

1 BY AUTHORITY

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2026

COUNCIL BILL NO. \_\_\_\_\_  
COMMITTEE OF REFERENCE:

4  
5 A BILL

6  
7 **For an ordinance amending Chapter 28 of the Revised Municipal Code**  
8 **concerning law enforcement officer identification.**  
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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.

31  
32 **Sec. 28-301. Definitions.**

33 As defined in this section:

34 (1) "Facial covering" means any opaque mask, garment, helmet, headgear, or other item

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

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

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

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

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

11 (2) "Law enforcement personnel" means any person employed by any local, state, or  
12 federal agency that assists in the investigation or enforcement of criminal or civil matters.  
13

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

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

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

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

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

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

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

27 (4) Applicable law governing reasonable accommodations.

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

30 (6) Personnel assigned to the Emergency Response Unit (ERU) while actively performing  
31 ERU duties.  
32

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

34 (a) *Identification of law enforcement personnel.* Law enforcement personnel, shall clearly

1 identify themselves by displaying their name, badge or identification number:

2 (1) In a size and format that is clearly legible from not less than 25 feet, using materials or  
3 markings suitable for visibility in both daylight and low-light conditions, under normal operation  
4 conditions;

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

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

9 (4) Any law enforcement personnel that does not display the above information, shall  
10 provide their name and badge or identification number.

11 (b) *Exemptions.* The following situations are exempted from this section:

12 (1) Active undercover operations or assignments authorized by supervising personnel or  
13 court order.

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

15 (3) Applicable law governing reasonable accommodations.

16 (c) *Penalty.* Any person who does not provide the information requested in this section  
17 shall be presumed to be impersonating an officer, subject to the penalties in Sec. 38-33, D.R.M.C.

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19 Secs. 28-300304 - 28-319. - Reserved.

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21 COMMITTEE APPROVAL DATE: \_\_\_\_\_, 2025.

22 MAYOR-COUNCIL DATE: \_\_\_\_\_, 2025.

23 PASSED BY THE COUNCIL \_\_\_\_\_ 2025

24 \_\_\_\_\_ - PRESIDENT

25 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2025

26 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
27 EX-OFFICIO CLERK OF THE  
28 CITY AND COUNTY OF DENVER  
29

30 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2025; \_\_\_\_\_ 2025

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32 PREPARED BY: \_\_\_\_\_; DATE: \_\_\_\_\_

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34 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
35 City Attorney. We find no irregularity as to form and have no legal objection to the proposed

1 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
2 3.2.6 of the Charter.

3

4 Katie J. McLoughlin, Interim City Attorney

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6 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney

DATE: \_\_\_\_\_

DRAFT