

16 (II) OF THE TOTAL NUMBER OF COMMUNITY SUPERVISION TOOLS

17 OR ANY SIMILAR SUCCESSOR ASSESSMENTS REVIEWED PURSUANT TO

18 SUBSECTION (3) OF THIS SECTION, THE TOTAL NUMBER OF RISK

19 ASSESSMENTS THAT CONTAINED INACCURATE OR INCONSISTENT

20 INFORMATION THAT RESULTED IN AN INACCURATE SUPERVISION LEVEL;

21 AND

22 (III) A COMPREHENSIVE DESCRIPTION OF THE FINDINGS OF THE

23 REVIEWS AND ANY MEASURES IMPLEMENTED TO ENSURE PROCESS

24 IMPROVEMENT TO MITIGATE THE FINDINGS OF THE 2025 RANDOMIZED

25 SURVEY AUDIT THAT FOUND A NINETY-EIGHT PERCENT ERROR RATE IN

26 RISK ASSESSMENTS.

27 (b) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136

1 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS
2 SUBSECTION (4) CONTINUES INDEFINITELY.

3 **SECTION 2.** In Colorado Revised Statutes, 24-72-302, **amend**
4 (4); and **add** (12) as follows:

5 **24-72-302. Definitions.**

6 As used in this part 3, unless the context otherwise requires:

7 (4) "Criminal justice records" means all books, papers, cards,
8 photographs, tapes, recordings, or other documentary materials,
9 regardless of form or characteristics, that are made, maintained, or kept
10 by any criminal justice agency in the state for use in the exercise of
11 functions required or authorized by law or administrative rule, including,
12 but not limited to, the results of chemical biological substance testing to
13 determine genetic markers conducted pursuant to sections 16-11-102.4
14 and 16-23-104, ~~C.R.S.~~ OR RISK ASSESSMENT OUTPUTS.

15 (12) "RISK ASSESSMENT OUTPUTS" MEANS THE TOTAL SCORE AND
16 RESULTING PAROLE SUPERVISION LEVEL DETERMINED BY THE UTILIZATION
17 OF A VALIDATED INSTRUMENT THAT ASSESSES A PAROLEE'S CRIMINOGENIC
18 NEEDS AND RISK OF RECIDIVISM AND IS USED TO GUIDE PAROLE
19 SUPERVISION PLANNING, IDENTIFY APPROPRIATE INTERVENTIONS, AND
20 ESTABLISH PAROLE SUPERVISION LEVELS.

21 **SECTION 3.** In Colorado Revised Statutes, 24-72-304, **add** (6)
22 as follows:

23 **24-72-304. Inspection of criminal justice records.**

24 (6) NOTWITHSTANDING ANY PROVISION OF THIS PART 3 TO THE
25 CONTRARY, AN AGREEMENT TO PROHIBIT THE DISCLOSURE OF
26 INFORMATION IN RISK ASSESSMENT OUTPUTS THAT IS SUBJECT TO
27 DISCLOSURE PURSUANT TO THIS SECTION IS VOID AND UNENFORCEABLE.

1 **SECTION 4. Act subject to petition - effective date -**

2 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
3 the expiration of the ninety-day period after final adjournment of the
4 general assembly (August 12, 2026, if adjournment sine die is on May 13,
5 2026); except that, if a referendum petition is filed pursuant to section 1
6 (3) of article V of the state constitution against this act or an item, section,
7 or part of this act within such period, then the act, item, section, or part
8 will not take effect unless approved by the people at the general election
9 to be held in November 2026 and, in such case, will take effect on the
10 date of the official declaration of the vote thereon by the governor.

11 (2) Section 3 of this act applies to criminal justice record requests
12 made on or after the applicable effective date of this act.