

C.R.S. 16-2.5-403. Peace officer-involved shooting or fatal use of force policy.

(1) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP AND MAINTAIN A POLICY FOR SUPPORTING A PEACE OFFICER WHO HAS BEEN INVOLVED IN A SHOOTING OR FATAL USE OF FORCE. AN INVOLVED OFFICER MAY INCLUDE A PERIPHERAL OFFICER PRESENT AT THE SCENE WHO REPORTS AN IMPACT OR REQUESTS SUPPORTIVE SERVICES. THE POLICY MUST ADDRESS, AT A MINIMUM:

(a) PRE-INCIDENT PREPARATION, INCLUDING TRAINING AND EDUCATION ABOUT BOTH NORMAL AND PROBLEMATIC POST-TRAUMATIC REACTIONS COMMONLY ASSOCIATED WITH OFFICER-INVOLVED SHOOTINGS AND CRITICAL INCIDENTS;

(b) PROTOCOLS TO ENSURE AN INVOLVED OFFICER'S PHYSICAL AND PSYCHOLOGICAL SAFETY AT THE SCENE AND FOLLOWING THE INCIDENT;

(c) THE PROVISION OF POST-INCIDENT SERVICES TO AN INVOLVED OFFICER, AND THE ABILITY TO EXTEND POST-INCIDENT SERVICES TO AN OFFICER'S FAMILY AND SIGNIFICANT OTHERS WHEN WARRANTED. THE AGENCY SHALL CONSIDER INCLUDING IN THE POLICY, TO THE EXTENT POSSIBLE GIVEN THE AGENCY'S SIZE AND RESOURCES:

(I) AT LEAST ONE CONFIDENTIAL POST-INCIDENT INTERVENTION WITH A QUALIFIED MENTAL HEALTH PROFESSIONAL IN A TIMELY MANNER FOLLOWING THE INCIDENT, INCLUDING THROUGH TELEHEALTH SERVICES;

(II) ONGOING CONFIDENTIAL MENTAL HEALTH SERVICES FROM A QUALIFIED MENTAL HEALTH PROFESSIONAL AS NEEDED, INCLUDING THROUGH TELEHEALTH SERVICES; AND

(III) SOME FORM OF PEER SUPPORT, INCLUDING AGENCY PEER SUPPORT OR ONLINE OR TELEHEALTH PEER SUPPORT;

(d) GUIDELINES FOR TEMPORARY LEAVE OR APPROPRIATE DUTY REASSIGNMENT AS AGREED UPON BY AN INVOLVED OFFICER AND THE AGENCY TO ALLOW AN INVOLVED OFFICER TO RECEIVE SERVICES AND MANAGE THE IMPACT OF THE INCIDENT ON AN INVOLVED OFFICER AND AN INVOLVED OFFICER'S FAMILY AND SIGNIFICANT OTHERS; AND

(e) GUIDELINES AND PROCEDURES FOR AN OFFICER'S RETURN TO DUTY, INCLUDING ONGOING SUPPORT AND SERVICES AVAILABLE TO AN INVOLVED OFFICER. THE AGENCY SHALL CONSIDER INCLUDING IN THE POLICY, TO THE EXTENT POSSIBLE GIVEN THE AGENCY'S SIZE AND RESOURCES:

(I) A REINTEGRATION PLAN THAT CONSIDERS HAVING AN OFFICER RETURN TO THE SCENE OF THE INCIDENT IF NEEDED, FIRE HIS OR HER WEAPON AT THE RANGE, AND PARTICIPATE IN A GRADED RE-ENTRY WITH A PARTNER; AND

(II) ONGOING SUPPORTIVE MENTAL HEALTH SERVICES, INCLUDING CONFIDENTIAL FOLLOW-UP BY A QUALIFIED MENTAL HEALTH PROFESSIONAL, EITHER IN PERSON OR THROUGH TELEHEALTH SERVICES.

(2) THE POLICIES REQUIRED BY THIS SECTION MUST BE COMPLETED BY JANUARY 1, 2020. EACH LAW ENFORCEMENT AGENCY SHALL REVIEW THE POLICY ON A BIENNIAL BASIS AND, IF NECESSARY, UPDATE THE POLICY TO REFLECT CURRENT BEST PRACTICES AND AVAILABLE RESOURCES.

(3) IN DEVELOPING, UPDATING, AND IMPLEMENTING THE POLICIES REQUIRED BY THIS SECTION, LAW ENFORCEMENT AGENCIES ARE ENCOURAGED TO CONSULT WITH AND USE THE RESOURCES AVAILABLE THROUGH THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, THE NATIONAL SHERIFFS' ASSOCIATION, THE FRATERNAL ORDER OF POLICE, THE AMERICAN BOARD OF POLICE AND PUBLIC SAFETY PSYCHOLOGY, THE PEACE OFFICERS STANDARDS AND TRAINING BOARD CREATED IN SECTION 24-31-302, AND RESPONDERSTRONG, OR THEIR SUCCESSOR ORGANIZATIONS, AND OTHER ORGANIZATIONS PROVIDING SIMILAR RESOURCES AND SUPPORT.

Signed into law 4/23/2019