

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2026

COUNCIL BILL NO. 26-0125
COMMITTEE OF REFERENCE:
Health and Safety

A BILL

7 **For an ordinance amending Chapter 28 of the Revised Municipal Code**
8 **concerning law enforcement officer identification.**
9

10 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** That chapter 28, article X, of the Code shall be amended by deleting the language
12 stricken and adding the language underlined to read as follows:

13 **ARTICLE X. - ~~RESERVED.~~ CLEAR IDENTIFICATION OF LAW ENFORCEMENT**
14 **PERSONNEL.**

15 **Sec. 28-300. Purpose.**

16 (a) The purpose of this article is to address the public's ability to clearly identify law
17 enforcement personnel during the interrogation, detention, and arrest of an individual within the City
18 and County of Denver (the "City"). The city recognizes the public safety fears that result from the
19 lack of identity and nonverbal communication between officers and members of the public. Data
20 shows that the absence of transparency by law enforcement personnel erodes trust with the general
21 public, obstructs legitimate law enforcement operations, and materially increases safety risks to the
22 public and law enforcement personnel alike. By contrast, there is an absence of credible and reliable
23 data showing that the inability to clearly identify law enforcement personnel protects their safety, or
24 is proper and necessary to carry out their job duties. This article is designed to effectuate and
25 reiterate federal law that requires the clear identification of law enforcement personnel, avoid Fourth
26 Amendment U.S. Constitution prohibitions against unreasonable searches and seizures, and
27 preserve the City's existing rights under federal law to protect the public health, welfare, and safety
28 of its community. Nothing in this article shall be interpreted or applied in a manner that violates the
29 U.S. Constitution's Supremacy Clause, Intergovernmental Immunity, or other applicable federal
30 laws. This article shall apply equally to all law enforcement personnel, including local, state, federal,
31 and tribal peace officers or agents.
32

33 **Sec. 28-301. Definitions.**

34 As defined in this section:

1 (1) "Facial covering" means any opaque mask, garment, helmet, headgear, or other item
2 that conceals or obscures the facial identity of an individual, including, but not limited to, a balaclava,
3 tactical mask, gator, ski mask, and any similar type of facial covering or face-shielding item. The
4 following will not be considered face coverings for the purposes of this section:

5 (a) A clear or translucent mask that does not conceal the identity of the law enforcement
6 officers.

7 (b) A medical mask used to protect against the transmission of and disease or infection.

8 (c) A mask, face covering, or helmet that is otherwise required to comply with other local,
9 state, or federal public safety standards.

10 (d) Eyewear necessary to protect against the use of potential retinal weapons, including,
11 but not limited to tear gas and lasers.

12 (2) "Law enforcement personnel" means peace officers including police officers, sheriffs,
13 deputy sheriffs, Colorado State Patrol troopers, POST-certified corrections officers, marshals,
14 deputy marshals, Colorado Bureau of Investigation agents, parole or probation officers, and all
15 federal law enforcement officers or agents of a federal law enforcement agency. The term "law
16 enforcement personnel" also includes peace officers described in Part 1 of Article 2.5 of Title 16 and
17 section 16-3-110, C.R.S., as amended.
18

19 **Sec. 28-302. Limitations on Facial Covering of Law Enforcement Personnel.**

20 (a) *Facial Covering of Law Enforcement Personnel.* No law enforcement personnel
21 operating within the City and County of Denver shall wear a facial covering when performing duties
22 that include the interrogation, detainment, arrest, or other activity that restrains the physical
23 movement of an individual. Nothing in this section shall be construed or applied to limit or obstruct
24 any law enforcement agency in the enforcement of its duties.

25 (b) *Facial coverings on city property.* No law enforcement personnel that is inside any city
26 facility may wear a facial covering to conceal their identity.

27 (c) *Exemptions.* The following situations are exempted from this section:

28 (1) Active undercover operations or assignments authorized by supervising personnel or
29 court order.

30 (2) Tactical operations where protective gear is required for physical safety.

31 (3) Applicable law governing occupational health and safety.

32 (4) Applicable law governing reasonable accommodations.

33 (5) Personnel assigned to a Special Weapons and Tactics (SWAT) team unit while actively
34 performing SWAT duties.

1 (6) Personnel assigned to the Emergency Response Unit (ERU) while actively performing
2 ERU duties.

3

4 **Sec. 28-303. Identification of law enforcement personnel.**

5 (a) *Identification of uniformed law enforcement personnel.* Uniformed law enforcement
6 personnel, shall clearly identify themselves by displaying their name, badge or identification number:

7 (1) In a size and format that is clearly legible using materials or markings suitable for
8 visibility in both daylight and low-light conditions, under normal operation conditions;

9 (2) In a manner that is clearly visible and readable during direct engagement with the
10 public; and

11 (3) On the outermost garment or gear and not obscured by tactical equipment, body armor,
12 or accessories.

13 (4) Any law enforcement personnel that does not display the information specified in
14 subsections (a)(1), (a)(2), and (a)(3) above, shall provide their name, badge or identification number
15 upon request.

16 (b) *Identification of non-uniformed law enforcement personnel.* Law enforcement
17 personnel operating in the City that is not uniformed and therefore not required to clearly display
18 identification pursuant to this section, shall visibly display or otherwise provide identification that
19 includes their agency and either a name or badge number or both name and badge number when
20 performing their enforcement duties upon request, unless expressly exempt under subdivision (c).

21 (c) *Exemptions.* The following situations are exempted from this section:

22 (1) Active undercover operations or assignments authorized by supervising personnel or
23 court order.

24 (2) Applicable law governing occupational health and safety.

25 (3) Applicable law governing reasonable accommodations.

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27 Secs. ~~28-300~~304 - 28-319. - Reserved.

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29 **REMAINDER OF PAGE INTENTIONALLY BLANK**

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1 COMMITTEE APPROVAL DATE: February 11, 2026

2 MAYOR-COUNCIL DATE: February 17, 2026

3 PASSED BY THE COUNCIL _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9

10 NOTICE PUBLISHED IN THE DENVER POST: _____ ; _____

11

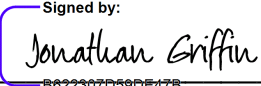
12 PREPARED BY: Jonathan Griffin, Assistant City Attorney; DATE: February 19, 2026

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14 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
15 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
16 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
17 § 3.2.6 of the Charter.
18

19 Miko Ando Brown, Denver City Attorney

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21 BY:  _____, Assistant City Attorney

DATE: 2/19/2026 | 10:00 AM MST