

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0231.01 Shelby Ross x4510

**HOUSE BILL 26-1009**

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**HOUSE SPONSORSHIP**

**Duran and Gonzalez R.,**

**SENATE SPONSORSHIP**

**Michaelson Jenet and Pelton B.,**

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**House Committees**

Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING USING A MANDATORY LETHALITY ASSESSMENT WHEN**  
102     **RESPONDING TO A DOMESTIC VIOLENCE INCIDENT.**

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**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 creates the "Colorado Mandatory Lethality Assessment Act", which requires peace officers to conduct a lethality assessment when responding to a domestic violence incident and include the results of the lethality assessment in the incident report. If the lethality assessment indicates that an individual is a high-risk victim, or if a peace officer determines an individual is a high-risk victim based on the totality

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.

of the circumstances, the peace officer is required to immediately connect the victim to a victim's advocate either by phone or in person.

The bill requires the attorney general's office, in coordination with a Colorado-based coalition that advocates for survivors of domestic violence, to develop a mandatory training for peace officers to learn how to administer the lethality assessment and provide victim referrals. The bill requires each law enforcement agency to ensure that each peace officer employed by the agency has completed the mandatory training.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 18-6-806 as  
3 follows:

4           **18-6-806. Mandatory lethality assessments - short title -**  
5 **legislative declaration - definitions.**

6           **(1) Short title.** THE SHORT TITLE OF THIS SECTION IS THE  
7 "COLORADO MANDATORY LETHALITY ASSESSMENT ACT".

8           **(2) Legislative declaration.** THE GENERAL ASSEMBLY FINDS AND  
9 DECLARES THAT REQUIRING LAW ENFORCEMENT AGENCIES TO ADMINISTER  
10 A STANDARDIZED, EVIDENCE-BASED LETHALITY ASSESSMENT WHEN  
11 RESPONDING TO A DOMESTIC VIOLENCE INCIDENT WILL ENSURE HIGH-RISK  
12 VICTIMS PROMPTLY RECEIVE SAFETY RESOURCES AND REFERRALS.

13           **(3) Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
14 OTHERWISE REQUIRES:

15           (a) "DOMESTIC VIOLENCE INCIDENT" MEANS AN INCIDENT OF  
16 DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3.

17           (b) "HIGH-RISK VICTIM" MEANS A VICTIM WHO SCREENS POSITIVE  
18 UNDER THE LETHALITY ASSESSMENT TOOL.

19           (c) "LETHALITY ASSESSMENT" MEANS A VALIDATED,  
20 EVIDENCE-BASED SCREENING TOOL THAT INCLUDES STANDARDIZED  
21 QUESTIONS AND THAT IS ADMINISTERED BY A PEACE OFFICER AT THE

1 SCENE OF A DOMESTIC VIOLENCE INCIDENT.

2 **(4) Mandatory lethality assessment.**

3 (a) BEGINNING JULY 1, 2027, A PEACE OFFICER IS REQUIRED TO  
4 CONDUCT A LETHALITY ASSESSMENT WHEN RESPONDING TO A DOMESTIC  
5 VIOLENCE INCIDENT AND INCLUDE THE RESULTS OF THE LETHALITY  
6 ASSESSMENT IN THE INCIDENT REPORT.

7 (b) IF THE LETHALITY ASSESSMENT INDICATES THAT AN  
8 INDIVIDUAL IS A HIGH-RISK VICTIM, OR IF A PEACE OFFICER DETERMINES  
9 THAT THE INDIVIDUAL IS A HIGH-RISK VICTIM BASED ON THE TOTALITY OF  
10 THE CIRCUMSTANCES, THE PEACE OFFICER SHALL IMMEDIATELY CONNECT  
11 THE VICTIM TO A VICTIM'S ADVOCATE, AS DEFINED IN SECTION 13-90-107  
12 (1)(k)(II), EITHER BY PHONE OR IN PERSON.

13 **(5) Training and implementation.**

14 (a) THE ATTORNEY GENERAL'S OFFICE, IN COORDINATION WITH A  
15 COLORADO-BASED COALITION THAT ADVOCATES FOR SURVIVORS OF  
16 DOMESTIC VIOLENCE, SHALL DEVELOP A MANDATORY TRAINING FOR PEACE  
17 OFFICERS TO LEARN HOW TO ADMINISTER THE LETHALITY ASSESSMENT  
18 AND PROVIDE VICTIM REFERRALS PURSUANT TO SUBSECTION (4) OF THIS  
19 SECTION.

20 (b) NO LATER THAN JANUARY 1, 2027, THE ATTORNEY GENERAL  
21 SHALL MAKE THE MANDATORY TRAINING AVAILABLE AND OFFER  
22 ASSISTANCE TO LAW ENFORCEMENT AGENCIES IN PROVIDING THE  
23 MANDATORY TRAINING.

24 (c) BEGINNING JULY 1, 2027, EACH LAW ENFORCEMENT AGENCY  
25 SHALL ENSURE THAT EACH PEACE OFFICER EMPLOYED BY THE AGENCY HAS  
26 COMPLETED THE MANDATORY TRAINING DEVELOPED PURSUANT TO THIS  
27 SUBSECTION (5).

## **(6) Reporting and oversight.**

2 (a) BEGINNING JANUARY 2028, AND EACH JANUARY THEREAFTER,  
3 THE ATTORNEY GENERAL'S OFFICE SHALL REPORT THE TOTAL NUMBER OF  
4 DOMESTIC VIOLENCE INCIDENTS IN THE PREVIOUS CALENDAR YEAR, THE  
5 TOTAL NUMBER OF LETHALITY ASSESSMENTS CONDUCTED, THE TOTAL  
6 NUMBER OF HIGH-RISK VICTIMS IDENTIFIED, AND THE TOTAL NUMBER OF  
7 REFERRALS MADE, AS PART OF THE OFFICE'S "SMART ACT"  
8 PRESENTATION REQUIRED PURSUANT TO PART 2 OF ARTICLE 7 OF TITLE 2.

16                   **SECTION 2. 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.