23RD JUDICIAL DISTRICT CRITICAL INCIDENT RESPONSE TEAM (CIRT) PROTOCOLS	
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	PAGE: 1 of 16

TABLE OF CONTENTS

PART 1

FOREWORD 2

CART 2

1-1 GENERAL 3

1-2 PERSONNEL 3

1-3 PROCEDURES 5

1-4 TEAM NOTIFICATION 5

1-5 DEFINITIONS 6

PART 2

2-1 INVESTIGATIVE AGENCIES, FORMATS AND RESPONSIBILITIES 8

2-2 INTERVIEWING POLICE EMPLOYEES 10

2-3 INTOXICANT TESTING 11

2-4 THE DISTRICT ATTORNEY'S OFFICE 12

2-5 REPORT WRITING 12

2-6 EQUIPMENT/TESTS/PERSONNEL COSTS 12

2-7 CRIME SCENE INVESTIGATION PERSONNEL 13

2-8 AUTOPSY 13

2-9 NEWS AND MEDIA 13

2-10 ACCESS TO REPORTS AND EVIDENCE 14

2-11 PRESENTATION 15

2-12 DEBRIEFING 15

2-13 TRANSPARENCY MEASURES 15

2-14 SENATE BILL 26-190 REGARDING USE OF FORCE INVESTIGATIONS 15

FOREWORD

This protocol was designed and implemented to assist the law enforcement agencies of the 23rd Judicial District. Investigations of officer-involved use of deadly force or potentially deadly force present a unique set of circumstances, which make them more complex than routine investigations. This protocol should not preclude a CEO from any participating agency from activating the CIRT Team for any purpose in which they feel an independent investigation should be completed. It is the purpose of this protocol to make these difficult investigations less traumatic for all participating member agencies. The pooling of resources involved with this protocol is intended to make manpower-intensive situations less draining for each individual agency. The talent and experience of all those involved will serve to make a complete and thorough investigation in the least amount of time, to the benefit of all members.

This protocol should be considered a guideline. Where investigative techniques and administrative processes are described, they are intended to be used as an aid, to add consistency to our investigations. It is not the intent of the protocol to mandate any action that would be contrary to any policy or procedure of any member agency.

When activated, the Critical Incident Response Team (CIRT) will respond, investigate, and present the facts, in the most expeditious manner possible. The Team should perform so that it will be viewed by both the participating agencies and the public as a highly professional, unbiased, fact-finding team, working together to resolve difficult situations.

CHILD ABDUCTION RESPONSE TEAM "CART"

Due to the immediate need for additional assistance at the onset of a child abduction investigation, the 23rd Judicial District CIRT members may be activated at the request of the CEO, or the CEO's designee, having the investigative jurisdiction over a CART investigation.

PART ONE

1-1 GENERAL

A. It is the consensus of the Twenty-Third Judicial District law enforcement agencies that a team of investigators, made up of personnel from the participating law enforcement agencies, CBI, the District Attorney's Office and the Coroner's Offices within the Twenty-Third Judicial District, be formed to assist in the investigation of incidents where any peace officer within the district uses, or may have used, or is the subject of the use of deadly force or potentially deadly force.

B. Impartiality and maintaining public trust are the goals of the CIRT Team. These will be accomplished by conducting complete, thorough, independent and objective investigations to determine if the applied use of force was legally justified in the State of Colorado as reviewed by the 23rd Judicial District Attorney's Office.

C. The team will be able to provide a thorough and impartial investigation of such incidents without causing a serious drain on any one department's resources.

D. CIRT, hereafter referred to as "The Team", will be available to any participating 23rd Judicial District agency investigating incidents where any peace officer within the agency's jurisdiction uses, or is the subject of the use of deadly force or potentially deadly force.

1-2 PERSONNEL

A. The Team shall consist of peace officers and ancillary personnel designated by the Chief Executive Officer (CEO) of each participating agency within the Twenty-Third Judicial District.

B. The chain of command for the Team will be as follows:

1. Assigned Coordinator for the event

2. Lead Investigator

3. Team Leads

4. Detective/CSI/Traffic Investigators

C. Coordinators (Investigative and CSI)

Team (Investigative) Coordinators are comprised of command officers (Lieutenant or above) appointed from participating agencies. The Coordinators assigned to the Team will run the Team independent of any law enforcement agency in the 23rd Judicial District. Any material changes to the Team or its operation will be discussed with all participating agency CEOs for direction to ensure confidence is maintained in the Team. An example of a material change would be a proposal to add another organization to the 23rd JD CIRT. Any minor

changes will be done by the Coordinators after discussion and implemented after direction is given to the Team. The duties of the Coordinators are to:

1. Ensure that the mission and integrity of the Team is upheld through evaluating necessary changes to procedures.

2. Oversee the investigations to which they are assigned.

3. Ensure the Employer agency is kept up to date on the investigation.

4. Coordinate with the Lead Investigator for sharing of information with the Criminal investigator and ensuring all leads to the use of force are identified.

5. Arrange for and assist with a presentation for the Employer agency and District Attorney.

6. Coordinate efforts between the Team and host agency.

7. Assign and document personnel associated with the investigation.

CSI Coordinators are responsible for management of the CSI both on the Team and at incident call-outs. CSI Coordinators are members of the overall Coordinator group and share the same authority granted to all Coordinators on the Team to include decisions made as to the direction of the Team and agency/member involvement, except that CSI Coordinators will not be responsible for overall incident management or investigation.

D. Lead Investigators

A Lead Investigator and possibly a Co-Lead Investigator will be assigned to the event by the Coordinator. The Lead Investigator position is extremely important to the investigation and as such, Lead Investigators will be chosen by Coordinators based on training, experience, and availability from their employing agency. The duties of the Lead Investigator are to:

1. Coordinate closely with the Lead Criminal Investigator to complete a thorough investigation.

2. Compile all reports or other information for inclusion in the investigation.

3. Complete a summary of the investigation for presentation to the District Attorney.

4. Prepare for and complete the presentation to the District Attorney which includes BWC videos, applicable photos, background information, 911 calls, etc. This will typically be done in a Prezi or PowerPoint format.

E. Team Leads

Team Leads are assigned by the Coordinator. Team Leads will supervise groups of detectives tasked with a specific goal. Some examples are canvasses, witness officer interviews, or surveillance of suspects' known locations. Team Leads will typically be, but do not have to be, a ranking member who is on the Team. The duties of the Team Leads are to:

1. Develop and complete a plan to accomplish their assigned task.

2. Ensure that all the relevant information is collected.

3. Collect the reports from their team members in a timely manner after the event. They will also review the reports for content and completeness. Once the reports are all done, the Team Lead will submit those to the Lead Investigator.

4. Upon completion of the assigned task, report back to the Team Coordinator/Lead Investigator with a summary of the information obtained.

1-3 PROCEDURES

A. The Team is available to all law enforcement agencies within the Twenty-Third Judicial District who have posted this CIRT Protocol on their website.

B. The Team will be activated only upon the request of the CEO, or the CEO's designee, having the investigative jurisdiction over the incident.

C. The Team will investigate and present fact-finding reports to the requesting jurisdiction and the District Attorney's Office.

D. All existing procedures, regarding notification of the District Attorney's Office following a law enforcement officer's use of potentially deadly physical force, shall apply and be followed precisely, as well as the notification of the appropriate Coroner's Office.

1-4 TEAM NOTIFICATION

A. Requests for The Team's assistance shall be made by the CEO or the CEO's designee from the agency having jurisdiction over the investigation as soon as possible, but no later than two (2) hours after the actual time of the incident. For any incident involving the discharge of a firearm by a peace officer resulting in injury or death, or another use of force by a peace officer resulting in death, the Venue Agency shall promptly activate CIRT or another qualifying multi-agency team. Notification by the CEO or the CEO's designee is the administrative mechanism for activation and is not discretionary. For incidents that fall outside these statutory criteria, the CEO or designee may nonetheless request activation of CIRT when an independent investigation is appropriate.

B. The coordinator will assess the details of the incident and decide what personnel and equipment will be needed for the investigation. In the event that enough resources are responding to the call, the coordinator will send an additional page to call off anyone who has not yet arrived.

C. Each agency employing CIRT investigators maintains their own internal call-out procedures, on-call schedules, and agency staffing needs and requirements. Consequently, mustering a full staff of CIRT investigators from the respective agencies can pose complications when the use of the Team is invoked. In an effort to maximize call-out effectiveness, the coordinator will cause a notification to go out to ALL members of the Team, regardless of their duty status within their own employing department. Each participating agency, when possible, will assign detectives to the Team. To ensure a known minimum response, the participating agencies agree that all "on-call" Team personnel will respond to the incident, if possible. Others who are not on call may respond if they are available. For all on-call personnel, the home agency

call-out needs will always take precedence. An agency's involvement with the Team, and attendance at incidents are crucial to remain a member of the CIRT Team.

D. CURRENT CALL-OUT PROCEDURE: Agencies can send an alert notification to activate the Team through the Active911 app. Agencies that do not have this ability can contact the DCSO dispatch center for CIRT Team activation. If an agency does not have the ability to send alerts, they should also notify one of the Coordinators of the Team so access can be given to those in the organization that need this ability.

1-5 DEFINITIONS

Officer-Involved Fatal and Non-Fatal Incidents

An event occurring in the venue of participating agencies involving two or more people, in which a police agency employee is involved as an actor, victim or custodial officer, where a fatal injury or an injury where a substantial risk of death occurs. Such incidents include but are not limited to the following:

1. Intentional and accidental shootings, including police tactical incidents involving specialized response teams.

2. Intentional and accidental use of any other dangerous or deadly weapon.

3. Assaults resulting in death or a substantial risk of death upon police officers, assaults on other police employees who are on duty or are acting for a law enforcement purpose.

4. Attempts by police employees to make arrests or to otherwise gain physical control for a law enforcement purpose.

5. Any fatal injury occurring to a person in police custody.

6. Any fatal injury to a person who is a passenger of a police officer (such as ride-alongs, emergency transports, etc.).

7. Vehicular collisions when a fatality occurs during police pursuits wherein the suspect vehicle collides with another vehicle, a pedestrian, or an object, and causes death or substantial risk of death.

Police Employee

This protocol applies to employees and to certain other people affiliated with the law enforcement agencies which are members of this protocol agreement, as follows:

1. Full-time and part-time members, whether on duty or off duty, engaged in a police function (i.e. part-time job) who become involved in a crime in progress and acting for law enforcement or a private purpose at the time of the incident.
2. Volunteer police officers or deputy sheriffs who are on-duty or who are acting on behalf of a law enforcement agency at the time of the incident. Temporary employees and volunteers whether paid or unpaid, who are on-duty in a law enforcement capacity for a member agency.

Proximate Cause

A cause that, in a natural and continuous sequence, produces a fatal injury or an injury that constitutes a substantial risk of death, without which cause the injury would not have occurred. Reasonable foreseeability of the fatal injury is not a factor relevant to this definition.

Fatal Injury

An injury that results in death.

Deadly Physical Force

Deadly physical force means force, the intended, natural, and probable consequences of which is to produce death, and which does in fact, produce death.

Serious Bodily Injury

Serious bodily injury" means bodily injury that, either at the time of the actual injury or at a later time, involves a substantial risk of death; a substantial risk of serious permanent disfigurement; a substantial risk of protracted loss or impairment of the function of any part or organ of the body; or breaks, fractures, a penetrating knife or penetrating gunshot wound, or burns of the second or third degree.

Venue Agency

Any law enforcement agency or special district, employing law enforcement personnel within the geographical jurisdiction of the Twenty-Third Judicial District.

Employer Agency

The agency that employs the involved police employee.

Criminal Investigators

Those investigators assigned by the Venue Agency, the Employer Agency, the Colorado State Patrol (when applicable), CBI (when applicable) and the District Attorney's Office to conduct the criminal investigation of the incident.

Administrative Investigators

Those investigators assigned by the Employer Agency to conduct the Administrative Investigation of the incident.

Participating Agencies

The Twenty-Third Judicial District law enforcement agencies that are members of this agreement.

PART TWO

2-1 INVESTIGATIVE AGENCIES, FORMATS AND RESPONSIBILITIES

To properly recognize and accommodate the various interests and the various rules of law which may be involved in any incident, investigations into these matters must be performed under three separate investigative formats: (1) CIRT (use of force) investigation (2) criminal investigation (3) administrative investigation.

The CIRT/Criminal Investigation

A. The CIRT and criminal investigations can occur simultaneously. If through the collection of information and evidence it is determined that the use of force may not have been appropriate for the officer or officers involved, then criminal and CIRT investigations will conclude independently.

B. The CIRT/criminal investigation has priority over the administrative investigation, and it begins immediately after an incident has occurred.

C. The administrative investigation will be completed solely by the involved agency. The administrative investigator may be allowed to view officer interviews during the CIRT/criminal interview and/or view the crime scene, dependent on the involved officer's agency protocol. Administrative investigators will not be allowed to participate in CIRT/criminal officer interviews, provide questions to the CIRT/criminal investigator that they would like asked, or in any way interfere with the CIRT/criminal investigation. Contact with the involved officers should be allowed, especially during the initial stages of the CIRT/criminal investigation so that agency protocols such as weapons replacement, wellbeing and the explanation of department procedures can be coordinated.

D. The CIRT investigation is performed by the team made up of criminal investigators from other Participating Agencies, the Employer Agency (if needed), the Colorado State Patrol (when applicable), CBI (when applicable) and the District Attorney's Office formed into a Task Force for each incident. The lead investigator will be assigned from an agency other than the Employer Agency by the team coordinator. An Employer Agency investigator may assist in roles such as administrative BWC accessibility, interview room coordination, or liaison. If the CIRT team has enough investigators and resources available to complete the investigation without the use of personnel or resources from the Employer agency, those personnel or resources should not be used, if possible. The Team will ensure that Employer Agency personnel will not be placed in a Lead Investigator or primary role throughout the CIRT investigation.

    1. If personnel from an Employer agency are used, they will be teamed up with and supervised by another member of the CIRT team who is not affiliated with the Employer agency.

2. Any significant disagreements that occur during an investigation, with respect to the CIRT investigation only, shall be reconciled by the team coordinator and lead investigator.

E. The Lead Investigator and Lead Coordinator will be responsible for presenting all investigative information to the DA's Office. The DA's Office will then determine whether charges for the members involved are appropriate or not.

F. All information gathered by the CIRT/criminal investigation will be shared between the investigations. All information gathered from the CIRT/criminal investigation will be shared with the administrative investigator. No information gathered by the administrative investigator will be shared with the CIRT/criminal investigator. Any administrative investigation should be handled at the end of the CIRT investigation unless unusual circumstances exist.

G. The investigation is required to follow the rules of law which apply to all criminal proceedings including constitutional, statutory, and case law requirements.

H. The investigation is performed in a manner that is indicative of a thorough, fair, complete, and professional investigation, which is free of conflicts of interest.

I. Venue Determination:

1. When an incident occurs in two or more jurisdictions, each of those is a Venue Agency.

2. When an incident occurs on the boundary of two jurisdictions, or at a location where the relevant boundary is not readily ascertainable or is in dispute, the Venue Agency shall be:

   a. The Employer Agency if the Actor is employed by either boundary agency.

   b. Both boundary agencies if both employ involved officers.

   c. The agency which has the greater interest in the case by virtue of having the predominant police involvement in the incident or by virtue of having had the majority of acts leading up to the fatality occurring within its jurisdiction.

J. Vehicle Collision Incidents

1. Accidental collision fatalities shall be investigated by the CIRT criminal investigators, joined by accident investigation specialists from the Colorado State Patrol or from another member agency. The accident investigation specialists have primary responsibility for documentation, collection, and preservation of physical evidence. On-scene collaboration with the CSI personnel is encouraged.

2. If the fatality results from a collision that was not accidental, OR if the vehicle movement was merely incidental to a fatality which was caused by non-vehicular means, the accident investigation specialists may be used by the CIRT for that phase of the investigation, but their role will be limited to investigation of physical movement of the vehicle(s) and to collision reconstruction.

K. Scene security

Each agency has initial responsibility for immediately securing crime scene(s) within its jurisdiction. This responsibility includes preservation of the integrity of the scene(s) and its/their contents, access control, and the identification and sequestration of witnesses. Responsibility may be changed by mutual agreement as the investigation progresses.

L. Crime Scene Investigation

1. The documentation of the scene(s), forensic analysis, and evidence collection associated with the CIRT response will typically be performed by forensic CSI personnel employed by an entity other than the Venue Agency. Team personnel may use any accredited crime/forensic laboratory for the processing or testing of any evidence.

2. Pending arrival of CSI personnel, crime scene security will be handled by responding officers. In the event a CSI employee is involved in an incident, CSI from that agency will not take the primary role in the investigation of the incident.

3. The Venue or Employer Agency may be requested by the CSI to furnish officers to assist with evidence and scene documentation, collection, and preservation.

4. Officers who are utilized in this manner will work under the direction of the CSI. CSI opinions and analysis will be obtained from a laboratory designated by the CIRT, usually the Colorado Bureau of Investigation. Prior to final relinquishment of the scene, the CIRT investigators and the CSI (and Colorado State Patrol investigators when applicable) will provide the Administrative Investigators with an opportunity to assess the need for further evidence processing.

M. Liaison

The Employer Agency will provide a liaison to communicate with the Team Coordinator to assist with any needs the Team may have such as BWC and in-car camera footage. The liaison will also serve as the communication device for the Team to the CEO of the involved agency.

2-2 INTERVIEWING POLICE EMPLOYEES

A. It is the intent of the Team to only conduct use of force investigations and not become involved in administrative review of officer-involved fatalities. Prior to the interview being conducted, it should be extremely clear to involved officers that "Garrity" advisements do not apply to CIRT investigations.

B. Interviews of involved officers should be conducted in a sterile setting, void of interruptions or any audio contamination. Video equipped interview / interrogation rooms offer the most viable setting for the interview. Interviews of involved officers should be video recorded with an audio-recorded backup whenever possible. Interviews of incident participants and primary witnesses should be video recorded with BWC at a minimum. When possible, interviews with involved officers should be conducted at a facility other than that of the home agency and will be determined by the lead CIRT investigator and the lead CIRT coordinator.

The administrative review team will be provided with copies of all recordings of interviews as well as any other information collected by the Team.

C. The officer involved must be informed that the interview is non-custodial and that all his or her statements are voluntary. Should there be evidence that there was any criminal intent on the officer's part, before the interview, the officer will be advised under Miranda. Should the officer invoke any right as a result of the advisement, the interview will conclude. Any incriminating information obtained by the administrative review shall not be disclosed to any member of the Critical Incident Response Team.

D. Research has shown that these types of incidents can be extremely stressful for police employees and can result in inaccurate information being obtained during the interview of the involved officer if this interview is conducted too soon after the event has occurred (Miller, 2006). The Team coordinator will work with all parties involved to determine when will be the best time to interview the involved officer(s) with the understanding this may not occur for one or more days after the incident, depending on the circumstances.

E. Understanding that every agency has different policies regarding an involved officer viewing body-worn camera (BWC)/in-car camera video after an incident and before a CIRT interview, the CIRT Team will defer to the involved officers' agency policies for direction and will abide by those policies. Officers will only be allowed to watch that BWC/in-car camera footage that they recorded. They will not be allowed to watch footage from other officer's cameras or video caught by any other recording devices at the scene. CIRT members, as determined by the Lead Coordinator, will view the BWC footage in an area restricted to just those CIRT members. Any members of the involved agency will not be in attendance during that viewing.

F. The interview will consist of the Lead and Co-Lead Investigators, the officer, and the officer's attorney. The Criminal Investigator may watch the interview from a remote location and, at the end of the CIRT interview, may ask any needed follow up questions that pertain to the criminal investigation only.

2-3 INTOXICANT TESTING

A. Criminal Investigation - If any involved officer(s) will not consent to a blood test, and sobriety evaluation is pertinent to the investigation of a crime under the C.R.S., the officer may be compelled to submit to a test under those provisions established by law. Unless circumstances or evidence dictate, or required by law, the CIRT Team will not require intoxicant testing, and any such testing will need to be completed by the Employer Agency.

B. Administrative Investigation - The administrative or command personnel employing the involved officer(s) will be given the opportunity to compel the officer(s) to submit to intoxicant testing under their respective departmental guidelines. If results are obtained under the administrative employment relationship, the results will not be made available to the CIRT investigators.

2-4 THE DISTRICT ATTORNEY'S OFFICE

Investigators from the District Attorney's Office will assist with any investigative tasks as required during the investigation. Unless necessary, the coordinator for the event will not assign a DA Investigator as the Lead Investigator.

Attorneys from the District Attorney's Office have the following roles in incident investigations:

A. Assist and advise the CIRT on various criminal law issues which may arise, such as Miranda; voluntariness; search and seizure; probable cause to arrest; detentions and releases; elements of crimes; immunity; and legal defenses.

B. Upon completion of the Criminal Investigation, to analyze the facts of the incident as well as the relevant law to determine if criminal laws were broken. If so, prosecute as necessary.

2-5 REPORT WRITING

A. All CIRT investigators will write reports documenting their participation in the investigation. Each agency employing CIRT member investigators may use their own established report writing system and format. Those reports will be submitted to the team-lead investigator to which they were assigned and should be submitted within 72 hours after the completion of their assigned tasks.

B. The lead investigator has the ultimate responsibility for report writing and for collecting reports from other agencies via the team lead investigators. All reports shall be reviewed by the CIRT Coordinator or their designee.

C. Prompt completion and distribution of reports is essential.

D. To comply with Colorado Rule of Criminal Procedure §16, all CIRT required disclosures (e.g., evidence, witness lists, statements, reports) associated with a criminal filing, must be provided within the time limits set by the rule.

2-6 EQUIPMENT, TESTS, PERSONNEL COSTS

A. All necessary equipment shall be supplied by the Venue agency. If additional or specialized equipment is needed, the cost of obtaining such equipment shall be the responsibility of the Venue agency, upon the approval of the agency CEO. This does not prohibit any individual team member from bringing along any piece of equipment he/she deems necessary, providing the Venue agency has no objection.

B. Any specialized tests that may need to be done will be the responsibility of the Venue agency.

C. All normal personnel costs shall be the responsibility of the agency providing the members to the team, not the Venue agency.

D. All Team members, while responding to a call-out, regardless of jurisdiction, shall be deemed to be on duty and responding to a call of mutual aid.

2-7 CSI PERSONNEL

A. In general, the scene or scenes associated with the CIRT incident will typically be processed by the CIRT CSI from an agency other than the Employing /Venue Agency.

B. Notwithstanding this general protocol, based upon the nature and location of the incident, as well as the availability of CSI personnel, the Coordinator may utilize CSI personnel from the Employing /Venue agency when appropriate. This decision is to be made by the Team coordinator, in consultation with the Venue agency administration, on a case-by-case basis. When CSI personnel from the employing/Venue agency are utilized to process the scene(s), a separate CIRT criminal investigator will work in conjunction with the CSI personnel to preserve the integrity of the process.

C. Unless impractical or otherwise directed by the Venue agency CEO, after the collection of evidence by the CIRT members, the Venue agency will immediately become responsible for the care, control, custody, and processing of the sealed evidence. Once the evidence is collected and sealed, the Venue agency will become responsible for all of the future handling, testing, transport, storage and care of the collected evidence to include BWC/in-car camera video.

2-8 AUTOPSY

A. At least one member of the CIRT investigative team will attend the autopsy, as well as a CSI representative who will collect any evidence.

B. The autopsy pathologist may receive a complete briefing prior to the postmortem examination. This briefing, which includes all information known at that time which may be relevant to the cause, and manner of death, shall be provided.

2-9 NEWS AND MEDIA

A. The Venue and/or the Employer Agency will be responsible for all news media relations.

B. To maintain the integrity of the investigation, all media releases shall be reviewed. The review process should include:

- Designating one spokesperson, preferably a PIO or command representative who is not a member of the investigative team when feasible.

- Mandatory review by the PIO, CIRT Coordinator and/or Lead Investigator, the District Attorney's Office, and legal counsel as appropriate.

- Utilizing a checklist or similar apparatus requiring statements to be limited to verified facts, clearly distinguishing preliminary information from confirmed information.

- No speculation or commentary concerning a person's character, credibility, guilt, criminal history, legal liability, or whether an officer committed misconduct.

- Required disclosure of material editing, synchronization, enhancement, blurring, omission, or other modification of briefing video; and

- Preservation of the unedited source material, the version released to the public, and an edit or redaction log.

C. Coroner's Office- Release of information will follow the policy and procedure of the Venue agencies' coroner's office, as well as applicable statutes.

D. If body-worn camera (BWC) footage is to be released to the media, it should only be released by the involved agency, after consultation with the DA's Office and the assigned CIRT Coordinator. Agencies shall release video and audio recordings, including body-worn camera (BWC) footage, as required by C.R.S. § 24-31-902 (CRS, 2026).

2-10 ACCESS TO REPORTS AND EVIDENCE

A. Material, which is created or collected by, or at the request or direction of, CIRT criminal investigators (including the CSI) will be made available in a timely manner to those agencies, which have an interest in the investigation, including the administrative investigators.

B. The material will include:

- Reports, written and collected
- Access to physical evidence
- Photographs, diagrams, and video tapes
- Audio tape recordings
- Body-worn camera/in-car camera footage

C. When the CIRT and/or District Attorney's Office concludes that the physical evidence collected by the criminal investigators is no longer needed for criminal law purposes, the Employer Agency/Venue agency shall be notified of that decision so it can proceed with the preservation or disposition of the collected evidence consistent with their own guidelines and future needs.

D. CIRT archives may be held by the District Attorney's office. Those archives will only consist of the imaged (scanned) documents or digital files associated with the investigation. All of the original documents, as well as the totality of the physical evidence, audio files, photographs, and all other physical material, will be turned over to, and maintained by the Employer/Venue agency (see item B above).

E. If records, statements, or reports are collected or created by a member of an assisting agency, the member agency will follow their policy and procedures regarding retention periods and disposition of those records. These records must have been turned over to the Employer/Venue agency (see item D above), and any records maintained by the assisting agency would be considered duplicate records.

2-11 PRESENTATION

After the investigation is completed and submitted to the District Attorney's Office, a presentation shall be given to the District Attorney. CEO and Command Staff of the Employer agency may also attend but may also opt out of the presentation. The presentation is designed to allow the district attorney and CEO of the Employer Agency to gain a better understanding. It will also allow for any questions to be asked of and answered by the lead investigator or assigned coordinator. Involved officers are not permitted to attend the presentation.

2-12 DEBRIEFING

At the conclusion of an investigation, there will be a debriefing and critique of the CIRT investigation. The purpose of this debriefing will be to ensure a thorough and complete investigation has taken place. This meeting will also serve as a way to evaluate and make suggestions to improve the performance of this multi-jurisdictional investigative team.

This will enable the Coordinator to make additional assignments, if deemed necessary by the critique. It is important to have at least members from the District Attorney's Office, the Venue Agency, the Employee Agency (if different from the Venue Agency), the Coroner's Office, and the involved CSI in attendance. The debriefing will be open to all members, and they are encouraged to attend to help keep communications open. The debriefing will be closed to the media. All media releases will be in accordance with Section 2-9 of this protocol.

2-13 TRANSPARENCY MEASURES

The 23rd Judicial District CIRT Protocol, as well as CIRT investigative results, are publicly available on the District Attorney's website.

By posting this protocol on their website, agencies will be considered a member of the 23rd JD CIRT. Those agencies will also supply whatever resources they can to help with investigations or furtherance of the Team and agree to abide by the protocols set forth by the 23rd JD CIRT.

2-14 SENATE BILL 26-190 REGARDING USE OF FORCE INVESTIGATIONS

The following is a summary of Senate Bill 26-190, which went into effect on June 3, 2026:

- Requires each police department, sheriff's office, and district attorney within the state to maintain protocols for participating in a multi-agency team, which must include at least one other police department or sheriff's office, or CBI, in conducting any investigation, evaluation, or review of an incident involving the discharge of a firearm by a peace officer that resulted in injury or death, or other use of force by a peace officer that resulted in death.
- Requires each law enforcement agency to post the protocol on its website (or if the agency does not have a website, to make it publicly available upon request).
- Requires the law enforcement agency that employs the peace officer or the multi-agency team investigating an incident involving the peace officer's use of force that results in death to notify each person in the decedent's immediate family known to the employing law enforcement agency, and a person designated by the decedent's immediate family, about the investigation of the incident within

24 hours after the scene of the incident is cleared.

  - Notice must include the names of all law enforcement agencies that comprise the multi-agency team investigating the use of force and the status of the investigation.
  - Immediate family includes spouse, any child by birth or adoption, any stepchild, the parent, the stepparent, a sibling, a legal guardian, a significant other, or a lawful representative of the decedent.

- Prohibits a peace officer who is participating or has participated in the investigation of a criminal matter involving the use of force by another peace officer that results in death from making an extrajudicial statement on behalf of a law enforcement agency that the officer "knows or reasonably should know will be disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter."
  - Presumes certain extrajudicial statements to have a substantial likelihood of materially prejudicing an adjudicative proceeding in a criminal matter.
  - Provides a list of what is not considered to be an extrajudicial statement for purposes of C.R.S. § 16-2.5-303.
  - Requires video of an incident produced for purposes of a community or critical incident briefing to include certain disclaimers and limits narration and commentary.
- Requires the district attorney, if no criminal charges are filed following the completion of the multi-agency team investigation, to release a report and publicly disclose the report explaining the district attorney's findings, by posting the report on its website.

Senate Bill 26-190 created or amended the following statutes:

Statutes Created:

§24-31-901(1.5), (1.7), (2.8), (5.5) – Definitions

Statutes Amended:
§24-31-902(2)(a), (2)(b)(I) – Incident recordings - release - tampering - fine
§16-2.5-301 – Definitions
§16-2.5-302 – Peace officer actions leading to injury or death investigations - protocol - notification to decedent's immediate family
§16-2.5-303 – Extrajudicial statement concerning use of force -requirements for videos released to the public
§24-4.1-302.5(1)(j.8) – Rights afforded to victims - definitions
§20-1-114(1) – Peace officer-involved shooting investigations - disclosure