

**Colorado Revised Statutes: Title 16: Criminal Proceedings:
16-2.5-101. Peace Officer - Description - General Authority.**

TITLE 16. CRIMINAL PROCEEDINGS. CODE OF CRIMINAL PROCEDURE.

ARTICLE 2.5. PEACE OFFICERS. PART 1. PEACE OFFICERS.

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- (1) **A person who is included within the provisions of this article and who meets all standards imposed by law on a peace officer is a peace officer,**
and, notwithstanding any other provision of law,
no person other than a person designated in this article is a peace officer.

A peace officer
may be certified by the peace officers standards and training board pursuant to part 3 of article 31 of title 24, C.R.S., and, at a minimum,
has the authority to enforce all laws of the state of Colorado while acting within the scope of his or her authority and in the performance of his or her duties,
unless otherwise limited within this part 1.

- (2) **A peace officer certified by the peace officers standards and training board**
shall have the authority to carry firearms at all times, concealed or otherwise, subject to the written firearms policy created by the agency employing the peace officer.

All other peace officers
shall have the authority to carry firearms,
concealed or otherwise,
while engaged in the performance of their duties
or as otherwise authorized by
the written policy of the agency employing the officer.

- (3) **As used in every statute, unless the context otherwise requires,**
"law enforcement officer" means a peace officer.

Case Notes, Annotation:

Annotator's note. Since § 16-2.5-101 is similar to repealed § 18-1-901 (3)(l), relevant cases construing that provision have been included in the annotations to this section.

Jailer included as peace officer. The jailer is a deputy sheriff and as such is a peace officer within the definition of subsection (3)(l). *People v. Shockley*, 41 Colo. App. 515, 591 P.2d 589 (1978).

Fellow officer doctrine applicable to parole officer. By definition in the "Colorado Criminal Code", the parole officer is a "peace officer", and there is no persuasive reason why a parole officer should not come within the fellow officer doctrine. *People v. Bergstrom*, 190 Colo. 105, 544 P.2d 396 (1975).

Under the "fellow officer rule", a sheriff's deputies were entitled to rely upon and accept the information supplied by the parole officer. *People v. Bergstrom*, 190 Colo. 105, 544 P.2d 396 (1975).

For purposes of the reference to subsection (3)(l)(I) made in § 24-31-302 (5), the certification requirement does not constitute a part of that the referenced definition. *Fraternal Order, No. 27 v. Denver*, 914 P.2d 483 (Colo. App. 1995).

The phrase "has the authority to enforce all the laws of the state of Colorado while acting within the scope of his authority and in the performance of his duties", does not constitute a part of the definition of peace officer, level I. *Fraternal Order, No. 27 v. Denver*, 914 P.2d 483 (Colo. App. 1995).

Applied in: *People v. Roberts*, 43 Colo. App. 100, 601 P.2d 654 (1979); *People v. Herrera*, 633 P.2d 1091 (Colo. App. 1981).