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POLICY: The Operations Division has established a divisional policy and procedure to supplement the department’s *Written Directive System* policy, to aid in the development, maintenance, and consistency of divisional policies and procedures. If a conflict is found to exist between a divisional and a departmental policy and procedure, the departmental policy and procedure shall always control and take precedence.

RELATED PROCEDURES:  
Policy 201 – Written Directive System

DEFINED:
FTO Manual: A manual containing written directives, procedures, and checklists, utilized by a recruit-level employee throughout their new employee training. FTO manuals are specific to each job type, although some procedures may be common between programs.

Ops Command Staff: The command group of the Operations Division, which includes all of the division’s commanders and is led by the Operations Division Chief.

PROCEDURE:  

I. Written Directive System

   A. The Operations Division shall incorporate the format and structure for divisional policies and procedures outlined in Policy 201(III) for all divisional written directives, procedures, and policies.

   B. The Operations Division administrative commander is the designated divisional representative responsible for the oversight, maintenance, revision, and management of the division’s policy and procedure, as required by Policy 201(V)(B)(1). This includes maintenance of the master list of all divisional policies and procedures, including revision dates, and assigning policy and procedure numbers.

   C. The Operations Division’s various FTO manuals contain a number of procedures that are not formally codified in the division’s policy and procedure manual because of the frequency of changes they undergo.
The call type procedures outlined in the divisional FTO manual(s) are considered written directives and have the same effect as a formal divisional procedure.

1. It is the responsibility of the Operations Division training sergeant to make sure the call type procedures in the FTO manual(s) outline current practice and procedure, and to publish periodic updates of each FTO manual.

D. Decisions about policy and procedure made by the Operations Division command staff and/or the Operations Division chief should be memorialized and codified into the Operations Division policy and procedure manual for both record-keeping and a single point of reference for divisional staff that may need to research or consult policy and procedural decisions and guidance.

II. Policy and Procedure Process

A. Any employee of the division may propose a divisional policy, procedure, or written directive, or an amendment thereof, consistent with this policy and the department’s written directive policy.

B. Prior to the implementation of a new or revised policy and procedure, subject matter experts may have an opportunity to review and comment on the proposed policy, procedure, or amendment, prior to it being forwarded for final review.

1. The opportunity for review or input may be accomplished in a number of ways, including, but not limited to, a briefing discussion, by phone, by reviewing a manual draft of the document, or any combination thereof.

C. Once impacted work groups or subject matter experts have had a chance to provide input or comment, all proposed policy and procedures are forwarded to the Ops Command Staff for final review, comment, and discussion, prior to the Operations Division Chief approving the policy.

D. The Operations Division Chief is responsible for determining what, if any, proposed divisional policies or procedures or amendments – including
policy statements – require the Sheriff’s, Undersheriff’s, and/or Executive Staffs’ review, approval, or comment prior to implementation.

E. The Operations Division Chief is the sole authority for authorizing written policies and procedures for the division.

III. Availability of Divisional Policies and Procedures

A. All current divisional policies and procedures are made available to sheriff’s employees, unrestricted, through the sheriff’s policy website on InsideBC.

B. Operations Division policies and procedures are publically available on the sheriff’s external website (www.bouldersheriff.org), unless a determination has been made that general public disclosure would be contrary to public safety (e.g. a policy or procedure contains tactical, strategic, or operational information that is law enforcement sensitive, etc.).

1. A determination is made at the time a divisional policy or procedure is signed as to whether it should be restricted from public access or not and is indicated on the policy below the division chief’s order. The decision to withhold public dissemination of a divisional policy or procedure must align with the requirements of the Colorado Open Records Act and the Criminal Justice Records Act.

C. It is the responsibility of the division’s administrative commander to ensure that updates to the public and internal websites are made through the Sheriff’s Computer Support (SCS) group.

1. The administrative commander must specify in the message if the policy and procedure is authorized to be published externally or not.

D. The administrative commander is responsible for dissemination of new/revised policies to the impacted work groups, as well as to the members of the sheriff’s policy working group.

IV. Record-Keeping

A. All prior versions of written policies and procedures shall be maintained in accordance with the department’s retention schedule.
By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/3/2017
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Operations Division recognizes that there will be times when employees are unable to fulfill the essential functions of the job for which they were hired as a result of physical restrictions resulting from an injury or other medical condition. Modified duty assignments are used to assist employees in the transition back to full-duty status. This divisional policy and procedure guides the application of modified duty assignments in the Operations Division within the framework of related departmental policies. If a conflict is found to exist between this divisional and a departmental policy and procedure, the departmental policy and procedure shall always control and take precedence.

RELATED POLICIES & PROCEDURES:
Policy 305 – Fitness & Essential Job Demand Testing
OP106 – EJD Testing (Operations Division)
Policy 316 – Injured & Illness – Modified Duty
County Policy 15.5 – Workers’ Compensation Policies & Procedures

DEFINITIONS:
[None]

PROCEDURE:

I. Eligibility

A. To be eligible for a temporary modified duty assignment an employee must have a medical clearance from a physician, authorizing their return to work, and which specifies any limitations upon their performance (but which does not allow the resumption of full job duties).

B. For a non-duty-related injury there must be a prognosis that the employee will be able to return to a full-duty status within two weeks.

1. Non-duty-related injuries with a return to full-duty prognosis greater than two weeks will be reviewed on a case-by-case basis.

   a. If the employee requests a return to work in a modified duty assignment prior to a two-week full-duty prognosis, the affected employee’s commander will obtain a copy of the employee’s medical clearance with the listed restrictions, the return to full-duty prognosis date, and will determine what modified duty assignments may be available for the employee that is generally commensurate or related to a portion of their primary job.
assignment.

b. The affected employee’s commander will prepare a written request to the division chief outlining the restrictions, return-to-duty prognosis, summary of work assignments available, and a recommendation as to whether the employee should be assigned to modified duty prior to the two-week full-duty prognosis date.

c. The Operations Division Chief will make a final determination as to whether the employee is eligible and will be offered a modified duty assignment.

   1) The division chief’s decision is noted on the memorandum prepared by the affected employee’s commander, and is subsequently placed in the employee’s personnel file.

II. Assignment to Modified Duty Assignments

A. Temporary modified duty assignments are made at the discretion of the division chief and may include temporary reassignment to a different supervisor, section, or division.

B. The division chief may rescind the decision to permit a temporary modified duty assignment for cause, or if there is no longer substantive work available to accommodate the injured employee.

C. When determining whether or not to permit a temporary modified duty assignment, the division chief will consider the needs of the organization, the employee’s primary duties, and any other pertinent factors.

D. When making temporary modified duty assignments, on the job injuries will take precedence over non-duty related injuries and/or other medical conditions.

E. Temporary modified duty assignments are normally granted only when the employee is expected to return to full duty within two weeks, with the exception of pregnancy and on-the-job injuries within the first ninety-days.

F. The division chief may grant other exceptions to the two-week rule based on the needs of the division, in accordance with Title I, Paragraph A, Section 1.
III. Supervisor Responsibilities

A. Any supervisor assigned to supervise an employee on a temporary modified duty assignment is responsible for:

1. The employee’s time sheet, schedule, FMLA notification, case review, et al.

2. Assignment of special projects.

3. Primary contact and coordination with County Risk Management, Sheriff’s personnel, and the employee concerning the employee’s status with regard to returning to full duty.

IV. Employee Responsibilities

A. The primary obligations of deputies assigned to temporary modified duty are to take telephone reports and assist citizens who present themselves at the counter looking for assistance.

B. Other tasks may be assigned commensurate with their primary duties, experience, and abilities so as to ensure the optimum use of their time.

C. The usual work hours for employees on temporary modified duty coincide with dayshift hours during primary work days (Monday through Friday). An employee may be assigned to work a 5x8 or 4x10 schedule based upon divisional and/or employee need.

1. These hours may be adjusted, on a day-to-day basis, so as to allow the employee to make appointments with physicians, physical therapists, or other health care providers outside of regular work hours. The time used for appointments with physicians, physical therapists, or other health care providers is not compensable.

2. The commander may approve exceptions to the regular work hours.

D. Employees assigned to a temporary modified duty assignment should not wear their uniform but will dress in professional attire (i.e. “business casual” attire), consistent with the duties to which they have been assigned.

V. Return to Duty

A. Prior to returning to full duty, employees will provide a written medical clearance from a physician, authorizing their return to full duty.
B. After obtaining a written medical clearance from the employee’s physician authorizing their return to full duty, deputies are required to complete return-to-duty testing prior to returning to full-duty.

1. Deputies returning from injury leave are required to complete the Essential Job Demands (EJD) test prior to returning to their primary job functions, as outlined in the departmental and divisional EJD policies.

2. Firearms qualification is required for any deputy who missed a mandatory qualification event during their period of restricted duty, or if an injury involved any body part of function required in the use and deployment of firearms, prior to a return to full duty. If, in the circumstances of an off-duty job injury the nature of the injury is unknown, firearms qualification shall be required.

3. Employees are not required to disclose information related to an off-duty injury beyond what is required by departmental and county policy. If a deputy desires a waiver to the requirements of this section in order to return to full-duty without completing the EJD and a firearms qualification, they are required to provide sufficient detail for the division chief to make a determination as to whether a waiver should be granted or not.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/19/2017

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Operations Division has established this policy to supplement the departmental and county policy in absence reporting. All requests for planned leaves of absence are made in advance of the leave, except medical and on-the-job injury leave, which are to be reported as soon as possible. All requests for leave, except medical and on-the-job injury, require supervisor approval prior to the leave. Unplanned time off, or sick time, notification is made through the on-duty supervisor. If any conflict arises between the departmental policy and this divisional policy, the departmental policy shall take precedence and control.

RELATED PROCEDURES:
Boulder County Personnel & Policy Manual #5.5
Policy 302 – Salary & Compensation Plan
OP108 – On-Call Procedures
OP116 – Minimum Staffing Requirements

DEFINITIONS:
[None]

PROCEDURE:
I. Divisional Schedule

   A. The division’s official staffing schedule is maintained in the Aladtec™ cloud-based scheduling software solution. All requests for leave and time off are managed, including approval, in this system.

II. Annual Vacation Leave

   A. Shift and job rotations occur annually during the February pay period (i.e. on or about January 26th, the start of the February pay period). As soon as shift assignments and Aladtec™ schedules are finalized on or about October of the preceding year, shift sergeants will facilitate the two-week vacation leave process.

   B. Deputies may choose up to a maximum of two weeks of time off during the upcoming year. Selections must be continuous days and no single days spread over multiple weeks. (i.e. during this portion of scheduling vacation, deputies may not select seven consecutive Sundays). However, deputies could split the two weeks into two full, separate weeks.

   C. Sergeants will facilitate the selection of time off by deputy seniority.
D. During the selection of time off, no days can overlap with another deputy’s selection for deputies working the same shift.

E. Once all deputies have made their selections, any shift shortages (i.e. FMLA, injury, etc.) will be backfilled.

F. Once the time off selection has concluded, additional time can be requested as Aladtec™ availability permits, first come, first served for deputies working the same shift. All time off submissions will be made via Aladtec™ and each day of leave time must be submitted individually and for the entire shift (0600 – 1800 or 1800 – 0600).

G. Deputies are not required to participate in this program. Deputies will also not be allowed to exercise this option once the process has closed.

H. In the event of a major disasters (i.e. pandemic scenario, 2013 major flood, etc.) or significant public safety event, deputies who are in town and available to return to active duty, are expected to return immediately.

III. Planned Leave Requests

A. Employee’s responsibility when requesting leave:

1. Prior to requesting time off, if the time off is in the current or following two months, the employee should review the online schedule for the day(s) requested and confirm that minimum staffing is met for the duration of the time off being requested. This can be done online by the employee by visiting the Aladtec™ web-portal.

   a. An employee may still request time-off on the long-term schedule (e.g., greater than three months out) if minimum staffing thresholds are not met, but there is no guarantee or expectation of approval.

   b. If staffing levels are below minimums, the employee seeking time-off may still seek a trade with another employee in accordance with the Salary & Compensation Policy (#302).

2. If minimum staffing levels are met, or an exception exists under §II.A.1.a. or II.A.1.b., enter a time-off request in the Aladtec™ indicating the type of leave to be used, or a trade request with the second employee.

B. Supervisor’s responsibility when approving leave:

1. The employee’s immediate supervisor is responsible to review the "Time
off requests section in Aladtec™ to view all leave requests, in a timely manner. Immediate supervisors are authorized to approve leave time requests for up to three months out from the current date. The involved employee’s commander is responsible for approving leave requests beyond three months.

a. The reviewing supervisor will review all leave requests chronologically by date of submission, which is indicated in the Aladtec™ system. If two or more leave requests are submitted on the same day for the same day or time period, the reviewing supervisor is to review the leave requests.

2. If minimum staffing is met while allowing the requested time off, the supervisor will approve the time-off request in Aladtec™.

3. Leave, which has previously been granted as an adjustment day, can be canceled if allowing the time off adversely impacts the minimum shift staffing levels.

IV. Completion of Leave Request

A. All leave requests are submitted and reviewed in Aladtec™. Anyone submitting leave requests must submit a separate leave request for each day they are requesting off, not for a block of days (this is for the instances where 2 out of the 3 days can be approved, but the 3rd cannot. If the leave request is submitted for a block of time, when a specific day is denied, the entire block of time is denied).

B. Aladtec™ will notify the employee submitting the leave request if the leave time is approved or denied. If some of the days requested can be granted, but not all, the supervisor will notify the employee of the denial.

V. Medical Leave

A. Employee’s responsibility:

1. Notify the on-duty supervisor personally as soon as possible when it is known that you will be unable to work all or part of your assigned shift due to sickness.

2. After the third consecutive day of medical leave the employee shall speak personally with their immediate supervisor to ensure necessary information is provided for FMLA notification to be made to County HR through the online notification portal.
B. Supervisor’s responsibility:

1. When notified of a sick call, the supervisor will enter the sick call into Aladtec™, and make a note in the notes section of the system what time the employee notification was received. The supervisor will check the Aladtec™ schedule for any other information, event, or activity that may be impacted by the absence.

   a. If minimum staffing is not met, the on-duty supervisor should contact the affected shift supervisor to advise them of the absence and that minimum staffing will not be met (if practical). If this is not practical, they should arrange for coverage with off-duty personnel, in accordance with the Minimum Staffing Requirements (OP116) and On-Call (OP108) policies.

2. The on-duty supervisor should provide written notification of the sick call and any pertinent details to the employee’s supervisory team.

C. Off-Duty / Extra-Duty Assignments / Specialty Assignments

1. When an employee is unable to work or complete an off-duty/extra-duty assignment due to sickness, the employee will notify the extra-duty coordinator, and, if appropriate, the extra-duty event supervisor (if one is assigned) personally, as soon as possible.

2. The on-duty supervisor (or the extra duty event supervisor, if assigned) is responsible for reviewing the extra duty log and filling the vacant position as required.

3. Specialized units such as Detectives, Drug Task Force, Court Security, Civil, School Resource Officers, Animal Control, etc., have staffing and scheduling requirements which may necessitate work schedules which are different from the rest of the Operations Division. As such, they can utilize different time off request and scheduling methods which are conducive to their respective units. Time off granted will still be reflected in the Aladtec™ system

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

4/14/2020
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Job & Shift Assignments

EFFECTIVE DATE: February 13, 2018

POLICY: The Operations Division has established the following guidelines for determining divisional job assignments and duties, including assignments to shifts, specialty units, and collateral duties. The Operations Division Chief has sole authority to assign any member to any position based upon the needs of the organization.

RELATED PROCEDURES:
301 – Classification & Assignment
304 – Conditions of Employment

DEFINITIONS:
Collateral Duty: An ancillary duty outside of an employee’s primary job assignment that requires specialized or on-going training (e.g. Honor Guard, K9 handler, SWAT Team, EOD Technician, etc.).

Core Assignment: An appointment to a specialized assignment that is not subject to periodic rotation.

Longevity: The length of time a person has been employed by Boulder County with no more than a thirty-day break in service.

Seniority: The length of time an FTE employee has in a job classification (time-in-grade) with no more than a thirty-day break in service.

Shift Bid: An expressed desire to work specific shifts or schedules available within a job assignment for an upcoming year or other defined term, which are typically provided in rank order.

Specialized Assignment: A primary job assignment for sworn personnel in a specialized unit, function, or role.

Specialty Unit: Units or sections within the Operations Division that are outside of normal patrol operations.
PROCEDURE:

I. Job Assignments for Sworn Personnel

A. Patrol Section

1. The Patrol Section is the core job assignment for sworn personnel assigned to the Operations Division. All specialty job assignments, unless approved by the Operations Division Chief or the Sheriff, are filled with deputies currently assigned to the division.

B. Specialty Units

1. Job assignments to specialized units are made through a competitive selection process.

   a. The Operations Division Chief and sheriff retain the authority to waive a competitive selection process, conduct a competitive selection process externally, and/or appoint a sheriff’s employee to a specialized assignment based upon organizational need.

2. To provide a variety of opportunities for deputies and sergeants, the term of assignment to a specialty unit is three years. If mutually beneficial to both the employee and the division, the employee may be extended in the specialty job assignment on an annual basis for two additional years, for a total of five years.

   a. Partial years in a specialty assignment are not counted toward the employee’s eligible term. Terms, with the exception of school resource officers, are calculated based upon the February pay period, which is when shift rotations occur annually. If a specialty job assignment start date does not occur within the February pay period, the term does not start until the following February for purposes of calculating rotation dates.

      1) School Resource Officer (SRO) assignments are based upon the school year, not the shift year. Therefore, SRO terms are calculated based upon the July pay period (July 26 – August 25).
b. The following sections, units, and positions, are considered specialized job assignments for sworn personnel and are subject to rotation:

1) Detective Bureau: One detective sergeant and three detectives

2) Boulder County Drug Task Force: One detective sergeant and three detectives
   i. One detective position assigned to the DTF is on a contractual basis and is contingent on the availability of funds.

3) Boulder County Parks & Open Space Unit: Two deputies

4) Emergency Services Unit: One deputy

5) Civil Unit: One sergeant and three deputies

6) Court Security Unit: One sergeant and four deputies
   i. Typically the unit maintains two deputy positions that rotate out of the Jail Division. For any position filled on a rotational basis out of the Jail Division, upon completion of their rotational assignment to the unit, the deputy will rotate back to their home division and be replaced by a successor from the jail.

7) Personnel & Training Unit (Administration Division): One commander and one sergeant.
   i. The undersheriff oversees the Administration Division and will make the determination on the rotation timeline of any employees who rotate into the division, including any requested extensions.

8) Municipal Contracts (Lyons & Superior): The contract deputy positions are considered specialty assignments
due to their nature, as they don’t require backfill and are not subject to calculation in minimum patrol staffing requirements. The work schedules for these positions are set by the sergeant assigned to oversee the contract municipality and may vary throughout the year based on the contracting municipality’s needs.

i. Town of Superior: One sergeant and one deputy

ii. Town of Lyons: One sergeant

9) School Resource Officers (SROs): Three deputies

10) Mountain Program: Four deputies

c. At the conclusion of the maximum term of a specialty assignment, the specialized job assignment must be posted for the competitive selection of a successor, or the successor must be selected from an existing eligibility list.

1) If no suitable successor candidates are identified through a competitive selection process, at the discretion of the Operations Division Chief, the incumbent may be extended for an additional year beyond their maximum term provided the continued assignment is mutually beneficial for both the division and the employee, or the Operations Division Chief may select any deputy off probation.

i. An employee can be extended in this manner perpetually, provided the position is posted annually, and no suitable successor candidates are identified.

2) If an employee has announced a planned retirement in the months following their mandatory rotation date, at the discretion of the Operations Division Chief, the employee may be extended in the specialty assignment until their retirement.
3. The Operations Division Chief may extend the maximum term of a deputy or sergeant assigned to a rotating specialized job assignment for cause (e.g. an employee is due to retire six months after they would be due to rotate out of an assignment, numerous rotations in a unit or section will occur simultaneously and result in a lack of stability, etc.).

4. In certain units and sections there is a need for tenured, career-track employees who are not subject to periodic rotation from the specialized assignment in order to develop subject-matter depth and expertise.

   a. The following specialized assignments are core, non-rotating assignments in the Operations Division for sworn personnel:

      1) Detective Bureau: One detective sergeant, seven detectives, and a forensic analyst.

      2) Emergency Services Unit: One sergeant* and one emergency services coordinator [deputy]*.

      3) Court Security Unit: Two deputies.

      4) Training Office: One range master/armorer

      5) Boulder County Parks & Open Space Unit: Two deputies

      6) Mountain Program: Four deputies

   b. Deputies appointed as “core” in their specialized assignment are not subject to periodic rotation without cause, unless they request re-assignment.

   c. Prior to being designated as a “core,” non-rotating position in units or sections with a blend of both core and rotating positions, the incumbent must first serve in a rotating capacity.

5. *There are several specialty unit positions currently occupied by deputies who did not enter the specialty assignments as patrol-qualified deputies, or having served in the Patrol Section prior to being assigned to a specialty assignment [cf. I(B)(4)(a), subsections (2) and (3)]. These individuals are not subject to rotation out of the specialty
assignment they currently occupy; however, their specialty positions will convert to rotating assignments through attrition.

C. Command Assignments

1. Commanders are assigned by the Operations Division Chief over the following sections:
   a. Administrative Section
   b. Boulder County Drug Task Force
   c. Detective Bureau (general investigations)
   d. Patrol (2)
   e. Special Operations

2. The term of command assignments is typically between three and five years, but is at the sole discretion of the Operations Division Chief, and is based on divisional needs.

3. Command job assignments within the division are made by the Operations Division Chief, in consultation with the sheriff, and are not subject to a competitive selection process.

II. Shift Bids

A. When conducting shift bids or schedule assignments for sworn and non-sworn staff, regardless of job assignment, seniority is the primary consideration.

1. The prevailing consideration for all shift and job assignments are overall divisional or department needs (e.g. vacancies may need to be carried on patrol shifts to allocate personnel equally to ensure appropriate patrol coverage around-the-clock, when an employee would otherwise have seniority to fill a vacancy on a shift).

   a. In recognition of the complexities of the job of a deputy assigned to the Patrol Section, proficiency in nightshift operations (e.g. handling in-progress calls, intoxicated persons, DUI investigations, etc.) cannot be obtained during the course of the Field Training Program. Deputies must be assigned to a
powershift or nightshift for one full shift year before they are eligible for assignment to a dayshift position. For purposes of shift bid, seniority will not be considered until one year after completing the FTO Program and shift assignment will be at the discretion of the Operations Division Chief.

B. In order to balance the availability and impact of certain collateral duty or specialty positions (e.g. SWAT tactical operators and negotiators, K9 handlers, mountain deputies, etc.), these specialized collateral duties may be assigned specific shifts or schedules (i.e. two SWAT tactical operator positions may be allocated to each shift, or one K9 handler is allocated per shift). These positions are filled by those deputies assigned to the corresponding collateral duties or specialty assignments, with seniority being the primary consideration in filling the designated role(s).

C. Shift and job rotations occur annually during the February pay period (i.e. on or about January 26th, the start of the February pay period).

1. For patrol shift bids, the following timeline guides the shift bid and assignment process in anticipation of the February shift rotations, absent an emergency or extraordinary circumstances:

   a. Identify what specialty job assignments will have vacancies the following year by September 1st.

   b. Conduct competitive selection processes – or if an eligibility list for a specialty job assignment is in effect, select personnel for appointment to the specialty job assignment – by the end of September.

   c. Shift bids for patrol sergeants will be posted by October 1st, and assignments determined by mid-October.

   d. Shift bids for deputies assigned to the Patrol Section are posted by mid-October and are due no earlier than ten days after posting. Final shift assignments, effective the following February pay period, are announced by mid-November.

   1) Shift bids for deputies and animal control officers not assigned to the Patrol Section but who will bid for shift
III. Eligibility Criteria for Specialized Assignment or Collateral Duties

A. The following criteria, at a minimum, shall be included in all specialized job assignment and collateral duty selection processes in the Operations Division:

1. The employee must have served for two years in the Operations Division;

2. The employee must be off probation;

3. The employee must not be the subject of an active performance agreement;

4. The employee must have a standard evaluation or greater for the prior evaluation period;

5. The employee must not have been the recipient of significant discipline (a written reprimand or greater) within the preceding year; and

6. The employee must receive a supervisory endorsement through their chain-of-command (sergeants and commander).

   a. A supervisory endorsement is an affirmation that the employee meets the basic criteria of the specialized job assignment or collateral duty; possesses and has consistently demonstrated the requisite character, competence and communication skills required to be successful in the specialized job assignment or collateral duty being sought; and has the full support of the supervisor to seek appointment.

   b. Any supervisory reservations or concerns about the application are to be made in writing and forwarded with the application.

B. Additional application requirements may be included at the discretion of the unit or section commander.
C. The Operations Division Chief has sole authority to grant exceptions or waivers to basic application criteria. All waiver and exception requests are to be made in writing and a decision on the waiver or exception request will be returned in writing.

D. The affected unit or section commander is responsible for the design, content, elements, and scope of the competitive selection process.

E. The final appointment authority for any specialized job assignment or collateral duty is the Operations Division Chief, in consultation with the Operations Division commanders.

1. It is the responsibility of the affected unit or section commander to provide a copy of the written appointment to the Personnel Unit for placement in the appointed employee’s personnel file.

F. The resulting documentation from a competitive selection process is submitted to the Operations Division administrative commander for retention in accordance with the division’s established records retention schedule.

By Order of the Division Chief,

[Signature]
Robert Sullenberger,
Division Chief
2/13/2018

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
2/2018: Updated §§ 2.b.7 for core assignments and multi-divisional rotation; 2.b with Personnel & Training merger.

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Ride-Along Program

EFFECTIVE DATE: February 24, 2017

POLICY: In the interest of promoting communication and demonstrating transparency to the public, it is the policy of the Boulder County Sheriff’s Office to permit interested citizens to participate in ride-alongs with uniformed deputies and Animal Control specialists.

RELATED PROCEDURES:
[None]

DEFINITIONS:
[None]

PROCEDURE:

I. Requirements

A. All citizens, cadets, victim advocates, chaplains, and other office volunteers who plan to participate in a ride-along must complete and sign a Waiver of Liability form.

   1. Candidates between the ages of sixteen and eighteen may ride with the permission of a parent or guardian; the parent or guardian must sign a Waiver of Liability. The Waiver form is available online at: http://www.bouldercounty.org/sheriff/field.ops/ride.along.htm

   2. Citizens must complete a new Waiver of Liability form each time they make a ride-along request.

   3. Cadets, victim advocates, chaplains, department volunteers, and family members of deputies or animal control specialists who ride-along only need to complete the Waiver of Liability form once, as the form will be retained on file.

B. Riders under the age of sixteen are not typically permitted to participate in ride-alongs; however, a supervisor may make an exception for cause.

C. Upon receipt of the completed Waiver of Liability form, and prior to the ride-along being scheduled, a routine background check and criminal history shall be completed.
1. For general citizen ride-along requests, this is most frequently completed by the Personnel Section in the Administrative Division.

2. The routine background check shall include, at a minimum, a check of wants/warrants, criminal history, and driver's license check.

D. The supervisor assigned to schedule ride-alongs may, in their discretion, disqualify applicants with a criminal history, or who are deemed to pose a potential hazard to the deputy, the public, or themselves.

E. Citizens are limited to one ride-along every six months.

F. Citizens under the age of eighteen are not permitted to ride-along between the hours of 12:00 a.m. and 6:00 a.m.

II. Scheduling

A. Upon the receipt and review of the signed Waiver of Liability, along with the completed background check, an Operations Division supervisor will, as appropriate, contact the requestor and schedule the ride-along or inform them why the request was denied.

1. If the ride-along request is denied, the denying supervisor will note the reason for the denial on the waiver form along with the date and time the requestor was notified of the denial. The waiver form is then forwarded to the Personnel Section in the Administrative Division for retention as outlined in Section IV.

B. The Operations Division supervisor responsible for scheduling the ride-along shall complete the following steps:

1. Inform the citizen the name of the deputy they are assigned to ride with, the location of where they are to meet, and the date and time(s) of the scheduled ride-along.

2. Enter “Rider” on the master schedule by the assigned deputy's name on the date the ride-along is scheduled. The rider’s name and contact phone number should be entered on the daily schedule under the “Notes” section, along with the coordinating supervisor's number, in the event a last minute change must be made.
3. Notify the assigned deputy of the citizen rider assignment and provide the citizen’s contact information.

C. The supervisor scheduling the ride-along should be cognizant of deputies other assigned duties (i.e. FTO obligations, number of recent riders and trainees assigned to the deputy, etc.) and the number of assigned civilian riders on any given shift.

   1. Absent unusual or extenuating circumstances, there should be no more than three ride-alongs on any given shift, including citizen riders, cadets, chaplains, victim advocates, and department volunteers.

D. Cadets, volunteers, victim advocates, chaplains, and other internal members of the sheriff’s office may coordinate their own ride-along arrangements with a specific deputy, but must still receive supervisory approval and have the ride-along denoted on the schedule prior to the ride-along occurring.

III. Discretion

A. Supervisors are given broad discretion in permitting or restricting personal friends and family members the opportunity to ride-along with a particular deputy or animal control specialist.

IV. Record-Keeping

A. After the ride-along is completed, the deputy emails the Operations Division supervisor that the scheduled ride-along was completed. The deputy may provide any comments or feedback to the supervisor for future consideration in the event the individual requests another ride-along or applies, or has applied, for employment.

B. The supervisor notes on the Waiver of Liability form the date the ride-along occurred, along with any comments or feedback provided by the assigned deputy, to the Personnel Section in the Administration Division for filing.
1. The *Waiver of Liability* form for completed ride-alongs is held for a minimum of three years in accordance with the office’s retention schedule.

By Order of the Division Chief,

Robert Sullenberger,  
Division Chief  

2/24/2017  

ATTACHMENTS OR ADDENDUMS:
OP105-A  Waiver of Liability Form

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Essential Job Demands Testing  
NUMBER: OP106  
EFFECTIVE DATE: January 3, 2017  
SUPERSEDES: [New]

POLICY: The Boulder County Sheriff's Office has established a fitness and essential job test for certain enforcement positions within the organization. This divisional policy and procedure supplements the department policy and outlines how the essential job demand testing is carried out in the division as required by Policy #305(I)(B).

RELATED PROCEDURES:  
Policy 305 – Fitness & Essential Job Demand Testing

DEFINITIONS:  
Essential Job Demand: The minimum physical demands required for each position to effectively perform the job; it may also be informally known as the “EJD.”

Fitness for Duty: The establishment of an individual’s ability to effectively perform the essential job demands of the position they are assigned.

PROCEDURE:

I. Testing Requirements

A. In order to comply with the requirement that the EJD be successfully completed annually, all Operations Division personnel subject to the EJD test shall complete the test prior to June 30th of each year.

1. Requiring the test be completed in the first half of each calendar year will allow an employee who fails the test, either through injury or level of fitness, to recover and complete the testing within the calendar year as required.

2. An Operation’s Division supervisor, or their designee, shall administer the EJD test.

B. Those Operations Division employees who are required to take the EJD test as a condition of hire for their job classification are required to successfully complete the test annually.
C. Operations Division employees required to successfully complete and pass the annual EJD test are required to successfully complete the test prior to returning to full duty from an injury leave, whether duty related or not, regardless of the number of successful tests they’ve completed prior to the injury.

1. The Operations Division Chief may waive the return-to-duty EJD requirement for an off-duty injury or medical condition that in no way relates to any physical performance tested or measured by the EJD test.

D. If an employee elects to voluntarily terminate the EJD testing once it has begun, it shall be treated as an unsuccessful testing attempt. Any reasons provided for the termination of the test will be noted on the EJD testing form by the test proctor.

II. EJD Reporting & Record Keeping

A. The Operations Division EJD compliance records are maintained by the Training Unit.

1. The Training Unit will electronically record all EJD testing attempts, whether the testing is successfully or unsuccessfully completed, prior to distributing the EJD paperwork to the employee as prescribed in Policy 305.

   a) If the Training Unit receives the EJD testing reports prior to endorsement by the division chief, they will ensure their endorsement is obtained prior to further distribution of the forms.

2. The Training Unit will send out periodic compliance and status reports to the divisional supervisors.
ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Operations Division has authorized deputies, under certain circumstances, the ability to exercise on-duty in an effort to encourage and promote a healthy lifestyle, higher levels of job-related fitness, and reduce on the job injuries.

RELATED PROCEDURES:
305 – Fitness & Essential Job Demands Testing
516 – Special Weapons & Tactics (SWAT)

DEFINITIONS:
[None]

PROCEDURE:

I. Deputies

A. Deputies may exercise on-duty during the course of their shift after obtaining authorization from the on-duty supervisor, or in the case of their assignment to a specialty unit, from their direct supervisor. Authorization must be obtained on a day-to-day basis and standing or blanket authorizations are not allowed.

1. The supervisor receiving the request will consider the current call load and shift staffing before approving or denying the request.

2. A maximum of two uniformed Patrol Section deputies may work out at the same time.

B. Uniformed deputies exercising while on-duty are restricted to on-site locations where they can be reached in person, or by cell phone or pager, in the event they need to immediately return to duty.

C. Deputies are limited to a maximum of three hours of on-duty workout time per week, not to exceed one hour per session.
II. SWAT Team

A. Tactical members of the SWAT Team are required to perform high-risk, strenuous operations, carrying necessary equipment, which requires a level of fitness beyond the basic essential job demands test.

B. As a result of the increased fitness requirements of a SWAT Tactical Team member ("operator"), SWAT tactical members are authorized a total of three hours of on-duty workout time per week.

1. If the SWAT Tactical Team member is in a line-level uniform assignment, the procedural steps in Part I of this policy are utilized for on-duty exercise.

2. If the SWAT Tactical Team member is assigned somewhere other than a line-level uniform assignment, the operator may use on-duty time to exercise as their schedule allows, up to the maximum time allowed by policy over the course of a week. The operator should coordinate with their supervisor to ensure that their scheduled on-duty workout time does not interfere or adversely impact unit operations.

III. Other Personnel

A. Nothing in this policy is intended to infringe upon or unnecessarily restrict an employee or deputy's ability to use a structured break time, if available, to exercise, if desired.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

3/27/2017

ATTACHMENTS OR ADDENDUMS:
[None]
SUBJECT: On-Call

EFFECTIVE DATE: January 29, 2019

SUPERSEDES: [New]

POLICY: The Operations Division shall maintain an on-call program for critical and essential divisional functions. The purpose of the on-call program is to maintain resource availability in the event unexpected staffing shortages occur, or a specialized resource is needed outside of normal business hours.

RELATED POLICIES & PROCEDURES:
302 – Salary and Compensation Plan
304 – Conditions of Employment
515 – Off-Duty Use of Sheriff’s Vehicles
OP112 – Staff Duty Officer (SDO)
OP116 – Minimum Staffing Requirements
OP519 – Detective Call Out
OP1404 – Fire Duty Officer (FDO)

DEFINITIONS:

On-Call Status: A scheduled period of time for which a deputy or detective will be the first to be notified of a response requirement.

PROCEDURE:

I. Patrol

A. Administration

1. Each patrol commander is responsible to ensure the proper administration and coordination of the on-call schedule for their assigned area of responsibility.

2. Minimum staffing thresholds are established for all operational units and sections with deputy personnel and are outlined in the Minimum Staffing Requirements (OP116) policy. Minimum staffing thresholds are determined based upon periodic workload or call load analysis and are adjusted as necessary.

   a. In order to ensure that minimum staffing requirements are met, an on-call rotation is established to allow on-duty
supervisors an avenue in which to obtain minimum staffing thresholds on short notice or when unable to fill vacancies alternatively.

3. Utilizing the on-call patrol deputy is to be viewed as an option of last resort to meet minimum staffing requirements.

a. Shift sergeants are responsible to look-forward at staffing deficiencies in the current month’s schedule, and the responsible commander for staffing deficiencies beyond the current month, and attempt to fill shift shortages through advertised voluntary overtime, modification of training schedules, etc.

b. Supervisors should utilize the on-call patrol deputy only after consideration of the following:

- Determine if any elective, local training events can be cancelled, and at what cost. If appropriate, re-assign the deputy to cover the staffing shortage;

- Consult with a specialty unit supervisor (e.g., SWAT, K9, Bomb Squad, etc.) to determine if a specialty unit team member can be reassigned from a team training day or event to cover minimum shift staffing;

- Determine if any extra-duty assignment(s) staffed by patrol-qualified deputies can be modified or cancelled, in consultation with the extra-duty coordinator;

- Attempt to modify the shift coverage needed by requesting voluntary overtime coverage by a deputy holding over after the conclusion of their shift, or an early beginning of watch from a member of the relieving shift, within the prescribed limits of authorized continuous duty time;

- Offer modified shift coverage times (e.g., six hour blocks) as an incentive to voluntary coverage, provided all critical hours are covered. Note: If the vacancy results from
unforeseen circumstances, supervisors are authorized to maintain staffing at one below minimums between the hours of 0300 – 0900 based upon call load analysis.

- Determining if uniformed, scheduled, on-duty sergeants or commanders are available to cover the vacancy.

B. On-Call Schedule

1. The on-call schedule shall be maintained in the Aladtec™ scheduling software.

   a. When building the on-call schedule, the responsible shift supervisor notifies the most senior deputy and request they sign-up for their on-call days in Aladtec™ (1 week for night shift ad 2 days for dayshift, not necessarily in a row).

      1). Deputies are required to sign up in a timely manner to not hold up the process, or the responsible supervisor may move to the next most senior employee.

      2). The responsible shift supervisor is to make the shift seniority list available to their staff for on-call sign-up order.

   b. Once the deputy pick’s their on-call days, that deputy notifies the next most senior deputy. This continues through the rotation of seniority until the schedule is built for that time frame.

   c. The responsible shift supervisor reviews and approves each sign-up day for the requested on-call shift in Aladtec™, changing the “Time Type” to “On-Call”.

   d. At the end of each completed month, the responsible shift supervisor will start the process again for the next open month. This process will be done the last week of the month. If a deputy is not at work the last week of the month, it is their responsibility to notify their supervisors what days they want to sign up for.

      1) The responsible shift supervisor keeps track of the last
deputy to sign up. When the next month of sign-up’s start, the first deputy to sign-up is where the previous sign-up list left off.

e. If someone must come off the on-call list due to injury, leave, etc. the shift supervisor will ask for volunteers to sign up. If no one volunteers, the supervisor will assign the on-call starting where the previous sign up left off.

2. Once the on-call schedule is completed in Aladtec™, it is the responsibility of each deputy to find a replacement if they are unable to work their assigned on-call date(s) or if they decide to trade on-call shift(s).

   a. The deputy who is scheduled to be on-call is responsible to ensure that any changes are reported to a supervisor and are updated appropriately in the Aladtec™ scheduling software.

   b. The on-call responsibilities outlined herein only transfer to the new on-call deputy upon a completed entry of the change into Aladtec™.

C. Utilizing Patrol On-Call

   1. As soon as it has been determined that the on-call deputy will be needed to fill a vacancy the on-duty supervisor is to make notification to the affected deputy and receive confirmation from the employee that they are aware they are required to report for duty.

      a. The supervisor making notification is to give appropriate consideration as to the proper manner and timing of notification of the employee in light of shift work and sleep schedules.

      b. The supervisor utilizing the on-call deputy is responsible for moving the on-call deputy from the on-call section to the proper district in Aladtec™. The “Time Type” should be changed to from “On-Call” to “Shift Coverage”.

   

D. Expectations

1. While on-call, the deputy is required to maintain availability and a personal condition (e.g., refrain from consumption of alcohol, etc.) that allows them to respond when needed.

2. The on-call deputy is required to remain available by department-issued telephone and department-issued pager, maintaining a reasonable response time during the term of their on-call assignment.
   a. For purposes of this policy, a reasonable response time is less than fifteen (15) minutes to acknowledge a page or respond to a telephone call/voicemail/text, and ninety (90) minutes or less to be in-service and available to handle calls for service.

3. Consistent with this policy and procedure, the on-call deputy is required to respond for duty at the direction of any on-duty supervisor.

4. The on-call deputy is released from their on-call obligation after the shift they are on-call for has begun, provided they have not received prior communication indicating their need to respond to fill a designated time period.
   a. Emergency supplemental staffing needed during the course of a shift, outside of foreseen circumstances (e.g., a significant call requiring additional off-duty resources) are available by requesting a response of deputies with assigned take-home vehicles (e.g., SWAT, Bomb Squad, K9, Parks & Open Space deputies, etc.).

5. Deputies are restricted from signing up for extra-duty when they are scheduled for on-call. This restriction only applies to the specific shift for which they are on-call. Deputies may sign-up for extra duty shifts before or after an on-call shift, provided they do not exceed the maximum number of consecutive hours worked allowed under policy (cf. § 302.VI.A.).
E. Uniformed Patrol On-Call Exemptions

1. All uniformed, patrol-qualified Deputy I’s are obligated to participate in the on-call rotation, unless exempted under this paragraph 2 of this section.

2. The following Deputy I job assignments in the Operations Division are exempted from the on-call rotation due to other on-call obligations (typically within their own specialty unit) or a duty schedule that does not allow their participation:
   a. Investigators assigned to the Detective Section or the Boulder County Drug Task Force; and
   b. Deputies assigned to the Emergency Services, Civil, Court Security, and SRO units during the school year.

3. Deputies who are on a restricted duty status (e.g., light-duty, modified duty, administrative leave, etc.) are not authorized to participate in the on-call rotation until they have been restored to full duty status in accordance with Policy OP106 – Essential Job Demands Testing. It is the responsibility of the involved employee’s commander to ensure that any vacancies in the on-call schedule that result from an employee’s restricted duty status are filled.

II. Investigations

A. Administration

1. The responsible commander over each investigations section is responsible for establishing and maintaining an on-call schedule, or the availability of investigative resources outside of normal business hours, including investigative supervisors.

2. For purposes of §II of this policy, the term “investigator” includes both line-level detectives and supervisors assigned to an investigations section or unit.
B. On-Call Schedule

1. Any established on-call schedule shall be maintained in the Aladtec scheduling software.

2. Once the on-call schedule is published, it is the responsibility of each investigator to find a replacement if they are unable to work their assigned on-call date(s) or if they decide to trade on-call shift(s).
   a. The investigator who is scheduled to be on-call is responsible to ensure that any changes are reported to a detective supervisor and are updated appropriately in the Aladtec scheduling software.
   b. The on-call responsibilities outlined herein only transfer to the new on-call investigator upon a completed entry of the change into Aladtec.

C. Detective Call-Outs

1. The utilization of on-call investigators and what call types require an investigative response is prescribed in the #OP519 – Detective Call Out policy and procedure.

D. Expectations

1. While on-call, the investigator is required to maintain availability and a personal condition (e.g., minimal consumption of alcohol, etc.) that allows them to respond when needed.

2. The on-call investigator is required to remain available by department-issued telephone and department-issued pager, maintaining a reasonable response time during the term of their on-call assignment.
   a. For purposes of this policy, a reasonable response time is less than fifteen (15) minutes to acknowledge a page or respond to telephone call/voicemail/text and be in-service within thirty (30) minutes or less.
3. Consistent with this policy and procedure, the on-call investigator is required to respond for duty at the direction of an investigations supervisor.

4. Investigators are restricted from signing up for extra-duty when they are scheduled for on-call.

5. On-call investigators are assigned a take-home vehicle to facilitate a timely response when needed. All investigators must comply with the take-home care requirements in Sheriff’s policy #515 – Off-Duty Use of Sheriff’s Vehicles.

III. Emergency Services Unit

A. Administration

1. The commander over the Special Operations Section is responsible for establishing and maintaining an on-call schedule for emergency service coordination resources.

B. On-Call Schedule

1. Any established on-call schedule shall be maintained in the Aladtec scheduling software.

2. Once the on-call schedule is published, it is the responsibility of each emergency services coordinator to find a replacement if they are unable to work their assigned on-call date(s) or if they decide to trade on-call shift(s).

   c. The emergency services coordinator who is scheduled to be on-call is responsible to ensure that any changes are reported to a supervisor and are updated appropriately in the Aladtec scheduling software.

   d. The on-call responsibilities outlined herein only transfer to the new on-call emergency services coordinator upon a completed entry of the change into Aladtec.
C. Emergency Services Unit Call-Outs

1. When a search and rescue event, or other emergency services related event is of significant complexity, or outside the capacity or capability of on-duty resources, the on-call emergency services coordinator is available for an off-duty response.

D. Expectations

1. While on-call, the emergency services coordinator is required to maintain availability and a personal condition (e.g., refrain from consumption of alcohol, etc.) that allows them to respond when needed.

2. The on-call emergency services coordinator is required to remain available by department-issued telephone and/or department-issued pager, maintaining a reasonable response time during the term of their on-call assignment.
   a. For purposes of this policy, a reasonable response time is less than fifteen (15) minutes to acknowledge a page or respond to a telephone call/voicemail/text, and sixty (60) minutes or less to arrive on-scene in a high-population area of Boulder County.

3. Consistent with this policy and procedure, the on-call emergency services coordinator is required to respond for duty at the direction of any on-duty supervisor.
   a. Unless their need is so plainly obvious or an urgent need, the on-duty patrol supervisor should try and consult with the on-call emergency services coordinator to assess the need for a field response.

4. Emergency services coordinators, if authorized to work extra-duty, are restricted from signing up for extra-duty when they are scheduled for on-call.

5. The on-call emergency services coordinator is assigned a take-home vehicle to facilitate a timely response when needed during their on-call rotation. The on-call emergency services coordinator must comply with the take-home care requirements in Sheriff’s policy #515 – Off-Duty Use of Sheriff’s Vehicles.
IV. Staff Duty Officer (SDO)

A. A command-level deputy shall always be made available for consultation or an in-person field response in order to provide command-level advice or authority and direction for all divisional operations and exigent personnel issues. The OP112 – Staff Duty Officer (SDO) policy and procedure provides additional guidance to on-call SDOs and their role and responsibility.

V. Fire Duty Officer (FDO)

A. An appropriately qualified member of the Sheriff’s Fire Management Program shall always be made available for consultation or an in-person field response in order to provide advice and direction and needed authorizations for all wildland fire-related issues, including delegations of authority. The #OP1404 – Fire Duty Officer (FDO) policy and procedure provides additional guidance to on-call FDOs and their role and responsibility.

By Order of the Division Chief,

[Signature]
Robert Süllenberger,
Division Chief

1/29/2019

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Training Requests  
NUMBER: OP109  
EFFECTIVE DATE: March 26, 2019  
SUPERSEDES: [New]

POLICY: It is the policy of the Operations Division to support employee development through educational and training opportunities, whether internal or external. This divisional policy supplements Sheriff’s Office policy and provides additional guidance on the review and approval process for training requests.

RELATED POLICIES & PROCEDURES:
212 – Travel Expenses  
401 – Training

DEFINITIONS:
Employee: For purposes of this policy, employees include all full-time, part-time, hourly, and Sheriff’s volunteers.

Sheriff’s Training & Travel Request Form: An internal document used as a request and approval form by employees and their supervisors. This form is used primarily to seek approval to attend training outside of the agency’s regularly scheduled in-service and firearms training.

Training Attendance Form: A form used to document employee attendance at a training event, either internally or externally.

Training Memorandum: A form completed by an employee who attends an external training, in which a certificate of attendance, completion, or certification, is not issued.

PROCEDURE:
I. Requests to Attend Training
   A. All requests to attend training are to be made on the Sheriff’s Training & Travel Request Form, which is located on the forms page of the Sheriff’s Office internal website.
   B. Supporting documentation, including course flyers with description, must be attached to the request for all costs prior to the request being considered.
   C. Training requests are to be forwarded through the employee’s chain-of-command to the approval authority identified in §II.

   1. Specialty Unit/Assignment Training Requests: Training requests specific to an employee’s specialty or collateral assignment should be routed for approval through their specialty/collateral assignment’s
chain-of-command once the employee's direct chain-of-command has indicated their support.

Example: A SWAT operator assigned to Investigations wants to attend a SWAT-related training. The employee should seek the support and endorsement of their chain-of-command, but the request should be routed to the appropriate approval authority through the SWAT chain-of-command.

II. Review and Approval of Training Requests

A. Supervisory Endorsement

1. When reviewing training requests, supervisors are not to endorse the training request form unless they support the employee’s attendance at the training course or event.

2. Prior to signing the training request form, first-line supervisors are responsible to check unit staffing levels and to record the request on the Aladtec™ scheduling system with a note that the training request is in the approval process, and endorse the training request form appropriately.

B. Approval Authority Thresholds

1. Training requests that are of minimal cost (<$100 total), and a Priority 1 (required/core training) or Priority 2 (career development) and can be accommodated by current staffing levels without requiring backfill, may be approved by the employee’s commander or the commander over the related specialty unit when the training is related to that specialty.

2. Training requests that exceed $100 total or are a Priority 3 (personal interest) training, require backfill, or require discussion before setting a precedent, are to be taken to a regularly-scheduled Operations Division staff meeting for review and approval. The Operations Division Chief is the approval authority for these request types.

   a. In time-sensitive circumstances, requests may be taken directly to the Operations Division Chief for review and approval outside of a divisional staff meeting.

3. Training requests that exceed $500 total or include out-of-state travel are taken to Executive Staff for the Sheriff’s approval after approval occurs in the Operations Division.
C. Training requests approved based upon utilization of a grant or specialty budget or fund are to have the grant or fund noted on the training request form at the time of the approval to ensure proper account coding occurs.

D. Approved training requests are to be submitted to the Personnel & Training Unit in the Administration Division as soon as practical.

1. If any registrations or reservations are made by the employee prior to submitting the approved training request packet to the Personnel & Training Unit, a note must be made indicating such and the supporting documentation must be attached to the training request packet.

III. Denied Training Requests

A. Training requests that are denied approval are to be endorsed with the reasons why and filed with the Personnel & Training Unit for archiving.

B. The supervisor denying the request is responsible to make notification to the involved employee and indicate the reasons the training request was denied. In circumstances where the request is denied in an Operations Division staff meeting, the employee’s commander is responsible to ensure that the reasons the request was denied are provided to the requesting employee.

C. Appeals for denied training requests are to be made to the Operations Division Chief, in writing, within seven (7) days of the denial.

IV. Training Attendance

A. Employees approved to attend training are considered on-duty while attending their duty assignment.

B. Employees are responsible for the timely completion of any post-training documentation requirements (e.g., completing a training attendance memorandum, providing a copy of the certificate of attendance/completion to the Personnel & Training Unit, etc.). Failure to do so is considered a job performance issue.

By Order of the Division Chief,

Robert Sullenberger, Division Chief

3/26/2019

Date
RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
POLICY: The Boulder County Sheriff’s Office utilizes a field training program to orient new employees to their duties and job obligations, enhance skills and improve job performance, and ensure consistency in the quality of service provided to the citizens of Boulder County. The programs are tailored to the different sections to meet specific needs and criteria, emphasizing standardized training and evaluations.

RELATED PROCEDURES:
306 – Recruitment & Selection
401 – Training
602 – Reserve & Volunteer Units

DEFINITIONS:

Daily Observation Report (DOR): A report completed on a daily basis by the Field Training Officer documenting the recruit’s activities and performance relative to departmental expectations, which are outlined in the Standard Evaluation Guidelines. The DOR also serves to document any problems and/or remedial training conducted.

Field Training Manual: A compendium of modules, resource lists, procedures, outlines, and other instructional materials, organized to provide the recruit a comprehensive overview of basic job functions for their job-specific training program.

Field Training Officer (FTO): An experienced employee specifically selected and trained to act as an instructor and mentor of recruits. The FTO is selected by virtue of exemplary performance and experience, and serves as a role model and mentor for recruits.

Field Training Program: An organized program of specific duration and standards, designed to orient new employees to their job functions and duties through instruction, demonstration and testing.

Standard Evaluation Guidelines (SEGs): A rubric describing performance behaviors in various evaluation categories germane to a specific job. Descriptions of performance behaviors are provided in three categories: unacceptable, acceptable, and exceptional, and are used by FTOs to objectively rate performance and behavior.
PROCEDURE:

I. Administration

A. A commander oversees the Field Training Program and is assisted by the FTO coordinator, and the Training Office. Additionally, each patrol shift will have a designated sergeant to oversee field training efforts and timely, accurate documentation of recruit training.

1. The FTO commander is responsible for the overall administration of the Field Training program, to include planning, budgeting, personnel selection, monitoring the performance of the recruits in training, and program review and revision.

2. The FTO coordinator (sergeant) is responsible for the assignment of the FTO’s shift and task scheduling, the review and maintenance of program records (including DOR and Weekly Evaluation Reports), coordinating meetings between FTO’s and recruits, and the periodic review and revision of lesson plans, task book, FTO manual, and instructional materials.

3. The shift sergeants assigned as FTO sergeants are responsible for the day-to-day supervision of the FTO’s and recruits assigned to their shift. The shift FTO sergeant is expected to meet with the recruit and the FTO weekly, both individually and collectively. The shift FTO sergeant is to prepare a weekly summary memo describing the recruit’s overall progress in the program, and any remedial training strategies and issues being implemented.

4. The FTO’s are responsible for the instruction and supervision of the recruit and the daily evaluation of the recruit’s performance, as measured against specific standards and departmental expectations.

II. FTO Selection

A. FTO sergeants are selected based upon their exemplary performance, ability to manage tasks and supervise people, and organizational skills. Where possible, it is preferred that the FTO sergeant has prior experience as a Field Training Officer. The assignment of FTO sergeant is made by the FTO commander.

1. FTO sergeants are required, at a minimum, to have completed a basic FTO school. Attending training focused on supervising FTO
B. The FTO is an experienced employee with a minimum of two years operational patrol experience with the BCSO, selected by virtue of their exemplary performance, status as a role model, and ability to effectively instruct recruits in the obligations and performance of their job function. Following appointment, they receive specialized instruction in training and performance evaluation. The selection of FTO's is made by the Operations Division Chief in consultation with the FTO commander.

III. Patrol FTO Program

A. Prior to entering the field-training portion of an FTO program – which includes being in public in a uniformed and/or armed capacity – the recruit deputy must successfully complete pre-service training requirements. This is most often achieved through a "mini-academy." Pre-service training requirements shall include, but are not limited to:

1. The basic new handgun shooter training program;
2. Use of force training, including use of force decision-making (department policy, Colorado statutes, and current case law);
   a. Use of force training shall include basic testing to confirm a recruit’s basic understanding and ability to apply proper decision-making when selecting appropriate levels of force by circumstance.
3. Defensive tactics orientation, which shall include basic personal defense, handcuffing, and basic handgun retention.

B. Prior to entering the field-training portion of an FTO program in an armed or uniformed capacity, the recruit deputy must have completed his/her written oath of office.

C. The patrol field-training portion of the program is 16 weeks in duration, which is divided into four phases, all of which are four weeks long.

D. During each phase, the FTO is expected to cover specific topics and materials with the recruit, ensuring their understanding of the material
through instruction, demonstration, and performance until proficiency is attained.

E. In each phase, the recruit assumes greater responsibility until, during the final evaluation phase, they are acting as an autonomous employee under the watchful eye of the FTO.

F. Recruits are assigned to different shifts, environments, and activities, with exposure to different instructional styles, which is accomplished by assigning them to different FTO’s throughout the program.

G. An orientation meeting or electronic messaging precedes each change in FTO’s, during which the recruit’s progress and any performance deficiencies are discussed, so as to ensure continuity and accountability. This meeting includes the recruit, the current FTO, the upcoming FTO, the current FTO sergeant, and the upcoming FTO sergeant.

H. Recruits meet weekly with a FTO sergeant to discuss their performance and progress through the program. The FTO sergeant will consult with the FTO and ensures that the recruit is progressing on pace through the program, and when necessary, will provide guidance and suggestions to correct the recruit’s performance deficiencies.

   1. The FTO sergeant is responsible to document the weekly meeting and recruits overall progress in the program, as well as any remedial or alternative training strategies utilized. This weekly summary is distributed to all of the FTO program supervisors and is considered part of the recruit’s training record. As such, the FTO sergeant is responsible file a copy of the weekly summary in the DOR notebook.

IV. Security Deputy FTO Program

A. The security deputy position does not require P.O.S.T. certification but is an armed position in the Court Security Unit. Whether P.O.S.T. certified or not, prior to carrying a duty weapon or entering uniformed training, a recruit security deputy must successfully complete pre-service training. This training includes, but is not limited to:

   1. The basic new handgun shooter training program;

   2. Use of force training, including use of force decision-making (department policy, Colorado statutes, and current case law);

      a. Use of force training shall include basic testing to confirm a recruit’s basic understanding and ability to apply proper
3. Defensive tactics orientation, which shall include basic personal defense, handcuffing, and basic handgun retention.

4. Demonstrated knowledge of the following policies: 202 - Authority & Jurisdiction; 310 - Code of Conduct; 502 - Use of Force; 313 - Harassment and Discrimination; 503 - Boulder County Critical Investigation Team; and 513 - Authorized Weapons, Use and Proficiency.

B. Prior to entering the field-training portion of an FTO program in an armed or uniformed capacity, the recruit deputy must have completed his/her written oath of office.

C. The security deputy FTO program is six weeks in duration, which is divided into two phases, each consisting of three weeks.

D. During each phase, the FTO is expected to cover specific topics and materials with the recruit, ensuring their understanding of the material through instruction, demonstration, and performance until proficiency is attained.

V. Modified FTO Programs

A. 48 hour Second-Officer Certification

1. Deputies who have attended a P.O.S.T. certification academy, but who have not completed the Operations Division’s FTO program and who are not assigned in an enforcement capacity, may complete an abbreviated 48-hour FTO program.

2. The program is designed to provide a rudimentary orientation to the job functions of Operations deputies.

3. The training focuses on officer safety practices, use of force in an operational environment, routine forms, radio protocols, traffic control, and arrest procedures.

4. The goal is to qualify the deputy to serve as a “second officer” for special events and extra-duty functions, with the understanding that they will always function under the direct supervision of a deputy who has completed the full Operations Division FTO program.
B. Modified Reserve Deputy FTO Training

1. Reserve deputies who have attended a P.O.S.T. certification academy and who may be assigned in an enforcement capacity, but who have not completed the full Operations Division FTO program may complete an abbreviated 220-hour (minimum) FTO program.

2. This program is designed to train the reserve deputy to function as a “second officer”, under the direct supervision of a deputy who has completed the full Operations Division FTO program.

3. The program emphasizes officer safety, defensive tactics, arrest procedure, radio protocols, traffic control, and response to the specific events and high priority calls that the reserve deputy may encounter as a “second officer.”

4. Reserve deputies who have completed the abbreviated 220-hour FTO program are deemed eligible to serve at special events.

5. Reserve deputies must be able to perform critical skills (e.g. firearms proficiency, defensive tactics, handcuffing, etc.) at the level of a full-time deputy prior to attaining “second officer” status, as there may be occasions when a reserve deputy is required to take immediate enforcement action without the opportunity to consult with a full-time deputy.

VI. Training

A. The training of recruits is documented through field performance evaluation, written or scenario/simulation testing, end of phase memorandums, weekly meeting summaries, and task book or performance checklists.

1. All training checklists must, at a minimum, be discussed between the recruit and the FTO. It is acknowledged, however, that it is extremely unlikely that the recruit will have the opportunity to experience every call type prior to completing the FTO program. Proficiency must be demonstrated in high-frequency call types (e.g. traffic contacts/investigations, routine arrests, burglary investigations, etc.) and all critical skill areas prior to completing the training program.

2. Written module tests are administered periodically to test retention of cognitive skills and information, as well as test application of cognitive information.
3. Failure to meet expectations and/or attain passing scores on any testing will result in remedial training. Continued or repeated failure to meet expectations, following remedial training, will result in the re-evaluation of the recruit’s ability to successfully complete the program and a review of their suitability for continued employment in their assigned capacity.

4. All recruit training classes and certifications completed, including pre-service training topics, will be recorded in the recruit’s electronic training record in the sheriff’s training database.

B. Evaluation of Recruit Performance

1. Recruits will be evaluated daily through a DOR by their FTO. DORs will include performance ratings under the SEGs as well as a narrative describing their performance.

   a. A recruit deputy and FTO review the daily DOR together and discuss any concerns. Both the recruit and the FTO sign the DOR before forwarding it to the shift FTO sergeant. DORs should be reviewed and discussed on a daily basis in order to provide the most meaningful feedback to the recruit.

   b. Ratings of “1” (unacceptable) or “7” (exceptional) require articulation in the accompanying DOR narrative.

2. Upon successful completion of the training phase (phases 1 – 3), the recruit will enter the final evaluation phase (phase 4).

   a. During the final two weeks of the evaluation phase, the FTO will typically evaluate and observe the recruit deputy while dressed in plain clothes.

3. Upon completion of the evaluation phase, the FTO will make a written recommendation to the FTO commander either:

   a. Endorsing the recruit as having successfully completed the program and having demonstrated proficiency in all critical job skills;

   b. Recommending that the recruit’s training period be extended to achieve proficiency or to demonstrate proficiency in all critical job skills on a consistent basis; or

   c. Recommending that the recruit be terminated from the program.
3. In the event that either option (b) or (c) is recommended, the FTO commander will consult with the Operations Division Chief regarding a course of action.

C. Documentation

1. All documentation relating to the recruit’s performance during the FTO program will be preserved in a recruit notebook.

2. The notebook will be available to FTO's and FTO sergeants throughout the training period.

3. At the conclusion of the evaluation phase the documentation will be forwarded to the recruit’s personnel file via the training sergeant.

   a. The only original documentation preserved in the recruit's personnel file is the final phase performance memorandum and the memorandum documenting the completion of the field training program. All other performance documentation is preserved in an electronic format and stored on optical media (e.g. CD or DVD) and is included in the personnel file.

VI. FTO Evaluation and Compensation

A. Each recruit will complete a written evaluation of the FTO's performance following the completion of each Phase of the FTO program.

B. The FTO will be allowed to review the evaluations once the recruit has completed the program, or has been terminated for failing to meet performance standards.

C. The FTO evaluations will be forwarded to the FTO's working file for consideration and inclusion in their annual performance evaluation.

D. FTO's who routinely receive substandard evaluations are subject to remedial training or removal from the program, at the discretion of the FTO commander.

E. FTO's receive $25.00 per completed DOR, revised lesson plan, or completed policy re-write in compensation for the additional demands and expectations placed upon them. It is the obligation of the shift FTO sergeant to enter the “FTO DOR” pay code into the FTOs timecard for each day worked (or note which dates the FTO is being compensated for in the notes section of the pay code entry if the DOR pay is being aggregated and entered as a single entry).
1. DUI enforcement deputies assigned to a train a recruit in their DUI investigation phase are authorized to receive the daily FTO stipend for training and completing a summary memo outlining the significant events that occurred during the shift.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/16/2018

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ATTACHMENTS OR ADDENDUMS:
OP110-A   FTO Daily Observation Report (DOR)
OP110-B   Patrol Standard Evaluation Guidelines (SEGs)

HISTORY:
1/2018: Added § VI.E.1
SUBJECT: Uniforms & Authorized Equipment  
NUMBER: OP111

EFFECTIVE DATE: June 4, 2019  
SUPERSEDES: October 28, 2011

POLICY: The Operations Division provides uniformed personnel with the necessary uniforms and equipment to perform core job functions. The division maintains a budget for the purchase and maintenance of uniforms, uniform accessories, and equipment for all uniformed, commissioned employees of the division. The budget is administered in such a way that it is not overspent at the end of the fiscal year. This divisional policy supplements the department-wide policy, which provides more prescriptive requirements for employee uniforms and appearance. If a conflict exists between this divisional policy and the department policy, the department policy shall take precedence.

RELATED POLICIES & PROCEDURES:
523 – Uniforms & Appearance

DEFINITIONS:

Accessories: Any item that is commonly identified with, or is a part of, the Boulder County Sheriff’s Office uniform and is authorized for wear on or with the uniform.

Authorized Uniform: Any article of clothing or accessory that may be worn, by policy, by employees and/or volunteers, which has been approved by the Operations Division Chief, in consultation with Executive Staff, as necessary.

Equipment: Any item authorized and purchased by department policy or procedure for use by any employee in the performance of their primary job assignment.

Specialty Uniform: Authorized articles of clothing or accessory that may be worn—or may be required to be worn—by employees assigned to special units or teams, as approved by the Operations Division Chief.

PROCEDURE:

I. Uniform Budget & Approval

   A. New Employees

      1. Newly hired employees are provided the uniforms and equipment outlined herein at the onset of their employment. These uniforms and equipment are issued by the Personnel & Training Unit in the Administration Division and are charged to the Operations Division
uniform budget.

2. Employees are responsible for all issued uniform and equipment items, and are required to return such items when reclassified to a new job position that no longer requires the uniforms and equipment, or upon the separation of employment.

B. Current Employees

1. After the initial issue of uniforms and equipment, the Division will replace uniforms and equipment once they are worn to the point they are no longer serviceable. There are no automatic approvals for uniform and equipment replacement on an annual or other time basis.

2. Employees of the Division subject to this policy are responsible for the maintenance, care, and return of department-issued equipment. Employees are only authorized the uniform and equipment quantities specified in this policy, unless the items were purchased at personal expense.

3. Employees who need to replace worn uniforms and equipment are responsible to seek approval through the current process prescribed by the Quartermaster in the Personnel & Training Unit in the Administration Division.

   a. Supervisors may only approve uniform and equipment requests for worn or non-operable items. Premature replacement of serviceable uniforms and equipment, or any increase to the quantities prescribed in this policy, require command-level approval.

II. Issued Uniforms and Equipment

A. Uniformed Deputies

1. All deputies, upon appointment, are issued the following equipment:

   Class A Uniform
   Black clip-on tie (1)
   Class A uniform hat (1)
   Class A uniform pant (1)
   Class A uniform shirt, long-sleeve (1)
   Name plate (polished silver) with first initial and last name (1)
   Silver tie-bar (1)
Class B Uniform

Class B uniform shirts* (4)

*The employee may select any combination of long-sleeve, short-sleeve, and Class B polo shirts (for wear under an external vest carrier) they prefer, up to four shirts total.

Class B uniform pant (3)

*If a deputy elects to only order Class B short-sleeve or polo uniforms shirts, they are required to wear their Class A uniform whenever a long-sleeve uniform shirt is required.

Hat, embroidered baseball – non-fitted (1)

Outerwear

Jacket, winter multi-layer (1)
Jacket, lightweight (1)
Jacket, rain (1)
Traffic vest, neon yellow (1)

Duty Gear & Equipment (Required)

Badge, shirt (1)
Badge, flat (1)
Duty belt:
  Inner belt (1)
  Outer belt (1)
Holster, Level 2 retention minimum (1)
Magazine holder (1)
  Employee choice: Closed-top or open-top
ASPTM collapsible baton (1)
Baton holder (1)
Handcuff case (1)
  Employee choice: Single or double cuff; closed or open-top
AR-15 patrol rifle (1) with magazines (3), once qualified
Belt keepers (1 set)
Body-worn camera (1)
Flashlight holder (1)
Helmet w/ badge number (1)
IFAK kit (1)
Pager (1)
Phone, cellular (1)
Radio, portable (1)
RIPPTM restraint with holder (1)
Spit sock (1)
TaserTM (1), and cartridges (2), once certified
TaserTM holster (1)
Thigh go-bag with duty belt drop clip (1)
WMD bag with gas mask and filter (1)
Vest, ballistic (1)

**Duty Gear & Equipment (Issued upon request)**

Glove holder (1)
Key holder (1)
Oleoresin Capsicum gel or foam ("OC") with holder (1)
Shirt, polo for use with an external vest carrier (1)
Vest carrier, external (1)
Yak-Trax-style traction cleats (1 pair)

2. The current brand, model, and color of uniforms authorized by Executive Staff (cf. Policy 523 – Uniforms) is maintained by the Personnel & Training Unit. Uniformed deputies are not authorized to wear any uniform or equipment item not approved by Executive Staff and maintained on the list of approved items maintained by the Personnel & Training Unit.

B. Detectives

1. General Investigations

   a. Deputies assigned to serve as plain-clothes investigators are issued the additional following equipment upon their appointment:

   **Clothing**
   
   Shirts, polo with Sheriff’s emblems, if desired (4)
   Pants, BDU-style (3)
   Vest, "raid jacket style" (1)

2. Drug Task Force (DTF)

   a. Sworn Sheriff’s Office employees assigned to the Boulder County DTF are provided an annual stipend of $300 for the purchase and maintenance of plain clothes to be worn in their job assignment. The employee must submit a receipt seeking the stipend reimbursement through the established employee reimbursement process.

C. Uniformed Security Deputies

1. All Security Deputies, upon appointment, are issued the following equipment:

   **Class A Uniform (French-style blue)**
   
   Class A uniform shirt, long-sleeve (1)
Class A uniform pant (1)
Class A uniform hat with acorns (1)
Black clip-on tie (1)
Silver tie-bar (1)
Name plate (polished silver) with first initial and last name (1)

Class A Uniform (French-style blue)

Class B Uniform (French-style blue)

Class B uniform shirts* (4)

The employee may select any combination of long-sleeve, short-sleeve, and Class B polo shirts (for wear under an external vest carrier) they prefer, up to four shirts total.

Class B uniform pant (3)

The employee may select BDU or straight-leg style

Hat, embroidered baseball – non-fitted (1)

* If a security deputy elects to only order Class B short-sleeve or polo uniforms shirts, they are required to wear their Class A uniform whenever a long-sleeve uniform shirt is required.

Outerwear

Jacket, winter multi-layer (1)
Jacket, lightweight (1)
Traffic vest, neon yellow (1)

Duty Gear & Equipment (Required)

Badge, shirt (1)
Duty belt:
   Inner belt (1)
   Outer belt (1)
Holster, Level 2 retention minimum (1)
Magazine holder (1)
   The employee may select closed-top or open-top
ASP™ collapsible baton (1)
Baton holder (1)
Belt keepers (1 set)
Body-worn camera (1)
Flashlight holder (1)
Handcuff case (1)
   Employee choice: Single or double cuff; closed or open-top
IFAK \\ kit (1)
Pager (1)
Phone, cellular (1)
Radio, portable (1)
Taser™ (1) and cartridges (2), once certified
Taser™ holster (1)
RIPP™ restraint with holder (1)
Vest, ballistic (1)
Duty Gear & Equipment *(Issued upon request)*
Glove holder (1)
Key holder (1)
Oleoresin Capsicum gel or foam (“OC”) with holder (1)

2. The current brand, model, and color of uniform authorized by Executive Staff (cf. Policy 523 – Uniforms) is maintained by the Personnel & Training Unit. Security deputies are not authorized to wear any uniform or equipment item not approved by Executive Staff and maintained on the list of approved items maintained by the Personnel & Training Unit.

D. Animal Control

1. Animal Control Officers, upon appointment, are issued the following equipment:

   Class B Uniform (Gray)
   Class B uniform shirt, long-sleeve (1 minimum)
   Class B uniform shirts* (3)
   *The employee may select any combination of long-sleeve, short-sleeve, and Class B polo shirts (for wear under an external vest carrier) they prefer
   Class B uniform pant (3)
   *The employee may select BDU or straight-leg style
   Hat, embroidered baseball – non-fitted (1)
   Name plate (polished silver) with first initial and last name (1)

   * If a deputy elects to only order Class B short-sleeve or polo uniforms shirts, they are required to wear their Class A uniform whenever a long-sleeve uniform shirt is required.

   Outerwear
   Winter uniform jacket, multi-layer (1)
   Lightweight jacket (1)
   Vest, High visibility - neon yellow (1)

   Duty Gear & Equipment *(Required)*
   Badge, shirt (1)
   Duty belt:
   Inner belt (1)
   Outer belt (1)
   ASP™ collapsible baton (1)
   Baton holder (1)
   Belt keepers (1 set)
   Body-worn camera (1)
Flashlight holder (1)
IFAK kit (1)
Oleoresin Capsicum gel or foam (“OC”) with holder (1)
Pager (1)
Phone, cellular (1)
Radio, portable (1)
\textit{Taser™} (1), once certified
\textit{Taser™} holster (1)

\textbf{Outerwear, Duty Gear & Equipment (Issued upon request)}
Glove holder (1)
Key holder (1)
Rain jacket, non-patched (1)
Vest, ballistic (1)
Yak-Trax-style traction cleats (1)

1. The current brand, model, and color of uniform authorized by Executive Staff (cf. \textit{Policy 523 – Uniforms}) is maintained by the Personnel & Training Unit. Animal control officers are not authorized to wear any uniform or equipment item not approved by Executive Staff and maintained on the list of approved items maintained by the Personnel & Training Unit.

B. Civilians

1. Civilian employees, at their discretion, are authorized three (3) polo shirts and one (1) outerwear garment (e.g., fleece vest, light weight jacket, etc.) adorned with the Sheriff’s logo with the term “Civilian” underneath.

C. Uniformed Reserve Deputies

1. All POST-certified reserve deputies and reserve security deputies (regardless of certification status), upon appointment, are issued the following equipment:

\textbf{Class B Uniform}
Class B uniform shirt, long-sleeve (1)
Class B uniform shirt, short-sleeve (1)
Class B uniform pant (1)
\textit{The employee may select BDU or straight-leg style}
Hat, embroidered baseball – non-fitted (1)
Name plate (polished silver) with first initial and last name (1)

\textbf{Outerwear}
Winter uniform jacket, multi-layer (1)
Jacket, lightweight (1)
High visibility traffic vest, neon yellow (1)

**Duty Gear & Equipment (Required)**
- Badge, shirt (1)
- Badge, flat (1)
- Duty belt:
  - Inner belt (1)
  - Outer belt (1)
- Holster, Level 2 retention minimum (1)
- Magazine holder (1)
  - Employee choice: closed-top or open-top
- ASP™ collapsible baton (1)
- Baton holder (1)
- Belt keepers (1 set)
- Flashlight holder (1)
- Handcuff case (1)
  - Employee choice: Single or double cuff; closed or open-top
- Helmet w/ badge number (1)
- IFAK kit (1)
- Pager (1)
- Radio, portable (1)
- WMD bag with gas mask and filter (1)
- RIPP™ restraint with holder (1)
- Vest, ballistic (1)

**Outerwear, Duty Gear & Equipment (Issued upon request)**
- Glove holder (1)
- Key holder (1)
- Rain jacket, non-patched (1)
- Oleoresin Capsicum form or gel (“OC”) with holder (1)

2. Upon successful completion of the Operations Division Reserve Deputy FTO Program, or for articulable reason, reserve deputies may be issued a Class A uniform set, as described under § I.A.1, and additional Class B uniform items, as needed.

3. Non-certified reserve deputies assigned to the Jail Division are issued uniforms and equipment in accordance with jail policy.

4. The current brand, model, and color of uniform authorized by Executive Staff (cf. Policy 523 – Uniforms) is maintained by the Personnel & Training Unit. Reserve deputies are not authorized to wear any uniform or equipment item not approved by Executive Staff and maintained on the list of approved items maintained by the Personnel & Training Unit.
D. Volunteers

1. Volunteers are provided one (1) polo shirt embroidered with the Sheriff’s logo and the term “Volunteer” underneath.

E. Administrative Positions

1. Various administrative positions may require plain clothes apparel embroidered with the Sheriff’s logo and their rank (e.g. “Deputy,” “Detective,” “Sergeant,” “Commander,” etc.) underneath. Polo shirts and non-uniform outerwear may be authorized for purchase at divisional expense by a command-level officer in the division when there is a regular need for plain clothes apparel articulated (e.g., representing the Sheriff’s Office on a board or community group, etc.). Approval for general, non-articulated use, including for wear at departmental training events and in-services (beyond what is provided by each training cadre or specialty unit as part of their uniform platform), is not authorized.

II. Authorized Uniforms for Specialty Positions

A. Emergency Services Unit

1. Staff assigned to ESU are issued three (3) 5.11 navy-blue button-down shirts embroidered with the Sheriff’s star, with an “Emergency Services” rocker embroidered over the star, and the employee’s name (first initial and last name) embroidered above the right breast pocket. Additionally, each staff member is issued three (3) pairs of tan 5.11 BDU-style pants and up to two (2) pairs of tan 5.11 BDU-style shorts, if desired.

B. Fire Management Office

1. Full-time firefighters in the Fire Management Program, upon appointment, are issued the following equipment:

Class A Uniform

Class A uniform shirt, long-sleeve (1)
Class A uniform pant (1)
Black clip-on tie (1)
Silver tie-bar (1)
Name plate (polished silver) with first initial and last name (1)

Outerwear

Winter uniform jacket, multi-layer (1)
Duty Gear & Equipment
Badge, shirt (1)
Badge, flat (1)

2. Additional job-specific equipment, including personal protective equipment (PPE), is issued by the Fire Management Officer (FMO), including a daily duty uniform (Nomex pants, shirts, etc.). The FMO maintains the list of job-specific equipment and PPE on file in the Fire Management Office and is responsible for the order, inventory, issuance, and accountability of such equipment.

C. Gross Reservoir Rangers

1. Gross Reservoir Rangers, upon their appointment, are issued the following uniforms and equipment:

   Uniforms
   Hat, baseball – embroidered (1)
   Jacket, winter multi-layer (1)
   Jacket, lightweight (1)
   Jacket, rain (1)
   Pants, tan BDU-style (3)
   Shirts, dark navy BDU-style button-down (3)

   Equipment
   Belt, black nylon (1)
   ASP™ collapsible baton (1)
   Baton holder (1)
   Oleoresin Capsicum gel or foam (“OC”) with holder (1)
   Pager (1)
   Radio, portable (1)
   RIPP™ restraint with holder (1)
   Tourniquet and holder (1)
   Vest, ballistic (1)

   Outerwear, Duty Gear & Equipment (Issued upon request)
   Glove holder (1)
   Key holder (1)

D. Parks & Open Space Unit

1. Deputies assigned to the Parks & Open Space Unit, upon appointment, are issued the following additional uniforms and equipment upon request:
Uniforms
- Helmet, bicycle (1)
- Pants, bicycle (2)
- Shirts, bicycle – royal blue with sheriff patches (2)
- Shirts, uniform polo for under external armor (2)
- Shorts, 5.11 dark blue (3)

E. Flaggers (Civilian Extra-Duty)

1. Those employees trained as civilian traffic control flaggers are to be issued the following uniform items at the expense of their division:

   Uniforms
   - Hat, baseball – embroidered (1)
   - Pants, black BDU-style (1)
   - Shirts, white short-sleeve polo (1)
   - Shorts, black BDU-style (1)
   - Vest, high-visibility – neon yellow (1)

III. Elective Uniform & Equipment Purchases

A. Employees may electively purchase equipment and uniforms that are authorized for carry or use but are not listed as issued equipment under this policy. A list of equipment and uniform items authorized for carry or use, but not issued, is maintained by the Administration Division’s Personnel & Training Unit.

B. Uniformed deputies are authorized to purchase, at their expense, a boonie style hat for use during outdoor extra-duty events (e.g., traffic control positions). The boonie hat must be solid black in color and must have a sheriff’s star patch sewn on the front; no other patches, pins, or emblems are authorized.

1. The Sheriff’s Office will provide the star patch, but the purchasing deputy is responsible for sewing the patch on the hat and any expense related to such.

By Order of the Division Chief,

Robert Sullenberger,  
Division Chief

6/4/2019  
Date
RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]
POLICY: The Operations Division has established an on-call Staff Duty Officer (SDO) to augment and enhance the effectiveness and efficiency of the organization by providing command level resources and guidance to on-duty shift sergeants and other organizational personnel, and to act as the agency representative during significant events or when command-level decisions are required outside of normal business hours.

RELATED PROCEDURES:
515 – Off-Duty Use of Sheriff’s Vehicles

DEFINITIONS:
Command Staff: A member of the Operations Division with the rank of commander or above.

Executive Staff: A member of the Sheriff’s executive team with the rank of division chief or higher.

Staff Duty Officer (SDO): A member of the Operations Division Command Staff who maintains an on-call status outside of normal business hours.

PROCEDURE:

I. Administration

A. The Operations Division Chief and all commanders currently assigned to the division, with the exception of the detective commander, serve in the on-call SDO rotation.

1. The detective commander serves in the investigations on-call rotation and is therefore exempt from the on-call SDO rotation.

B. Schedule

1. The Operations Division Chief administers the division’s program and is responsible for preparation of the on-call SDO schedule.

2. On-call SDO assignments are assigned for a period of seven (7) days. On-call rotation occurs each Wednesday at 0800 hours.
III. SDO Responsibilities

A. The SDO is an available resource for consultation, to provide direction, and/or to assist the on-duty sergeants, or other departmental personnel, in the performance of their duties, as needed.

B. The SDO is responsible to respond to the scene of an unusual major event when notified and/or requested by the on-duty supervisor(s).

C. The SDO is responsible to ensure that notification of the Sheriff’s Executive Staff and any other necessary stakeholders is made during major events, and appropriate updates are provided as needed.

D. Act as the media contact on major news events if the Public Information Officer is off-duty, unavailable, or if the on-duty shift supervisor is unavailable due to call load.
E. Act as the agency representative during off-duty hours when no other executive staff member is on-duty.

1. The SDO is responsible to coordinate with the on-call Fire Duty Officer (FDO) to ensure that proper and timely delegations of authority or disaster declarations occur in the event of natural disasters impacting the unincorporated county.

F. If activated, and as requested, respond to the Emergency Operations Center (EOC) and provide assistance to the Office of Emergency Management (OEM) staff and arrange for additional personnel to respond as necessary.

G. Respond to SWAT callouts within the unincorporated county to assist with command, as needed, both in the incident or to support on-going patrol operations.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

4/25/2017

ATTACHMENTS OR ADDENDUMS:
[None]

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POLICY: It is the policy of the Sheriff’s Office to support legitimate special events promoted by private, public, governmental, and charitable organizations, consistent with the Sheriff’s obligation to ensure the public’s safety. Recognizing that the demands for public safety assistance at special events frequently exceed routinely available staffing, the Sheriff allows employees the opportunity to work authorized special events that require the involvement of law enforcement for additional pay. Employees working extra-duty events remain employees of the Boulder County Sheriff’s Office at all times.

RELATED POLICIES & PROCEDURES:
302 – Payroll & Compensation
305 – Fitness & Essential Job Demands
314 – Extra-Duty & Off-Duty Employment

DEFINITIONS:

Civilian Assignment: Assignment staffed by a non-post certified employee.

Extra-Duty: Any secondary job where the employee will be acting under the color of their authority as a Boulder County Sheriff’s Office Employee.

Non-Solo-Qualified Assignment: A stationary assignment staffed by a non-solo-qualified deputy who is acting under the supervision/direction of a solo-qualified deputy or supervisor. At least one solo-qualified deputy must be present at every event.

Non-Solo-Qualified Deputy: A POST-certified deputy that has completed the Operations Division 48-Hour Second-Deputy FTO Program. The deputy must currently meet the standards of the Essential Job Demands (EJD) policy.

Solo-Qualified Deputy: A POST-certified deputy that has completed the Operations Division Deputy I FTO Program and meets the standards of the Essential Job Demands (EJD) policy.

Stationary Assignment: An assignment that does not require the employee to move from one point to another.

PROCEDURE:

I. Administration

A. The Operations Division Chief is responsible for assigning a commander in
the division to oversee the Extra-Duty and Special Events Program.

1. The Commander assigned is responsible for supervision of the Extra-Duty Coordinator, for ensuring that extra-duty and special events accepted for assignment are appropriate under both this and the department policy (#314), for policy compliance, and for ensuring proper staffing and equipment levels are maintained for both public and officer safety.

B. Fees for Service

1. Extra-duty and special events are invoiced at the contract rate for the position required, not by the contract rate for the specific individual filling an assignment.

2. Annually the Extra-Duty Coordinator and the Extra-Duty Commander are responsible for making contract rate recommendations for each calendar year for both personnel and vehicles/equipment. Extra-duty contract rates are approved by the Undersheriff.

3. Costs related to extra-duty or special events staffing for a for-profit organization shall not be waived unless authorized by the Sheriff or Undersheriff.

4. The Sheriff, Undersheriff, or Operations Division Chief, may elect to waive costs related to extra-duty or special events staffing for a non-profit organization that is of a civic nature. Approval to waive costs under this paragraph must be made in writing and maintained in the extra-duty event records.

C. Compensation

1. Compensation rates for assigned employees who work extra-duty and special events are determined by the position being staffed, not by the rank or position of the individual staffing it (cf. Policy 302 – Payroll & Compensation).

D. Invoicing & Record-Keeping

1. The Extra-Duty Coordinator is responsible for the timely invoicing of event promoters in accordance with Accounting policies and procedures.

2. The Extra-Duty Coordinator is responsible for maintaining all event-related records in accordance with both Accounting policy and the department’s records retention schedule, in the prescribed manner(s).
II. Responsibilities

A. Extra-Duty Coordinator

1. The Extra-Duty Coordinator receives and processes all requests for extra-duty and special event staffing. Before accepting an event and/or staffing it, the Extra-Duty Coordinator is responsible to, either individually or in coordination with the Extra-Duty Commander:

   a. Ensure the extra-duty or special event request is authorized by or in line with Sheriff's policy.

   b. That the event does not substantially conflict with other divisional or departmental events in a manner that would impair regular operations. When evaluating the ability to support a request for an extra-duty or special event, the following priority is utilized:

      1) Court-ordered processes staffed through extra-duty (e.g., protracted civil standbys, move-outs, etc.);

      2) Events permitted by Boulder County Transportation;

      3) Events that directly benefit the constituents of the primary service jurisdiction or one of their contracted municipalities of the Sheriff's Office (e.g., USFS patrols, security for municipal courts, municipal traffic enforcement, etc.); and

      4) Requests to assist outside law enforcement agencies staff their extra-duty or special events.

   c. Provide the requesting event promoter with a quote of estimated costs (personnel and vehicles/equipment) for staffing the event.

2. Determine staffing and vehicle requirements for the event.

   a. Considerations when contemplating staffing and vehicle requirements for an event include, but are not limited to: the event type, projected number of attendees, geographical location of the event, alcohol service, past history of the event, requirements of the requesting vendor or agency, staffing numbers and supervisory span-of-control, and any other relevant factors as determined by the Extra-Duty Coordinator or Extra-Duty Commander.

3. Ensure that a written operations plan for the event is developed.
a. The Extra-Duty Coordinator is authorized to update prior operations plans to bring them current when the operations plan and staffing is largely the same as prior years.

b. The extra duty coordinator may author an operations plan on a new event or an event with significant changes with the Extra Duty Commander’s approval and review

4. Ensure pre-event planning and permitting occurs

a. The Extra-Duty Coordinator is responsible for working with County Transportation and other permitting and cooperating entities, as needed, on the permitting processing and event planning efforts. The Extra-Duty Commander is obligated to assist, as needed or requested.

5. Staffing the event

a. The Extra-Duty Coordinator, or in their absence, the Extra-Duty Commander, post an announcement of the event using the #SheriffOffDuty email distribution list to solicit those interested in working the extra-duty or special event assignment. The announcement should include:

   1) A description of the extra-duty or special event, including assignment type (solo or non-solo-qualified);

   2) The date, time, and location of the event;

   3) The number of staff needed, including staffing types and qualifications (e.g., deputies – whether solo or non-solo-qualified, supervisors, flaggers, etc.);

   4) The hours of event assignment; and

   5) Whether a vehicle is required for the assignment(s) or not.

b. Assignments to extra-duty and special events are made on a rotational basis in a manner determined by the Extra-Duty Coordinator that ensures equitable opportunities for interested, qualified individuals.

   1) The Extra-Duty Coordinator is authorized to make assignment changes as circumstances require to best match employee skills and abilities with positional requirements.
c. Once an event is staffed, the Extra-Duty Coordinator notifies those who expressed interest in working the extra-duty or special event of the assignment selections.

d. Before the event occurring, the Extra-Duty Coordinator will distribute the operations plan and confirm any last minute details.

   1) The operations plan should include specific instructions, contact information for the event promoter or their representative who will serve as the point-of-contact for the event, and the name of the supervisor or the name of the deputy-in-charge.

   2) If the Extra-Duty Coordinator elects to track time and attendance at the event by a single roster, it will be indicated by email in the event notification, along with who has been assigned responsibility for the event roster.

6. Post-Event

a. The Extra-Duty Coordinator is responsible for making notations about event issues or feedback received in the event file for subsequent years or requests for similar event staffing. When appropriate, the Extra-Duty Coordinator and/or Extra-Duty Commander should provide event feedback, or conduct a post-event review, with the event promoter.

b. After the extra-duty or special event has occurred, final costs are invoiced to the event promoter within the timeline established by Accounting policies.

c. Any personnel issues, complaints, concerns, or missed assignments, are referred to the Extra-Duty Commander for follow-up.

   1) Any failure to appear for a scheduled extra-duty or special event assignment is considered a job-related performance issue subject to corrective or disciplinary action. As such, all extra-duty absences are to be reported by the Extra-Duty Coordinator, in writing, to the Extra-Duty Commander, within one business day.

B. Event Promoter

1. The event promoter is responsible for accepting quoted costs, with an
understanding actual costs will be invoiced post-event, and providing guaranteed funds for the quoted costs as a deposit at least two weeks before the event occurring.

a. If actual costs are less than the quoted costs previously paid, a refund will be made to the event promoter.

2. If the event is new, complex, or substantially altered from prior years, the event promoter may be required to meet with the Extra-Duty Coordinator, Extra-Duty Commander, in addition to meetings that may be required by the permitting entity.

C. Employee Responsibilities

1. Eligible employees who sign-up for an extra-duty or a special event assignment and are selected to work the event are required to report for the assignment at the designated time and location.

a. The Extra-Duty Commander will conduct a documented supervisory review (SR) for any non-emergency failure to appear at an extra-duty or special event assignment. Disciplinary action may result as an outcome to the investigation.

b. Absent extraordinary circumstances, and in consultation with the Operations Division Chief, the following sanative actions will be followed:

   1) **First Offense**: A formal performance note is placed in the employee’s working file documenting the absence, the circumstances surrounding it, and a warning about additional sanction for subsequent offenses. A copy of the written performance note is provided to the employee’s supervisory team and commander.

   2) **Second Offense**: A second offense within a six-month period results in a suspension from extra-duty and special events for three months. The related documentation shall specify the grounds for suspension and the date the suspension is lifted. A copy of the written documentation is placed in the corresponding SR file, with a copy provided to the employee’s supervisory team and commander to be placed in the employee’s working file. The performance deficiency is to be noted in the employee’s annual evaluation.

   3) **Third Offense**: A third offense within a twelve-month period results in a written reprimand and 12-month suspension from
extra-duty and special event assignments. The written reprimand shall specify the grounds for suspension and the date the suspension is eligible to be lifted. The original written reprimand is placed in the employee’s personnel file, with a copy being placed in the corresponding SR file, and a summary of action provided to the employee’s supervisory team and commander. The written reprimand is noted in the employee’s annual evaluation.

After the term of suspension has concluded, the affected employee may petition the Operations Division Chief for reinstatement of eligibility to work extra-duty and special events.

4) All investigative and disciplinary action is to follow the established Sheriff’s policies that govern their respective processes.

2. Absent an emergency, employees who are selected to work an extra-duty or special event who are later unable to work the assignment retain the ultimate responsibility to find their replacement. The Extra-Duty Coordinator may assist in finding a replacement but does not bear responsibility for ensuring such if the assignment is a mandatory-staffing assignment.

3. Any employee that works an extra-duty or special event assignment, even at another law enforcement agency’s request, remain Sheriff’s employees and are subject to all Sheriff’s policies and procedures, as well as the policies and procedures of the Operations Division.

III. Eligibility for Assignment and Selection

A. Deputy Positions

1. Any deputy position staffed under this policy—regardless of whether the position is classified as solo or non-solo-qualified—requires a current peace officer certification to be eligible to work an event.

2. Any position that requires enforcement, or could reasonably be anticipated to require enforcement action, is considered a “solo-qualified” position.

3. A deputy assigned to the Operations Division is not eligible for selection to an extra-duty or special event assignment until they complete the Operations Division Deputy I FTO Program.
a. Deputies who have completed the full Deputy I FTO Program are considered “solo-qualified” for extra-duty assignments.

b. Deputies who have completed the full Deputy I FTO Program but are no longer assigned to the Operations Division are considered “solo-qualified” for extra-duty assignments only if they maintain proficiency commensurate with an Operations Division deputy.

4. A deputy assigned to the Jail Division is not eligible for selection to an extra-duty or special event assignment until they complete the Operations Division 48-Hour Second-Deputy FTO Program.

a. Deputies who have completed the 48-Hour Second-Deputy FTO Program are considered “non-solo-qualified” for extra-duty assignments.

b. Deputies who are considered “non-solo-qualified” are only authorized to work in a stationary assignment that does not require a solo-qualified officer (e.g., traffic positions, a primary enforcement position, etc.).

c. Only jail deputies who have completed the 48-Hour Second-Deputy FTO Program, the Operations Division Deputy I FTO Program or an appropriate portion thereof, and who have been approved by the Jail Management Team (JMT) to work extra-duty are authorized to be on the #SheriffJailOffDutyAuthorized email distribution list, which is how the list of jail deputies authorized to work off-duty is maintained.

5. Supervisors who elect to work a line-level deputy assignment are compensated at the deputy contract rate.

6. Any deputy, regardless of rank, classified as 7k Exempt under the Fair Labor Standards Act (FLSA), shall not volunteer their time to work an extra-duty or special event, in their official capacity or uniform, without compensation.

B. Supervisory Positions

1. Unless approved, in writing, by the Extra-Duty Commander, only sworn supervisors in the Operations Division are eligible to work supervisory assignments.

2. Supervisory positions are compensated at the contracted supervisory (sergeant) rate, regardless of the rank of the individual filling the
assignment.

C. Civilian Positions

1. Security Deputies
   a. Security deputies are authorized to work extra-duty, in uniform, once they have completed their basic job training.

   b. Security deputies, regardless of state peace officer certification status, are only authorized to work “non-solo-qualified” civilian positions (e.g., traffic control/closures, security screening, etc.).

2. Flaggers
   a. Non-probationary civilian employees, upon approval of their chain-of-command, are authorized to work as civilian traffic control flaggers upon successful completion of the Sheriff’s Office’s Traffic Flagger Training Program.

3. Dispatchers
   a. Dispatchers who have completed their basic job training and who have received permission from their supervisor are eligible for selection to an extra-duty or special event that requires dispatcher positions.

D. Executive Exempt Personnel

1. Sworn executive exempt personnel (i.e., commanders or any higher rank) may work extra-duty or special event assignments, either in a deputy or supervisory position, only after the Extra-Duty Coordinator has been unable to fill it with deputies or sergeants.

2. In the case an extra-duty event requires command-level staffing, the contract rate shall be no higher than the top hourly-equivalent rate for a commander.

E. Reserve Deputies

1. Reserve deputies may volunteer to work extra-duty or special events; however, under the Fair Labor Standards Act (FLSA) they may not receive any compensation or pay for working any extra-duty or special events.

F. On-Call Status
1. Any employee who is in a primary on-call status (e.g., on-call detective, detective supervisor, staff duty officer, etc.) that may require an immediate response is not authorized to work an extra-duty event at the same time.

2. Employees who are not in a primary on-call status who receive notification of a callout (e.g., SWAT, Bomb Squad, etc.) are not authorized to leave their extra-duty or special assignment without first obtaining permission from the sheriff's office event supervisor or designated deputy-in-charge of the event.

G. Mutual Aid Requests

1. The Extra-Duty Coordinator, in consultation with the Extra-Duty Commander, is authorized to seek additional law enforcement staffing through mutual aid requests to other law enforcement agencies to fill required positions to ensure public safety at a Boulder County permitted extra-duty event.

   a. In instances where mutual aid staffing is utilized, all effort should be made to have the event promoter directly bill the assisting agency for their costs instead of the Sheriff's Office acting as a pass-through.

IV. Documentation Requirements

A. Time Reporting

1. To ensure timely invoicing of event promoters, employees who work an extra-duty or special event are required to submit their time record no later than their first day back on regular duty. This is typically accomplished by submitting a Daily Field Activity Report (DFAR) with all required information.

   a. If an employee is scheduled off of the normal duty schedule, they are required to make interim notification to the Extra-Duty Coordinator of their event work hours by email.

   b. Failure to accurately report time, or to submit time records promptly, is considered a job performance issue and subject to corrective or disciplinary action.

B. Enforcement Actions

1. Deputies who take any type of enforcement or official action regardless
of whether they are solo or non-solo-qualified status shall document such in an appropriate case report.

2. Criminal acts or other significant events are to be documented in the appropriate report format in the same manner as any other non-extra-duty-related incident.

3. Deputies working a special duty event are expected to be prepared to take all necessary action (e.g., taking reports, issuing summonses, etc.) and do so during their assignment without relying on a district car.

V. Department Vehicles

A. Deputies who are assigned to an extra-duty event or event position that requires a vehicle are responsible for making arrangements for the appropriate vehicle type required.

1. Deputies assigned to the Jail Division should attempt to procure a vehicle assigned to their division first. If a required vehicle is unavailable, the Extra-Duty Coordinator should be advised and can assist in making arrangements for a vehicle assigned to the Operations Division.

B. Deputies may drive assigned or department vehicles to an extra-duty event provided that use of a department vehicle doesn’t negatively impact other ongoing operations.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

8/13/2018

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ATTACHMENTS OR ADDENDUMS:

[None]
POLICY: It is the policy of the Sheriff’s Office to ensure that there are adequate manpower resources to respond to anticipated/routine call loads, meet public expectations regarding response and visibility, ensure the safety of deputies assigned to the various sections of the Operations Division, and to promote consistency among the different sections' work teams. To that end, the Operations Division has adopted the minimum staffing standards outlined herein.

RELATED PROCEDURES:
OP113 Contract Law Enforcement - Nederland

DEFINITIONS:
Minimum Staffing: The lowest number of deputies, animal control specialists, or fire management staff scheduled to be on-duty over the course of a specific shift or time period in a specific section. Minimum staffing levels are established according to several criteria including historic data, anticipated special events, predictive analysis of call load levels, contract obligations, and directives from the sheriff or Operations Division chief.

PROCEDURE:
Minimum staffing levels are established following an in-depth analysis of recent/historic call load data, informed anecdotal evidence, and contract obligations. They are reviewed for sufficiency at least once every two years. Established minimum staffing levels for specific periods may be adjusted to take into account special events, anticipated needs, and holidays. Variations from the established minimum staffing levels require the authorization of the sheriff or Operations Division chief.

I. Patrol Section

A. Personnel assigned to patrol-equivalent positions (e.g., civil deputies, deputies assigned to county parks or hourly contract deputies) are not counted toward meeting minimum Patrol Section staffing levels. Supervisors are not counted as patrol deputies toward meeting minimum staffing levels. Commanders may fill in for sergeants as shift supervisors on an intermittent or sporadic basis, consistent with meeting the other obligations of their position. This should not occur on a routine basis.

B. Municipal Contracts for Law Enforcement

1. By contract, the deputy assigned to Lyons/North District is expected to spend the majority of their shift within the Town of Lyons when not
handling calls in the unincorporated area of the County.

2. By contract, deputies assigned to the Town of Superior are expected to patrol the town, except when obligated to respond to emergency calls outside of the town limits.

3. Sergeants assigned by contract to the Town of Superior or the Town of Lyons may fill in for shift sergeants on an intermittent or sporadic basis, consistent with meeting the other obligations of their position. This should not occur on a routine basis.

4. The Town of Superior pays for one additional contract deputy positions to supplement evenings, from 1400 – 0200, on the B-side night's work schedule. This position is not counted toward meeting shift minimums and need not be filled if the assigned deputy is absent.

5. By contract, Patrol covers all calls for service in the Town of Nederland from 2200 – 0600, seven (7) days per week. The Town pays for one additional deputy for these services, which raises the minimum staffing of the Mountain District by one on B-side nights.

C. Shift Staffing

1. Dayshift
   a. Each 12-hour dayshift patrol team (0600 – 1800) is staffed with two sergeants and fourteen deputies. Minimum staffing levels for dayshift are one sergeant, seven deputies from 0600 – 1000 and nine deputies from 1000 – 1800, including two deputies assigned to the Town of Superior. The K-9 deputies assigned to the dayshift work four 10½ hour shifts (0730-1800).

2. Nightshift
   a. Two sergeants and eleven deputies staff each nightshift patrol team (1800-0600). Minimum staffing levels are one sergeant, six deputies from 1800 – 0000 and five deputies from 0000 – 0600, including a deputy assigned to the Town of Superior. The K-9 deputies assigned to the nightshift work four 10½ hour shifts (1800-0430). When a K-9 deputy goes off duty, minimum nightshift staffing remains one supervisor and five deputies from 0430-0600.
D. School Resource Officers

1. SROs are assigned to specific schools during the school year. They are not counted toward meeting patrol shift minimums. During school breaks and vacations, the SRO’s may be temporarily reassigned to patrol or other uniform duties.

E. Animal Control Unit

1. The Animal Control Unit is staffed by five Animal Control Specialists (four full-time) and an Animal Control Supervisor, for a total of five full-time equivalent (FTE) positions. Animal Control provides seven-day-a-week coverage. Minimum staffing levels are one Animal Control specialist each day. They are not assigned to work the County’s “premium holidays” (Christmas Day, New Year's Day, and Thanksgiving Day).

II. Investigations

A. The Detective Section provides on-duty coverage Monday-Friday, county-designated holidays excepted, with an established on-call schedule for after-hour responses. Minimum staffing is one supervisor and three detectives, Monday and Friday; and one supervisor and four detectives, Tuesday – Thursday.

B. A commander, sergeant, and three detectives (two sheriff’s FTEs and one contract FTE position) are assigned to the multi-agency Boulder County Drug Task Force. Due to the nature of the assignment, schedules and work days must remain flexible. No minimum staffing requirements are established by the division for the personnel assigned to the Drug Task Force.

1. The BCDTF supervisors are available via pager 24-hours a day for consultation and resource requests. BCDTF can be reached through their main office number during regular business hours, or through Communications after hours.

III. Administrative Section

A. Civil Unit

1. The Civil Unit is staffed full-time by a sergeant, three deputies, a paralegal specialist, and two law enforcement technicians. Coverage is provided Monday-Friday, from 0800-1700, with county-designated holidays excepted. As their work is dependent upon the volume of civil process received for service and the need to complete specific
tasks (e.g., evictions, writs, garnishments, court-ordered mental holds, etc.), their schedules must remain flexible. Minimum staffing is established at two deputies and two civilian staff during business hours. Hourly deputies and civilian personnel may be used as required to ensure minimum staffing needs are met.

B. Court Security Unit

1. The deputies and security deputies assigned to the Court Security Unit maintain security at the Boulder County Justice Center (CJC) and Longmont Court annex (LCC), Monday-Friday, from 0645 – 1730 dependent upon post assignment, county-designated holidays excepted. A sergeant, six deputies, and three security deputies are assigned to the unit on a full-time basis. Minimum staffing is set at six deputies/security deputies on any given day (4 at the CJC; 2 at LCC). Hourly or overtime deputies, security deputies, reserve deputies, and contract civilian security, may be used as required to ensure minimum staffing needs are met.

IV. Special Operations Section

A. Emergency Services Unit

1. A sergeant and one deputy are assigned to the Emergency Services Unit. Minimum staffing for the Emergency Services Unit is one member on-duty Monday-Friday during business hours, county-designated holidays excepted, with an established on-call schedule for after-hours and weekend responses.

B. Fire Management Unit

1. The Fire Management Unit is led by the Fire Management Officer (FMO) and is staffed with four full-time fire operations specialists and wildland firefighters. Additionally, the unit is supplemented by some seasonal and hourly, part-time wildland firefighters. During off-peak fire season, minimum staffing is three personnel during regular business hours, Tuesday - Friday, county-designated holidays excepted. Minimum staffing can be achieved through full-time staff, part-time, seasonal staff, or a combination thereof.

2. During high/critical fire weather, “severity patrols” may be implemented at the discretion of the unit commander and FMO. When severity patrols are implemented, the daily minimum staffing is four personnel from the Fire Management Unit (one FDO and three firefighters), with coverage provided seven days per week. Minimum staffing can be achieved through full-time staff, part-time, seasonal
Boulder County Sheriff’s Office
Operations Division
Policy and Procedure Manual

staff, or a combination thereof.

C. Parks & Open Space Unit

1. Four deputies are assigned to the County’s Parks and Open Space Unit. Their schedules are flexible based on season and the needs of Boulder County Parks & Open Space. Minimum staffing is one deputy working daily, Sunday – Saturday, with county-designated holidays excepted.

D. Gross Reservoir Rangers

1. Gross Reservoir Rangers are seasonal employees assigned to Gross Reservoir through a contract with Denver Water. The ranger season typically runs late-April through early-October but is budget dependent. Minimum staffing during the ranger season is one ranger on-duty daily. Hours may vary based upon need, but are set by the Special Operations commander.

V. Scheduling to Meet Minimum Staffing

A. Supervisors are expected to ensure that minimum staffing standards are met.

B. Supervisors are authorized to approve time off for anticipated vacations, compensatory days, and holidays and adjustments for projected training obligations, consistent with meeting the established minimum shift staffing levels.

C. As best they are able, supervisors will anticipate other likely absences (maternity/paternity leave, surgeries, retirements, etc.) and will make allowances for them in their projected scheduling.

D. If unanticipated absences occur before or at the beginning of a shift (e.g., illness, injury, funeral leave, etc.), supervisors will ensure that minimum staffing levels are met. They may accomplish this by canceling training, asking for voluntary cancellation of previously approved time-off, or offering other deputies the opportunity to fill in for compensatory time. As a last resort, they may fill the vacancy by offering overtime compensation, but only with the approval of a commander, and consistent with other payroll calculations.

E. In the event that an unanticipated absence occurs during the course of the shift (e.g., a deputy goes home sick midway through a shift), which puts the shift below minimum staffing levels for less than six hours, the supervisor may, in their discretion, elect to run down one position for the remainder of
the shift.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

10/31/2019

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
2/2016: Updated §§ 1(b) and (c) for 2018 deployment; removed powershift; updated specialty unit information. 5/2018: Updated with Nederland contract requirements. 11/2019: Updated minimum staffing allocations between hours in §§1(C).

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Felony Arrest Paperwork

NUMBER: OP201

EFFECTIVE DATE: December 31, 2019

SUPERSEDES: [New]

POLICY: It is the policy of the Boulder County Sheriff's Office to comply with all statutory requirements governing the timely discovery of all reports, records, and related evidence involved in arrests. Given the unique filing timelines required by statute for the District Attorney to file felony charges after an arrest, the Sheriff’s Office has implemented this policy and procedure to ensure timely compliance of discovery to the DA’s Office occurs.

RELATED POLICIES & PROCEDURES:
OP202 – Report Writing
OP707 – Felony Summons Procedure

DEFINITIONS:

Felony Packet: The entirety of the records that exist at the time of a felony arrest, which is compiled by the arresting or assigned deputy, and is submitted electronically to the District Attorney's Office for review in the filing of charges.

PROCEDURE:

I. Probable Cause Arrests

A. When a probable cause arrest for felony charges occurs, the arresting deputy is responsible to ensure the following occurs:

1. Completion of the Felony Arrest Cover Sheet (form OP201-A)

   a. Arresting deputies are responsible for gathering or requesting all pertinent information identified on the Felony Arrest Cover Sheet (e.g. copies of arrest reports, voluntary statements, criminal history printouts, property and evidence reports, requesting 911 call tapes, etc.) that exist in the case and attach it to their felony report packet submitted to the Typing Pool.

2. Completion of all NIBRS related report forms and face sheets

   a. The arresting deputy is to identify what deputies were present at the incident on the Case Cover Sheet so that Typing Pool ensures all case-related reports are entered before reviewing the felony packet for detective supervisor review.
b. The arresting deputy is responsible to obtain a copy of the NIBRS report face sheets for all deputies completing a supplemental report and including them in the felony packet.

3. Compiling and submitting the felony packet to Typing Pool, after it's been reviewed and approved by a patrol supervisor, along with their associated report narrative(s).

4. Once the report is entered by Typing Pool, and is approved and transferred by a detective supervisor, the felony filing packet is transmitted electronically by Records to the DA’s Office through their electronic discovery system.

II. Affidavit Warrant Arrests

A. When a felony affidavit arrest warrant is obtained, the assigned deputy/investigator is responsible to ensure the following occurs:

1. Completion of the Felony Arrest Cover Sheet (form OP201-A)
   a. Investigating deputies are responsible for ensuring all case-related documents have been submitted to Records for upload to FileNet so they are available for upload.

2. Completion of all related report forms, face sheets, and narratives.

3. A completed felony filing packet should be forwarded to the Records Section, including a copy of the signed arrest warrant and its related affidavit, to the Records Section for electronic upload to the DA’s Office electronic discovery system.

By Order of the Division Chief,

Robert Sullenberger, Division Chief

Date 12/31/2019

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ATTACHMENTS OR ADDENDUMS:
OP201-A Felony Arrest Cover Sheet
OP201-B Felony Packet Process Map

HISTORY:
On-going Detective Case File Intake

- Obtain document(s) for submission to the case file. As soon as it's received...

Electronic document or file?

- Yes: Make Sure All Documents have already been submitted to Records and are in FileNet
- No: Email to #SheriffRecords Subject of (X=Case Number): “XX-XXXX Detective Case File Documents”

Submit hard copies of documents to basket labeled “Detective” in records mailroom area on 1st floor

Detective Felony Packet

- Fill out Felony Coversheet and give to Detective Supervisors via either:
  1. Sheriff Detectives Supervisor routing email
  2. Hardcopy given directly to the detective supervisor on duty

Review reports and set to appropriate level for dissemination

Generate Crystal Report in PDF and upload to FileNet

Complete Felony Coversheet in PDF and upload to FileNet

Send email to SheriffDiscovery routing code notifying records, BWC and evidence there is a case ready for discovery to be sent to the DA’s office.
SUBJECT: Pass-on & Executive Summary

NUMBER: OP205

EFFECTIVE DATE: October 16, 2018

SUPERSEDES: March 8, 2005

POLICY: Open communication is a critical value of the Sheriff’s Office and necessary for operational efficiency and effectiveness. To aid in this communication of crimes and incidents that occur or require special or additional attention, deputies will enter pass-on messages into the pass-on system for use by authorized personnel, as this is the principal information-sharing platform between shifts and units within the division. Additionally, shift supervisors are to create a summary of significant events that took place during a shift or other specified timeframe, which will be disseminated by e-mail using the executive summary routing code.

RELATED POLICIES & PROCEDURES:
524 – Staff Notification of Major Events

DEFINITIONS:

Executive Summary: A summary of significant events for a shift or other specified timeframe, which is distributed by email by the shift supervisor prior to the conclusion of their shift.

LAN System: The local area network (LAN) computer system maintained by the County, including intranet webpages accessible only by authorized personnel and maintained by the Sheriff’s Office.

Pass-on: Pertinent information entered into the LAN System by deputies and other operational personnel regarding crimes, incidents, reports and other notable events or statistics during the course of a shift or other specified timeframe.

Significant Activity: Any incident or call resulting in a Tiburon report; activity in response to a directed patrol; traffic accidents involving fatalities or serious injuries; intelligence information; significant events occurring within a municipality that may have an impact on sheriff’s deputies or investigators (e.g., bank robberies, serial burglaries, homicides, officer-involved shootings, etc.); any significant political activity or public demonstration; any injury or accident involving a deputy; complaints that were not resolved with complainant contact and in which a deputy/supervisor is likely to receive a follow-up call; or any other information a supervisor deems necessary for distribution.

PROCEDURE:

I. Pass-on

A. Expectations
1. Uniformed deputies and animal control officers are expected to make a daily pass-on entry documenting any significant activity, event, or other information in which they were involved over the course of their shift.

   a. Events without a case number such as barking dogs, dogs-at-large, etc., are reported to the extent they are likely to be useful for other deputies or animal control officers in the pass-on system.

   b. If a deputy or animal control officer has nothing significant to report during the course of a shift, a pass-on entry must still be completed with the phrase “Nothing to report” or “NTR.”

2. Specialty units (e.g., Civil, Drug Task Force, Emergency Services, Investigations, etc.) may enter pass-on on an as-needed basis, or when directed by their unit supervisor or commander.

3. Uniformed deputies and animal control officers are to review pass-on for their assigned district or other area(s) of responsibility at the beginning of every shift.

B. Content

1. Pass-on entries are to be concise, coherent, and professional, including the use of proper English and grammar, and are to be free from unnecessary opinion or commentary. Pass-on entries are to be made under the corresponding date and district.

2. Each pass-on entry should include the case number, if applicable, location, names of those primarily involved, and a short synopsis of the event. If immediate follow-up is required by the following shift, follow-up requests should be noted.

3. The following format shall be used for each pass-on entry:

   **Call or Incident Type**
   
   **Address or Location of the Incident**
   
   **Case Number / List of deputies involved**
   
   Brief narrative description of the event or incident.

4. Pass-on entries are open to public records laws and should be composed in that light.

C. Supervisor Pass-on
1. Supervisors coming off-shift are to make either personal or phone contact with the on-coming supervisor prior to their end-of-watch to provide any additional information not included in the pass-on system or executive summary.

II. Executive Summary

A. Expectations

1. Shift supervisors are expected to send a daily summary of significant activity, event, or other information that occurred over the course of the shift. These entries should be of a higher level than that of pass-on entries made by deputies and animal control officers. The intent of executive summary is to provide enough information and context for the reader to understand what occurred, but still remain concise.

2. Significant events that are unfolding during the course of a shift (e.g., an officer-involved shooting involving another county agency, patrol response to a wildfire or other developing event, etc.) that do not require an immediate response from command or executive staff should be messaged, whenever practicable, using the executive summary email routing code, including pertinent updates.

   a. Notification of an event that requires an immediate response from command or executive staff is to be made by pager, in accordance with Policy 524.

3. Specialty units (e.g., Civil, Court Security, Drug Task Force, Investigations, etc.) may complete an executive summary pass-on message for a broader timeframe (e.g., weekly, monthly, quarterly, etc.) to share significant information, at the discretion of the unit’s commander.

4. The preferred method for collecting executive summary information is for the on-duty supervisor completing the summary to make phone or personal contact with each deputy or animal control working to obtain the basic information needed for the summary.

   a. If a deputy or animal control officer is unavailable, or it is impractical due to call load, a supervisor may cut and paste pertinent entries for executive summary from the pass-on system. The supervisor is responsible to make any content and grammatical corrections necessary, but must follow-up with the deputy or animal control officer to address the need for corrections to be made.
B. Content

1. Executive summary entries are to be concise, coherent, and professional, including the use of proper English and grammar, and are to be free from unnecessary opinion or commentary.

2. Each executive summary entry should include the case number, if applicable, location, names of those primarily involved, and a short synopsis of the event, including call disposition. If immediate follow-up is required by the following shift, follow-up requests should be noted.

3. The subject line of each executive summary email is to include the shift and corresponding date (e.g., “Nightshift 3B, Friday, October 12”).

4. The following format shall be used for each executive summary entry:

   **Call or Incident Type**
   **Address or Location of the Incident**
   **Case Number / List of deputies or staff involved**
   Brief narrative description of the event or incident.

5. Executive summary messages are open to public records laws and should be composed in that light.

By Order of the Division Chief,

[Signature]

Robert Sullenberger,  
Division Chief

10/16/2018

Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
POLICY: It is the policy of the Boulder County Sheriff’s Office to notify affected residents of a sexually violent predator (SVP) that is being released into the community, or sentenced to work release in the Boulder County Jail, as soon as possible. The Operations Division will determine the format of notification, including whether a town hall style SVP community notification meeting will be held. Additionally, the Sheriff’s Office will notify the community when a SVP changes addresses.

RELATED PROCEDURES:
532 – Sex Offender Registration Policy

DEFINITIONS:
Community Notification: Formal notification to the community of a sexually violent predator who registers with the Boulder County Sheriff’s Office. Community notification may include, but is not limited to, a media release, posting an informational bulletin or banner on the Sheriff’s Office’s website, and/or hosting a community notification meeting with the public.

Sexually Violent Predator (SVP): A convicted offender who has been identified as being high-risk, pursuant to C.R.S. § 18-3-414.5, or who has been found to be a sexually violent predator – or its equivalent – in any other state or jurisdiction, including a military or federal jurisdiction, which has been verified by the Colorado Bureau of Investigation (CBI) or another Colorado law enforcement agency.

PROCEDURE:

I. Responsibilities

A. Upon receiving notification of the release or registration of an SVP to a residence in unincorporated Boulder County, the jurisdiction for which the Sheriff’s Office provides primary law enforcement, or who is sentenced to work release at the Boulder County Jail, community notification will be conducted as outlined by Policy 532 – Sex Offender Registration.

B. It is the responsibility of the detective commander to determine if a community meeting is warranted in addition to the notification steps outlined in Policy 532 – Sex Offender Registration, and to organize and supervise the community meeting if one is determined to be required.
II. Planning the Community Notification Meeting

A. If a community meeting is determined to be appropriate, the detective commander, with the assistance of the law enforcement technician in the Support Services Division responsible for sex offender registrations (RLET), will coordinate with the following organizations, entities, or individuals to be in attendance or represented at the meeting:

1. Boulder County District Attorney’s Office
2. A sex-crimes investigator from the Sheriff’s Office
3. Victim advocate(s)
4. The probation/parole officer assigned to supervise the SVP
5. The adult standards and community notification coordinator for the state’s Sex Offender Management Board
6. A sex offender treatment provider

B. The SVP registrant shall be made aware of the scheduled community notification meeting, either by a representative of the Sheriff’s Office, or the criminal justice agency who is currently supervising the SVP.

1. The SVP shall be required to sign the State of Colorado’s Advisement to Subject of Community Notification Meeting form upon notification. The RLET responsible for processing sex offender registration will obtain a signed copy of the form from any law enforcement agency that acquired it and maintain it in the SVP registrant’s sex offender registration file.

C. The law enforcement agency conducting the notification meeting shall ensure that the victim – or parent, custodian or guardian of a child victim (if applicable) – is contacted, and provided with the type of planned community notification and the date(s), prior to its occurrence.

1. Victim notification of a community meeting is not required if the victim has (1) expressly indicated that they wish to have no further contact regarding community notification activities, or (2) when law enforcement is unable to locate the victim after multiple attempts and substantial efforts. Either exception to the victim notification requirement must be documented in writing and maintained in the SVP registrant’s sex offender registration file.
D. A meeting site location that is easily accessible to the affected residents of the impacted community, and can accommodate all local residents who wish be located and reserved for the community notification meeting.

E. Notification of the planned community meeting will be made to the affected neighborhoods, local businesses, and schools, in proximity of the address where the SVP registrant will live or parole to.

1. It is the responsibility of the detective commander to determine the size and scope of the notification area.

2. The State of Colorado’s Notice of Community Meeting Regarding Sexually Violent Predator form may be used for making the notification.

3. Distribution of the Notice of Community Meeting Regarding Sexually Violent Predator form can be made in any or all of the following ways, but is not limited to:

   a. Media release
   b. Social media platforms (e.g. Twitter, Facebook, NextDoor, etc.)
   c. Mailed flyers
   d. Hand-delivered flyers
   e. Email to known distribution list(s)
   f. Utility bill notification
   g. Local newspaper articles or advertisements
   h. Telephone or text notification

F. The Sheriff’s Office may share SVP notification information with other local law enforcement agencies in proximity of the SVP’s home address or place of employment, if determined to be necessary by the detective commander, and/or any jurisdictions the SVP may travel through regularly.

III. Community Notification Meeting

A. Any additional elements of the community notification meeting will be determined by the detective commander, who is also responsible for overseeing the notification meeting.
B. The community notification meeting may include, but is not limited to, the following:

1. Sign-in sheets for attendees, including their name, address, email, and/or telephone number(s);

2. Cards for public attendees to submit questions for a question and answer session (if held);

3. Informational flyers with SVP biographical information, registration photograph, Sex Offender Tracking and Registration (SOTAR) or Sheriff’s Office registration information, parole officer/office contact information, and related resource information.

4. A PowerPoint™ or similar presentation that includes an educational component as required by law, containing the following:
   a. The definition of SVP and the process in which that designation is made;
   b. Name of the SVP registrant;
   c. Address(es) where SVP resides;
   d. Photograph of the SVP registrant;
   e. Information about the underlying sexual offense(s) and other relevant conviction information;
   f. Parole terms, conditions, and restrictions, as well as any additional terms, conditions, and restrictions the SVP is required to comply with; and
   g. The process for reporting violations.

C. Question and Answer Period

1. Any question and answer period held as part of the community notification will be managed and controlled in an orderly manner, as determined by the detective commander overseeing the meeting. Anyone out of order will be asked to leave and escorted out of the room.
2. The format of any question and answer period included in a community notification shall be determined prior to the meeting and publically announced. It is the responsibility of the detective commander to determine the most appropriate format.

3. The question and answer format may include, but is not limited to:

   a. Written questions that are submitted on a card, which are collected prior to the meeting, or at another designated time during the meeting if more logistically appropriate;

      1) Written questions will be screened prior to their public reading. Appropriate questions will then be read and answered by the panel or representatives identified in Topic II, Section A.

   b. Oral questions may be asked in an open forum by those in attendance.

4. Questions that are not, or cannot, be immediately answered during the community notification may be posted, with answers, on the Sheriff’s Office’s website at a later date.

D. Breakout sessions may be held after the general notification meeting has concluded to allow for further questions and discussion to specific organizations or representatives in attendance.

E. Uniformed sheriff’s deputies will be present at the notification meeting. The exact number required shall be determined by the detective commander overseeing the meeting.

IV. Community Notification of an SVP De-Registration

A. When the Sheriff’s Office de-registers an SVP and confirms they have left the community they previously resided in, notification will be made to the same neighborhoods, businesses, schools, and community groups that were notified during the original community notification. In general, the same method(s) in which the initial notification(s) were made will be utilized.
B. The de-registration notification should include, but is not limited to, the following information:

1. The name of the SVP registrant;
2. The address(es) from which the SVP is moving from (de-registering) to the new address(es) they are moving to and will re-register at;
3. The approximate date of relocation; and
4. A Sheriff’s Office contact name, phone number, and email address, for anyone with additional questions to contact.

By Order of the Division Chief,

[Signature]
Robert Sullenberger, Division Chief 7/11/2017

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Online Reporting

NUMBER: OP207

EFFECTIVE DATE: December 8, 2016

SUPERSEDES: December 13, 2006

POLICY: RESCINDED

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

12/08/2016

Date

ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: School Resource Officer Program  
NUMBER: OP301  
EFFECTIVE DATE: November 10, 2016  
SUPERSEDES: [New]

POLICY: The Operations Division has assigned deputies to work as school resource officers (SROs) in the Boulder Valley School District and the St. Vrain Valley School District. Deputies assigned as SROs, and deputies who take enforcement action on school property, shall comply with the requirements outlined by the Colorado Revised Statutes.

RELATED PROCEDURES:
OP104 – Shift Bid & Job Assignments

DEFINITIONS:
School Resource Officer: A deputy sheriff who’s primary job assignment is to serve in an assigned school or set of schools.

PROCEDURE:
I. Assignment of school resource officers

A. St. Vrain Valley School District

1. The St. Vrain Valley School District contracts with the sheriff’s office for school resource officer services within their district. The school resource officer services contract is designed to help off-set SRO salaries, and determines the allocation of school resources officers to the district.

2. Deputies are assigned as school resource officers to the following schools within unincorporated Boulder County, or within municipalities where the sheriff’s office provides contract law enforcement services. One deputy is assigned to each of the following school sets:

   a. Lyons Middle/Senior High School, Lyons Elementary and Hygiene Elementary School.

   b. Niwot High School and Niwot Elementary

B. Boulder Valley School District
1. The Boulder Valley School District does not provide off-setting revenue for school resource officer services, which directly impacts the available resources available for assignment to the district.

2. Deputies are assigned as school resource officers to the following schools within unincorporated Boulder County, or within municipalities where the sheriff’s office provides contract law enforcement services. One deputy is assigned to the following school sets:

   a. Arapahoe Ridge High School, Nederland Middle/Senior High School, Nevin Platt Middle School, Heatherwood Elementary, Douglas Elementary, Superior Elementary and Eldorado K-8 School.

C. School resource officers are selected in accordance with the *Shift Bid and Job Assignment* policy. To the extent possible, administrators from the affected schools or security office of the involved school district should participate in the candidate selection process.

II. School resource officer training

A. Every deputy assigned as a school resource officer shall complete a basic school resource officer training program approved by Colorado P.O.S.T. to ensure compliance with the requirements of § 24-31-312, C.R.S.

1. Approved curriculums that meet current statutory requirements are located on the Colorado Peace Officer Standards and Training (P.O.S.T.) website.

B. School resource officers shall be familiar with the provisions of the conduct and discipline code of the school(s) at which they are assigned, as required by § 22-32-146(3), C.R.S.

C. School resource officers are required to maintain attendance at all other deputy-required training in the Operations Division.

III. Reporting of incidents on school grounds or involving students
A. Incidents on school grounds

1. Any deputy, including SROs, acting in their official capacity on school grounds, at a school-sanctioned activity, or in a school vehicle, who makes a custody arrest shall notify the involved school’s principal of the arrest within 24 hours pursuant to § 22-32-146(1), C.R.S.

2. Any deputy, including SROs, acting in their official capacity on school grounds, at a school-sanctioned activity, or in a school vehicle, who issues a ticket or summons for an incident that occurred on school grounds, at a school-sanctioned activity, or in a school vehicle, shall notify the involved school’s principal of the summons within 10 days pursuant to § 22-32-146(2), C.R.S.

3. Deputies are authorized to report summonses and arrests to the school resource officer assigned to the affected school, provided the school resource officer has a reasonable amount of time to report the incident to their principal as required by statute.

B. Reporting to the Colorado Division of Criminal Justice

1. On or before August 1st each year the sheriff’s office is required to report all arrests, tickets, or summonses issued to students on school grounds – at any public elementary school, middle school, or high school – at a school-sanctioned activity, or in a school vehicle, for the prior academic year, including summer months, to the Colorado Division of Criminal Justice.

2. The following information shall be reported before the annual deadline, pursuant to § 22-32-146(5)(c), C.R.S.:
   a. The student’s full name;
   b. The student’s date of birth;
   c. The student’s race, ethnicity and gender;
   d. The name of the school where the incident occurred or the name of the school that operated the vehicle or held the activity or event;
   e. The date of the arrest or taking of a student into custody;
   f. The date of the issuance of the summons or ticket;
g. The arrest or incident report number;

h. The single most serious offense for which a student is arrested, issued a summons, or issued a ticket for, using the corresponding NCIC crime code;

i. The type of weapon involved, if any, for offenses classified as Group A offenses under NIBRS;

3. The commander assigned to oversee the SRO Program is responsible for compliance with the reporting requirements, and for determination of the reporting frequency to the division of criminal justice, as prescribed by § 22-32-146(5), C.R.S.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

11/10/2016

ATTACHMENTS OR ADDENDUMS:

[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Cadet Program

NUMBER: OP302

EFFECTIVE DATE: April 16, 2019

SUPERSEDES: October 2001

POLICY: The Boulder County Sheriff's Office Law Enforcement Cadet Program is a professional law enforcement orientation program sponsored by the Boulder County Sheriff's Office under the auspices of the Boy Scouts of America (BSA). The Cadet Program has the major goals of fostering among interested young people the ideals, ethics, philosophy and knowledge of the law enforcement profession; to play a role in promoting the well-being and education of its participants and to provide them with the opportunity to contribute to their community while exploring a prospective career.

The Cadet Program encompasses five major areas of activity: (1) Educational programs, (2) practical exercises (non-hazardous, non-enforcement), (3) community service, (4) social and recreational activities, and (5) activities which foster personality and maturity development.

RELATED POLICIES & PROCEDURES:
209 – Fiscal Management and Financial Controls
523 – Uniforms and Appearances

DEFINITIONS:
Advisor: A full-time employee of the Sheriff's Office appointed by the Sheriff to administer, oversee, and manage all facets of the Cadet Program.

Assistant Advisor: Full-time employees of the Sheriff’s Office appointed by the Sheriff to assist the Advisor in the administration, oversight, and management of the Cadet Program.

Cadet Officers: Appointed leadership positions within the Post, which include the Cadet Captain, Cadet Lieutenant, and Cadet Sergeants.

Cadet Post 500: The formal designated name for the Sheriff’s Office Cadet Program, by charter with the Boy Scouts of America (BSA). For purposes of this policy, the terms Cadet Program and Cadet Post are synonymous.

Cadet Staff: The Cadet Program’s leadership team, which includes the Cadet Captain, Cadet Lieutenant, Cadet Sergeants, Advisor, and all assistant advisors.

Executive Staff: The Sheriff’s executive team, which includes the Undersheriff, Division Chiefs, Legal Advisor, and Director of the Office of Emergency Management.

LEEEPAAC (Law enforcement Explorer Post Advisors Association of Colorado): The Colorado Law Enforcement Exploring Post Advisory Council, a network of law enforcement professionals, and their families who support and promote the Law Enforcement Exploring Program in Colorado.
enforcement explorer post advisors.

PROCEDURE:

I. Administrative and Program Structure

A. Executive Board

1. The Executive Board that oversees the Cadet Program is the Sheriff’s Executive Staff. The Board shall serve to support the Cadet Advisor in ensuring the smooth operation of the Cadet Program and is responsible to recruit and recommend the Cadet Advisor and Assistant Advisors to the Sheriff for appointment.

B. Cadet Advisor

1. The Advisor is a full-time employee of the Sheriff’s Office and is appointed by the Sheriff to oversee all operations of the Cadet Program and ensure its smooth operation. Additionally, the Cadet Advisor is responsible for the following aspects of the program:

   - Supervise all cadets and assistant advisors.
   - Supervising program meetings, activities, recruiting of new members, and financial status of the program, or making appropriate delegation to an assistant advisor or cadet staff.
   - Investigate complaints, both internal and external, involving cadets, and to ensure proper cadet discipline and sanctions are administered as set forth in the policy.
   - The Cadet Program representative to the Executive Board.
   - Ensuring all requirements of the Boy Scouts of America (BSA) are met, including the annual review and re-chartering of the Cadet Post, and serving as the BSA liaison for all BSA and BSA Longs Peak Council functions.

2. The Cadet Advisor serves at the pleasure of the Sheriff.

C. Assistant Advisors

1. Assistant advisors are appointed by the Sheriff upon recommendation of the Executive Board. The Sheriff may appoint as many assistant advisors as necessary for the proper administration of the Cadet Program. Ideally, assistant advisor representation should be included from each division of the office.

2. It is the responsibility of the assistant advisors to assist the advisor in the administration and oversight of the Program. This includes sharing
the duties of counseling, training, and discipline of cadets, as needed.

3. An assistant advisor, in the absence of the Advisor, is to assume their roles and responsibilities in the interim.

4. Assistant advisors serve at the pleasure of the Sheriff.

D. Cadet Captain

1. The Cadet Captain shall be a senior cadet, unless granted a waiver by the Advisor, who is in good standing, of high repute, high character, and of great integrity.

2. The Cadet Captain is appointed to a term of one-year, as outlined herein (cf. § I.H).

3. The responsibilities of the Cadet Captain, under the supervision of the advisor and/or assistant advisors, includes, but is not limited to: (a) acting as the presiding officer at all cadet meetings, cadet staff meetings, review boards, and other functions as assigned by the Advisor or an assistant advisor; (b) responsible for executing the directives of the advisor and/or assistant advisors; (c) assisting the advisor and/or assistant advisors in the supervision of the program membership, including periodic cadet personnel and program reviews; (d) plan and coordinate program activities; and (e) serve as a liaison between other external cadet programs and Boy Scout organizations as needed or directed.

E. Cadet Lieutenant

1. The Cadet Lieutenant shall be a senior cadet, unless granted a waiver by the Advisor, who is in good standing, of high repute, high character, and of great integrity.

   a. The Advisor has authority to appoint more than one cadet lieutenant if the program size warrants the need.

2. The Cadet Lieutenant is appointed to a term of one year, as outlined herein (cf. § I.H).

3. The responsibilities of the Cadet Lieutenant, under the supervision of the Cadet Captain, Advisor, and/or assistant advisors, includes, but is not limited to: (a) assist the Cadet Captain in the administration of the program; (b) assume the responsibilities of the Cadet Captain in their absence; (c) coordinate recruiting activities, including the processing of applications for program membership, and the scheduling of oral
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

interview boards; (d) coordinating cadet recruit training; (e) maintaining
the cadet personnel files; and (f) assist in the investigation and
documentation of findings regarding minor complaint or allegations of
cadet misconduct in accordance with this policy, when delegated by the
Advisor and/or Cadet Captain, including making a recommendation of
cadet disciplinary action.

F. Cadet Sergeant(s)

1. A Cadet Sergeant shall be a cadet in good standing, of high repute, high
character, and of great integrity.
   a. The Advisor has authority to appoint as many cadet sergeants as
      are necessary based upon program size, but there shall always
      be a minimum of two appointees.

2. A Cadet Sergeant will be appointed to a term of one year, as outlined
   herein (cf. § I.H).

3. The responsibilities of the Cadet Sergeant, under the general
   supervision of the Cadet Captain and Lieutenant, the Advisor, and/or the
   assistant advisors, includes, but is not limited to: (a) supervise the cadet
   members assigned to him or her, to ensure their orderly and efficient
   behavior; (b) to ensure that minimum training and volunteer work
   commitments are met as required; (c) provide monthly reports detailing
   their cadet support activities to the Cadet Staff; and (d) assume duties
   or responsibilities delegated by a higher ranking member of the Cadet
   Staff.

4. Administrative Sergeant: One Cadet Sergeant will be appointed by the
   Cadet Captain to act as the administrative sergeant for the program. The
   program’s administrative sergeant is responsible to maintain security of
   all cadet files (excluding cadet personnel files, which are kept by the
   Cadet Lieutenant), including, but not limited to: monthly meeting notes,
   monthly activity reports, e-reports, membership lists, and inventory and
   assignment of program-owned or department-owned property. The
   administrative sergeant is also responsible for all necessary program
   correspondence. The administrative sergeant assumes the duties of the
   Cadet Lieutenant in their absence.

G. Senior Cadets

1. Candidates for Senior Cadet status shall be at least eighteen (18) years
   of age, a cadet in good standing with a least one (1) year of experience
   within the Cadet Post.
2. In order to be considered for Senior Cadet status, the Cadet candidate must have completed the following: (a) a basic cadet academy or its equivalent; (b) have a valid CPR/First Aid certification; (c) must have met or exceeded the minimum hourly volunteer service obligation over the preceding year; (d) Successful completion of the (ICS) Incident Command System award.

3. Cadets who meet the criteria in §§ II.G.1 and II.G.2 are to file written notice of their desire and qualification to receive appointment to Senior Cadet status to the Cadet Staff. The Cadet Staff shall make the appointment based upon majority vote.

   a. If an application for Senior Cadet status is found to be deficient, the cadet may resubmit an application for Senior Cadet status after correcting any deficiencies noted when the original application was reviewed by Cadet Staff.

H. Appointment of Cadet Officers

1. An appointment process for cadet officers is conducted annually at the first Post meeting in November, in which appointments for cadet officer positions will be made for the following program year.

2. Qualified candidates interested in being considered for a position as a cadet officer must make a written application of their desire to be considered, what position(s) they wish to be considered for, and their qualifications, no less than two weeks before the first Post meeting in November. Written application is made to the current Cadet Staff.

3. The appointment process may include: (a) a general election vote by all members of the Cadet Program, which is conducted by secret ballot administered by the Advisor; (b) an oral interview with the advisors and any current cadet officers who are not returning to the Post the following year.

   a. Each component of the process is weighed by the Advisor to make the best decision possible; however, the interview is typically afforded the greatest weight in the appointment considerations.

4. If a vacancy occurs during the year in a cadet officer position, the vacant position will be filled by the next cadet in the command structure (e.g., a cadet captain vacancy would be filled by the cadet lieutenant, the cadet lieutenant position would be filled by the administrative sergeant, etc.). The Cadet Staff will make the appointment in the resulting vacancy at the cadet sergeant level, if needed. Individuals appointed mid-year
complete the term of their predecessor.

5. Cadet officers are not limited in the number of consecutive terms they may serve.

6. Cadet officer appointments are made by the Advisor in consultation with Cadet Staff. Cadet officer appointments are not subject to appeal.

I. Cadet Seniority

1. Cadet seniority is determined by the length of time a cadet has been a continuous member of the Post in good standing.

2. Cadet seniority may be used as a criterion for advancement, delegation of responsibility, and selection of interim cadet officer members at the discretion of the Advisor, assistant advisors, and/or Cadet Captain.

J. Cadet Chain of Command

1. When determining cadet chain of command authority in the Program, the following criteria are used to make this determination, in order:

   a. Rank within the Post (Captain, Lieutenant, Administrative Sergeant, Sergeant, Senior Cadet, Cadet, Cadet Recruit)

   b. If equal rank, at the designation, if any, by a member of the Cadet Staff

   c. By length of continuous involvement in the Post in good standing (seniority).

2. Members of the Program shall respect the cadet chain-of-command and abide by the decisions, directions, and orders given them by ranking cadets.

3. Cadets should generally direct their questions to their immediate superior whenever practical. If their immediate cadet superior is not available, their question can be made to the next individual in the chain-of-command.

4. In the event a cadet receives conflicting orders or directions from a superior-ranking cadet, the cadet should respectfully call the discrepancy or conflict to the attention of the cadet issuing the order for clarification. If unable to resolve the issue, the cadet should follow the order of the ranking cadet unless the order is a clear violation of the cadet policy, Sheriff’s Office policy, or a violation of law, in which case
the Advisor or an assistant advisor should immediately be notified.

5. Direction or orders from any deputy or employee of the Sheriff Office always supersede those of a cadet of any rank should a conflict between the two exist.

K. Infractions, Disciplinary Process, and Appeals

1. Cadets who are in violation of policy or have committed a violation of the law are to bring the matter to the attention of the Advisor or an assistant advisor as soon as possible.

   a. The Advisor, or an assistant advisor, shall investigate allegations of misconduct or violations of the law or policy. Serious allegations of misconduct will follow the Sheriff’s Internal Affairs process, which is prescribed in Policy #318.

   b. Less serious or minor violations of the Cadet Policy (#OP302) may be delegated to a member of the Cadet Staff for investigation and documentation by the Advisor.

2. Disciplinary Actions

   a. If an allegation of misconduct is found to be substantiated, disciplinary action will be taken against the offending cadet(s).

   b. Discipline will be administered by the Advisor, or, upon their delegation, by an assistant advisor or cadet officer.

   c. Disciplinary actions against cadets will be jointly considered by the Cadet Staff prior to administration. Discipline imposed will be commensurate with the severity of the substantiated violation.

   d. Cadet disciplinary actions may include, but are not limited to:

      ▪ Verbal warnings and reprimands (which are logged in the cadet’s personnel file but are removed upon their separation from the Post prior to archiving of their file).
      ▪ Written reprimands
      ▪ Suspension from cadet functions for a given time period
      ▪ Completion of a specific performance, task, or function (e.g., writing a letter of apology, completing a given number of additional volunteer hours doing administrative tasks to help the office such as filing, etc.)
      ▪ Reduction in rank or status
      ▪ Reinstatement or extension of the probationary period
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

- Termination of membership

e. All disciplinary actions taken, with exceptions of verbal warnings or reprimands, will be documented, including the facts that led to the substantiated allegation and resulting discipline, and placed in the cadet’s personnel file.

3. Appeals

a. A cadet that receives any disciplinary action greater than a verbal warning or verbal reprimand, may appeal the disciplinary action to the Advisor.

1) All appeals to the Advisor are made in writing and must be received within seven (7) days of the disciplinary action.

2) The written appeal should set forth the recipient’s position in detail and include any relevant information that should be considered.

b. The Advisor shall consider all appeals in a timely manner and will render their decision in writing. The Advisor may reverse, affirm, or impose a more severe penalty than the original discipline.

1) In the event the original discipline was administered by the Advisor, the appeal will be handled by the Operations Division Chief, as a member of the Executive Board.

II. Program Eligibility

A. Members of the Cadet Program shall be young men or women at least sixteen (16) years of age and not yet twenty-one (21) years of age, with an interest in exploring law enforcement as a possible career.

1. Applicants may be accepted prior to the 21st birthday and may remain active in the program through the expiration of the BSA charter year in which they turned twenty-one (21).

B. Cadets shall be high school graduates or shall otherwise be enrolled in high school or an equivalent GED Program, and shall maintain a minimum cumulative grade point average of 2.0.

C. Cadets shall be of good general physical and mental health. Waivers to this requirement regarding physical disabilities shall be considered by the Advisor and granted if the disabilities can be reasonably accommodated by the program and does not involve a risk to safety of the cadet applicant, another cadet, or
another member of the Sheriff’s Office.

D. Cadets shall have no record of convictions or adjudication for a felony offense. Previous arrests or law enforcement contacts with law enforcement shall be considered on a case-by-case basis by the Advisor, in consultation with the assistant advisors, and may disqualify an applicant from the program.

E. Cadets are prohibited from unlawfully using or unlawfully possessing any federally controlled drug or substance. Notwithstanding the provisions of Colorado Constitutional Amendment 20, Medical Marijuana, and Amendment 64 legalizing the limited use of marijuana, the use or related possession of marijuana is a violation of federal law and is prohibited. Cadets are prohibited from consuming intoxicating beverages in any capacity. Illegal drugs and substances are not authorized for use in any circumstance.

I. Application Process

A. Cadet applicants who meet the criteria outlined in §II of this policy and procedure shall complete the following elements. An applicant under the age of eighteen (18) must also have a parent sign each element.

1. Completion of the Cadet Program Membership Application in whole. The application must be completed accurately, completely, and honestly; any incomplete or falsified applications may result in immediate disqualification from the application process or a revocation of program membership.

2. Signed Liability Waiver form. This form releases the Sheriff’s Office from liability should the cadet suffer death or injury as a result of their participation in a sanctioned cadet function, or on a ride-along. This document does not waive the right to insurance claim(s) under the group insurance policy provided by the Explorer [Cadet] Program through the Boy Scouts of America.

3. Signed Medical Treatment form. This form authorizes the treatment of the cadet should he or she be injured while participating in a sanctioned post function. This document does not waiver the right to insurance claims under the group insurance plan.

4. Completion of the Boy Scouts of America application. This form insures a cadet under the BSA and allows them to be a functioning member of the post.

B. Background investigation

1. The Cadet Lieutenant is responsible to promptly review the Cadet
Program Membership Application. If the applicant meets the eligibility requirements outlined in §II of this policy, the Cadet Lieutenant shall ensure the necessary background and reference checks are completed. At a minimum, the background checks will include a criminal history search in CCIC/NCIC, driver’s license and driver’s history search in CCIC/NCIC, and local law enforcement contact history searches. Copies of the background and reference check results shall be printed and maintained in the cadet’s personnel file.

C. Pre-Appointment Meeting Attendance

1. Prospective cadet recruits are required to attend at least two Post meetings, on the third meeting they will be given study materials.

2. Prospective cadet recruits may observe cadet meetings and training events but are not authorized to participate in any “hands on” training exercises involving physical exertion or contact prior to their appointment.

D. Oral Board

1. Once the application has been processed and the prospective cadet recruit has attended two Post meetings, the Cadet Lieutenant will distribute study materials and set an oral board date 3 months from the current date. Oral boards include members of the advisors and cadet staff.

2. The purpose of the oral board component is to evaluate the prospective cadet recruit based on their maturity, sincerity, ability, motivation, commitment, confidence, and their ability to be closely involved in a law enforcement environment.

E. Appointment

1. Once the application has been processed the Cadet Lieutenant distributes study materials for the prospective cadet to begin the testing process. Once all tests are complete, cadet staff and advisors will conduct the oral board. The Cadet Lieutenant presents the oral board results, test results, the application, background, and reference checks, to the Cadet Staff and advisor staff to render a decision on extending program membership.

2. Membership shall be extended upon a majority vote by command staff and advisors. If the decision for membership of a recruit is denied the head advisor will notify them of the refusal.
3. The decision of the advisors and the Cadet Staff on extending a membership appointment is final and not subject to appeal.

4. Upon acceptance into the Cadet Program, the applicant is designated as a Cadet Recruit, and is assigned to a Cadet Sergeant for supervision and training.

5. The Cadet Lieutenant is to ensure that all post-appointment paperwork, forms, and processing are completed in a timely manner. This includes scheduling the cadet for fingerprinting and to obtain a sheriff’s ID/access card.

   a. Both prospective cadet recruits and cadet recruits are not authorized to move above a Sheriff’s Office facility unescorted until they complete the fingerprinting process and are issued a Sheriff’s Office ID card. The ID card must always be displayed within a Sheriff’s Office facility if a cadet of any class or rank is out of uniform.

F. Pre-Probationary Period

1. Following distribution of study materials, the cadet recruit must successfully attend regular cadet meetings and approved functions. They must successfully complete the three written tests in the three months prior to their scheduled oral board.

2. In order to successfully complete the pre-probationary period, the cadet recruit must complete the basic orientation and training program and successfully complete a written exam. The purpose of the written exam is to test the cadet recruit’s knowledge of the agency, basic department policies and procedures, and the cadet policies and procedures which are outlined herein.

3. During the pre-probationary period, the cadet recruit is exempted from the sixteen (16) hours of monthly volunteer service required under § IV.B. but is still required to submit hours to the cadet lieutenant.

4. Upon successful completion of the pre-probation period, the cadet will advance onto the oral board phase. If successful completion of the oral board ensues the recruit will move into the probationary period.

5. The pre-probation period will allow members of the command staff to gain an accurate gauge of character and understanding of the recruit, giving them insight into making an admittance decision. This period will also allow for the recruit to become comfortable with members of the post and show their dedication and willingness to learn and complete
things in a timely manner.

6. Failure to successfully complete the pre-probationary period in the allotted time may result in dismissal from the program.

A. Probationary Period

1. Upon completion of the basic orientation and training program as well as a successful oral board and admittance into the post, the cadet recruit will be required to complete one ride-a-long and one Jail sit-a-long, scheduled by a post advisor.

2. The cadet recruit is issued a Cadet Program t-shirt to wear as a uniform during the probationary phase. The cadet recruit is expected to wear this uniform t-shirt during all post meetings, functions, training sessions, ride-alongs, and facility tours, as a means of identification.

3. Once all ride-a-ongs are complete, the recruit will again be subject to review by cadet staff, if everything looks acceptable and all tasks have been completed the recruit’s status is designated as Cadet.

IV. Program Expectations

A. Personal Conduct of Cadets

1. Cadets are to abide by all components of the Sheriff’s Code of Conduct policy (#310) and are always to act in a manner that reflect the Sheriff’s mission, vision, and values.

B. Volunteer Service Hours

1. Members of the Cadet Program are to contribute sixteen (16) volunteer service hours per month, unless waived for cause on a monthly, case-by-case basis. If they fail to do so, they will receive a written statement in their file and command staff will be notified. If a cadet receives three statements within a period of twelve months there will be further disciplinary action as well as potential termination from the cadet post.

C. Meetings

1. Regular cadet meetings are held the first and third Tuesday of each month at 1900 hours. All program members are expected to attend the bi-monthly meetings, unless excused by a member of the Cadet Staff for cause.

   a. Cadets who are unable to attend scheduled meetings are to notify their cadet supervisor as soon as practicable.
2. Cadet Staff will hold at least two staff meetings per month to coordinate program activities and operations. All members of the Cadet Staff are expected to attend, unless excused for cause.

3. Additional meetings may be called or held, as needed or desired, to address specific trainings, event planning, or another program needs. All program members will be notified of any additional planned meetings in advance.

D. Attendance

1. All program members are expected to attend program meetings, functions, and events in their designated uniform, unless directed otherwise by a member of the Cadet Staff.

2. Cadets are expected to appear at all Post functions and events for which they have volunteered or assigned and are expected to be punctual.

   a. Cadets who are unable to attend a function or other obligation due to illness, emergency, or other conflict, are to attempt to find a replacement, in addition to notifying their cadet supervisor as soon as practicable.

3. Cadets anticipating extended absences (e.g., vacations, attending college out-of-state or region, etc.) may request an extended leave of absence, in writing, from the Cadet Staff. The duration of such leave of absence should generally not exceed six months.

4. Any unexcused absence may be grounds for disciplinary action.

   a. During any twelve (12) month period, a cadet of any rank or class is permitted a total of three unexcused absences before a consideration of terminating their membership is entertained.

   b. The Advisor, in consultation with Cadet Staff, is the ultimate arbiter of whether an absence should be considered excused or unexcused.

E. Annual Training and Participation Requirements

1. In order to ensure that cadets receive adequate training and exposure to basic law enforcement principles and practices, the Post will conduct training classes in the following categories on an annual basis:

   ▪ Sheriff’s Office orientation, including the responsibilities of each
division, and a tour of Sheriff’s facilities
▪ Communications and radio usage
▪ Patrol and investigative operations
▪ Jail operations
▪ Routine paperwork and proper completion of basic forms
▪ Weapons orientation and firearms safety, including certification to carry oleoresin capsicum (OC)
▪ Crime scene and evidence preservation

2. Cadets should spend at least 12 hours annually in each of the following divisions: Jail Division, Operations Division, and the Communications Center in the Support Services Division.

F. Off-Site Training and Functions

1. Off-site training sessions and other cadet functions or meetings must be approved by the Advisor, or an assistant advisor in their absence, and are subject to the following provisions:

   a. One of the Post advisors will attend all official cadet functions and field trips to provide general supervision of the participating cadets. In some events, a departmental employee may be identified by one of the advisors to supervise the participating cadets.

   b. Two or more advisors or department employees will accompany cadets on any excursions where the cumulative distance traveled is more than 100 miles.

      1) A female advisor or designated department employee will accompany the cadets on any overnight excursion in which female cadets participate.

      2) The Advisor is responsible for completing all BSA documentation and permits required, if any.

   c. Sheriff’s Office vehicles may be utilized for field trips, or, if needed, rental vehicles may be secured by an advisor. Any out-of-state travel, use of Sheriff’s vehicles, or use of rental vehicles, are subject to departmental policies and procedures. The Advisor is responsible to ensure compliance with these requirements, as needed.

2. In the event a cadet employs a personal vehicle for transportation, neither the Cadet Post nor the Sheriff’s Office will assume any additional liability.
G. Uniforms

1. The cadet uniform is approved by the Sheriff and Executive Board. The Personnel & Training Unit maintains the current manufacturer, model, color, etc., of the approved uniform items. All uniforms, patches, and appurtenances must conform to the Sheriff’s uniform policy.

   a. It is the responsibility of the Advisor to document, in memo form on Sheriff’s letterhead, the current uniform and all uniform articles that are authorized, which the Sheriff signs off on.

2. Appurtenances:

   a. Cadet Staff are authorized to wear silver rank insignia, provided by the Post, in uniform during meetings and other cadet functions. Rank insignia may not be worn on ride-alongs or when working in any other operational environment of the department.

   b. Senior Cadets may wear a small silver star, provided by the Post, above their name plate to denote their senior status on their class A uniform.

   c. Awards conferred by the Sheriff are authorized for wear in uniform on the class A or B uniform. No other awards, pins, or emblems that are not authorized by the Sheriff may be worn.

3. Cadets in uniform are required to wear a ballistic vest provided by the Sheriff’s Office. Cadets will be personally assigned a ballistic vest and will be responsible for it at all times.

4. Cadets are expected to maintain a neat and clean appearance, and to dress neatly and appropriately for all functions.

5. The cadet uniform, including the cadet t-shirt, is not to be worn in full or in part at any time other than while engaged in, or en route to/from, a sanctioned Post activity.

   a. While traveling to/from a sanctioned Post activity or meeting, uniformed cadets must remove their uniform shirt or conceal it with civilian clothing (e.g., a jacket, sweatshirt, etc.).

6. While a cadet is out of uniform but in a Sheriff’s facility, they are to maintain an appearance appropriate to a professional environment and shall always display their ID card.

7. Cadets are subject to the Sheriff’s policies with respect to appearance
and grooming, which are outlined in the Sheriff’s uniform policy.

8. All uniform items issued by the Post remain Post property and must be returned upon resignation, termination, or upon the order of an advisor.

   a. A Senior Cadet, in good-standing, may keep their embroidered uniform polo upon separation from the Post, with Advisor approval. The approval is memorialized in the cadet’s personnel file.

H. Equipment, Weapons and Use of Departmental Property

1. Cadets are not authorized to carry weapons of any type while in uniform or working at the Sheriff’s Office, with exception of pocket knives of legal length.

2. Cadets are authorized to carry and use the following equipment while in uniform:

   ▪ A durable flashlight
   ▪ A flashlight ring
   ▪ Two pens and a pocket-sized notebook (mandatory)
   ▪ Key ring or key holder
   ▪ Pac-set radio holder (radios are checked in/out for each event)
   ▪ Glove pouch

3. Senior Cadets are authorized to carry and use the following equipment while in uniform, in addition to the items in § IV.H.2:

   ▪ A handcuff case, with handcuffs (and key). Handcuffs may only be used at the direction of a deputy.

4. Cadets shall not appropriate, assign, or use agency property without the expressed consent of the departmental personnel responsible for the property. No department property or equipment is to be used for personal benefit, nor shall it be removed from the Sheriff’s premises unless authorized by an advisor.

5. Cadets are personally responsible for all equipment assigned to them. Lost, stolen, or damaged equipment must be reported immediately to an advisor.

I. Covert Operations

1. In accordance with national BSA policy, cadets acting in their capacity as cadets may not be used in covert law enforcement operations.
2. At the direction and approval of the Sheriff, cadets may be solicited to assist investigators in a covert capacity; however, in doing so, they act as private citizens and not cadets. As such, they are not covered by the BSA secondary insurance policy.

J. Confidentiality

1. Cadets shall treat all information received from agency sources, computer systems, and observations during law enforcement operations, as confidential. Cadets shall not share information of a confidential nature with anyone except those for whom it was intended. Cadets are not authorized to reveal the identity of complainants, suspects, informants, witnesses, or victims, case investigation status, operational plan, or any information related to an investigation, to any person outside of the Sheriff’s Office, without advisor permission.

K. Tobacco, Smoking, and Marijuana Use

1. Cadets shall not use tobacco in any form while in uniform or while participating in any Program function or activity.

2. Cadets are not authorized under any circumstance to consume marijuana, any marijuana product, or marijuana derivative, while a member of the Program, even if they are of legal age under Colorado law.

V. Divisional Guidelines

A. Jail Division

1. Cadets working in the Jail Division are required to comply with all the policies and procedures that govern the operations of the jail. The principal function of a cadet working in the jail is to observe and learn about jail operations.

2. Cadets under the age of eighteen (18) are restricted to working in Booking and Master Control when under the direct supervision of a deputy or detention specialist and may not have any direct contact with inmates.

3. Cadets over the age of eighteen (18) may work in the residential buildings and modules when under the direct supervision of a deputy or detention specialist.
   a. Cadets may not have any solo contact with inmates; however,
they may participate in certain functions (e.g., taking mugshot photographs, fingerprinting, conducting shakedown searches, distributing meals, etc.), if they are always directly supervised by a jail employee.

B. Operations Division

1. Cadets may ride-along in Patrol after scheduling a ride through an advisor or Operations Division supervisor. Cadets may work as many ride-along shifts as scheduling permits, but preference will be given to cadets who have worked less than five shifts in the month.
   a. Cadets are authorized to ride until midnight; senior cadets have no hour restrictions.

2. Cadets are not permitted to operate department vehicles, barring exigent circumstances, and then only under the direct supervision of a deputy.

C. Support Services Division (Communications)

1. Cadets may sit-along with dispatchers and may assist with data entry and other projects commensurate with their skills and training but are not authorized to act as dispatchers or call-takers.

VI. Awards

A. The following awards have been established by Cadet Post 500 and are achievable throughout any cadet’s full-term within the Post.

1. Larry Harris Award and Scholarship (Cadet of the Year Award)
   a. The Post is encouraged to recognize one outstanding cadet each year for exceptional performance, with selection based on the recipient’s dependability, attendance, and contributions to the Post, department, and community.

   b. The recognition is a blue commendation bar with an “E” in the middle, and a scholarship of $1,000 to $2,000, at the discretion of the cadet staff and advisors, dependent upon fund availability. Scholarship awards are paid from cadet funds.

2. Eagle or Gold Award Recognition
   a. This award recognizes Cadets who have achieved the Boy Scouts of America or Girl Scouts of America highest award.
b. The recognition is a red, white, and blue commendation bar.

3. National Law Enforcement Explorer Academy
   
a. This award is presented to cadets who have been selected to attend a National Law Enforcement Academy.

b. The recognition is a black commendation bar.

4. Cadet Conference Award
   
a. This award is presented to cadets who have attended one or more of the following conferences: National Law Enforcement Conference, Chandler Tactical Competition, and/or the Colorado LEEPAAC Conference.

b. The recognition is a green commendation bar.

5. Perfect Attendance
   
a. This award recognizes cadets with exemplary attendance that has attended every post meeting throughout the preceding year.

b. The recognition is a yellow and white commendation bar.

6. Tenure
   
a. This award recognizes cadets who complete one year of satisfactory service to the Post.

b. The recognition is a red commendation bar.

7. Law Enforcement Training
   
a. This award recognizes the successful completion of the Cadet Post 500 forty (40) hour cadet academy.

b. The recognition is a blue and red commendation bar.

8. Physical Fitness Award
   
a. This award recognizes cadets who meet the requirements set by the Explorer Physical Fitness Award through the Boy Scouts of America.
b. A Distinguished Fitness Award is also obtainable.

c. The recognition is a blue, yellow, black, green and red commendation bar.

9. Post Marketing and Fundraising

a. This award recognizes cadets who organize and execute a successful, and advisor-authorized, fundraiser to raise monies for the Post.

b. The recognition is a blue and silver commendation bar

10. Law Enforcement Service Award

a. This award recognizes cadets who assist the Sheriff’s Office with 100 hours of non-event activities (i.e., filing or other clerical assistance, organizing police gear, assisting with in-service trainings, etc.).

b. The recognition is a yellow and gold commendation bar.

11. Community Service

a. This award recognizes cadets who assist with 100 hours of community service. Examples include providing traffic control and event parking services, and community connection events such as National Night Out, Bike Rodeo, etc.

b. The recognition is a blue and yellow commendation bar.

12. Emergency Preparedness

a. This award certifies that the cadet has received training in First Aid, CPR, IFAK, and Tourniquet usage.

b. The recognition is a red and white commendation bar.

13. ICS (Incident Command System)

a. This award recognizes cadets who complete the following online classes of ICS-100, ICS-200, ICS-700, and ICS-800B.

b. The recognition is a green and yellow commendation bar.

B. All awards shall be requested through the award application form and
submitted to Cadet Staff and advisors. The letter should include name, which award has been obtained, and all evidence for the award.

VII. Post Finances

A. Annual Dues

1. Each cadet is responsible for payment of the annual dues required by Post membership with the BSA. The $20 annual dues are payable in two installments; one in January, the second in July. A $1.00/week fee assessed for late payment of dues. Dues payments off-set the cost of the annual Post charter with BSA and the premium for the Post's insurance policy.

   a. Secondary Health Insurance Plan: Members of the cadet program who have paid the annual dues are provided secondary health insurance coverage through a group insurance policy coordinated through BSA. The policy provides coverage for medical expenses not covered by the primary insurer for injuries or illness arising out of participation in a sanctioned cadet event. Cadets are encouraged to independently obtain primary medical coverage, as there is no additional coverage through the County provided.

B. Registration and Participation Fees

1. The Cadet Post generally pays the registration fees for a cadet’s participation in any competition, conference, or LEEPAC academy, subject to fund availability.

   a. If the cadet fails to attend the event or does not receive a passing score, the cadet may be held responsible to reimburse the Cadet Post the full fee of such event.

   b. If a cadet will be responsible for any expenses for participation in an event (e.g., an out-of-state competition or training event), the cadets will be advised of the expected out-of-pocket cost prior to them needing to make a commitment to participating.

C. Fund Raising Events

1. It is the goal of the Cadet Post to defer as much of the expense attendant to the operation of the Post and/or participation in cadet activities through fundraisers and special activities. All cadets are expected to participate in fundraising events.
D. Uniforms and Equipment

1. The Post will provide, at their expense, all necessary uniforms once a cadet successfully completes the probation period. All uniforms and remain the property of the Sheriff’s Office and must be remanded upon request.

   a. Cadets are personally responsible to provide adequate footgear that is black in color, a black uniform belt, and any ancillary equipment that is authorized that they wish to carry.

E. Expenditure of Post Funds

1. The expenditure of Post funds is authorized for the following:

   a. The purchase of supplies and equipment necessary for the operation of the Cadet program, which are not already provided by the Sheriff’s Office.

   b. Purchase of services not available from the Sheriff’s Office for Post activities and events (e.g., printing, postage, etc.).

   c. Registration or membership fees for BSA, LEEPAC, or other organization directly related to Post activities.

   d. Fundraising activities for cadets, including lodging, food, transportation, fees, etc.

   e. Training materials for cadets and advisors.

   f. Other expenditures directly related to Post operations or functions, authorized by the Cadet Staff and/or advisors.

2. All financial and accounting activities must comply with Sheriff’s Policy (#209) and County Policies.

VIII. Record Keeping and Documentation

A. Personnel Files of Cadets

1. All written material related to a cadet’s performance, including membership application, background / reference checks, commendations, evaluations, disciplinary actions, etc., shall be maintained in the cadet’s personnel file.

2. Cadet personnel files are maintained in a secure manner by the Cadet
Lieutenant and Administrative Sergeant.

3. A cadet may review the contents of their personnel file with the authorization of an advisor or cadet officer.

4. Upon separation or termination from the Program, the cadet’s personnel file is submitted to the department’s Personnel & Training Unit for archiving.

B. Post Records

1. The Administrative Sergeant is responsible for maintaining files pertaining to the documentation of all facets of Post operations and activities.

2. The Advisor is responsible for ensuring Post records of legal or historical consequence (e.g., charter paperwork, etc.) is retained in FileNet, the department’s electronic content management system.

IX. Miscellaneous

A. The Advisor and/or Cadet Staff may issue general orders and guidance, as needed, to ensure smooth operation of the Post, provided it aligns with this policy.

B. The Advisor has the authority to modify, delete, or enact general orders for the Post to ensure its smooth operations, and to do so without the consent of the Cadet Staff or the Post membership.

By Order of the Division Chief,

Robert Sullenberger, Division Chief

4/16/2019

RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
SUBJECT: Canine Unit

POLICY: It is the policy of the Sheriff’s Office to maintain a Canine Unit (K9) to assist the agency and its members in providing public safety service in Boulder County.

RELATED POLICIES & PROCEDURES:
OP104 – Job and Shift Assignments
OP515 – Off-duty use of Sheriff’s Vehicles
205 – Mutual Aid
302 – Salary and Compensation
502 – Use of Force
J936 – Jail K9 Policy

DEFINITIONS:
Canine Unit (K9 Unit): All Sheriff’s Office canine teams, unit commander, canine sergeant, and decoys.

Canine Unit Commander: The Operations Division Commander appointed by the Operations Division Chief to oversee the administration of the unit.

Canine Unit Decoy: A commissioned deputy of the Sheriff’s Office specially trained to perform activities integral in the training of canine teams such as laying tracks, hiding, and agitation work.

Canine Handler: A commissioned deputy selected and trained in the utilization and handling of a canine.

Canine Sergeant: Appointed by the Canine Unit Commander, and approved by the Operations Division Chief, to supervise the activities and training of the K9 Unit.

Canine Team: A Canine Handler and their assigned canine.

Canine Unit Trainer: An individual who has received formalized and documented education in the training of working police dogs, and their handlers, from a reputable police working dog association. This individual may be an employee of the Sheriff’s Office or may be a private individual under contract with the Sheriff’s Office to train handlers and canines.

Certified Team: A canine team that has successfully met the certification standards of the Colorado Police Canine Association (CPCA) or similar recognized, reputable, certifying association as determined by the Unit Commander. The team also has demonstrated to the satisfaction of the Commander, Sergeant, and Trainer, that the team is qualified to operate in an official law enforcement capacity.
PROCEDURE:

I. Administration

A. The Canine Unit is assigned to the Operations Division under the oversight of the Division Chief.

B. The Canine Unit Commander oversees the allocated budget, policy, and procedures, and overall functions of the unit.

1. Reviews all use of force canine applications resulting in an injury of a person, in accordance with the Use of Force policy (502).

C. The Canine Unit Sergeant’s responsibilities include, but are not limited to, the following:

1. Scheduling and coordinating unit training; deployment for special events; coordinating requests for service and demonstrations.

2. Maintaining and inspecting the inventory of narcotic, explosive and human remains training aids and unit equipment.

3. Review, approve and maintain the unit’s records including certifications, training, and deployment files.

II. Handler Eligibility and Appointment

A. Handler Eligibility:

1. Upon notification a vacancy exists, a position announcement with the request for letters of interest will be posted in accordance with the Job & Shift Assignments policy (OP104).

2. Qualified applicants must be currently assigned to the Patrol Section; have successfully completed their probationary period, and have a minimum of two year’s patrol experience. The Division Chief can waive the two year experience requirement on a case-by-case basis.

3. Applicants must have the approval and support of their supervisors and have met, at a minimum, the “consistent” level of performance in all categories of the previous year’s performance evaluation.

4. Applicants must demonstrate a thorough understanding of the Canine Unit’s policies and procedures.
5. Applicants must have no history of substantiated excessive use of force complaints.

6. Applicants must successfully pass the standard EJD.

7. Applicants will participate in an oral board interview demonstrating knowledge of the Canine Unit policy and procedures.

8. Applicants will submit to an inspection of their residence and review of HOA by-laws, if any. Interviews will also be conducted with others who reside on the property.

9. Peer and supervisor evaluations (written) will be conducted.

B. Handler Selection

1. The Canine Unit Commander will review each applicant’s performance in the above process and make a recommendation regarding the applicant’s suitability for appointment to the Division Chief.

2. The Division Chief will make the final appointment decision.

III. Canine Ownership, Selection, and Retirement

A. Canines assigned to the Unit are purchased or acquired by the County and are considered county property.

B. The criteria for the selection of a canine includes, but is not limited to, the following:

1. Identifying the dog’s drives.

2. Evaluating the dog’s temperament, personality, and sociability.

3. A physical examination by the unit veterinarian to establish the dog’s soundness.

4. Thorough documentation of the dog’s health history.

C. Only canines of acceptable breed, temperament, age, size, and physical condition will be selected.

1. Once a canine has completed training and is placed in service, the canine will be tagged with a subcutaneous microchip.
D. The unit trainer, in consultation with the unit’s supervisory staff, is the final authority on selection.

E. Canine Retirement

1. If, for any reason, a canine is no longer able to meet the unit’s performance standards, the canine may be retired to a suitable home, with preference to the canine handler. The Sheriff’s Office will require the new owner to sign a waiver releasing the Sheriff’s Office of any and all liability.

2. Retired canines will receive no benefits (e.g. food or veterinary care) from the Sheriff’s Office.

F. Canine Re-assignment

1. If, for any reason, a handler is no longer able to participate in the program, or becomes ineligible for any reason, the canine may be reassigned to another handler.

2. If the canine is not reassigned, and the handler wishes to keep the canine as a personal pet, they may be required to reimburse the agency. The Sheriff’s Office will require the former handler to sign a waiver releasing the Sheriff’s Office of any and all liability.

IV. Handler Obligations and Responsibilities

A. Handlers must maintain a satisfactory level of performance obtaining at least a “consistent” rating on all categories of the annual performance evaluations. Substandard performance evaluations may result in dismissal from the unit.

B. Substantiated Code of Conduct (310) violations or other significant disciplinary actions may result in dismissal from the unit.

C. Handlers must attend all required training designated by the Canine Sergeant, unless excused by the Canine Sergeant, and maintain Certified Team status.

1. Handlers will report to the Canine Sergeant and trainer any problems with the canine’s performance or ability to maintain certification.

2. Handlers will maintain records of all training attended including the completion of records within one working day.
D. Maintain the health, security and safety of the canine, whether on or off duty.

1. The handler provides a secure yard or kennel facility at their residence and maintains this area in a condition that ensures the security of the canine as well as providing a clean, healthy, and sheltered environment for the dog. The cost of kenneling or arranging for the care of the canine in the handler’s absence is borne by the handler, except as described below.

   a. Only agency approved outside kennels, plastic or wire crates shall be used to secure the canine. If the handler does not have a satisfactory kennel the agency will provide one.

   b. The Sheriff’s Office will pay for boarding expenses in the handler’s absence up to a maximum of 14 days in a calendar year. The canine must be boarded at a facility approved by the agency and the unit notified via email of the dates and location.

   c. Any changes in the living arrangements that may affect the environment of the canine, and/or location (i.e. moving to a new house), must be reported to the Canine Sergeant within 7 days. The Canine Sergeant will be responsible for inspecting the new property.

   d. Handlers shall permit the Canine Sergeant to inspect the handler’s residence, and assigned vehicle, at any time with appropriate notice, to ensure compliance with this policy.

2. A veterinarian, who has been designated by the Sheriff’s Office as the Unit’s veterinarian, will be used for all vaccinations, annual physical examinations, or other medical treatments except during an emergency or if a specialist is required. Veterinarian fees are billed directly to the Sheriff’s Office. Any other extraordinary medical expenses must be authorized by the Canine Commander.

   a. All records of medical treatment shall be maintained by the veterinarian.

   b. Only food approved by the veterinarian will be fed to the canine. Food expenses will be borne by the agency.

3. The Canine Sergeant is to be notified as soon as possible if a canine suffers an illness or injury that requires urgent or emergency
veterinarian care, or if the canine goes missing.

4. Canines may not be bred or used for breeding without the authorization of the Canine Commander.

5. When off-duty, handlers shall not involve their canine in any activity that would put the canine or an individual at unreasonable risk of injury.

E. Maintenance and care for all assigned equipment and training aids including but not limited to:

1. Specially equipped canine vehicle.

2. Unit and handler equipment.
   a. Only training and deployment equipment purchased by the agency or approved by the Canine Sergeant shall be used in the handling and care of the canine.
   b. Other Sheriff’s Office property assigned to the handler.

3. Narcotics, explosives, and human remains training aids.
   a. Narcotic and explosive training aids will be stored in secure containers to prevent loss, theft, and cross contamination. Documented inspection, inventory, and weighing of training aids must be done no less than quarterly by the Canine Sergeant.
      1). Any discrepancy must be documented in a Tiburon™ report and substantial discrepancies will be appropriately investigated.
      2). The training aids should be stored in a secured area at headquarters any time the handler will be off work for more than one week.

F. Canines should not be brought to assignments (e.g. court, external trainings, extra duty events, etc.), where the handler will be away from the canine and vehicle for an extended period of time (e.g. 4 hours or longer), and/or the team is not available to respond to a call out.

V. Decoy Eligibility and Appointment

A. Decoy Eligibility
1. Upon notification a vacancy exists, a position announcement with the request for letters of interest will be posted in accordance with the Job & Shift Assignments policy (OP104).

2. Qualified applicants can be assigned to either Operations or the Jail Division; have successfully completed their probationary period, and have a minimum of one year’s experience. The Division Chief of the respective division can waive the one year experience requirement on a case-by-case basis.

3. Applicants must have the approval and support of their supervisors and have met, at a minimum, the “consistent” level of performance in all categories of the previous year’s performance evaluation.

4. Applicants must demonstrate a thorough understanding of the Canine Unit’s policies and procedures.

5. Applicants must have no history of substantiated excessive use of force complaints.

6. Applicants must successfully pass the standard EJD.

7. Applicants will participate in an oral board interview and practical exercises.

VI. Patrol Operations, Deployment and Use of a Canine

A. The deployment of a canine team in the performance of their duty may be considered a use of force depending on the circumstances. As such, unless it would otherwise increase the risk of injury to deputies or the canine, a clearly audible warning announcing that a sheriff’s canine will be released should be made prior to deploying the canine when searching for a suspect(s). The warning should be made at least three times, giving a reasonable amount of time for the suspect(s) to respond. The warning should be repeated as appropriate when searching large or multi-level structures or open areas. Warnings should include:

1. Announcement of authority
2. Direction to the suspect(s) to comply
3. Consequence of failing to comply

B. The decision to deploy the canine is at the handler’s discretion, based on the mission objectives as provided by the Incident Commander, the
circumstances of the situation and the handler’s knowledge of the canine’s specific capabilities. Decisions to deploy a canine should be based upon consideration of, but not limited to, the following factors:

1. The severity of the crime,
2. Whether the suspect(s) poses an immediate threat to the safety of deputies or others, and
3. Whether the suspect is actively resisting arrest or attempting to evade arrest at the time.

VII. Limitations on Canine Usage

A. When a canine is present in a canine vehicle, the vehicle will not be used to transport unruly or combative prisoners or prisoners who will be interviewed while in the vehicle.

B. Canines are permitted in the Sheriff’s Office buildings and facilities, however, must be under the control of the handler at all times. Handlers must have the permission of the on-duty supervisor of the jail or communications center to enter either of those facilities with their canine.

C. Canines will not be used for “non-targeted” sniffs of school lockers or other areas of school property unless specifically approved by the unit commander.

D. Canines will not be used to sniff a person for narcotics or explosives.

E. Stray and/or injured animals are not to be transported in canine vehicles.

F. Canine teams will not be deployed or used in civil disturbance incidents except for deputy protection and must have the expressed authorization of the Incident Commander.

VIII. Requests for Canine Assistance

A. The Sheriff’s Office encourages the use of its canine teams by other law enforcement agencies in Boulder County. All mutual aid requests for a canine team, including a handler self-dispatching to another agency’s incident, are directed to the on-duty shift supervisor or sergeant for approval. Preferably, the request is made on a recorded radio channel or telephone for documentation purposes.

B. If no canine team is on duty, absent a unique capability need, the on-duty supervisor should see if another local agency’s canine team is on-duty
C. Requests for the use of canines by agencies outside of Boulder County are to be directed to the Canine Sergeant or Canine Commander for review and approval.

IX. Documentation of Deployments

A. A canine usage report will be completed for all deployments in the designated software package or format in use at the time.

B. If the canine had significant action or contribution to the call’s outcome, e.g.: located evidence, or a suspect, made a physical apprehension, etc. an appropriate Tiburon™ report should be completed.

C. Handlers must follow the current use of force reporting process anytime a canine is used or threatened to be used against a suspect(s) in accordance with the provisions of the Use of Force policy (502).

X. Reporting and Investigations of Canine Bites or Injuries to Persons

A. Whenever a canine causes injury, or an injury is alleged, on or off duty, the handler shall notify the on-duty supervisor as soon as reasonably possible. The on-duty supervisor will notify the Canine Sergeant and/or Canine Commander as soon as reasonably possible.

B. The Canine Sergeant or their designee (i.e., another on-duty handler or the on-duty supervisor) shall respond to conduct an investigation.

C. Medical care should be provided to the injured person as soon as reasonably possible. This includes on scene and subsequent transport to an appropriate medical facility.

D. Photographs should be taken of the injury after it has been cared for by medical personnel. This also includes if there is an alleged injury not readily visible.

E. Handlers must follow the current use of force reporting process prescribed in the Use of Force policy (502).

XI. Canine Team Certification

A. Before a canine team is placed in an “operational status” the team must meet the certification standards of the Colorado Police Canine Association (CPCA), or similarly recognized certifying association and demonstrate to the satisfaction of the Canine Commander, Canine Sergeant and Canine
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

Trainer the team is qualified to operate in an official law enforcement capacity.

B. Canine teams must certify and maintain certification for basic patrol duties in addition to specialty detection duties. Re-certification must occur prior to the expiration of their current certification.

1. The bloodhound certification will be of a standard equal to or exceeding Search and Rescue Dogs of the United States (SARDUS).

2. More frequent certifications may be required at the discretion of the sergeant in consultation with the unit trainer and approval of the commander.

3. Any canine team failing to obtain certification, or whose certification has lapsed shall not be considered in “operational status” and cannot be deployed until the certification is obtained.

XII. Training

A. A Basic Training Academy, either in house or at another agency, will be provided to a team new to the unit and prior to certification.

1. The length of the academy will be determined by the Canine Commander, in consultation with the Canine Trainer, giving consideration to such factors as the handler’s prior experience; canine’s training prior to receipt by the agency; disciplines to be certified in; and the anticipated time for the team to be successfully trained and certify.

B. Unit Training

1. All certified teams and teams-in-training attend regularly scheduled unit trainings unless excused by the unit sergeant.

   a. The unit is provided 20 hours on-duty time for training as a unit, barring unusual or emergency staffing issues.

C. Individual Training

1. Handlers are expected to train during their regular duty shifts as time and call load allows.

2. Handlers can train with another agency or trainer as long as the training isn’t detrimental to the team’s mission readiness or interfere
with the ability to obtain certification. The Canine Sergeant must approve all requests.

XIII. Canines in Public Places

A. Handlers are responsible for ensuring their canine is under voice, hand, or leash control at all times when in areas that allow access to the public.

B. Canines shall not be left unattended in any area where the public may have access.

C. When the canine patrol vehicle is left unattended, all windows and doors shall be secured to prevent unauthorized access to the canine and prevent the canine from escaping. The handler shall ensure the vehicle remains habitable for the canine and the temperature monitoring system is activated.

XIV. Team Equipment

A. Canine vehicle

1. Each canine team will have an assigned vehicle. The use of the vehicle off duty is governed by policy 515 – Off-duty Use of Sheriff’s Vehicles.

2. Vehicles assigned to canine teams will be modified to accommodate the canine. The modifications include:

   a. Marking the vehicle so to inform the public of the presence of a police canine in the vehicle.

   b. A cage to separate the canine compartment from the passenger compartment so prisoners and citizens may be transported safely.

   c. Window screens in the canine compartment for ventilation.

   d. Automatic “door poppers” that allow the handler to remotely open the car door, releasing the canine from the vehicle.

   e. Temperature monitoring system with capability to notify the handler of a vehicle environmental failure that could jeopardize the health and well-being of the canine.

B. Uniforms
1. Handlers are authorized to wear “tactical duty” uniforms approved by the Division Chief. Due to maintenance issues, canine handlers are allowed three class C uniforms.

C. Canine Equipment

1. Each team will be issued necessary equipment and training aids as determined by the sergeant to include leashes, collars, harnesses, muzzle, canine ballistic vest, bite sleeve, canine medical kit, and hydration tracking vest.

2. Handlers wishing to use equipment that isn’t supplied by the agency except must get authorization from the unit sergeant.

XV. Expenditures

1. The Sheriff’s Office will:
   a. Provide the equipment needed for approved training, certification fees, required professional association membership fees, and seminar enrollment fees.
   b. Provide veterinary care through the approved unit veterinarian.
   c. Provide food for the canine.
   d. Provide an assigned vehicle to each canine team.
   e. Compensate handlers with a monthly special duty pay differential in compensation for the off-duty home care of their canine, as outlined in the Payroll & Compensation Policy (302).

2. Any additional expenses must have the Canine Commander or Operations Division Chief’s approval.

XVI. Conduct of Sheriff’s Office Personnel Working in Conjunction with Canine Teams

A. Deputies will follow the directions of the canine handler when a canine team is deployed at an incident. Except in emergency situations, commands to the canine are only delivered by the assigned handler.

B. In the event that a handler is injured on-duty and their canine is present, the first priority is to attend to the injured handler.
1. If the deputies on scene cannot control the canine, the on-duty supervisor should be immediately notified. Another canine handler or animal control specialist may be requested to assist. The Canine Sergeant and/or Canine Commander should be notified as soon as possible.

2. Canines are not to be harmed unless the handler is in a life-threatening situation and the canine, because of its training to defend the handler, will not permit any rescue attempts.

C. Canines are not to be teased or harassed. Individuals may pet canines only with the permission of the handler.

By Order of the Division Chief,

Robert Sullenberger,  
Division Chief

10/16/2018  
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:  
[None]

HISTORY:
POLICY: The Sheriff’s Office launched a Body-Worn Camera (BWC) pilot program on February 1, 2017. The Operations Division has adopted the BWC Pilot Program training materials to serve as the interim divisional procedures during the pilot project. Prior to full BWC deployment in the division, the divisional procedures will be finalized and codified into this policy and procedure.

RELATED PROCEDURES:
529 – Body Camera Program

DEFINITIONS:
[None]

PROCEDURE:

I. Deployment

A. The Training Unit has prepared pilot program training and deployment procedures for a pilot test group.

B. All pilot program test group members are trained in these materials prior to being issued a body camera and authorized to deploy it outside of a training and testing environment.

C. The training program titled, *BCSO BWC User Training, version 1*, is adopted as the interim divisional procedure during the pilot program.

1. The training program record(s) are held in the divisional Training Unit records in accordance with their policies and procedures.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/31/2017 Date
POLICY: It is the policy of the Operations Division that all deputies will be trained in the use of naloxone (Narcan®), an opiate antagonist, which is intended to reverse the effects of the opioid, allow time for more advanced medical treatment by trained Emergency Medical Services (EMS) personnel, and reduce deaths associated with opioid overdose. Uniformed deputies, once trained to administer naloxone, will carry the kit in a readily accessible manner, or have reasonable access to naloxone within their work environment (e.g. the Court Security Unit in one of the courthouse complexes), while on-duty. Deputies in plain-clothes assignments are required to have naloxone immediately accessible when executing search warrants or other in-field activities where there is a likelihood of potential opioid exposure.

RELATED POLICIES & PROCEDURES:
531 – Medical Policy

DEFINITIONS:
Face Mask: A protective barrier shield used for mouth-to-mouth resuscitation.

Naloxone: A medication used to block the effects of opioids, especially in overdose. Narcan® is the brand-name of Naloxone, an opiate antagonist. For purposes of this policy and internal departmental policies, procedures, training protocols and lesson plans, the two names are synonymous.

Naloxone Kit: A pre-made kit including a single-dose cartridge of nasal naloxone, instructions for administration, one fentanyl-rated face mask, and one pair of gloves.

Nasal Naloxone: A single-dose cartridge of naloxone (Narcan®) medication administered intranasally.

PROCEDURE:
I. Field Deployment
   A. Uniformed Deputies
      1. Uniformed deputies assigned to the Patrol or Civil Sections will be issued a naloxone kit upon the successful completion of training. Once issued, the deputy is expected to carry the kit in a readily accessible manner for field use.
2. Uniformed deputies assigned to the Court Security Unit will not be issued personally-assigned naloxone kits, but will have the kits readily accessible at the security workstations at each courthouse complex.

B. Plain Clothes Deputies

1. Deputies assigned to a unit or section that does not require them to be in uniform or in a first-response capacity (i.e. Investigations, Drug Task Force, Emergency Services, etc.) may be issued individual naloxone kit based upon kit availability.

   1. If a personal naloxone kit is not assigned, each unit or section will have a pool of kits available for deployment on search warrants or other field activities where opioid exposure may occur.

C. Storage Requirements

1. Naloxone is a controlled medication. As such, each deputy is required to ensure the kit is stored in a safe and secure location, within the controlled temperature range, when not in the deputy’s immediate possession.

   1. For pool kits that may be assigned to units or sections instead of individual deputies, the requirement for secure and safe storage responsibility falls to the unit or section’s first-line supervisor.

2. Naloxone, and naloxone kits, shall be stored and/or carried in a manner that protects it from extreme temperatures. Every effort shall be made to maintain the naloxone medication in an environment between 50 - 90°F.

II. Utilization & Administration of Naloxone

A. Deputies are authorized to administer naloxone when it is reasonably believed a suspected opioid overdose has occurred, whether from intentional ingestion or accidental exposure.
1. Deputies are authorized to administer naloxone – consistent with, and in accordance with their training – to citizens, other deputies or first-responders, including themselves, and sheriff’s canines.

B. Medical clearances and follow-up treatment

1. If a deputy administers naloxone to a person, a medical clearance at a hospital is required. The patient may not refuse transport to a hospital facility.

2. If a deputy administers naloxone to a sheriff’s canine, a consultation with a veterinarian is required to determine what, if any, further treatment may be required based upon circumstance.

C. Reporting

1. Deputies who administer naloxone shall make the on-duty supervisor aware of the administration as soon as reasonably possible.

2. Deputies not classified as approved medical providers – as defined in the Medical Policy (#531) – are required to complete a narrative report documenting the circumstances surrounding, and their administration, of naloxone.

3. Deputies designated as approved medical providers – as defined in the Medical Policy (#531) – are required to complete a Patient Care Report, in addition to their narrative report. The approved medical provider is authorized to refer to their Patient Care Report in their report narrative to avoid unnecessary duplication of information.

4. Regardless of form, the following shall be included in the incident documentation:

   1. Circumstances surrounding the use of naloxone, including the presence or knowledge of opioids, drug paraphernalia, etc.;
2. The reason naloxone was administered, including the symptoms exhibited by the patient that were suggestive of opioid overdose;

3. The care the patient received before, during, and after the administration of naloxone; and

4. The dose of naloxone given, including the lot number and expiration date of the medication, and what change, if any, to the patient’s symptoms or behavior after the medication was administered.

5. The deputy administering naloxone must make notification to the Training Unit by email (#SheriffTraining) of the administration of naloxone and the related case report number. If applicable, a copy of the Patient Care Report, shall be provided to the Training Unit.

1. The supervisor over the Training Unit is responsible to ensure that the incident documentation and, if applicable, the Patient Care Report, is reviewed by the physician advisor as required by the Medical Policy (#531).

6. Copies of any documents related to the administration of naloxone, including any Patient Care Reports, medical clearances, etc., shall be placed into the case file in the Records Section.

III. Training Requirements

A. All deputies within the Operations Division are required to complete naloxone training.

1. Prior to being issued or deploying a naloxone kit the deputy must have completed the current naloxone training program and/or required update training.

B. The Training Unit is responsible for ensuring that the naloxone training program is current and approved by the physician advisor, including the scheduling of any required periodic update training, and for managing all clinical aspects of the program prescribed by the physician advisor.
1. The Training Unit will retain all training-related course materials, including the physician advisor curriculum approval(s).

C. The Training Unit is responsible for all aspects of naloxone kits, including replacing kits as necessary (or any components thereof); for tracking all related documentation to each lot of naloxone; and for the assignment of specific naloxone kits to individual deputies, units, or sections.

   1. The Training Unit will establish, and maintain, a method to uniquely identify each naloxone kit issued, ensuring that each unique identifier is never duplicated.

   2. The Training Unit will, on at least an annual basis, confirm the inventory and deputy/unit/section assignment record(s) for each individual naloxone kit.

IV. Inspections

A. Deputies are required to inspect their issued naloxone weekly to ensure that the naloxone kit packaging is intact, remains sealed and undamaged, and that the naloxone medication has not expired.

   1. For pool kits that may be assigned to units or sections instead of individual deputies, the inspection requirement falls to the unit or section’s first-line supervisor.

B. Lost or damaged naloxone kits are immediately reported to the Training Unit for replacement. Lost naloxone kits are documented by completing a lost property report and providing the related case number to the Training Unit and to the deputy’s supervisory team (sergeants and commander).

   1. It is the responsibility of the assigned deputy’s immediate supervisor to conduct any administrative follow-up related to a lost or damaged naloxone kit, including any disciplinary action that may be appropriate.
By Order of the Division Chief,

Robert Sullenberger,
Division Chief

2/27/2017
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Operations Division requires specific uniformed deputy positions to maintain certifications and proficiency in Standardized Field Sobriety Testing (SFST) maneuvers and in the State of Colorado’s Evidential Breath Alcohol Testing (EBAT) Program, to aid in the detection, investigation of, and processing of impaired drivers.

RELATED PROCEDURES: [None]

DEFINITIONS: [None]

PROCEDURE:

I. SFST Certifications

A. The Operations Division maintains a complement of certified SFST instructors for purposes of certifying and recertifying deputies in field SFST maneuvers.

B. As prescribed by the “Standards for the SFST Program” as published by the Colorado Department of Transportation (CDOT), Office of Transportation Safety and as adapted from the national standards published by the International Association of Chiefs of Police (IACP), in order to maintain SFST certification, deputies must routinely complete SFST update/recertification coursework.

   1. The SFST update/recertification is required a minimum of every two years in order to maintain certification.

   2. Failure to complete the two-hour recertification will result in the deputy being decertified in the SFSTs and he/she will have to attend the 24-hour basic course again.

C. All uniformed Operations Division deputies assigned to the Patrol Section are required to maintain current SFST certification.
1. Deputies who rotate out of the Patrol Section into a specialty assignment or unit that does not require an SFST certification may elect to keep their certification current or may elect to let it expire.

2. If a deputy returns to the Patrol Section after allowing their SFST certification to lapse they must become recertified.

3. Sergeants assigned to the Patrol Section are strongly encouraged to maintain their SFST certification but are not required to.
   a. Sergeants who elect to forego an SFST certification are still required to stay abreast of the current training, standards, and case law surrounding SFSTs and DUI/D enforcement.

II. EBAT Certifications

A. The Operations Division maintains a complement of certified EBAT instructors for purposes of maintaining the state-designated EBAT testing instrument, which is maintained at the Boulder County Jail, and to assist with the training and recertification of deputies.

B. All uniformed Operations Division deputies assigned to the Patrol Section are required to maintain a current EBAT certification.

1. Deputies who rotate out of the Patrol Section into a specialty assignment or unit that does not require an EBAT certification may elect to keep their certification current or may elect to let it expire.

2. If a deputy returns to the Patrol Section after allowing their EBAT certification to lapse, they must become recertified.

3. Sergeants assigned to the Patrol Section are strongly encouraged to maintain their EBAT certification but are not required to.
   a. Sergeants who elect to forego an EBAT certification are still required to stay abreast of the current training, standards, and case law surrounding evidential breath alcohol testing.
III. Record Keeping

A. Copies of all certificates and recertification paperwork are required to be submitted to the Training Unit for inclusion in the involved employee's training file.

IV. Extra-Duty Restrictions

A. Deputies who do not have current SFST and EBAT certifications are not authorized to work any voluntary DUI enforcement overtime or extra-duty assignments (e.g., LEAF grant DUI patrols, High Visibility Enforcement (HVE) operations, etc.).

By Order of the Division Chief,

[Signature]
Robert Sullenberger, Division Chief

1/19/2017 Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Boulder County Sheriff’s Office has established a bicycle patrol program to provide greater interaction with the community and to patrol areas that are difficult to access with vehicles.

RELATED POLICIES & PROCEDURES:
OP111 – Uniforms & Equipment

DEFINITIONS:
Bicycle(s): For purposes of this policy, any reference to the term “bicycle” – whether singular or plural – includes a patrol bicycle, or an electric bicycle (“e-bike”).

Bicycle Helmet: Headgear designed to provide protection from head injuries. Helmets must meet the Consumer Product Safety Commission (cf. 16 CFR 1203) standards.

Bicycle Patrol Operations: Utilization of a bicycle for any operational duty-related purpose, whether the rider is in uniform or a plain-clothes, undercover capacity. Bicycle patrol operations may also be informally referred to as “bike patrol.”

Electric Bicycle (“E-Bike”): A bicycle that is engineered to incorporate both human power and electrical power as propulsion for the bicycle.

Patrol Bicycle: A bicycle owned, marked, equipped, and supplied by the Sheriff’s Office to be used in law enforcement related activities.

PROCEDURE:

I. Authorization for Conducting Bicycle Patrol Operations

A. Qualifications

1. Prior to conducting any bicycle patrol operations, a deputy must complete (a) a police bicycle training program and, if applicable, (b) an e-bike orientation program.

   a. Any police bicycle training program or e-bike orientation program utilized to meet the requirements of this policy must be approved by the Operations Division Chief, with a copy of the written approval being held on-file in the Personnel & Training Unit in the Administration Division.
II. Equipment and Uniform Requirements

A. Safety Equipment and Specialty Uniforms

1. Shatter-proof protective eyewear and a bicycle helmet are required any time bicycle or e-bike patrol operations are undertaken.
   a. Bike helmets are provided by the Sheriff’s Office upon request after a deputy has been approved to attend a bicycle course required in §I of this policy. Helmets are to be black in color with the word “Sheriff” written on each side of the helmet.
   b. Shatter-proof eyewear is the personal responsibility of the authorized deputy and is not provided at department expense. Eyewear tint must be appropriate for the lighting conditions that bike patrol operations are being conducted in.

2. The approved uniform for patrol bicycle operations includes a royal-blue short-sleeve uniform shirt with reflective striping (with shoulder patches and a chest badge patch) and dark navy bicycle shorts or pants.
   a. Bicycle uniform purchases at department expense are only to be approved by supervisors after the deputy has successfully completed all the requirements in §I of this policy, and, if not assigned to the Parks & Open Space Unit, after the deputy has shown consistent commitment to bike patrol operations that demonstrate the need for an additional, specialized uniform.

B. Bicycle and E-Bicycle Equipment

1. Only bicycles that are purchased, authorized, and/or maintained by the Sheriff’s Office are to be used in bicycle patrol operations, unless a written exception has been made by the Operations Division Chief, including the requirements in §II.B.2 for undercover bike patrols. This includes all bicycles purchased by another county department for use by Sheriff’s deputies or employees.

2. Bicycles purchased, authorized, and/or maintained by the Sheriff’s Office are required to have the following:
   a. The word “Sheriff” must be located in a conspicuous place on the frame of the bike, as high as possible, in a contrasting
color, in as large of a font as possible for the given bicycle frame.

b. The bicycle must be equipped with a white-light lamp on the front handlebars, and a rear-facing flashing red light located on the rear of the bike near the seat, seat post, or bike rack. Additionally, the bicycle must be equipped with flashing red/blue emergency lighting.

1). It is the responsibility of the rider to ensure both lights are operational before using the bicycle in low-light or nighttime bicycle patrol operations.

c. The bicycle must be equipped with a patrol storage bag, pannier(s), or other containers, which are to be mounted on the back carrier frame or side frame of the bicycle. The storage bag, pannier, or container must have the word “Sheriff” prominently displayed, in a contrasting and reflective color, on each side.

III. Duties, Expectations, and Restrictions

A. Duties and Expectations

1. Prior to setting out on bike patrol, the deputy must contact the on-duty patrol supervisor and ask permission to perform bike patrol. The supervisor, after taking into account staffing, other obligations and the need for bike patrol to occur, will make the decision as to allow or disallow the transition to bicycle patrol based upon call load.

a. Deputies assigned to the Parks & Open Space Unit are exempt from this paragraph.

2. Deputies conducting bike patrols remain responsible for all calls for service assigned within their district or area of responsibility. Unless approved by their supervisor, deputies patrolling on a bicycle will remain within a reasonable (10-15 minute) riding distance of their patrol car or substation in order to respond to calls for service that are beyond a reasonable riding range of the bicycle, or would require the additional equipment or transport capability of a patrol car.

a. Deputies assigned to the Parks & Open Space Unit are exempt from this paragraph.
3. Emergency calls within the deputy’s district are dispatched to the nearest available unit until the bicycle patrol deputy can either respond to the call or return to their patrol car for response.

4. Deputies must notify dispatch when transitioning to and from vehicle and bicycle patrol.

5. When patrolling at night, unless employing stealth for cause, deputies are to use the legally mandated lights and reflective equipment.

6. When leaving the bicycle unattended, the bicycle is to be secured with a locking device to an immovable object, unless in an emergency situation (e.g., a foot pursuit, etc.).

7. If damage to a department-owned bicycle or equipment is sustained during operation, the deputy is expected to follow the policy for both reporting and documenting damage to county property.

B. Restrictions

1. Deputies on bicycle patrol are not authorized to conduct traffic stops of vehicular traffic on roadways. Vehicle contacts in parking lots and other low-speed areas are authorized when they can be conducted in a relatively safe manner.

2. Deputies on bicycle patrol are not to transport any person on the bicycle.

3. Deputies may only engage in pursuits of pedestrians or other bicyclists if the risk of pursuit does not outweigh the public safety benefit to be derived from the subject’s apprehension.

IV. Administration and Program Management

A. The patrol commander assigned to oversee municipal law enforcement contracts is responsible for management and oversight of the bike program.

1. Responsibilities of the program manager include:

   • Developing orientation and certification bicycle courses (patrol bike and e-bike), which includes obtaining the written program approval required under §I.A.1.a.
• Making sure department-owned bicycles are regularly maintained, equipped, inventoried, serviced, and replaced as needed.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/8/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY NOTES:
12/2018: Renumbered from OP415 to OP405 to close an unknown gap in policy numbers in the 400 series.
PAGE INTENTIONALLY LEFT BLANK
POLICY: The Operations Division has established a divisional policy and procedure to manage the portion of the vehicle fleet assigned to the division. The division assigns a portion of its fleet on an individual basis to facilitate an emergency response from off-duty status. This policy supplements the department's policy on Off-Duty Use of Sheriff's Vehicle (#515), including all related definitions. If a conflict is found to exist between a divisional and a departmental policy and procedure, the departmental policy and procedure shall always control and take precedence.

RELATED PROCEDURES:
515 – Off-Duty Use of Sheriff’s Vehicles

DEFINITIONS:

Command Staff: Any sworn and commissioned deputy of the Sheriff’s Office with the rank of commander or higher.

Executive Staff: Any sworn and commissioned deputy of the Sheriff’s Office with the rank of division chief or higher.

Take-Home: Driving or taking a vehicle home to a personal residence during off-duty hours, including, but not limited to, weekends and days off.

PROCEDURE:

I. Administration

A. The Operations Division Chief shall assign a commander to manage the division’s vehicle fleet.

B. The commander assigned to oversee the fleet is responsible to:

1. Engage other members of the agency, as needed, to manage appropriate vehicle allocation, rotation, equipment, configuration, and acquisition.

2. Make recommendations to the division’s Command Staff on replacement vehicles during the annual budget process, including
vehicle makes and models. The Sheriff has final authority for the budget recommendation.

3. Make recommendations to the division’s Command Staff regarding vehicle equipment, configuration, and related needs. The Division Chief of Operations is the final authority regarding vehicle equipment and configuration.

4. Oversee the effective assignment and management of the division’s portion of the vehicle fleet.

   a. The detective commander and the drug task force commander are responsible for managing the assignment of the portion of the division’s fleet allocated to their respective sections and units.

5. Coordinate and liaison with the Sheriff’s Fleet Manager, as needed.

6. Oversee and coordinate fleet vehicle inspections, identify replacement equipment needs, and compile any budget-related requests.

II. Vehicle Assignments

A. Semi-Assigned Vehicles

1. The Patrol Section predominately utilizes a semi-assigned fleet. Each semi-assigned vehicle is typically assigned to two deputies or animal control specialists, with the aim of working opposite schedules to minimize conflicts whenever possible.

2. Semi-assigned vehicles are not authorized for take-home on a general basis; however, a supervisor may approve a deputy or animal control specialist to take home their semi-assigned vehicle on a specific date, on a case-by-case basis, for articulable need.

   a. If a deputy or animal control specialist does not currently have an assigned car partner, it does not automatically result in the vehicle being considered individually assigned and available to take home.
b. The Operations Division Chief, upon articulable need and through a written request, can authorize a semi-assigned vehicle be taken home on a temporary basis.

3. Deputies assigned to the Mountain Program – based upon the quantity of specialized gear and equipment that is individually assigned, and in consideration of the geography of their district that makes a single-point for going on-duty/off-duty difficult at times – are authorized to take their semi-assigned vehicle home on their scheduled work days.

B. Assigned Vehicles

1. Sheriff’s vehicles are individually assigned when a deputy or emergency services coordinator maintains a primary or collateral job assignment that is designated an emergency response position, as defined in Policy #515, or when the circumstances of their position require an assigned vehicle.

2. For a vehicle to be individually assigned in the division, it must meet the criteria of an emergency response vehicle, as defined in Policy #515.

   a. The only exception to this requirement is for vehicles assigned to sheriff’s investigators in the Drug Task Force, which are not equipped with emergency lights and siren.

3. When considering the size of the fleet and determining the number of vehicles eligible for individual assignment, priority should be given to the following statuses, in rank order:

   a. Regular on-call assignments and obligations (e.g., Staff Duty Officers (SDO), Fire Duty Officers (FDO), detective supervisors, detectives, emergency services staff, etc.).

   b. The frequency of need for an emergency response from an off-duty status (e.g., SWAT tactical operators, EOD technicians, K9 handlers, etc.).
c. Job-specific requirements necessitating an assigned vehicle (e.g., K9 handlers, armorer/range master, etc.).

d. The need for immediate surge supervision during a natural disaster or other public safety emergency (e.g., Operations Division sergeants).

e. Requests from other law enforcement agencies for regular mutual aid response based upon deputy residence location.

4. Deputies with marked vehicles who are on a light-duty or modified duty status are not authorized to drive their assigned vehicle until cleared for a return to full duty. The assigned vehicle is to be relocated to the Sheriff's HQ Building or assigned substation during the term of their modified or restricted duty.

C. Take-Home Vehicles

1. Sheriff's vehicles that are individually assigned to a deputy or an emergency services coordinator that maintains a primary or collateral job assignment designated as an emergency response position, as defined in Policy #515, are authorized to take their vehicles home, provided they meet the established parameters in Policy #515.

   a. Deputies assigned to the Parks & Open Space Unit are assigned vehicles on a take-home basis, subject to fleet availability, due to the quantity of personally assigned specialty equipment they are required to maintain. These deputies must also meet the parameters of Policy #515 and are subject to emergency call back, as needed.

2. Specific assignments that benefit from individually assigned vehicles, but whose assignees do not fit the definition of an emergency response position (e.g., Civil Unit, etc.) are authorized to take their assigned vehicles home during their work week. During the employee’s day(s) off, the assigned vehicle must remain at its designated home location and be made available for extra-duty or deputies backfilling overtime assignments in Patrol.
3. In instances where there is a need for a fast response from an off-duty status by an employee with a collateral assignment that does not meet the criteria for an assigned vehicle (i.e. SWAT negotiators, SWAT TEMS, etc.), and subject to on-going fleet availability, the Operations Division Chief can approve a deputy to take a semi-assigned vehicle home during their work days on a case-by-case basis.

D. Pool Vehicles

1. The division will retain a small pool of vehicles, typically through the fleet rotation, for deputies working extra-duty events, overtime, or in less routine circumstances, to temporarily replace a vehicle that is undergoing maintenance or service.

2. Pool vehicles will typically not contain all of the standard equipment in a semi-assigned or individually assigned vehicle.

3. The pool vehicle check-out process is managed by the Operations Division commander who oversees the fleet.

4. Pool vehicles are not intended for general use outside of the Denver metro area, including for multi-day training attendance.

III. Responsibilities & Expectations

A. Each deputy is expected to drive the vehicle which they are assigned, absent unusual or extenuating circumstances (i.e., a temporary assignment to the mountains, severe weather, snowstorms, etc., which may necessitate a four-wheel-drive vehicle when assigned to a sedan).

B. Each deputy, including those in a semi-assigned vehicle, are responsible for ensuring the vehicle is maintained as required, and that the vehicle remains ready for immediate use and deployment, including a substantive amount of fuel, regardless of whether the vehicle is assigned or semi-assigned.

C. Deputies with assigned vehicles are expected to respond to requests for surge staffing during a significant criminal event, a natural disaster, or other matter requiring an immediate increase in deputy staffing.

D. Deputies with assigned vehicles may have to relinquish the vehicle at
times while off-duty due to other divisional obligations (i.e. a large-scale extra-duty event requiring a greater number of vehicles than available in the semi-assigned or pool portions of the fleet), a temporary reduction in fleet numbers, or when a certain vehicle type is required (i.e. four-wheel drive vehicles during inclement weather, etc.).

1. Deputies who are off-duty and out-of-town for more than a week at a time must either return their assigned vehicle to the Sheriff’s Headquarters Building or a substation or make arrangements for their vehicle to be accessible, should it be needed in their absence. The location and/or instructions for access shall be provided to their commander.

E. Deputies are responsible for maintaining the equipment assigned to their vehicle, including the periodic replacement of consumable items (e.g., fingerprint cards, DNA swabs, etc.). The list of standardized contents and equipment for each vehicle type are located on the division’s Vehicle Inspection Form.

F. Deputies with a semi-assigned vehicle must remove their assigned weapons (AR15 and/or less-lethal shotgun) and personal, or personally assigned, items/equipment from the vehicle at the end of their work week. Deputies utilizing a pool vehicle must remove their assigned weapons and personal items/equipment each day.

G. Vehicles should be inspected – both the interior and exterior – before the start of every tour of duty to ensure the vehicle and all equipment is functional and in proper working order. Any vehicle damage, inoperable equipment, or missing or damaged equipment, should be promptly reported and remedied.

By Order of the Division Chief,

Robert Sullenberger,  
Division Chief  
05/15/2018  
Date

ATTACHMENTS OR ADDENDUMS:
OP407-A Vehicle Inspection Form

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: For security considerations, the Operations Division recognizes the need for changing door access codes on a yearly basis, in addition to any time it is ordered by the Sheriff, Undersheriff, Division Chief, or their designee. Door access codes that are subject to this policy and procedure are those under the control and responsibility of the Operations Division of the Sheriff’s Office. Doors controlled by access card readers are not governed by this policy and procedure.

RELATED POLICIES & PROCEDURES:
211 – Sheriff’s Facility Protection

DEFINITIONS:
Access Card Reader: An electronic locking mechanism that can be activated by a specifically authorized access card to gain access into a secured area.

Door Code: A specific series of alpha and/or numeric keys assigned to a locking mechanism, that when the code is entered, will allow access to a secured area.

PROCEDURE:

I. Scheduled Changes

   A. On a yearly basis, coinciding with the Operations Division shift changes, door access codes to the secured locations controlled by the Operations Division (e.g., substations, etc.) will be changed.

II. Unscheduled Changes

   A. At the discretion of the Sheriff, Undersheriff, Operations Division Chief, or any of their designees, door access codes managed by the Division can be changed outside of the routine schedule.

      1. Unscheduled changes typically result from specific and articulated security concerns, but may be changed at any time for any reason under the authorization of the aforementioned individuals.
III. Notification of Changes

1. Notifications of door code changes will be conveyed by email and briefings or unit/team meetings, to all affected, and authorized, employees, including the Boulder County Communications Center.

   a. In accordance with the Sheriff's Facility Protection policy (#211), door access codes shall only be distributed and made available to those employees who have been authorized for unescorted access in sheriff’s facilities. Any secondary dissemination by an authorized employee to a non-authorized employee is strictly prohibited.

V Administration and Oversight

A. The Operations Division Chief is responsible to assign a patrol commander to be responsible for overseeing the functioning, upkeep, notification, and any other details associated with locations secured by door access codes or combination locks.

By Order of the Division Chief,

[Signature]
Robert Sullenberger,
Division Chief

1/8/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]
SUBJECT: Less-Lethal Shotguns

EFFECTIVE DATE: March 26, 2019

POLICY: The Sheriff's Office recognizes there are numerous circumstances where less-lethal alternatives to the use of deadly force are highly desirable, or a less-lethal shotgun may be an appropriate tool for breaching a barrier (e.g., porting a window, etc.). The application of a less-than-lethal alternative such as a less-lethal shotgun is intended to provide a force option, which has a reduced likelihood of causing death or serious bodily injury. As such, it is the policy of the Sheriff's Office to maintain a cache of less-lethal shotguns and maintain a deployment plan that gives reasonable access to this tool in the field.

RELATED POLICIES & PROCEDURES:
513 – Authorized Weapons, Use & Proficiency
OP406 – Shotgun and Rifle Cruiser Ready

DEFINITIONS:
Less-Lethal Shotgun: A 12-gauge shotgun used only to deploy less-than-lethal impact munitions (e.g., drag-stabilized bean bag rounds, baton rounds, etc.) that are intended to either (a) gain a subject’s compliance or (b) breach a barrier; and, when utilized as a force option, is less-likely to cause death to a human target than lethal munitions.

PROCEDURE:

I. Program Administration

A. The less-lethal shotgun training program is administered by the Administration Division’s Personnel & Training Unit.

B. All less-lethal shotguns are maintained by the department armorer.

1. Deputies are not authorized to modify, maintain, or perform any maintenance on their assigned shotgun beyond field-level cleaning of the weapon system, which is the responsibility of the assigned deputy.

C. Deputies issued or authorized to deploy a less-lethal shotgun are expected to comply with all related training, maintenance, and related directives from the armorer or the Personnel & Training Unit.

D. Prior to deployment in a field environment, the stock and foregrip of a less-
lethal shotgun shall be painted orange.

II. Deployment

A. Less-lethal shotguns are not authorized to be stored or left unattended in a department-owned vehicle unless their storage is secure (e.g., a gun rack, locked vault, etc.).

B. Unless used for hazing animals, less-lethal shotguns should not be deployed without lethal cover present.

C. To ensure general availability of less-lethal shotguns, deputies assigned to the following groups are required to receive training and carry less-lethal shotguns on-duty:

   1. Mountain Program
   2. Parks & Open Space Unit
   3. Firearms Instructors (Operations Division deputies only)
   4. SWAT: Tactical Team
   5. Sergeants in uniformed assignments

D. Any solo-qualified, uniformed deputy who electively desires to carry a less-lethal shotgun may be approved to attend the necessary training and be issued a less-lethal shotgun upon request, dependent upon less-lethal shotgun availability.

E. At the beginning of their tour of duty, the authorized deputy is responsible to ensure that the less-lethal shotgun is loaded with the proper less-lethal munitions.

   1. Unless assigned to a SWAT supervisor’s vehicle equipped with a lethal shotgun, under no circumstances should lethal shotgun ammunition be carried in the same vehicle.

III. Training

A. Deputies are not authorized to deploy or utilize a less-lethal shotgun until they have completed the appropriate training and qualification requirements.
By Order of the Division Chief,

Robert Sullenberger,  
Division Chief  

3/26/2019  
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:  
[None]

HISTORY:
SUBJECT: Directed Patrols

NUMBER: OP501

EFFECTIVE DATE: 08/01/2005

REVISION DATE: 08/01/2005

POLICY: The Boulder County Sheriff’s Office recognizes the need for deputies to commit extra time patrolling designated areas to address special issues.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

1. Evaluation for the need of a Directed Patrol
   a. Directed Patrols must be Problem Specific.
   b. Directed Patrols must be criminal, traffic, or a public safety issue.

2. Documentation for Directed Patrol
   a. Supervisor’s Responsibilities:
      i. The supervisor responsible for the directed patrol will contact Communications and have a case number drawn for the directed patrol.
      ii. Complete an ARS (Automated Reporting System) report documenting the directed patrol. Using “Directed Patrol” as the Nature of Call and make the confidential level “L”.
      iii. Approve and transfer the report into RMS (Records Management System).
      iv. Document an Operations Plan explaining duration, manpower, area, and any specialized equipment that may be needed.
      v. Enter the Case Management Module in RMS and tab to the Assignment and Management tab. The supervisor will assign the case to the responsible supervisor for management purposes. In the “Charge” field they will enter “Directed Patrol”.
      vi. Manage the directed patrol, making sure that deputies are completing the necessary documentation.
      vii. Close the directed patrol once completed. This will consist of completing a short supplemental report documenting the resolution of the addressed issue.
      viii. At the conclusion of the directed patrol will enter the Case Management Module in RMS and tab to the Activity Tab entering the appropriate closure in the “Act Type” field.
b. Deputy’s Responsibilities:

i. Document their activities on their Daily Field Activity Report.
ii. Turn in all the necessary paperwork associated to the directed patrol, i.e., directed patrol form and any other associated paperwork.
iii. Turn in directed patrol form to typing pool for entry into Tiburon.
iv. If additional documentation is needed complete a supplement to the original ARS report drawn for the directed patrol. Information is documented like any other supplemental report in ARS including people, vehicles, and property associated with the activity.

c. Typing pool responsibilities

i. Enter RMS and tab to the Case Management Module.
ii. Under the Activity tab enter the Tiburon officer number of the deputy who completed the form in the “Officer Assigned” field.
iii. For “Act Type” select “DP” directed patrol.
iv. Enter the appropriate amount of time spent working the directed patrol in the “# Hours” and “Minutes” fields.
v. Document a short synopsis of their activities in the “Remark” field. Include information such as number of traffic stops, number of field interview cards, number of summonses issued, or a combination of this information.

By Order of the Division Captain,

_________________________________  ______________________________
Dennis Hopper, Captain                    Date
POLICY: Deputies of the Boulder County Sheriff’s Office are authorized by the Colorado Revised Statutes (CRS) and departmental policies and procedures to make arrests. Arrests are made using reasonable and appropriate force with the safety of the deputy, the subject, and innocent bystanders in mind. Deputies make arrests based on probable cause and shall follow the Boulder County Incarceration Standards.

RELATED PROCEDURES:
- 202A – Boulder County Incarceration Standards
- OP707 – Felony Summons Procedure
- OP711 – Felony Paper Flow
- OP514 – Warrant Arrests
- J1601 – Admission and Booking of New Inmates (Jail Division)

DEFINITIONS:

Arrest: The detention of a person, which culminates in a subsequent court appearance. This arrest may result in the suspect being lodged at the jail, booked and released, or issued a summons and released.

Boulder County Incarceration Standards: Standards published by the Sheriff to law enforcement agencies in Boulder County, which provide guidelines as to custodial arrests.

Detention: Actions taken by deputies that restricts a person’s freedom of movement or ability to leave. Detention may be used for purposes of investigation as defined in § 16-3-103, C.R.S., and by case law.

PROCEDURE:

I. Arrests

A. All arrests will be made in accordance with the applicable Colorado Revised Statutes in Title 16, Article 3, Part 1.

B. Deputies follow all laws and policies that pertain to the use of force and entering premises to affect an arrest.

C. Deputies may command assistance from private citizens as needed, pursuant to § 16-3-202, C.R.S.
D. Deputies utilize the Boulder County Incarceration Standards to determine whether to lodge a suspect, book and release, or summons and release a suspect.

E. Juvenile Arrests

1. Juvenile offenders ten years of age and older, but less than thirteen years of age, shall not be subjected to custodial arrest unless charged with a felony or weapons charge pursuant to § 18-12-102, 18-12-105, 18-12, 106, or 18-12-108.5, C.R.S. (cf. HB17-1207; § 19-2-402(1)(c), C.R.S.)

II. Conducting an Arrest

A. Deputies should be cognizant of officer safety and are encouraged to make arrests with a cover officer present.

B. Suspects are to be advised that they are under arrest and the reason for the arrest.

C. Once arrested, suspects are handcuffed and thoroughly searched for weapons before being transported.

D. Once taken into custody the arrestee is attended at all times. If placed in a patrol car to be secured awaiting transport, whether in a caged or uncaged vehicle, the arrestee is to be under the direct observation of a deputy or other peace officer.

1. If placed in the front seat of a patrol vehicle, the vehicle and radio is turned off and the keys are removed from the ignition.

E. If combative, the option of transporting the arrestee in an alternative vehicle (e.g. an ambulance, a jail transport van, etc.) should be considered.

III. Requirements for Medical Care

A. Any arrestee requiring medical care, whether or not it is the result of the arrest, will be accorded medical care before being transported to the jail.

1. The on-duty supervisor is notified when an arrestee requires medical care and the reasons for the care. The nature and source of the injuries are documented in the deputy’s written report.

B. The Boulder County Jail or Juvenile Assessment Center (JAC) may
require a medical clearance by a doctor prior to accepting an arrestee for
booking into the facility when an arrestee presents injuries or other
medical conditions requiring immediate attention (cf. J1601 §(I)(8)).

1. After receiving medical treatment for an arrestee at the hospital,
deputies obtain a signed medical clearance form from the hospital
before transporting a suspect to the jail or JAC. This form is then
presented to the Booking Room personnel and/or the nurse
completing the intake screening.

2. The JAC will not accept a juvenile arrestee unless a medical
clearance from a hospital has been obtained under the following
circumstances:
   a. The juvenile has expressed homicidal or suicidal ideations
      (M1 hold required).
   b. The juvenile is under the influence of any intoxicant or drug.
   c. The juvenile is suffering from an injury, or complains of
      injury.
   d. The juvenile requires daily medication(s) and the
      medication(s) are not with the juvenile at the time of intake.

C. Deputies are responsible for the safety and security of any arrestee while
they are being treated. If the arrestee has to be admitted to the hospital,
the deputy will contact the on-duty supervisor to make appropriate
arrangements.

1. Appropriate arrangements may include, but are not limited to:
   • Maintaining security until the arrestee is discharged and can
     be taken to the jail;
   • Releasing the arrestee on a summons in lieu of custodial
     arrest;
   • Making later arrangements for the arrestee to surrender
     themselves on the involved charges, whether warrant or
     probable cause related.

IV. Arrestee Transportation and Booking
Once an arrestee has been searched and placed in a patrol vehicle, the deputy should contact Master Control (“1400”) or Booking (“1500”) by radio using the “SO Booking” channel. The deputy should provide the estimated time of arrival, the gender of the arrestee, and the level of cooperation.

Upon arrival at the jail intake garage, jail staff will search the arrestee and remove all of their personal property to be stored until release.

1. Smaller property items will be stored at the jail. Any larger items, such as backpacks, are documented and then placed into evidence for safekeeping.

2. Any evidence found during the search will be turned over to the arresting deputy who is responsible for maintaining the chain-of-custody, adding any appropriate charges and completing any subsequent reports.

Deputies place all weapons – including all handguns, chemical and intermediate weapons (Tasers® or other approved CEDs excepted), knives, and ammunition – in the lock boxes provided before entering the secured portion of the jail.

Deputies may transport arrestees to other locations prior to the jail, if required for investigatory, medical, or other articulable purposes.

Deputies may turn arrestees over to another agency or county jail outside of Boulder County if that agency has (1) issued an active arrest warrant or (2) if the requesting agency has indicated probable cause to arrest the suspect exists and requested the sheriff’s office place them into custody.

Deputies making arrests outside of Boulder County should advise the jurisdiction of their presence and request a local law enforcement officer to assist in the arrest. This does not apply to fresh pursuits as the jurisdiction is advised prior to any transport.

Adult arrestees and juvenile arrestees should not be transported, in-custody, together, absent exigent circumstances.

V. Arrest Paperwork

A. A deputy completes an arrest report for every arrestee lodged, or booked and released, at the jail or the Juvenile Detention Center.
All arrest reports include probable cause for the arrest, the charges, the identification of the deputy or deputies involved, along with any witness or victim information, the time, date, location, and venue of the crime.

Once the arrest report is printed, the deputy signs the probable cause affidavit, swearing to the truth and the accuracy of the information in the report. The deputy may elect to electronically sign the paperwork using the currently accepted practice.

Warrant arrests are completed in accordance with OP514 Warrant Arrests.

If the computer system is down, the deputy completes a handwritten arrest report using forms supplied at the jail.

VI. Summons Procedures

A. Deputies shall complete the proper summons based on jurisdiction or venue when charging any misdemeanor, traffic, petty, county or municipal violation/offense.

1. Deputies complete a summons with all available personal information on the suspect, including address and vehicle information.

2. The summons also includes the date and time of the offense, the location and venue, the applicable statute or ordinance, correct charging language, and the court date and location.

3. The deputy has the suspect sign the summons, advising them that they are not admitting to guilt of the violations. The signature is only a promise to appear in court.

B. When an arrestee is booked and released on misdemeanor, traffic, or petty offenses, or on a violation of county or municipal ordinances, the deputy completes an arrest report and the arrestee is booked into the jail. The deputy also completes a summons, which must be signed by the defendant. After processing, the defendant is released.

C. When an arrestee is being lodged in lieu of bond; the original summons is attached to the court paperwork and forwarded for the court file. The court
date should be left blank. “Jailed” is written where the defendant usually signs. A copy of the summons shall be made and placed into the case file.

D. No summons is completed if felony charges are entered from the same criminal episode.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

11/28/2017
Date

ATTACHMENTS OR ADDENDUMS:
202A – Boulder County Incarceration Standards

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: Sheriff’s deputies are authorized to place a person who is intoxicated or incapacitated by alcohol and who is clearly dangerous to the health and safety of himself, herself, or others, into protective custody and place them in an approved treatment facility.

RELATED POLICIES & PROCEDURES:
Policy 202, Attachment A: Boulder County Incarceration Standards

DEFINITIONS:

Incapacitated by Alcohol: A person, as a result of the use of alcohol, who is unconscious, or whose judgment is otherwise so impaired that he/she is incapable of realizing and making a rational decision with respect to his/her need for treatment, or who is unable to take care of his/her basic personal needs or safety, or lacks sufficient understanding, or capacity to make or communicate rational decisions concerning himself or herself (cf. § 27-81-102(9), CRS).

Intoxicated Person: A person whose mental or physical functioning is temporarily but substantially impaired as a result of the presence of alcohol in their body (cf. § 27-81-102(11), CRS).

Mental Health Partners Withdrawal Management (“MHPWM”): A state approved emergency commitment and treatment facility in Boulder County, as defined under the Colorado Revised Statutes. The facility was formerly known as the Addiction Recovery Center (“ARC”), and may still be informally referred to as the ARC.

Protective Custody Detainer Form (aka “ARC Hold Form”): A form completed by the seizing deputy, which authorizes the temporary confinement of an intoxicated or incapacitated and is used to admit them into an approved treatment facility.

PROCEDURE:

I. Emergency Alcohol Commitments

   A. Deputies may take a person into involuntary protective custody on an emergency basis when probable cause exists that an intoxicated person is incapacitated by alcohol, as defined by § 27-81-111(1)(a), CRS.

      1. If a person under the age of eighteen (18) is taken into involuntary protective custody on an emergency basis, deputies should try to contact their parent(s) or guardian(s) as soon as practical to advise
them of the protective custody detention and the location of the juvenile.

B. Deputies may use reasonable means to protect themselves and shall take all reasonable efforts to protect the detainee’s health and safety while taking them into protective custody (§ 27-81-111(1)(a), CRS).

C. Deputies may utilize the following options, as appropriate, after placing a detainee into protective custody on an emergency basis:

1. An approved treatment facility
   a. In Boulder County, the Addiction Recovery Center (“ARC”), is an approved treatment facility for placement of intoxicated persons incapacitated by alcohol.
      i. The ARC will accept individuals for placement on a space-available basis when the detainee has no visible injuries, signs of illness, or has been medically cleared by a physician.
      ii. If the detainee becomes violent or mentally unstable prior to placement at the ARC, alternative arrangements must be sought. If the detainee becomes violent or mentally unstable after placement at the ARC, the ARC staff will call the Boulder Police Department who has the primary jurisdiction for call response.
   b. Upon supervisory approval, an approved out-of-county treatment facility may be utilized for placement in extraordinary circumstances.

2. Hospital
   a. If a detainee requires a medical clearance or care by a physician, they may be taken to an appropriate facility for treatment and/or evaluation.
   b. If the detainee will require prolonged medical treatment, the deputy may coordinate with the nursing staff of the facility to leave the subject in their care. The deputy can request the nursing staff contact them if the subject is still an ARC candidate at the conclusion of the medical treatment. The deputy who leaves a subject in the care of a medical facility for treatment is responsible to return and pick the subject up
for an ARC placement if still necessary at the conclusion of care.

3. Jail

   a. If criminal charges exist and the detainee meets the Boulder County Incarceration Standards, they can be booked into the Boulder County Jail. In these instances a protective custody form need not be completed.

II. Documentation of Protective Custody ARC Holds

   A. An emergency Protective Custody Detainer and Application form ("ARC Hold") shall be completed for any intoxicated person taken into custody and placed into an approved treatment facility.

      1. The pink copy of the Protective Custody Detainer and Application form is provided to the approved treatment facility accepting the detainee.

      2. The original copy is placed into the case file in the Records Section under the corresponding case report number.

   B. Reports

      1. The deputy taking a subject into protective custody under § 27-81-111, CRS, is required to complete a narrative report documenting the circumstances of the ARC hold.

         a. The report should be captioned as "ARC Hold" (Nature of Call), in which the subject placed into protective custody is indexed as a victim (VIC).

         b. The report is subject to dissemination restrictions under state statute. As such, if the chain-of-events leading to the ARC hold placement includes a criminal investigation or complaint, the criminal act must be documented under a separate case report number as appropriate. A brief (one sentence) mention of the related case should be made for cross referencing the cases.

      2. All ARC hold reports shall be set to a confidential level of “L” (law enforcement only) by the reviewing / approving supervisor.
By Order of the Division Chief,

Robert Sullenberger,  
Division Chief

5/22/2018  
Date

ATTACHMENTS OR ADDENDUMS:  
[None]

HISTORY:  
5/2018: Updated statute numbers and current process.
POLICY: The Sheriff’s Office provides a means for individuals, businesses and government entities to protect their person, property, privacy and employees from unwanted trespassers by maintaining a trespass affidavit process on file to allow for immediate enforcement of trespassing complaints.

RELATED POLICIES & PROCEDURES:
[None]

DEFINITIONS:

Trespass Affidavit: A signed document that relates the intentions of a property owner or their designee, which authorizes the Sheriff's Office to act on their behalf in the matter of charging and prosecuting trespassers.

PROCEDURE:

I. Trespass Affidavit Eligibility and Requirements

A. Residents, business owners, and property managers for properties located within the primary jurisdiction of the Sheriff’s Office (e.g. the unincorporated areas of Boulder County and all contract municipalities) are eligible to file a trespass affidavit with the Sheriff’s Office.

B. In order for the Sheriff’s Office to take enforcement action based upon a trespass affidavit held on file under this process, the affidavit must include the following information:

1. **Property Description.** An accurate description of the property typically includes the property name (if applicable), physical address, unit number (if applicable), and any other pertinent descriptors that identify the property subject to the trespass affidavit. This may include a legal description of property boundaries as well as common area names (e.g. outdoor pool, hot tub, fenced areas, etc.).

2. **Notification or Posting of Trespass Boundaries.** Signs, postings, or other notification that alert individuals they are trespassing should be identified. If specific individuals have been notified they are no longer welcome, the specific date, time, location, and method of notification should be clearly described.
3. **Owner or Responsible Party Contact Information.** The owner, or their designated agent with authority to prosecute trespass on their behalf, is required to provide contact information that includes, at a minimum, a physical address, phone number, and email address.

4. **Sign and Date.** The affidavit of notification does not require affirmation under a notary public, but must be signed and dated by an individual with legal standing to make a trespassing complaint. The deputy or Sheriff’s staff member receiving the trespass affidavit is responsible to verify the identification of the person filing the trespass affidavit and that they have legal standing to do so.

C. The Sheriff’s Office considers trespass affidavits as valid for taking enforcement purposes for 12 calendar months after being filed, after which they automatically expire and are automatically purged from the CAD system.

II. **Deputy and Supervisory Responsibilities**

A. The deputy receiving the trespass affidavit is responsible for ensuring it contains all of the required information outlined in § I.B of this policy prior to accepting it and completing a report.

B. Upon the acceptance of a trespass affidavit, the receiving deputy is responsible to draw a case report number and complete the appropriate report. The report is to be captioned as a “Trespass Affidavit.”

1. The property owners, or their legal designees with standing, are indexed as “COM” (complainants) in the report.

2. Individuals who have been excluded from the property are indexed in the report as “SUS” (suspects).

C. The report is generally classified as “Closed,” unless there is an articulable reason to keep the report open pending follow-up.

D. The receiving deputy notifies the Communications Center of the trespass affidavit for entry into the CAD system, which is accomplished by emailing #SheriffCADServiceRequest.

1. The notification should include the property address, date of the trespass affidavit, the expiration of the trespass affidavit, the corresponding case report number, and the owner / responsible party’s contact information.

E. The receiving deputy is to ensure the original trespass affidavit is retained
in the corresponding case file.

F. In general, trespass affidavit reports, upon review and approval by a supervisor, are set with a dissemination level of “P” (public) and are assigned to the reporting deputy, but are then classified as closed in the Case Assignment module of the Tiburon RMS system.

III. Enforcement of Trespass Affidavits

A. When a criminal trespass complaint is made for which there is a trespass affidavit on file, the deputy receiving the criminal complaint is responsible to ensure the affidavit is still valid prior to taking enforcement action based upon it.

B. The criminal trespass complaint is documented under its own criminal report, which is separate and distinct from the trespass affidavit case report. The case number for the trespass affidavit report shall be referenced by the reporting deputy in the criminal trespass investigation report.

C. A copy of the trespass affidavit is to be made and placed into the case file for any corresponding criminal trespass complaint investigation, and is to be referenced in the narrative of the criminal trespass complaint report.

By Order of the Division Chief,

Robert Sullenberger, 5/22/2018
Division Chief

ATTACHMENTS OR ADDENDUMS:
OP504-A Trespass Affidavit Informational & Requirements flyer

HISTORY:
5/2018: Updated to current process.
Trespass Affidavits

A trespass affidavit is a document that allows property owners and managers to grant the Boulder County Sheriff's Office the authority to enforce state statutes regarding trespassing without the property owner or manager being present to make the complaint.

To successfully prosecute, would be trespassers need to be made aware and warned of the property owners intentions, such as postings, signs, fences, written and verbal notifications, etc.

To submit a trespass affidavit to the Boulder County Sheriff’s Office, the following information shall be included.

1) Accurate description of the property, which may include the name, physical address, unit number, or any other descriptors that identify the property. Example: *Sunshine Apartments, 123 Main Street, Boulder, CO 80301, Fenced pool area.*

2) Any barriers, signage or notifications that alert persons of trespass. Example: *Property surrounded by six foot privacy fence with posting, “No Trespassing after 10 pm” posted at entrance/gate. - or - Joe Squatter was informed by Property Manager, Alan Smith on Jan. 5, 2008 that he is excluded from the business.*

3) Name and contact information of owner (victim) or entity in the case of a company or trust. Include address, phone number and e-mail address.

4) Name and contact information of any person (complainant) authorized to act on behalf of the property owner, i.e. Property manager, business employee, family member, etc.

5) Sign and date the affidavit.

To submit your trespass affidavit, you may contact any Sheriff’s Deputy. Provide him or her with the original. You may be asked for proof of identification to verify that you are the property owner and have legal standing over the property.

The Boulder County Sheriff’s Office will honor your affidavit for 12 calendar months. On the last day of the month, one year after it is submitted, it will expire and a new affidavit will need to be submitted.
2. Administrative Responsibilities

a) Operations Secretaries

i) perform the data entry into Tiburon,
ii) digitally scan the original trespass affidavit into a designated file on the
   County LAN system,
iii) forward the original trespass affidavit to Records, and
iv) make notification via electronic mail to operations and communications,
   advising of the new a trespass affidavit, its associated case number and
   location.

b) Supervisors

i) assign the report to the Records section,
ii) assign a follow up date in Tiburon for twelve calendar months (the last day of
    the month, one year from the month it was received).

3. Communications Responsibilities

a) Upon receiving notification of a new trespass affidavit, the communications
   section will review the affidavit and use the best possible means to flag the
   location, with the case number in the CAD system.

b) Dispatchers shall advise deputies of the trespass affidavit when responding to
   the associated addresses.

4. Enforcement

a) When enforcing trespass affidavits, deputies review the affidavit and charge as
   appropriate.

b) When charging;

i) A new report shall be initiated with,
   (1) the property owner or business listed as the victim and
   (2) other parties authorized to represent the owner or businesses interests be
       listed as complainants.

ii) A copy of the trespass affidavit is printed from the LAN and included into the
    case file.

c) The property owner, business or any point of contact listed on the trespass
   affidavit shall be notified of the enforcement action. This may be done in person,
by electronic mail, by phone or any means available.

d) The trespass affidavits remain in effect for 12 calendar months, expiring on the last day of the month, one year after it is submitted or until cancelled by the property owner or business. It is the responsibility of the property owner or business to submit a new trespass affidavit.

By Order of the Division Chief,

____________________________________  ____________________________

Dennis Hopper  Date
SUBJECT: Home Intox Checks

EFFECTIVE DATE: December 31, 2019

POLICY: The Jail Division of the Sheriff’s Office provides and administers an alternative sentencing program where an offender is assigned to home detention. The Operations Division assists the Jail Division in conducting home detention checks to verify compliance with the program. Offenders found to have violated the program rules, or commit new violations of the law, are transferred back to the jail pending a disciplinary hearing.

RELATED POLICIES & PROCEDURES:
Section J24, et seq – Home Detention Program (Jail Division)

DEFINITIONS:

Day Reporting Client: An inmate assigned to the day reporting program is required to check in daily at the Boulder Community Treatment Center (BCTC) or Longmont Community Treatment Center (LCTC) and submit to alcohol and/or drug testing. Day reporting clients do not wear ankle monitors. Offenders in the day reporting program remain jail inmates and can be taken into custody at any time at the jail staff’s request.

Home Intox/Detention Check: Contacting an alternative sentencing inmate to verify compliance with their schedule and/or checking their sobriety by completing a breath test to detect the use of alcohol.

Home Detention Clients: Inmates assigned to the home detention program to serve their sentence wearing an ankle bracelet monitor in their home. Jail staff, via computer, monitor the offender’s schedule. Offenders in the home detention program remain jail inmates and can be taken into custody at any time at the jail staff’s request.

Alternative Sentencing Program Waiver: The waiver signed by every home detention and day reporting inmate allowing Sheriff’s Office staff to enter their homes at any time in order contact the inmate or inspect monitoring equipment.

PROCEDURE:

I. Jail Division Responsibilities

A. Jail staff assigned to the Alternative Sentencing Program are responsible to provide the Operations Division with a list of inmates currently assigned to the home detention and daily reporting programs, their detention address, and their approved schedules, on a weekly basis. This information is typically provided by email.
B. A prerequisite for clients entering the home detention program—either as a day-reporting or home detention client—is a review and acceptance of jail regulations, which includes the prohibition of the consumption of any alcohol and a standing consent to search authorization allowing deputies to search their residence for them or the home detention monitoring equipment at any time. Additionally, jail regulations state that Sheriff’s deputies may show up at the client’s residence at any time in order to test for the presence of alcohol.

II. Operations Division Responsibilities

A. Deputies are responsible to conduct periodic home detention checks on alternative sentencing clients residing within their assigned patrol district.

1. Utilizing the client schedules provided by the alternative sentencing program at the jail on a weekly basis, deputies should attempt to complete a home intox check on each client at least once per week.

B. Home Intox/Detention Check Procedure

1. Upon contacting an alternative sentencing client at home, deputies are to administer a portable breath test (PBT) and verify they are home in accordance with their approved schedule.

   a. If the PBT result is negative (.000 BRAC), the date and time of the check is noted, along with the result.

   b. If the result is positive, the date and time of the check is noted, along with the result, and the inmate is placed into custody.

   1) If a low initial result (e.g., 0.020) is registered and the inmate claims they just used mouthwash, the deputy should ask to see the bottle and confirm if alcohol is an ingredient. If so, the inmate is to rinse their mouth out with water and be re-tested after five (5) minutes. If the result is negative, note the result. If it remains positive, it remains a violation and the second test date/time and result is noted.

2. If an alternative sentence inmate is found to have violated the program rules by alcohol consumption, they are to be placed into custody and transported back to the jail for the rule violation.

   a. For home detention clients (e.g., those wearing an ankle monitor), the arresting deputy must also collect the monitoring
equipment (base unit) and return it to the jail with the inmate.

3. Prior to departing the client residence, notify the Building C deputies of the rule violation at (303) 441-4668, and that the inmate—and if applicable, the monitoring equipment—are being transported back to the jail, as the removal of the monitoring equipment will alarm in Building C.

C. Program Violations

1. Alcohol Use
   a. Alcohol use is a failure to comply with the terms and conditions of the inmate’s sentence (§18-1.3-207) and the inmate shall always be taken into custody and returned to the jail for a disciplinary hearing, unless otherwise directed by a deputy assigned to Building C or the Alternative Sentencing Program office.

   b. Excessive alcohol consumption (>0.300%) typically warrants an evaluation by a jail nurse. If the need for a medical clearance at a hospital is suspected, the transporting deputy should contact the on-duty jail nurse to confirm.

2. Prohibited Substance Use
   a. If a deputy and suspects the inmate has been using prohibited substances, the deputy should inquire and document the inmate’s response, along with their observations in a supplemental report as outlined in §II.D.

   b. The deputy should notify the Alternative Sentencing Program office by email (#SheriffJailAltSentence) to alert them to the inmate’s suspected use of prohibited substances so they can follow up with testing, as appropriate. Immediate action by an Operations deputy, unless otherwise directed, is unnecessary.

3. Client is Unreachable
   a. If the client is unreachable or appears to not be home, attempt to contact the client using their mobile phone number provided in their schedule. It is not uncommon for approved schedules to change since the last reports were issued.

   b. If the deputy is unable to reach the client in person or by
phone, note the date and time, and notify the governing office on the inability to contact the inmate and verify the approved schedule and address listed is still accurate. The governing office is based upon their alternative sentencing program:

1) Home Detention Clients: Notify Building C at (303) 441-4668.

2) Day Reporting Clients: Notify BCTC at (303) 449-2539 (Option 0) or LCTC at (303) 651-7071 (Option 0).

c. CC the notification to the Alternative Sentencing Program office at #SheriffJailAltSentence by email.

4. New Criminal Charges

a. If during a home intox/detention check probable cause is developed that the inmate has committed new crimes, a new criminal report is taken to document the criminal acts, whether charges are filed or not. A supplemental report to the general home intox check case number for the year is also completed to cross-reference the new criminal case report number to the home intox/detention check case.

D. Documentation

1. The nightshift patrol commander is responsible to designate a patrol sergeant to oversee the Operations’ home intox check program.

2. The responsible sergeant shall ensure a general case report number is completed annually to document all home intox checks by the Operations Division.

3. Arrest reports are unnecessary for inmates taken into custody and returned to the jail, unless the inmate is being charged with new crimes, as they remain in inmate status while serving their sentence in the alternative sentencing program.

4. Any violations of the alternative sentencing program (e.g., alcohol consumption, unable to contact, etc.) are documented by supplemental report to the general home intox/detention case number pulled annually and does not require a new incident report to be created.
SUBJECT: Cover Officers

NUMBER: OP506

EFFECTIVE DATE: 07/30/2007

REVISION DATE: 07/30/2007

POLICY:

It is the policy of the Boulder County Sheriff's Office to ensure that all deputies are cognizant of officer safety at all times. Deputies request cover officers when they are being dispatched to, or are making contact with individuals or vehicles that may pose a potential threat.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

I. Communications
   A. Dispatchers follow the communication policies and procedures that regulate calls in which more than one deputy is assigned.
   B. Communications dispatches the primary responding deputy as well as any cover deputies.

II. Deputy Requested Cover
   A. On any call where the deputy receives information or feels there is a need for a cover officer, they contact communications and request a cover officer be dispatched.
   B. Deputies need to inform communications of the type of response needed. (i.e. Emergency, Non-Emergency, etc.).
   C. Deputies may request additional officers as needed.
   D. Deputies request cover officers when making suspected DUI/DUID traffic contact, warrant attempts, and any time an arrest is anticipated.

By Order of the Division Chief,

Dennis Hopper, Division Chief

Date
POLICY:
Boulder County Sheriff's deputies impound vehicles for safekeeping, evidence, when abandoned, potential forfeiture action, pursuant to a court order, or when creating hazards. Impounded vehicles are released expeditiously, unless a hold is placed for a specific reason. Impounded vehicles are thoroughly inventoried including the contents of any closed containers. Valuable or dangerous property is handled appropriately, either by placing it into evidence for safekeeping, or making other necessary arrangements dictated by circumstance. Impounds are documented in reports which include the reason for the impound, the existence of any holds, and the disposition of any property taken from the vehicle.

RELATED PROCEDURES:
OP717 - Vehicle Theft Investigations

DEFINITIONS:
Hold: A notation made by the impounding deputy, or investigating detective, which prevents the release of an impounded vehicle. Holds are placed only when a legitimate, articulable need to maintain custody of the vehicle exists.

Inventory: A search conducted on an impounded vehicle, including closed containers and compartments, to determine the presence of valuable and/or dangerous property. Inventory searches are intended to safeguard the property and minimize liability.

PROCEDURE:

I. Reasons for Impounding Vehicles

A. Abandonment or Illegal Parking

1. Vehicles left on public property may be subject to impound if statutory requirements are met related to one or more of the following: CRS § 18-4-512, § 42-4-1803, or any relevant, related section(s) of the county's adopted Model Traffic Code.

2. Vehicles parked illegally, as defined in CRS § 42-4-1202, § 42-4-1204, or any relevant section(s) of the county's adopted Model Traffic Code, and:
   a. Constitutes a hazard;
   b. An obstruction to road maintenance; and/or
   c. Is parked in a properly signed tow-away zone.
B. Evidence, Seizure and/or Forfeiture

1. Vehicles may be impounded to preserve physical evidence. The vehicle itself, contents of the vehicle, or both may be evidence. Vehicles towed for evidentiary purposes may be taken to the Sheriff’s Headquarters Building, another location suitable for processing and/or storage, or to one of the contracted tow vendor’s storage lots, as appropriate.

2. Vehicles seized pursuant to a court order that have no evidentiary value will be handled and/or stored as specified in the court’s order. In the absence of specific direction in the court’s order, the vehicle will be impounded in the lot of one of the Sheriff’s contracted tow vendor’s storage lots and the plaintiff notified of its location.

3. Vehicles seized for potential forfeiture purposes are done in accordance to State or Federal law. A detective supervisor is required to approve the impoundment of a vehicle prior to the impoundment occurring when the impoundment is solely for potential forfeiture action(s).

   a. If the vehicle is seized by the Boulder County Drug Task Force (BCDTF), the BCDTF policy and procedure is followed.

C. Safekeeping

1. Vehicles may be impounded for the safekeeping of the vehicle, its contents, or both. This includes impounds pursuant to arrests, medical emergencies, damaged vehicles whose owners are unavailable, victim’s vehicles, or other circumstances in which a deputy believes it is necessary to preserve the safety of a vehicle or its contents.

   a. Vehicles are normally impounded if the driver is arrested and no responsible, sober person is present – or within a reasonable response time to the scene – to take custody of the vehicle, the vehicle is not parked on private property with the permission of the owner, and/or a person with standing over the vehicle is not able to provide consent to its release or leaving on scene.

      1) Rental vehicles will be impounded if another listed driver on the rental agreement is not present – or within a reasonable response time – or sober.
D. Stolen Vehicles

1. Recovered stolen vehicles are impounded when needed for evidentiary purposes, when they are not drivable, or if the owner cannot be reached or cannot respond in a timely manner to retrieve the vehicle.

   a. Stolen vehicles will normally be processed for evidence by the involved deputy and are then released to the owner, or the owner’s designee, from the scene of the recovery without impoundment.

   b. If, after being processed for evidence, the vehicle can be secured and is on public property without constituting a hazard, or on private property with permission, the recovered stolen vehicle can be secured for the owner to respond in lieu of impoundment.

II. Impound and Report Procedures

A. Deputies needing to impound a vehicle, request a tow truck via Data Channel. Dispatch determines the tow company by the location of the vehicle to be impounded, or the current tow vendor rotation, as dictated by the Sheriff’s tow vendor contract(s).

B. Deputies shall conduct a property inventory of the vehicle.

   1. Vehicles impounded pursuant to a search warrant, or that are impounded as evidence while a search warrant is sought, are excepted from this requirement.

   2. If the vehicle is impounded pursuant to a search warrant, or in anticipation of obtaining one, the impoundment deputy seals the vehicle appropriately to maintain the evidentiary chain-of-custody.

C. A case report must be associated with every vehicle impound.

   1. If a vehicle impound is related to an existing criminal case or incident, the case number for that report will be used. The circumstances of the vehicle impound are also documented in the report.

      a. If a vehicle impound corresponds with an offense or violation related to parking or abandonment, the deputy completes an appropriate criminal report detailing the circumstances of the vehicle impound.
b. If the vehicle impound is not related to a crime or an existing report, the deputy completes an incident report detailing the circumstances of the vehicle impound.

D. A vehicle impound form is completed for every impounded vehicle.
   1. All information blocks are filled out completely, accurately and legibly.
   2. Existing damage is documented.
   3. All vehicle identification numbers are verified for proper identity.
   4. The disposition of any property removed from the vehicle is documented on the impound form and in the case report.
      a. A property sheet is completed for all items placed into the property section as evidence or for safekeeping.
   5. The tow truck driver signs for the vehicle and is given the designated copies for their records.
   6. The impound form is relayed to the Records Section prior to the end of the impounding deputy’s shift after the vehicle impound is completed.

III. Vehicle Holds

A. A hold on an impounded vehicle may be placed for specific reasons, including:
   1. A pending search or examination, either with or without a search warrant.
   2. At the request of another agency when the vehicle itself is evidence and is needed for successful prosecution.
   3. For a particular reason articulated to and approved by a supervisor.

B. Holds are noted on the impound form and described in detail in the case report narrative.

C. The deputy placing the hold is responsible for completing any needed investigation and releasing the hold unless:
   1. The hold is placed for another agency in which case that agency is responsible for releasing the hold.
2. The hold is placed for detectives or another deputy. In that case, the impounding deputy ensures that the appropriate detective, supervisor, or deputy is made aware in writing (i.e. e-mail) of the vehicle impound.

D. Once a case is assigned to another deputy or detective, that deputy becomes responsible for releasing any holds.

E. Deputies or detectives releasing a hold on a vehicle must notify Records and the company that towed the vehicle.

F. If the vehicle is released from the Sheriff’s Headquarters Building or other county facility, arrangements for payment of the tow fee must be made and verified prior to its release. The Records Section must be notified of the release of the vehicle.

IV. Records Division Responsibilities

A. Upon receipt of a vehicle impound form, Records personnel follow their procedures regarding vehicle impound paperwork.

B. Records personnel complete all ongoing activities regarding unclaimed impounded vehicles.

V. Private Property Impounds

A. Normally deputies do not become involved in private property impounds of abandoned vehicles. A deputy only becomes involved in private property impound when the vehicle is determined to be stolen, is obstructing access, or is otherwise a hazard.

B. Citizens wishing to have abandoned vehicles towed from private property are referred to the tow company of their choice. It is suggested that citizens attempt to contact the registered owner of a vehicle before impounding it.

1. The law prevents deputies from releasing registration information to the public. Citizens may contact the Department of Motor Vehicles or the County Clerk for registration information.

C. A tow company has certain responsibilities after completing a private property impound:

1. The tow company must contact the Records Section, or Dispatch after hours, within 30 minutes of a private vehicle impound. They are required to provide pertinent vehicle information including its
description with license plate and vehicle identification number, the date and time of the vehicle impound, the location of the impound and current location of the vehicle.

2. The tow company must complete state form DR2008 and mail it to the Department of Motor Vehicles office in Denver within three days of an impound.

3. If the vehicle has not been released to the owner within thirty days, the tow company completes state forms DR2008 and DR5001, and sends them to the Department of Motor Vehicles office in Denver.

D. Payment for private property tows is at the property owner's expense, unless an agreement is made between the property owner and the tow company.

E. Upon receipt of information from a tow company regarding a private property impound, the Records Section personnel will enter the vehicle into CCIC/NCIC, which automatically checks the license plate and vehicle identification number against the CCIC/NCIC stolen vehicle files. If the vehicle is determined to be stolen, a deputy will be sent to conduct an investigation.

VI. Vehicle Impound Releases

A. Vehicles are released to their registered owner, or other persons authorized by notarized documentation signed by the registered owner. Records issues release authorizations per their procedures.

B. Deputies may be requested to stand by while owners retrieve personal property from an impounded vehicle. Deputies assigned to conduct a “stand-by” should ensure that the person entering the vehicle is authorized to do so, and that there are no evidentiary holds placed on the vehicle.

By Order of the Division Chief,

Robert Sullenberger, Division Chief

7/11/2017

ATTACHMENTS OR ADDENDUMS:
[None]
SUBJECT: False Alarm Response

NUMBER: OP508

EFFECTIVE DATE: November 28, 2005

REVISION DATE: November 28, 2006

POLICY: The Sheriff's Office endeavors to apply its resources in a balanced response to the effectiveness of commercially installed alarm system. This procedure is administered in conjunction with Sheriff’s Alarm Response Policy # 508 and the Boulder County Model Alarm Response Policy.

RELATED PROCEDURES:

DEFINITIONS:

Alarm Administrator: The person designated by the Operations Division Commander to coordinate and administer false alarm reduction efforts.

Alarm Subscriber or User: Any person or designated responsible party, firm, partnership, corporation or other entity controlling a security alarm system at an alarm site.

False Alarm: Any alarm that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, animals, etc., are all considered to be false alarms for purposes of this policy. A false alarm is also deemed to have occurred when the responding officer is unable to determine if evidence of a criminal offense or attempted criminal offense is present because an alarm site is inaccessible.

PROCEDURE:

1. Deputies' Responsibilities
   a. Identifying and Documenting False Alarms
      i. Deputies responding to an alarm will determine if the alarm meets the definition of a false alarm as defined in this procedure.
      ii. If the alarm is determined to be a false alarm, the officer will draw a case number and complete a false alarm warning. The top copy of the notice will be left at the residence/business and the bottom copy will be submitted to the alarm administrator.
      iii. The warning notice will be completed even if contact is made with the property owner or a responsible party.
      iv. After three false alarms at a residence/business the location will be placed on the non-response list.
b. Response to Alarms on the Non-Response List

   i. Dispatch will notify officers when an alarm is on the non-response list.

   ii. It will be the officer’s discretion as to whether or not they will respond to the alarm. Absent exigent circumstances, any response to the alarm will be in an “in-service” status.

2. Alarm Administrator’s Responsibilities

   a. Upon receiving the alarm warning, the alarm administrator will enter the information into RMS under the case number.

   b. When entering the location of the false alarm, the administrator will check the address for previous warnings. If there have been three false alarm warnings given during a 12 month period then a “non-response notification” will be completed and sent to the alarm subscriber or user.

   c. A copy of the “non-response notification” will be forwarded to communications to be entered into CAD.

   d. The notification directs the homeowner/business to have their alarm inspected and repaired as necessary to avoid future false alarms. Once this has been done, the homeowner/business may return the notification verifying the causes of false alarms have been remedied with a request to reinstate police response.

   e. When the administrator receives a letter verifying that the alarm is functioning properly, notification will be sent to communications removing the address from the non-response list. The alarm subscriber or user will also be notified.

   f. After corrective action has been taken to fix a false alarm problem and police response has been reinstated, any future false alarms within 90 days of reinstatement will again result in the address being placed on the “non-response list” again. Continued false alarms may result in an indefinite suspension.

   g. The administrator collects annual statistics to determine the impact the policy has had on the rate of false alarms.

3. Communications’ Responsibilities

   a. Upon receiving a “non-response notification” from the alarm administrator, the address will be flagged as a non-response alarm.

   b. When receiving an alarm from an address that has been flagged, the
dispatcher will dispatch the alarm to the officer but indicate it is a non-response alarm. The wording that will be used by the dispatcher will indicate that the address has “had three previous false alarms in the past year.”

c. Upon receiving notification from the alarm administrator that the address is no longer on the non-response list, the flag will be removed from the address.

By Order of the Division Chief,

Dennis Hopper, Division Chief Date
Boulder County Law Enforcement
Model Alarm Response Policy

Approved 5/25/05

POLICY

Due to the inherent nature of alarms and the proliferation of alarm systems, the impact on police resources is significant. Without proper use, proper maintenance, and proper monitoring, almost all alarms reported to the police are false. However, when used appropriately, alarms can be useful crime prevention and apprehension tools for law enforcement. Therefore, police respond only to alarms that meet and adhere to respective city codes, ordinances, resolutions, and agency policy. It is Boulder County policy that communications airs all alarms to include the alarm subscriber’s status (non-response list or non-compliance list). Upon airing, it is the responsibility of the district officer or field supervisor to determine if and what type of a response is appropriate.

PURPOSE

Police resources are used to investigate residential and business robbery and intrusion alarms. Almost all such alarms are false and result from improper installation or user error. In the interest of reducing the frequency of false alarms, the agencies have instituted a system of response, notification, education and enforcement.

DEFINITIONS

Alarm Administrator – The person designated by the respective Boulder County law enforcement agency to coordinate and administer false alarm reduction efforts.

Alarm Business – Any business by an individual, partnership, corporation or other entity that sells, leases, maintains, repairs, alters, replaces, moves, installs, or monitors any alarm system. Alarm business also includes any person, business or organization that monitors security alarm systems and initiates alarm dispatch request, including units or divisions of larger businesses or organizations that provide proprietary security alarm monitoring services only to affiliates of the parent business or organization.

Alarm Site – The premise served by an alarm system.

Alarm Subscriber or User – Any person or designated responsible party, firm, partnership, corporation or other entity controlling a security alarm system at an alarm site.

Alarm System – The device, which transmits, emits, or otherwise notifies an alarm company, law enforcement, or the alarm system subscriber of alarm activation.

Central Station Alarm Association Alarm Verification and Notification Procedures - Standards approved by the American National Standards Institute that define verification procedures for alarm businesses prior to them requesting a law enforcement response.
False Alarm - A false alarm is considered to be any alarm that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, animals, etc., are all considered to be false alarms for purposes of this policy. A false alarm is also deemed to have occurred when the responding officer is unable to determine if evidence of a criminal offense or attempted criminal offense is present because an alarm site is inaccessible.

Fire Alarms - A signal initiated by a device that indicates the presence of a fire or fire signature. Fire alarms are exempt from this policy.

Intrusion Alarms – Any system or device detecting and reporting any unauthorized entry or attempted entry or property damage upon real property. Alarms on automatic teller machines are included in this definition.

Robbery and Panic Alarms – An alarm signal generated by the manual or automatic activation of any system, device, or mechanism on or near the premises intended to signal that a robbery or other crime is in progress and that one or more persons are in need of immediate police assistance in order to avoid injury, serious bodily harm or death at the hands of the perpetrator of the robbery or other crime.

Medical Alarm – An alarm signal generated by the manual or automatic activation of any system or device on or near the premises intended to signal a medical emergency. Medical alarms are exempt from this policy.

Protective/Reactive Alarm System – An alarm system rigged to produce a temporary disability or sensory deprivation through use of chemical, electrical or sonic defense, or by any other means, including use of vision obscuring/disabling devices.

PROCEDURES

I. Response to Robbery and Panic Alarms

A. In order for a police response to occur, alarm businesses must be in compliance with all applicable ordinances, codes, and resolutions, and must agree and adhere to established agency policy. If a business is not in compliance the agency may suspend response to any alarms from such business until such time they provide proof to the alarm administrator that they are in compliance.

B. Prior to requesting a response, alarm businesses must adhere to the Central Station Alarm Association Procedures as approved by the American National Standards Institute (Annex A). Upon receipt of a robbery or panic alarm, one patrol unit is dispatched to respond.

1. Officers respond non-emergency unless conditions meet the criteria found in the agencies emergency response policy.

2. Once a building perimeter has been established, and no notice of a false alarm has been received, the primary unit directs the dispatcher to contact the business by
telephone. If such telephone contact is made and a questionable response is re-
ceived by the dispatcher, officers at the scene are advised and the primary unit, or
supervisor, determines the need for additional backup or specialized unit re-
spose.

3. If the dispatcher notifies officers that a representative of the business has been
contacted and there is an apparent absence of questionable circumstances, the
primary officer obtains from the dispatcher identity and description of the repre-
sentative and waits for that person to exit the facility. The dispatcher advises the
representative to exit the establishment with identification in hand and hands
visible. Once contact is made with the representative outside of the facility, offi-
cers accompany the person into the establishment to verify the status of the inte-
rior of the business.

C. After responding to three false alarms at the same location in a year period, the law
enforcement agency may suspend responding to alarms at that location until such
time that the alarm business can provide evidence that the circumstances causing such
false alarms have been identified and rectified.

D. Upon receipt of a mobile personal panic alarm with locator capabilities, communica-
tions determines the victim’s location from the alarm business. Officers respond non-
emergency unless conditions meet criteria found in the agencies emergency response
policy, and according to the nature of the circumstances.

II. Response to Intrusion Alarms

A. In order for a police response to occur, alarm businesses must be in compliance with
all applicable ordinances, codes, resolutions, and must agree and adhere to estab-
lished agency policy. If a business is not in compliance the agency may suspend re-
sponse to any alarms from such business until such time they provide proof to the
alarm administrator that they are in compliance. Officers only respond to business intru-
sion alarms if one of the following conditions exists.

1. An alarm has already been verified as being the likely result of criminal activity
through independent means such as third party response, witness verification, lis-
tening devices, video monitoring, etc.

2. The alarm business has, prior to requesting a police response, attempted veri-
fication pursuant to the Central Station Alarm Association Procedures as ap-
proved by the American National Standards Institute. On demand the alarm
business must provide Boulder Sheriff’s Communications with the names and
telephone numbers called. The alarm business must also advise communica-
tions if a protective/reactive alarm system is installed on the premises.

3. If an electronic cancellation is received, no alarm dispatch will be requested.
If an electronic cancellation occurs after a police response has already been
requested, the alarm businesses must cancel the request.
B. After responding to three false alarms at the same location in a year period, the law enforcement agency may suspend responding to alarms at that location until such time that the alarm business can provide evidence that the circumstances causing such false alarms have been identified and rectified.

C. Unless an alarm is otherwise verified as listed in paragraph A.1, communications dispatches one officer to respond. On alarms verified as criminal activity, two or more officers are dispatched as circumstances dictate.

D. Should an officer respond and find the business open or occupied by employees, the officer contacts an employee to determine the cause of the alarm.

E. When an alarm is received after business hours and the establishment is not occupied, responding officers conduct an inspection of the exterior for signs of forced entry.

1. It is the responsibility of the alarm business to make any notifications to a representative of the business at the time the alarm notification is made. The business responsible party is advised to respond in order to assist officers as appropriate or to assure the defective alarm is repaired. Once it is determined that an establishment is secure, the officer(s) may leave the scene.

2. If evidence of forced entry or other damage exists, the responding officer requests appropriate assistance to secure the perimeter and coordinate a perimeter and, if necessary, an interior search.

3. If a responsible party does not respond after a reasonable amount of time, or is unavailable, the officers may leave the scene or in the case of forced entry or damage make reasonable attempts to provide extra patrol for the property as determined by the respective law enforcement agency guidelines.

III. Disposition

A. When clearing any alarm, officers provide communications with the appropriate disposition.

IV. Record Keeping and Notifications

A. Boulder County Communications maintains alarm response history in the computer aided dispatch system. The respective law enforcement agency is responsible for tracking alarm histories and determining and notifying communications of suspended and reinstated responses within their jurisdiction.

B. When officers have responded to a false alarm at any given location three times in a year period, a written notice is sent by the law enforcement agency to the alarm user and/or alarm business notifying them that police response to future alarms will be suspended.
C. Once the alarm business has identified the problem or source of the false alarms and have taken corrective action, they may submit written documentation per the respective agency guidelines and request that law enforcement response be reinstated. (see attached sample document)

D. If satisfied that the corrective actions will resolve the false alarm problem, the agency then reinstates police response. If not satisfied, the agency provides information on what additional steps must be taken in order for police response to be reinstated.

E. After corrective action has fixed a false alarm problem and police response has been reinstated, any future false alarms within 90 days of reinstatement will again result in no response. Continued problems with an alarm after corrective actions have been taken may result in an indefinite suspension.

F. Annual statistics are collected and monitored by the respective law enforcement agency to determine the impact the policy has had on the rate of false alarms.
SAMPLE DOCUMENT

_________________________________ Department

**Alarm Call Response, Reinstatement Request Form**

Date: ____/____/____

Name: _____________________________________________________

Address 1:__________________________________________________

Address 2:__________________________________________________

City: ____________________State:_____ Zip:________

Contact Name:_______________________________________________

Phone #:____________________E-mail:__________________________

Call Response History:

Date of Call: ____/____/____    Time of Call:____:____

Cause of Alarm:

[ ] Valid Alarm with explanation, [ ] False Alarm with explanation of remedy

Explanation:

Date of Call: ____/____/____    Time of Call:____:____

Cause of Alarm:

[ ] Valid Alarm with explanation, [ ] False Alarm with explanation of remedy

Explanation:

Date of Call: ____/____/____    Time of Call:____:____

Cause of Alarm:

[ ] Valid Alarm with explanation, [ ] False Alarm with explanation of remedy

Explanation:

*We affirm that, to the best of our knowledge, the causes of alarms are accurate and the remedies applied will avoid future, similar occurrences.*

<table>
<thead>
<tr>
<th>Alarm Subscriber/User</th>
<th>Alarm Business Responsible for System</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Name:</td>
</tr>
<tr>
<td>Company Name:</td>
<td>Company Name:</td>
</tr>
<tr>
<td>Phone:</td>
<td>Phone:</td>
</tr>
<tr>
<td>Signature:</td>
<td>Signature</td>
</tr>
<tr>
<td>Date: <strong>/</strong>/____</td>
<td>Date: <strong>/</strong>/____</td>
</tr>
</tbody>
</table>

Response to be Faxed to:

For Dept. use only

Request approved [ ] Date: __/__/____ By: ____________________________

Denied [ ] Reason: ________________________________________________
POLICY: Boulder County Sheriff’s deputies do not provide emergency escorts – absent both extraordinary and exigent circumstances, and only when the health and welfare of an individual is in a life threatening dangerous situation -- and in compliance with the emergency response policy. Non-emergency escorts may be provided as assistance in locating specific addresses or areas within Boulder County. Commercial escorts are authorized when the requestor has obtained the proper permits. Deputies are authorized, when approved by a supervisor, to participate in special event processions.

RELATED POLICIES & PROCEDURES:
506 – Emergency Response

DEFINITIONS:

Emergency Escort: To accompany another vehicle with emergency lights and siren in use to expedite movement.

Escort: To accompany another person or vehicle as a courtesy or public service.

PROCEDURE:

I. Processions

A. Deputies are authorized to participate in special event processions (e.g. line of duty death procession, parade, or other special community event or function, etc.) upon the approval of a supervisor.

B. Deputies participating in a procession are only authorized to use emergency lighting.

C. Deputies participating in a procession may not run emergency, may not exceed the posted vehicle speed limit, and must otherwise obey applicable traffic laws.

1. Deputies are authorized to temporarily overtake an intersection in the course of the procession, provided they exercise all appropriate due caution.

II. Commercial Escorts

A. The Sheriff’s Office shall not conduct commercial escorts, except when:
1. The escort involves a procession, wide-load, house-moving, or such, within the jurisdiction of the Sheriff’s Office, including contracted municipalities.
   a. Commercial escort requests are generally be pre-planned and should be contracted through the Office’s extra-duty program if the expected impact is greater than thirty minutes.
   b. Prior to participating in a commercial escort or posting it for extra-duty, the Office must ensure that proper permits have been obtained, as directed by applicable federal, state, and/or municipal regulations.

2. The escorting deputy activates the vehicle’s emergency lights and uses the siren only when necessary to provide additional safety.

3. The escorting deputy must advise Dispatch of the following information:
   a. The nature of the escort.
   b. The starting point, route, and destination of the escort.

B. Commercial escort requests not arranged through the extra-duty program must be authorized by the on-duty shift supervisor prior to their occurrence.

By Order of the Division Chief,

Robert Sullenberger,  
Division Chief  

2/20/2018  
Date

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
2/2018: Updated with current DC; removed §I (emergency escorts), added procession info in §I.
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Use of Force and Vehicle Pursuit Reporting

EFFECTIVE DATE: January 8, 2019

POLICY: This policy establishes the proper procedure for reporting and tracking use of force and vehicular pursuit events, as required by department policy. If a conflict exists between this policy and procedure and the department policy and procedure, the department policy shall take precedence.

RELATED POLICIES & PROCEDURES:
502 – Use of Force
504 – Vehicular Pursuits

DEFINITIONS:

Animal Use of Force Form: A specific form used to code animal-related use of force information (e.g., euthanasia) for data-entry into the records management system (RMS) under the related case report number.

Use of Force Form: A specific form used to code use of force information for data-entry into the records management system (RMS) under the related case report number.

Vehicle Pursuit Form: A specific form used to code vehicle pursuit information for data-entry into RMS under the related case report number.

PROCEDURE:

I. Use of Force Reporting

A. Administration

1. It is the responsibility of the Personnel & Training Unit in the Administration Division to maintain and distribute the current use of force reporting form used by the Sheriff’s Office.

B. Completion of the Use of Force Form

1. As required by the department use of force policy, an employee who uses force in the performance of their duties is required to report that use of force to their supervisor as soon as practical and before the end of their shift and document it in written form (cf. § 502.VI.A).
2. Each employee who employs force is required to complete their own use of force form. All force used must be documented on the form, including both successful and unsuccessful attempts for each level of force utilized. The form must be completed in whole by the reporting employee and should be referenced in the related report.

3. The employee is responsible for submitting the use of force form to a supervisor before the end of their shift, in accordance with the distribution and review process prescribed in the form.

C. Extra-Duty Events

1. Any force used during an extra-duty event is subject to the process prescribed in this policy and procedure, regardless of the employee’s home division, which includes completion of the appropriate ARS report.

2. Force used during an extra-duty event should be reported to the assigned sheriff’s event supervisor. That supervisor is responsible for receiving and reviewing the use of force form and approving the resulting written reports (cf. §502.VII).

   a. In the event a sheriff’s supervisor is not assigned to the extra-duty event, the employees who use force are to notify the on-duty patrol sergeant and provide the use of force form to them for review.

   b. A copy of the use of force form is distributed to the involved employee’s chain-of-command, in addition to the extra-duty commander and Operations Division Chief.

D. Investigation

1. All uses of force shall be investigated by a supervisor as prescribed in the department use of force policy (cf. §502.VII).

E. Retention of the Use of Force Form

1. The use of force form is for coding statistical data for entry into the records management system (RMS). Once the statistical data is entered into RMS, the form is destroyed as it has no substantive value. The details documenting the use of force are memorialized in the involved employee’s written report.
II. Vehicular Pursuits

A. Administration

1. It is the responsibility of the Administrative Section in the Operations Division to maintain and distribute the current vehicle pursuit reporting form used by the Sheriff’s Office.

B. Completion of the Vehicle Pursuit Form

1. A deputy who initiates or becomes involved in a vehicular pursuit in the performance of their duties is required to report their involvement to their supervisor as soon as practical and before the end of their shift and document it in written form.

2. Each employee who initiates or becomes involved beyond a supporting role (e.g., deploying tire deflating devices, blocking traffic to ensure safe passage, etc.) in a vehicular pursuit is to complete their own vehicle pursuit form. The form must be completed in whole by the reporting employee and is to be referenced in the narrative of the associated report.

   a. Employees who assist a pursuit in a supporting role that uses force (e.g., deploying tire deflating devices), whether successful or unsuccessful, is to report the use or attempted use of force as prescribed §I.B.

3. The employee is responsible for submitting the vehicle pursuit form to a supervisor before the end of their shift, in accordance with the distribution process prescribed in the form.

   a. A copy of the form shall include distribution to the involved employee’s chain-of-command, including their division chief.

C. Investigation

1. All vehicle pursuits are to be critically reviewed by a supervisor as prescribed in the department policy (cf. §504.VII).

D. Retention of the Vehicle Pursuit Form

1. The vehicle pursuit form is for coding statistical data for entry into the records management system (RMS). Once the statistical data is entered into RMS, the form is destroyed as it has no substantive value. The details documenting the pursuit are memorialized in the involved employee’s written report.
III. Animal Use of Force Reporting

A. Administration

1. It is the responsibility of the Administrative Section in the Operations Division to maintain and distribute the current animal use of force reporting form used by the Sheriff’s Office.

B. Completion of the Use of Force Form

1. Any employee who uses force on an animal in the performance of their duties (e.g., euthanasia, hazing of wildlife, etc.) is required to report that use of force to their supervisor as soon as practical and before the end of their shift and document it in written form.

2. Each employee who employs force against an animal is required to complete their own animal use of force form. The form must be completed in whole by the reporting employee and must be referenced in the related report.

3. The employee is responsible for submitting the animal use of force form to a supervisor before the end of their shift, in accordance with the distribution process prescribed in the form.

   a. A copy of the use of force form shall include distribution to the involved employee’s chain-of-command, including their division chief.

C. Investigation

1. All uses of force shall be investigated by a supervisor as prescribed in the department use of force policy (cf. §502.VII).

D. Retention of the Animal Use of Force Form

1. The animal use of force form is for coding statistical data for entry into the records management system (RMS). Once the statistical data is entered into RMS, the form is destroyed as it has no substantive value. The details documenting the use of force are memorialized in the involved employee’s written report.
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

By Order of the Division Chief,

[Signature]
Robert Sullenberger,
Division Chief

[Date]
1/8/2019

[Box]
RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
OP510-A Vehicle Pursuit Form
OP510-B Animal Use of Force Form
SUBJECT: Call Response/Telephone Reports

POLICY: The Boulder County Sheriff's Department provides the best and most cost effective services to the citizens of Boulder County. We strive to provide service in the most personal manner. This is best accomplished by personal contact when possible. Telephone contacts may be used on simple reports, or may serve as a prelude to personal contact.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

I. Citizens may be contacted by telephone when:

A. No suspects are present at the scene.

B. There is no physical evidence or crime scene processing needed.

C. The citizen requests a phone call only.

D. The citizen is not in or near Boulder County, or is otherwise unavailable for personal contact.

E. If after speaking to a citizen on the telephone a deputy determines that personal contact or crime scene processing is needed, the deputy will facilitate that activity.

II. Desk Officer

A. Circumstances may dictate a deputy's assignment as a desk officer. When there is a desk officer, appropriate calls will be handled by that deputy.

B. Calls may be given to a desk officer by pager or radio. Dispatch provides the desk officer with basic information needed to make the call.

C. Desk officers handle any walk-in reports at either the Operations' or Records' counters as practical.

D. Desk officers maintain a Daily Field Activity Report (DFAR) documenting shift activity.

E. Calls that cannot be completed by a desk officer are referred back to dispatch for assignment to a street officer.
F. The desk officer may take an initial report that is received via telephone and arrange later personal contact by a different deputy, if needed regarding crime scene processing or other tasks.

By Order of the Division Chief,

__________________________________________  _____________

_____  Dennis Hopper, Chief  ________Date
POLICY: The Boulder County Sheriff’s Office maintains a communications center to ensure the rapid response to those situations requiring Law Enforcement, Fire, Rescue and Ambulance services. In order to expedite the response as well as continuing to update information, the proper use of language on the radio is essential. All members of the department are required to use the appropriate codes and plain concise terminology when utilizing the radio.

RELATED PROCEDURES:

Boulder County Sheriff’s Office Communications Center Procedures.

DEFINITIONS:

Code Definitions - A set of twelve codes (Code 0 - Code 11) denoting specific meanings and messages.

Phonetic Alphabet - A system of code words for identifying letters in voice communications.

PROCEDURE:

I. General Radio Usage

A. All deputies and staff of the operations division will be trained in the proper use, care and language of radio communications.

B. All radio transmissions are in plain speech, utilizing the codes and/or the phonetic alphabet when appropriate. All radio traffic will be concise, brief and relevant.

C. The following radio codes will be utilized:

1. Code 0 (Zero) - Use caution. There is a potential for violence.

2. Code 1 - Vehicle disabled or blocking the flow of traffic.

3. Code 2 - Traffic contact. The location and license information, or vehicle description should also be given. (Pedestrian or bicycle contacts will be called out as such.)

4. Code 3 - Stop Transmitting, emergency traffic only.

5. Code 4 - Situation is under control and no further assistance is
needed.


7. Code 6 - Indicates that a person might be mentally unstable.


9. Code 8 - Unit is arrival.

10. Code 9 - Party, vehicle or article is wanted.

11. Code 10 – Immediate help is needed. (The user is compromised from using plain speech.)

12. Code 11 - Deputy held hostage.

D. The phonetic alphabet denoting letters will be used as follows:

(A) Adam  (J) John  (S) Sam
(B) Boy   (K) King       (T) Tom
(C) Charles   (L) Lincoln  (U) Union
(D) David   (M) Mary  (V) Victor
(E) Edward   (N) Nora  (W) William
(F) Frank   (O) Ocean  (X) X-ray
(G) George   (P) Paul  (Y) Young
(H) Henry   (Q) Queen  (Z) Zebra
(I) Ida    (R) Robert

E. All individuals using the radio identify themselves by use of their radio number at the beginning of their transmission (i.e. #501, Code 4).

F. Radio transmissions are acknowledged by the recipient.

G. All deputies, supervisors and staff will monitor the radio when it is appropriate to ensure they can respond when called.

II. Communications Center Policy

A. All polices relating to and issued by the Boulder County Sheriff’s Office Communications Center will be adhered to.
By Order of the Division Chief,

_______________________________________
Dennis Hopper, Division Chief

_______________________________________
Date
SUBJECT: Domestic Violence Response

NUMBER: OP517

EFFECTIVE DATE: September 12, 2017

SUPERSEDES: July 25, 2013

POLICY: The Boulder County Sheriff’s Office views domestic violence as a widespread, complex, and potentially deadly problem. This procedure is intended to provide for a consistent response to domestic and family crimes by all Sheriff’s deputies. Our objective is to reduce or eliminate intra-family homicides, assaults, return calls to a residence, injuries to deputies, and to disrupt the cycle of domestic violence.

RELATED POLICIES & PROCEDURES:
202 - Authority and Jurisdiction
OP502 - Arrest Procedures
OP712 - Evidence Processing Procedure
OP1208 – Protection Orders

DEFINITIONS:

Child: A person under the age of sixteen years.

Domestic Violence: An act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. It also includes any other crime against a person or against property, or any municipal ordinance violation against a person or against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship (§ 18-6-800.3, C.R.S).

Emergency Protection Order (EPO): A protection order issued by a Colorado county, district, or juvenile court, issued verbally by telephone during a time when the courts are closed for judicial business (§13-14-103, C.R.S.).

Foreign Protection Order: Any protection or restraining order, injunction, or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary or final orders, other than child support or custody orders, issued by a civil or criminal court of another state, an Indian tribe, or a U.S. territory or commonwealth (§13-14-110, C.R.S.).

Intimate Relationship: A relationship between spouses, former spouses, past or present unmarried couples, or persons who are the parents of the same child regardless of whether they have been married or have lived together at any time (§ 18-6-800.3, C.R.S.).
Shelter: A battered women's shelter, a friend's or family member's home, or such other safe haven as may be designated by the protected person and which is within a reasonable distance from the location at which the victim was encountered.

Protection Order: Any order that prohibits the restrained person from contacting, harassing, injuring, intimidating, molesting, threatening, or touching any person, or from entering or remaining on premises, or from coming within a specified distance of a protected person, animal, or premises or any other provision to protect the protected person from imminent danger to life or health. The order may be issued by a court of competent jurisdiction in the State of Colorado, or may be a foreign protection order.

Protected Person: The person(s) identified in a protection order that benefits from the order.

Restrained Person: The person(s) identified in a protection order as a person prohibited from doing a specified act(s).

Violation of a Protection Order: When a restrained person violates any provision of a protection order after such person has been personally served with any such order, or has otherwise acquired from the court actual knowledge of the contents of any such order.

PROCEDURE:

I. Initial Response

A. Responding deputies are to intervene in any physical altercation, separating the parties involved, so as to ensure their safety and to preclude any further violence.

B. Responding deputies will assess the need for medical attention and call for medical assistance if needed.

C. Responding deputies will conduct a thorough investigation, using the domestic violence supplement form. A thorough investigation includes, but is not limited to:

1. Interviewing the victim, perpetrator, and any involved children and/or witnesses separately. Deputies should request that each complete a voluntary written statement to supplement the deputies' documentation of their statement, after their interview has been completed.

2. Collecting and preserving all pertinent evidence, including, but not
limited to:

a. Any dispatch tape recording(s) relating to the event;

b. On-scene video and/or audio tape recordings;

c. On-scene photographs of the crime scene, victim(s) including children, if applicable, and suspect;

d. A signed medical release for medical records of treatment for the victim and/or suspect for medical treatment received as a result of the incident; and

e. Any other relevant physical evidence, weapons, documents, and/or witness statements.

D. The investigation shall be documented in a written report.

1. For a criminal incident, a crime report titled with the appropriate crime(s), including the crime of Domestic Violence, § 18-6-800.3 C.R.S., to denote a factual basis that involves domestic violence, shall be completed.

a. When an arrest is made, or the suspect is at-large and arrest is likely to occur in a reasonable amount of time, the report(s) should be marked as “ASAP” for transcription and entry into the report-writing system.

2. For a non-criminal incident, an incident report titled Domestic Dispute.

II. Arrest and Charging

A. When a deputy determines there is probable cause to believe a crime has been committed that has an underlying factual basis involving domestic violence, the officer will, without undue delay, arrest the suspect and charge the person with the appropriate crime.

1. The arrested person will be removed from the scene of the arrest and shall be taken to the jail for booking.

2. When arresting a suspect for a misdemeanor, the deputy will charge all appropriate crimes from the highest class to the lowest class of crime, as well as charging Domestic Violence, § 18-6-800.3 C.R.S., and documenting in the narrative of the arrest report that
3. When arresting for a felony, the deputy will charge all appropriate crimes from the highest class to the lowest class of crime, as well as charging Domestic Violence § 18-6-800.3 C.R.S., and documenting in the narrative of the arrest report that this is a domestic violence arrest.

4. The arrested person is not eligible for book and release and must be lodged at the jail in order to receive the statutorily required criminal protection order and/or bond conditions, which restrain the arrestee from contacting the victim of the crime.

5. Deputies are required to ask an arrestee, suspect, or an involved person in a domestic violence incident if they own or have access to firearms. If a deputy determines that an arrestee, suspect, or an involved person in a domestic violence incident owns or has access to a firearm, the deputy will document that information in the deputy's report by both checking the appropriate box under the “Victim's Information” section and in the body of their Probable Cause statement. Deputies will also include this information in their arrest report.

   a. Deputies are required to seize firearms when the firearm may be evidence in a domestic violence related crime, when the Court has issued an order for seizure of the firearm, or when the Court has entered a valid protection order and orders the defendant to surrender firearm(s) to the Sheriff's Office.

B. Nothing shall be construed to require a deputy to arrest either party involved in an act of domestic violence when the deputy determines that there is insufficient probable cause to believe an offense has been committed. However, a written report documenting the incident is still required.

C. Deputies are not required to arrest both parties involved in an act of domestic violence when both claim to have been victims of such domestic violence.

   1. If two or more parties allege that they have been the victim of domestic violence at the hand of the other(s), the deputy will evaluate each complaint separately to determine if a crime has been committed by one or more of the persons involved.
2. In determining whether a crime has been committed, the deputy will, at a minimum, consider the following:

   a. Any prior complaints of domestic violence between the parties;
   
   b. The relative severity of the injuries inflicted on each person;
   
   c. The likelihood of future injury to each person; and
   
   d. The possibility that one of the persons acted in self-defense.

D. A deputy shall arrest, or, if an arrest is impractical under the circumstances, seek a warrant for the arrest of a restrained person when the deputy determines probable cause exists for violation of a protection order (§18-6-803.5(3)(b), C.R.S.).

1. A foreign protection order is not required to be domesticated in Colorado in order to be enforced. Deputies are to presume the validity of, and enforce a foreign protection order when it appears to be an authentic court order provided to the deputy by any source, including a statement by the protected person that a foreign protection order remains in effect (§13-14-110(4), C.R.S.).

E. A deputy is authorized to use every reasonable means to protect the victim or the victim's children to prevent further violence by:

1. Transporting, or obtaining transportation for the victim to a shelter.

2. Upon the request of the victim, the deputy may also transport the minor child to the same shelter if such shelter is willing to accept the child, whether or not there is a custody order or an order for the care and control of the child or an order allocating parental responsibilities with respect to the child and whether or not the other parent objects.

3. Deputies may seek permission to temporarily take firearms for safekeeping purposes immediately following a domestic violence incident or arrest. If the firearm(s) are voluntarily surrendered for safekeeping, the deputy shall leave a copy of a signed written consent form describing the firearm (i.e. make, model, serial number, etc.) with the grantor. The firearm(s) shall subsequently be placed into the Evidence Section for safekeeping.
BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

a. The Sheriff’s Office will only accept a defendant’s firearms for safekeeping during an immediate domestic violence incident or arrest, pursuant to a Court order, or when approved by a commander for cause. Under all other circumstances, individuals must make their own arrangements for private transfer or storage, pursuant to the requirements in § 13-14-105.5, C.R.S.

1) If a commander approves the receipt of firearm(s), the related requirements prescribed by § 13-14-105.5, C.R.S. shall be followed.

b. If the Sheriff’s Office decides that the storage of a firearm obtained pursuant to consent is no longer feasible or desirable, the owner must be notified and allowed to make immediate arrangements for the legal transfer of the possession of the firearm to himself or another person legally able to possess a firearm. The agency may dispose of the firearm if after notification the person has failed to complete the transfer of the firearm within 90 days of notification (§ 13-14-105.5(7), C.R.S.).

c. All firearms placed into the Evidence Section shall be entered as such in CCIC/NCIC.

III. Required Notifications

A. The deputy will provide the victim with a victim’s rights pamphlet containing the incident case number and the deputy’s name, as required by the Colorado Victim’s Rights Act.

B. The deputy will notify the on-call Sheriff’s Office victim advocate of the incident through dispatch and request the advocate contact the victim. The advocate may respond to the scene to meet with the victim(s) or may later contact the victim(s) if an on-scene response is not required after discussion with the requesting deputy.

1. Advocates are responsible for:

a. Informing the victim(s), witnesses, and immediate family members of the victim(s), of the available financial assistance, advocacy, and community services available for victims such as crisis intervention services, safe-house services, victim compensation funds, victim assistance resources, legal resources, mental health services, social
services, medical resources, rehabilitative services, financial services, and other applicable services.

b. Providing information for the Colorado VINE Program (www.colorado-vine.com) and the steps a victim can take to be notified anytime an offender’s custody status changes, including when the offender is released from the custody of a county jail.

2. Advocates shall not provide legal advice to victims at any time.

3. Advocates shall not provide transportation to victims or their dependents. If transportation is required, arrangements must be made through other resources.

C. Law enforcement officials, including advocates, shall keep confidential the address(es), telephone number(s), place of employment, or other personal information of such victims or members of the victim’s immediately family, unless the victim(s) consent otherwise.

1. The advocate(s) will ask the victim if they would like their contact information given to any advocate or community service organization(s) who serve the needs of domestic violence victims (i.e. the Safehouse Progressive Alliance for Non-Violence or the Safeshelter of St. Vrain), or if they would like to contact such organization(s) directly.

   a. If the victim(s) agree for their contact information to be provided, the advocate(s) are responsible for making the notification(s) to the appropriate advocacy or community service organization(s).

D. The Department of Health and Human Services (HHS) will be notified of all domestic violence incidents in which children are present and are victims or witnesses to violence, which involves one or both of their parents.

1. If an immediate response is needed for child placement, the on-call HHS case worker will be notified by calling (303) 441-1309.

   1. If the on-call case worker does not answer or is otherwise unavailable after several attempts, the deputy can request dispatch to page the HHS staff group as a last resort.
2. If an immediate on-scene response is not needed, a referral to HHS will be made by the responsible deputy by requesting the Records Section send a copy of the report, when available, to the HHS Intake Unit by email. The deputy is responsible to document the request for referral in their report narrative.

IV. Domestic Violence Involving Law Enforcement

A. If a law enforcement officer is involved personally in a domestic violence incident and/or crime, the responding deputy shall notify the on-duty shift supervisor. The supervisor will immediately notify a supervisor from the involved officer's agency.

B. If a sheriff's deputy is arrested and charged with domestic violence, regardless of jurisdiction, the on-duty supervisor – in coordination with the staff duty officer – shall immediately place the deputy on administrative leave and notify the Division Chief of the arrested deputy.

By Order of the Division Chief,

Robert Sullenberger,  
Division Chief  
09/12/2017  
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: Periodically, deputies may submit property into the Property & Evidence Section received by members of the public for the sole purpose of destruction or disposition. All policies and procedures related to property and evidence processing and handling shall be followed by the receiving deputy. This policy prescribes additional procedural steps in circumstances where property is booked into Property & Evidence (P&E) for destruction and/or conversion.Disposition of property that is booked as evidence is beyond the scope of this policy; in those situations, the property is dispositioned in accordance with the department’s Evidence Processing & Handling policy.

RELATED POLICIES & PROCEDURES:
525 – Evidence Processing & Handling

DEFINITIONS:
[None]

PROCEDURE:

I. Property Surrendered for Destruction

A. General Guidelines

1. Deputies are authorized to receive property no longer wanted by members of the public who reside in the Sheriff’s Office’s primary law enforcement jurisdictions, which are dangerous, hazardous, or are otherwise difficult to dispose of (e.g., old ammunition, fireworks, weapons, munitions, etc.) to support community safety.

2. A record of all property surrendered to the Boulder County Sheriff’s Office for destruction or other disposition shall be made in an appropriate report.

   a. Absent a more appropriate report type, the surrender of property should be documented under the Destruction of Property (PROP DEST*) nature of call and all property should be appropriately indexed and described in the report, including ownership information.

3. If the surrendered property is not eligible for conversion to departmental use, the deputy is to note on the bottom of their property form, “Submitted for Destruction”).
B. Conversion of Property

1. Periodically, items submitted by the public that are serviceable or usable for law enforcement purposes may be received. If the receiving deputy determines the surrendered property may have departmental use, the deputy may ask the owner of the property being submitted for permission to convert the property to departmental use in lieu of destruction.

   a. Permission to convert firearms to department use in lieu of destruction must be received in writing. Permission to convert all other items may be received verbally but must be memorialized in the attending deputy’s narrative report.

2. If permission is received to convert surrendered firearms or ammunition to department use or ownership, the receiving deputy is responsible to notify the department armorer of the receipt of property that may be converted. The deputy should provide the department armorer with the corresponding case number and property item number.

   a. The department armorer is responsible to determine whether the surrendered firearms and/or ammunition may benefit the agency or not before transferring ownership to the Sheriff’s Office. The department armorer is responsible to document their decision in a supplemental report to the original report, in addition to any other procedural process required to add a converted weapon into the armory inventory.

II. Property Booked for Destruction Only

A. General Guidelines

1. Deputies may encounter a variety of illegal or contraband items through the course of their duties, which are submitted to Property & Evidence for destruction when criminal charges are not pursued. All property seized by deputies is to be documented in the appropriate report. Items seized that are illegal shall be memorialized under the appropriate criminal report, even if criminal charges are not filed.

B. Ammunition and Firework Disposal

1. Due to the volume of ammunition and fireworks submitted for destruction throughout the year, a general case number may be used to document the general receipt and booking of the ammunition and fireworks into Property & Evidence.
a. The general property destruction case number for ammunition and fireworks disposal may only be used for a maximum of one calendar year.

1). A dayshift patrol sergeant is responsible to see that a general property destruction case number for the unit is drawn every year and is messaged to patrol deputies and Property & Evidence. The original report completed by the sergeant is to document the purpose of the report, including the effective dates of its available use. The sergeant is also responsible for overall management of the case number, including closing the case with the appropriate report and disposition at the end of the time period.

b. Items under this section are booked into Property & Evidence using the established property report and submission processes.

1). If using a general case number for property destruction, the submitting deputy must ensure that property item numbers are unique and not reused.

c. The property report form should indicate on the bottom the brief circumstances (i.e., “Submitted for Destruction”).

C. Hazardous or Illegal Property from Evictions

1. Deputies assigned to the Civil Unit often encounter property in an eviction that is hazardous or illegal (e.g., drugs, drug paraphernalia, pornography, weapons, etc.). In the interest of public safety, this property—while not considered abandoned absent articulable circumstances to the contrary—may be booked into Property & Evidence for safekeeping or destruction. All seized property must be memorialized, either in a notation on the civil route slip, a report, or both.

2. Documentation Process

a. Tiburon™ Report: In circumstances where a Tiburon report has been initiated for a civil eviction event, whether an incident or criminal report, that case number is to be used to log and book all property into P&E.

b. General Case Number: For evictions and other Civil Unit
activities that don’t have a unique *Tiburon™* report number assigned, the general property destruction case number for the Civil Unit may be used.

1). The sergeant who oversees the Civil Unit is responsible to see that a general property destruction case number for the unit is drawn every year.

c. Items seized during the eviction for destruction (e.g., drugs, paraphernalia, etc.) should be booked into Property & Evidence using the established property report and submission processes.

1). If using a general case number for property destruction, the submitting deputy must ensure that property item numbers are unique and not reused.

d. The property report form should indicate on the bottom the brief circumstances and related civil case number (i.e., “Submitted for Destruction re: C19-xxx”).

e. A notation shall be made on the route slip of the property seized and the corresponding case report number the property was booked into P&E under, including property item numbers.

f. A photocopy of the property report form should be submitted to Typing Pool with the appropriate report cover sheet. There should be a notation on the cover sheet of “Civil Property Destruction.”

1). Typing Pool will enter the property into the appropriate case number as a supplemental report and type the notation made on the bottom of the property sheet as the narrative of the report, which will cross-reference the civil case number.

g. If all appropriate documentation can be made on the route slip, no additional dictated report is necessary. If circumstances require additional documentation, the additional information is to be memorialized in a supplemental report attached to the *Tiburon™* report number the property was submitted under.
By Order of the Division Chief,

Robert Sullenberger,
Division Chief

7/23/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]
SUBJECT: Detective Call Out

NUMBER: OP519

EFFECTIVE DATE: February 5, 2019

SUPERSEDES: December 28, 2011

POLICY: The Operations Division ensures that there are investigative resources available 24/7/365 to assist patrol deputies whenever necessary. During non-business hours, investigative resources are available in an on-call capacity.

RELATED POLICIES & PROCEDURES:
OP108 On-Call

DEFINITIONS:
[None]

PROCEDURE:

I. General Investigations

A. Cases Requiring Detective Involvement on Scene

1. Detectives are to be involved in the initial stages of an investigation under the following circumstances:

   a. Violent or suspicious deaths, including suspected suicides;

   b. Death of any child;

   c. Death of an in-custody individual;

   d. Unattended deaths where there is no clear medical or accidental cause indicated;

   e. Accidental deaths where there is a clear need for additional follow-up investigation or on-scene documentation;

   f. Incidents involving suspicious injuries to a child, including serious suspicious illnesses;

   g. Serious felony crimes including, but not limited to, sexual assaults, robberies, kidnappings, and burglaries involving:

      1). Investigative tasks that need immediate attention such as procuring and/or executing search and arrest warrants;
2). Specialized evidence collection or processing requirements;

3). Complex crime scenes beyond the ability of patrol deputies to document; and/or

4). Multiple criminal episodes.

h. In any other incident when the circumstances indicate a need for investigative resources in the discretion of the on-duty supervisor.

B. Notification & Response

1. Deputies who become involved in cases they believe warrant additional investigative resources beyond patrol capabilities are to discuss the need and request with the on-duty supervisor. If the on-duty supervisor concurs, the supervisor contacts the on-call detective supervisor to coordinate the necessary response.

   a. When considering the need for a detective response, the on-duty patrol supervisor and detective supervisor should consider if:

      1). An immediate detective response is warranted;

      2). A delayed response will suffice; or

      3). Advisement is sufficient and any follow-up investigation can be handled within the routine course of business.

   b. The final decision regarding a detective response rests with the on-call detective supervisor, unless further direction is given by a higher-level command-level officer.

2. Detective Response

   a. Detectives normally assume control of an investigation once they become involved. Detectives are responsible to coordinate the investigation and any additional resources needed to complete the investigation as effectively and efficiently as possible.

3. Advisory Notifications
a. When an incident needs to be promptly reviewed or involve detectives during business hours but does not require an off-duty response, the involved deputy or on-duty supervisor should make notification by emailing the detective supervisors (#SheriffDetectivesSupervisors).

1). Advisory notifications by cell phone or pager should generally be avoided unless consultation or a detective response is needed immediately.

II. Drug Task Force

A. Deputies who become involved in cases they believe warrant additional investigative resources specific to drug cases that exceed patrol capabilities are to discuss the need and request with the on-duty supervisor. If the on-duty supervisor concurs, the supervisor contacts a Drug Task Force (DTF) detective supervisor to coordinate the necessary response.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

2/5/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]
SUBJECT: Safe2Tell Reports

POLICY: The Sheriff’s Office regularly receives tips and reports from the Safe2Tell Colorado™ report system. The Safe2Tell™ system is designed to allow every student, parent, teacher, and community member, access to a safe and anonymous way to report any concerns about their safety or the safety of others, as a way to both prevent and report violence and other concerning behaviors for early intervention involving students. As such, it is the policy of the Sheriff’s Office to investigate Safe2Tell™ reports and to document investigations and report outcomes in a timely manner.

RELATED POLICIES & PROCEDURES:
[None]

DEFINITIONS:
Safe2Tell™: An anonymous reporting platform hosted by the Colorado Attorney General’s Office that allows tips involving juvenile students or other threats to school environments to be submitted online, through a Safe2Tell™ app, or by phone (cf. §24-31-601, et seq., C.R.S.).

PROCEDURE:
I. Intake and Assignment of Safe2Tell™ Reports
   A. Safe2Tell™ reports are received through the Sheriff’s Office’s Communications Center 24/7/365. Procedurally, the Communications Center enters the Safe2Tell™ tip into the CAD system based upon the involved school's physical address, prior to dispatching it to a deputy for follow-up investigation.
   B. Assignment and Follow-up of Safe2Tell™ reports
      1. School Hours: Safe2Tell™ reports should be assigned to the appropriate school resource officer (SRO).
      2. Non-School Hours: Safe2Tell™ reports are to be assigned to a deputy for initial screening. Unless receiving supervisory approval from a sergeant or higher rank, Safe2Tell™ tips and reports shall not be held and deferred for SROs.
3. The involved school’s administration also receives a duplicate copy of the Safe2Tell™ report at the time it is reported to law enforcement.

II. Investigation & Documentation

A. Investigation

1. Upon receiving a Safe2Tell™ tip or report, the receiving deputy is responsible to evaluate the tip in a timely manner and initiate follow-up investigation or action as necessary based upon each individual circumstance.

2. Deputies are not authorized to seek a search warrant, order for production of records, or any other compelled Safe2Tell™ record, pursuant to §24-31-607(1)(a), C.R.S.

B. Documentation

1. Each Safe2Tell™ report that involves a credible threat or tip on its face should be documented in the appropriate ARS report, including all follow-up investigation.

2. Tips that do not appear credible on their face, or lack sufficient detail to allow further investigation, must still be investigated to the degree possible. Assuming no credible information is developed that would necessitate an ARS report be completed, the pertinent investigative details may be memorialized on the Safe2Tell™ disposition form.

C. Report Approval & Case Assignments

1. The reviewing supervisor shall set the dissemination level of any report involving as a Safe2Tell™ report or tip to a law-enforcement-only (“L”) level (cf. §24-72-204(2)(3), C.R.S.).

2. The corresponding ARS report, unless meeting the criteria of a criminal report typically assigned to Investigations, should be assigned to the SRO assigned to the subject school, or in their absence or other circumstances, a deputy assigned to the SRO Program, for follow-up review.

   a. The assigned SRO is to coordinate and confirm an appropriate resolution to the Safe2Tell™ report has occurred and that the appropriate school’s administration has been made aware of the disposition. This information is to be documented in the closing supplemental report of the case.
III. Disposition Reporting

A. The responsible deputy who completes the investigation into a Safe2Tell™ report is responsible for completing the appropriate Safe2Tell™ disposition paperwork.

1. Deputies without a log-in to the Safe2Tell™ online system may file the report through the web portal (www.safe2tell.org) under the ‘Law Enforcement’ section.

2. Deputies with a log-on to the Safe2Tell™ online system may file their report electronically through the web portal or the corresponding mobile application.

3. Completion of the Safe2Tell™ disposition report should be documented in the corresponding ARS report.

IV. Confidentiality Requirements

A. All Safe2Tell™ reports, documents, and information is confidential under §24-31-607, C.R.S. Knowingly disclosing any Safe2Tell™ material created or obtained through the program in violation of the statute is a class 1 misdemeanor.

B. Safe2Tell™ tip reports may be printed and added to the case file but may not be otherwise distributed or saved electronically.

V. School Resource Officer Responsibilities

A. SROs are responsible to coordinate with the administration of the affected school(s), as appropriate under each circumstance, to ensure safety of students.

B. Upon assignment or reassignment to a school(s), the SRO is responsible to contact Safe2Tell™ and obtain the necessary credentials for the system to automatically receive Safe2Tell™ tips and reports for their assigned school(s) and to be able to file online dispositions.

By Order of the Division Chief,

[Signature]

Robert Sullenberger,
Division Chief

4/16/2019
Date
POLICY: It is the policy of the Sheriff’s Office to investigate runaway reports in an effective and efficient manner, and attempt, whenever possible, to reunite runaways with their parent(s) or legal guardian(s). Runaway reports will be investigated in a timely manner, and when appropriate, referred to Boulder County Health & Human Services (HHS) for further investigation or intervention.

RELATED POLICIES & PROCEDURES:
Colorado Interstate Compact for Juvenile (ICJ) Rules

DEFINITIONS:
Accused Status Offender: A person charged with an offense that would not be a criminal offense if committed by an adult.

Adjudicated: A judicial finding that a juvenile is a status offender or delinquent.

Adjudicated Status Offender: A juvenile found to have committed an offense that would not be a criminal offense if committed by an adult.

Interstate Compact for Juveniles (ICJ): The agreement pertaining to the legally authorized transfer of supervision and care of juveniles, as well as the return of juveniles from one state to another, which has been adopted by the State of Colorado (cf. §24-60-701, et seq, C.R.S.).

Juvenile: For purposes of this policy, a juvenile in the State of Colorado is age 17 or younger.

Runaways: A juvenile who has voluntarily left their residence without permission of their legal guardian or custodial agency but who may or may not have been adjudicated.

Status Offense: A non-criminal act considered a violation of law only because of a juvenile’s status as a minor. Status offenses may include truancy, running away from home, general ungovernability, etc.

PROCEDURE:
I. Runaway Complaints
   A. Initial Response and Report
1. Upon the receipt of a runaway complaint, the responding deputy should attempt to contact the complainant, preferably in person, to initiate an investigation and determine the jurisdictional nexus to Boulder County and the Sheriff's Office's primary jurisdictions. Runaway reports filed by Boulder County Health & Human Services (HHS) do not require an in-person response.

   a. If the runaway juvenile resides in a jurisdiction outside the primary jurisdiction of the Sheriff’s Office, the complainant should be referred to the appropriate jurisdiction.

   b. If there is confusion over jurisdiction, or another jurisdiction refuses to take a report, the attending deputy is expected to take the runaway report.

2. The investigating deputy should interview the reporting party, obtaining all necessary description information about the runaway juvenile, the details surrounding their runaway, and attempt to identify any associates or associated vehicles the runaway juvenile may be with, or common locations they may go. The investigation should include notation of any medications, health or mental health problems, and any indication of suicidal or homicidal ideations or behaviors.

3. If the initial investigation suggests suspicious circumstances, the responding deputy should consult with a supervisor, and consider obtaining an object containing the DNA of the runaway juvenile (e.g., their toothbrush) for later developing a DNA profile, if necessary.

4. The runaway juvenile should be entered into CCIC/NCIC as a runaway as soon as practical, including any vehicle they may be associated with.

   a. The investigating deputy should request Records (during daytime business hours) or Communications (outside of business hours) send a BOLO tele-type request to the jurisdiction the runaway is believed to be in when there are grounds to believe they are in danger to themselves or others.

   b. If there are reasonable grounds to believe the runaway juvenile is a danger to themselves or others, the investigating deputy should make arrangements to have the BOLO aired by radio through Communications within the Sheriff’s Office primary jurisdiction.
B. Attempt to Locate Runaways & Follow-up Investigation

1. If the complainant provided a location or locations the runaway juvenile might be, an attempt to locate should be made. If the location is outside of Boulder County, a request for the appropriate jurisdiction to conduct the attempt to locate should be made by the investigating deputy.

2. If the runaway juvenile is not located, even if all initial leads are exhausted, the case is assigned to a detective for follow-up.

C. Closing Reports

1. When a deputy locates a runaway, or receives a locate from another law enforcement agency, they are responsible to complete a supplemental report outlining the circumstances surrounding the runaway’s return.

2. In circumstances where a deputy is notified that a runaway juvenile has returned home but has not received this verification through another law enforcement agency (i.e., a family member calls to report they’ve returned home), the responding deputy should respond to assess the juvenile’s wellbeing and visually verify their return.

3. If called for based upon the circumstances, deputies should consider referring the case to Boulder County Health & Human Services (HHS) for further intervention and assistance. Referrals can be made by leaving a message on the HHS hotline number, or by requesting Records fax a copy of the completed report to the HHS’s intake desk.

II. In-State Runaways

A. Local (Metro Area) Runaways: If a deputy contacts a runaway reported to the Sheriff’s Office or a local Denver metro law enforcement agency, the deputy is responsible to make arrangements for the runaway to be returned to their parent or legal guardian. Unless approved otherwise by a supervisor at the rank of sergeant or higher, the deputy in contact with the runaway is responsible to maintain custody until they are released to their parent or legal guardian.

B. Outside the Metro Area: If a deputy contacts a runaway reported to law enforcement outside the Denver metro law enforcement agency, the deputy is responsible to contact Boulder County HHS to assist in making
arrangements for the runaway to be returned to their parent or legal guardian and for placement until then. Unless approved otherwise by a supervisor at the rank of sergeant or higher, the deputy in contact with the runaway is responsible to maintain custody until they are released to HHS or their parent or legal guardian.

III. Out-of-State Runaways

A. Non-delinquent out of state runaways should be taken into custody for any out-of-state runaway hold based upon a CCIC/NCIC hit and booked into the Boulder County Juvenile Assessment Center (JAC) as a status offender.

1. Runaway warrant entries vary by state, but may be captioned as “Missing Person Juvenile,” “Order to Pick-up & Detain,” or similar with any notes referring to ICJ in the miscellaneous field.

B. When detaining an out-of-state juvenile status offender, the detaining deputy must complete an arrest report to book the juvenile status offender (runaway) into the JAC. A copy of the CCIC/NCIC hit under which the detention is taking place under must be provided with the arrest report.

1. The charge entered for an out-of-state juvenile status offender being booked with no local charges is §24-60-702, C.R.S., and the corresponding ARS report is completed as a Runaway incident report.

2. If the juvenile with an out-of-state runaway hit is also being subject to local criminal charges, do not charge the juvenile with the status offense but note their status in the arrest report and provide a copy of the out-of-state runaway hit to JAC staff with the arrest report. The ARS report process remains the same for any juvenile offense.

C. Juvenile status offenders are subject to the same medical clearance requirements as accused juvenile delinquent offenders. If the juvenile is under the influence of drugs/alcohol, has an injury, has a serious medical condition requiring medication (e.g., diabetes, seizure disorders, etc.), has made suicidal or homicidal statements, they must receive a medical or mental health clearance from a hospital prior to their admittance to the JAC.

D. It is the responsibility of JAC staff, upon proper notification by the detaining deputy through the arrest report process prescribed in §I.B, to process the juvenile status offender into the detention facility, notify the
Colorado ICJ Office, and submit a memorandum to the 20th Judicial District to ensure a detention hearing is held within 48-hours of their booking (cf. Colo. R. Juv. P. 3.8).

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

3/26/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
[None]
SUBJECT: Uniforms & Appearance

NUMBER: 523

EFFECTIVE: April 16, 2019

SUPERSEDES: July 16, 2010

POLICY: It is the policy of the Sheriff’s Office that employees wear the approved or issued uniform(s) in a consistently prescribed manner, and given deputies and employees are highly visible representatives of local government and the policing community, professional appearance is of utmost importance. The Sheriff’s Office recognizes that while there are a wide variety of norms of acceptable appearance within our communities, our employees must present a professional, conservative appearance in order to effectively engage with all members of the community. Therefore, the following standards of uniform, equipment, and professional appearance in this policy are adopted for all employees. Division Chiefs are authorized to issue additional division-specific policies and procedures providing further guidance as necessary.

DEFINITIONS:

Class A Uniform: A long sleeve dress shirt, fully buttoned, with a black tie worn and secured to this dress shirt by a polished silver tie bar, with a metal badge, polished 3/8” silver metal name plate, and metal rank insignia for command and executive staff. Pants are to be of a dress style, without cargo or BDU pockets. Service hash marks are required, and award ribbons and skill pins authorized under this policy are allowed at employee discretion.

Class B Uniform: Inclusive of all Class A specifications, but not of a dress style and service hash marks on the long sleeve shirt may be worn at the employee’s discretion. The shirt is worn without a tie with the shirt collar open. The shirt may be long or short sleeved, but long sleeve shirts must remain buttoned; long sleeve undershirts may never be worn with short sleeve uniform shirts under any circumstance regardless of color. Cargo pocket style BDU pants are authorized at deputy discretion. Service hash marks, award ribbons, and skill pins authorized under this policy are allowed at employee discretion.

Command Staff: All commanders within a division.

Decorations: Class I & II awards, as designated and authorized by the Awards & Recognition policy (#317).

Executive Staff: For purposes of this policy, the uniformed members of the Sheriff’s executive staff are the Sheriff, Undersheriff, and Division Chiefs.

Skill Pins: Pins worn on the designated Class A and Class B uniforms shirts that denote special skills (e.g., SWAT, Bomb/EOD technician, K9, firearms instructor, DRE, HazMat, etc.).

Tactical Uniform: A unit-specific uniform designated for special unit activities or operations.
Uniformed Employee: For purposes of this policy, uniformed employee refers to any employee authorized to wear a uniform while performing a sanctioned sheriff’s office job function or task. Uniformed employees include all sworn job classifications, regardless of whether their current job assignment requires a uniform or not, with exception of undercover investigators assigned to the Boulder County Drug Task Force who are exempted from §I.A. of this policy. Uniformed employees may include civilian employees issued clothing embroidered with a Sheriff’s star or other Sheriff insignia, as determined by each Division Chief.

PROCEDURE:

I. General Appearance and Grooming

A. Employees

1. All employees are expected to maintain a neat, clean, well-groomed, professional appearance, while at work.

2. Tattoos

   a. Employees are not to display a tattoo, temporary decal, or portion thereof that is deemed to detract from the professional appearance required by their job assignment. This includes visible facial, head, or neck (above the collarbone) tattoos or decals.

   b. No employee may display a tattoo or temporary decal that is deemed racist, sexist, offensive, or obscene.

      Examples may include but are not limited to: Tattoos that depict nudity, are sexually explicit or depict sexual acts; tattoos that display obscene, offensive, racist, sexist, or vulgar words; tattoos that depict symbols used by militant, racist, or hate groups; tattoos that promote, support, or identify gangs, gang activity, or gang affiliation.

   c. Employees with tattoos or temporary decals that are deemed inappropriate shall ensure they are covered while at work (e.g., wearing a long-sleeved shirt, cover-up sleeve, etc.).

   d. Tattoos that are medically necessary or are common cosmetic tattoos (e.g., permanent eyebrows, makeup, skin discoloration
3. **Body Ornamentation**

   a. Body ornamentation shall include, but is not limited to: Body piercing jewelry, intentional body mutilation, intentional scarring, or intentional placement of foreign objects in or under the skin.

   b. Employees shall not wear any item of ornamentation in their nose, eyebrow, tongue, or any other location of the body that is visible while at work, or while at a job-related function, including training.

   c. Intentional body mutilation, piercing, branding, or intentional scarring that is visible is prohibited.

     *Examples include but are not limited to: Split or forked tongues; abnormal shaping or coloring of the ears, eyes, nose or teeth; foreign objects inserted under the skin to create a design or pattern; and/or enlarged or stretched earlobes beyond normal ear piercings.*

4. Employees are prohibited from wearing any jewelry piercing on any visible part of the body other than the ears while at work or while at a job-related function, including training.

5. Contact lenses, if worn on duty, are to be of a natural eye color. Red, orange, silver, and other unnaturally colored or graphic design contacts that create or result in an unnatural eye color or appearance are prohibited.

6. The use of gold, platinum, or other veneers or caps for teeth for the purpose of ornamentation are prohibited. Teeth, whether natural, capped, or veneer, shall not be ornamental with designs, jewels, initials, or other graphics.

B. **Uniformed Employees**

1. All uniformed employees, whether sworn as a peace-officer or not, are expected to maintain a neat, clean, well-groomed, professional appearance, while in uniform.

   a. Uniformed employees are responsible for maintaining their
uniforms in good condition. Uniforms must be clean and wrinkle-free. Duty gear must be clean and in good repair. Faded or torn uniforms are prohibited.

b. Visible jewelry is restricted to conservative rings, wristwatches, stud-style earrings, and must not present a safety hazard.

c. Hair

1) Male uniformed employee’s hair must be neatly groomed and may not exceed the shirt collar in length. Unnatural colors or extreme styles are not permitted.

2) Female uniformed employee’s hair must be neatly groomed. Hair that exceeds the shoulder in length must be secured back away from the face and in a way that will not interfere with head gear or gas/SCBA masks. Unnatural colors or extreme styles are not permitted.

3) Facial hair must be neatly groomed and cannot interfere with a uniformed employee’s ability to wear a protective mask, other duty-required breathing device, or communication device (e.g., a boom microphone, etc.).

C. The Division Chief is the deciding authority as to whether a uniformed employee’s appearance and grooming meets the letter and spirit of this policy.

II. Authorized Use and Wear of Uniforms

A. Each division chief is responsible for establishing guidelines as to the appropriate uniform wear and usage within their respective division, including specifications and accessories to be worn by employees of their division. All uniforms require the approval of the Sheriff prior to their purchase and wear.

B. Employees are to wear the appropriate class of uniform prescribed for the type of duty to be performed, or as directed by a supervisor authorized to set uniform requirements. Unless otherwise directed, uniformed employees are authorized to wear any approved uniform class at their discretion.

C. While in attendance at a formal occasion (e.g., funerals or other ceremonies), a Class A uniform will be worn.

III. Purchase, Issuance, Care, and Replacement of Authorized Uniforms
A. The Administration Division is responsible to maintain a comprehensive list of uniform items approved by the Sheriff for wear, including brand, model, color, and part numbers.

B. The commander over the Personnel & Training Unit in the Administration Division is responsible for maintaining a requisition, approval, and issuance/inventory process for uniforms and equipment to be used across all divisions, and to establish contracts with vendors for uniform and equipment purchase in accordance with county purchasing policies.

C. The quartermaster in the Administration Division is responsible for coordinating the purchase or issuance of approved uniforms and equipment items upon the receipt of an approved request.
   1. Only uniform brands and styles approved by the Sheriff are authorized for purchase at department expense.

D. The quartermaster in the Administration Division is responsible for maintaining a uniform and equipment inventory for each uniformed employee. The quartermaster records the issuance of all apparel and accessories to uniformed employees as they occur, and checks returned uniforms and equipment back in when an employee separates from the organization. In addition, the quartermaster is responsible for maintaining a list of all approved uniform items and vendors.

E. Employees are required to use the established requisition and approval process to obtain uniforms and equipment at department expense.
   1. By approving a request for uniforms, accessories, or equipment, the employee’s supervisor has determined that repair or replacement of any uniform or part is necessary.

F. Cleaning and care of issued uniforms, accessories, and equipment, is the responsibility of the receiving employee.

IV. Uniforms

A. Insignia and Rank

1. Shoulder patches are centered on the left and right shoulder sleeves, ½” below the shoulder seam.
2. When authorized for uniform apparel, the Sheriff’s Office cloth star badge is centered, 3 1/2” above the left breast pocket.

3. A 3/8” metal polished silver nameplate is centered above the right breast pocket with no space showing between the pocket and the nameplate on all uniform shirts. The nameplate shall read with the employee’s first name initial and last name (i.e., “J. Doe”); the employee is authorized to include their middle initial if desired (i.e., “J.D. Doe”).

4. A cloth nameplate must be worn on outerwear and will read in the same manner as the metal nameplate.

5. The Sheriff (4-stars), Undersheriff (3-stars), Division Chiefs (2-stars), and Commanders (1-star), wear 5/8” silver metal insignia designating their rank on all uniform shirts. Cloth insignia of the same size and composition is worn on tactical uniforms, when applicable. The rank insignia is to be worn centered on the collar, ½” from the leading edge, and parallel with the upper edge of the shirt collar.

   a. Cloth shoulder board insignia are worn centered on each shoulder of the outerwear. If a sweater is worn, rank insignia may be placed on the shirt collar.

6. Sergeant chevrons are sewn on all sleeves, except for the tactical uniform, ¼” below the lowest center point of the shoulder patch, on both uniform shirts and outerwear.

7. FTO patches are sewn on all sleeves, except for the tactical uniform, ¼” below the lowest center point of the shoulder patch, on both uniform shirts and outerwear.

8. Years-of-service hash marks (one hash mark for every five completed years of service) may be worn on the outside left sleeve of the Class A uniform, near the cuff, when:

   a. Uniformed deputies who have completed at least five years of service with the Sheriff’s Office are eligible to display years-of-service hash marks on their Class A uniform.

   b. Following five years of service with the Sheriff’s Office, commissioned deputies with prior law enforcement experience with other agencies may seek authorization from their division
chief to display years-of-service hash marks commensurate with their prior service. Division chiefs are to only consider the following as prior service for purposes of this section:

1) Fulltime employment as a sworn, non-military, law enforcement officer assigned to patrol, investigative, or correction functions, with authority to make arrests, enforce and investigate federal, state, or local laws.

c. Uniformed deputies hired at command level rank or higher may display years-of-service hash marks commensurate with their service years upon the start of their employment.

B. Decorations and Special Skill Pin Identifiers

1. Sheriff’s Office award decoration ribbons (Class I & II awards) and decoration ribbons for commonly known awards (e.g., the Beth Haynes Award, the FBI LEEDA Trilogy Award, the FBI National Academy, the Northwestern School of Police Staff and Command, etc.), and Sheriff’s campaign ribbons, are authorized for wear on Class A and Class B uniform shirts. Decoration ribbons are to be worn as follows:

a. Centered on, and ¼” over the metal nameplate

b. Two or more decoration pins are placed above the nameplate, side-by-side horizontally, in order of precedence, with the highest award near the badge. A maximum of three decoration pins or ribbons may be worn horizontally; additional pins are then worn in a new row.

1) Order of precedence: Purple Heart, Medal of Valor, Silver Star, Bronze Star, Meritorious Service Medal, Life-Saving Medal, Distinguished Service Award, Distinguished Unit Citation, Sheriff’s campaign ribbons, and other non-BCSO decoration ribbons (e.g., Beth Haynes Award, FBI NA, etc.).

2. Special skill identifier pins are authorized by the affected division chief, and are to be placed ¼” above, and centered on the nameplate, or, if applicable, ¼” above and centered on any decorations. Only one qualification pin may be worn.

3. A red, white and blue American flag pin, approved by the affected division
chief, may be worn with a skill identifier pin in the same location.

C. Duty Belt, Body Armor, and Supplemental Clothing and Accessories

1. The Sheriff’s Office provides duty belts and accessories to sworn employees based upon their job classification. Each division chief designates the style, type, and manufacturer of duty belt equipment, and is responsible for enforcing the criteria for wearing duty belt equipment.

2. Body armor is issued to all uniformed personnel in direct enforcement positions.
   a. Uniformed employees in direct enforcement positions are required to wear body armor while working in an enforcement capacity.
   b.Deputies are not authorized to wear body armor in an external manner, without the approved external vest carrier, except in emergency situations.

3. External Vest Carriers
   a. Body armor may be worn in an approved external vest carrier while wearing a Class B or tactical uniform. The external vest carrier must display a metal badge and metal name plate but may not be worn with skill pins or award ribbons.
   b. Only department-issued equipment is authorized to be carried or worn on an approved external vest carrier. Authorized equipment includes:
      1) AR single magazine pouch
      2) Handgun double magazine pouch
      3) Handcuff case
      4) Body-worn camera
      5) Radio
      6) Taser™ strike plate
   c. The external body armor carrier is authorized for emergency use for all uniform types and over non-uniform clothing.

4. Any clothing that is worn under the uniform that is visible (e.g., shirts, turtlenecks, crew-collared undershirts, socks, etc.) must be solid black in
color with no visible embroidery, printing, or other graphics visible.

V. Authorized Accessories

A. Headgear

1. Authorized headgear approved by the Sheriff includes the following:

   c. A black baseball-style hat embroidered with a BCSO sheriff’s star emblem centered on the front (the baseball hat is not authorized for wear with a Class A uniform).

   1. A deputy may elect, at their expense, to have their last name or radio number embroidered on the rear of the hat when approved or authorized by their division chief. No other embroidery, pin, or adornment on the hat is authorized.

   d. A black U.S. Navy-style “watch cap,” with or without a sheriff’s star or other sheriff’s insignia.

   e. A Class A black felt hat with a metal oval “Sheriff” emblem, adorned with silver acorns.

   f. Protective helmet, with a reflective sheriff’s star decal centered on the front, and reflective employee badge number centered on the rear near the bottom edge.

   1. Uniformed employees are to wear helmets when directed to do so by their supervisor.

   2. Helmets may be worn at the employee’s discretion when necessary to protect the employee.

B. Uniform Outerwear

1. All outerwear, except a traffic safety vest, is to be solid black in color. Outerwear assigned to uniformed employees is to receive shoulder patches, a star patch on the left breast, and a name strip of the employee’s first (and middle, if desired) initial and last name on the right breast. Removable liners may be worn stand-alone by uniformed employees, provided they receive the same patch markings as their outer jacket.
2. Outerwear includes, but is not limited to coats, jackets, windbreakers, sweaters, and gloves.
   
a. Gloves are not issued and are an elective purchase by employees.

3. Neon-yellow, ANSI-certified reflective traffic vests are issued to each sworn employee who works in an operational field environment (e.g., patrol, extra-duty, etc.).

C. Footwear
   
1. All uniformed employees are to wear plain black footwear, without color accents, appropriate for their assignment. Class A uniforms require solid black footwear with a polished toe. Open toe, sandals, and high heels, are not authorized for any sworn employees.

VI. Other Attire

A. The Sheriff may authorize the wearing of other clothing (e.g., polo shirts, vests, etc.) that display a sheriff’s star, logo, or any wording that identifies the wearer as a sheriff’s employee or member of a sheriff’s division, section, or unit. Each respective division chief is responsible to determine when an employee may wear this clothing, and if it will be provided at department expense.

B. Civilian clothing is authorized for certain positions not requiring the wearing of a uniform. Division chiefs have the authority to grant permission for employees to wear civilian clothes based upon the employee’s position or assignment.

1. Civilian clothing worn for normal duty assignments is to meet, at a minimum, the generally accepted current definition of “business casual.”

   a. Shorts, t-shirts, torn garments, etc., are not acceptable apparel for normal duty assignments but may be worn if approved by an employee’s supervisor in order to perform specific work-related tasks (undercover investigators assigned to the Boulder County Drug Task Force are exempt).

   b. Civilian clothing worn for normal duty assignments shall not have any visible wording or markings that is, either explicitly or through innuendo, sexual, violent, or derogatory.
By Order of the Sheriff,

__________________________________________  _________________________
Joseph K. Pelle  Date

ATTACHMENTS:
523-A  Grooming Standard Photographs
The following photographs, obtained from the Internet, show the general intent behind the Sheriff’s Office facial hair grooming standards to demonstrate acceptable versus unacceptable grooming lengths and styles for beards and goatees for uniformed personnel:

Minimally Acceptable Beard Length (no stubble, 5 o’clock shadows, etc.)

Maximally Acceptable Beard Length & Grooming

Acceptable

Acceptable
SUBJECT: Private vs. Public Roadways

NUMBER: OP527

EFFECTIVE DATE: March 8, 2008

POLICY: The Boulder County Sheriff’s Office recognizes there exists both public and private roads in unincorporated Boulder County. The Boulder County Sheriff’s Office respects the rights of private property owners to access their property while also respecting the public’s rights to use and access public roads.

The Boulder County Sheriff’s Office will investigate complaints concerning private versus public road disputes. It is not the position of the Boulder County Sheriff’s Office to make determinations as to whether a road is public or private. Because a Deputy at the scene can seldom resolve a permanent resolution to these disputes, Deputies will primarily strive to “keep the peace” and direct all parties involved to the appropriate resources.

The public has the right to use roads designated on the County Road Map. A road not appearing on that map may still be available for use by the public. A dispute involving a road not appearing on the County Road Map should be referred to the Transportation Department. The Transportation Department will investigate available information about the road and confer with the County Attorney's Office as to whether the information is sufficient to issue an opinion on whether the road is public or private.

RELATED PROCEDURES:

DEFINITIONS:

Easements: The right to do something or the right to prevent something over the real property of another. The right is often described as the right to use the land of another for a special purpose. Unlike a lease, an easement does not give the holder a right of “possession” of the property, only a right of use.

PROCEDURE:

1) Deputies dispatched to disputes involving public vs. private roads, their possession, status, ownership, or attached easements, will investigate and research the status to the best of their ability and to Sheriff’s Office standards. The deputy should attempt to use the following resources to aid in their investigation:

a) Boulder County Transportation.

b) Boulder County Attorney’s Office.

i) If a particular road or property is under current review with the County Attorney’s Office, the deputy should be informed of its current status.

ii) Information concerning court decisions, settlement agreements and easements
c) Boulder County District Attorneys Office.

2) The investigation should lead to a determination as to whether the case is criminal or civil.

a) If the deputy determines a crime has been committed and has developed probable cause the deputy will:

i) Warn the suspect if appropriate; or

ii) Issue a summons or conduct a custodial arrest according to arrest standards; and

iii) Document the investigation in a crime report.

b) If the deputy determines the issue is civil the deputy will:

i) “Keep the peace”, by taking reasonable steps to prevent the situation from escalating;

ii) Explain to the involved parties the issue is civil and a permanent solution must be sought via civil courts; and/or

iii) Encourage all participants to cease and desist until such time as they are able to obtain a court opinion on the matter; and/or

iv) Direct involved parties to the resources stated in this procedure; and

v) Deputies should not make a declaration as to whether or not the road is public or private; nor

vi) The Sheriff’s Office will not encourage or suggest the removal or destruction of property (for example, locks, chains, etc). After consultation with a supervisor however, the deputy may choose to allow an individual to access the disputed road via means that may include the removal of locks, chains, or other securing devices. This action should be done with the least amount of damage as possible. The deputy will document any and all action he is aware of taken by an individual who accesses via these means.

vii) All disputes should be documented in an incident, “Civil Dispute” report.

3) Emergency access
a) If the road is blocked, gated, closed, etc, deputies are authorized to take whatever reasonable means necessary in order to assure access in emergency situations.

4) Court orders

a) If deputies are presented with papers represented as court orders, deputies will endeavor to determine the authenticity and validity of the order.
b) If the court order is reasonably viewed as valid and enforceable, deputies will in good faith enforce the order.

By Order of the Division Chief,

______________________________  ________________________

____   Dennis Hopper, Chief     ____Date
SUBJECT: Operations Division Employee of the Month (EOM)  
NUMBER: OP529

POLICY: It is the policy of the operations division to recognize employees for exemplary performance during the performance of their duties on a monthly basis. In that light, the division adopts the following procedures:

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

1) Employee of the Month Nominations
   a) Any Sheriff’s employee may nominate another employee for the Operations Employee of the Month. A written memorandum detailing the nominee’s performance is completed and forwarded to the Operations Division Chief through the nominated employee’s chain-of-command.
   b) The nominations are due to the Division Chief before the last Operations Division Staff meeting of the month. The Operations Command Staff will review the nomination(s) at the last divisional staff meeting of the month.
   c) The Division Command Staff will determine if the nomination(s) warrant consideration for the Departmental Employee of the Month. If so, the nomination(s) will be presented to the Sheriff and his staff for review for the Departmental EOM Award.
   d) If the nominee(s) is selected for the Departmental Employee(s) of the Month, the other Divisional Nominee(s) will be considered for the Divisional Employee of the Month. If no other nominee(s) was considered at the Divisional level, the Division will not have an Employee of the Month for that month.
   e) If the nominee(s) is not selected for the Departmental Employee of the Month, the nominee(s) is automatically awarded the Divisional Employee of the Month. If two or more nominees were considered but not approved, the Operations Division Staff will determine who will be the Divisional Employee(s) of the Month.

2) Documentation of Award
   a) The Law Enforcement Technician Supervisor in the Operations Division is responsible for the documentation of the Operations Employee(s) of the Month Award. The Division Chief or a member of his/her staff notifies the Law Enforcement Technician Supervisor of the award recipient. The Law Enforcement Technician Supervisor then prepares a formal letter documentating the accomplishment of the awarded employee(s) and presents a certificate to the recipient(s).

EFFECTIVE DATE:  
REVISION DATE:
Enforcement Technician Supervisor completes the following:

i) An EOM certificate is created and a copy of the award citation is placed on the back of the certificate. The certificate is given to the recipient’s Commander for presentation to the recipient.

ii) A copy of the EOM certificate/award citation is given to Boulder County Sheriff’s Office Personnel to be included in the recipient’s personnel file.

iii) A copy of the EOM certificate/award citation is placed in the recipient’s working file

iv) A copy of the approved nomination form is sent to the Boulder County Sheriff’s Office Accounting to ensure that the recipient receives the EOM monetary award.

v) A notation, which will include the recipient’s name and the month the award was received, is placed in “OpsCmdStaff” folder on the “G” drive under the “EOM file.”

vi) A metal plate is removed from the Operations Division EOM plaque and sent to the vendor for engraving. The engraving will include the recipient’s name, month and year the EOM award was received. Once the metal plate is returned, is be placed on the EOM plaque.

By Order of the Division Chief,

________________________________  _______________________
Dennis Hopper, Chief                          Date
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POLICY: It is the policy of the Boulder County Sheriff's office to handle complaints of abandoned and junked vehicles in accordance with state law, while ensuring the safety of the public. Additionally, the Sheriff's Office may, at times, impound or relocate unattended vehicles during a weather event or other public safety emergency.

RELATED POLICIES & PROCEDURES:
OP507 – Vehicle Impounds
OP603 – Vehicle Impound Appeals

DEFINITIONS:
Abandoned Motor Vehicle, Criminal: Any motor vehicle left on public or private property in which probable cause can be established that the owner intends to not retain possession of or assert ownership over it. Prima facie evidence of abandonment may include a vehicle left for more than seven (7) days unattended and unmoved; or whose license plates or other identifying marks have been removed; or is so damaged or deteriorated that its only value is for junk or salvage; or the owner has been notified by a law enforcement officer to move/remove the vehicle and has not done so after 72-hours. See § 18-4-512(3), C.R.S.

Abandoned Motor Vehicle, Non-Criminal: Any motor vehicle left unattended on public property, including any portion of a highway right-of-way, for a period of 48 hours or longer, or as specified by municipal ordinance.

PROCEDURE:
I. Criminally Abandoned Motor Vehicles (§ 18-4-512, C.R.S.)
   
   A. Deputies are authorized to impound motor vehicles that are criminally abandoned on a street, highway, right-of-way, or other public property, or upon any private property without the express consent of the owner when probable cause for criminal abandonment of a motor vehicle exists.

   B. Prior to impounding the vehicle, the investigating deputy is responsible to clear the vehicle through CCIC/NCIC to determine if the vehicle has been entered as reported stolen, associated with a missing person, or as a vehicle of interest for any other reason.
C. Documentation

1. Motor vehicles impounded under this section (§1) are documented in a criminal report captioned “Abandoned Vehicle” (ABAN VEH), regardless of whether criminal charges are filed or not.

2. The impounding deputy will complete a Vehicle Impound Form, including a property inventory of the vehicle, for every vehicle impounded, as prescribed by the OP507 – Vehicle Impound policy.

3. The impounding deputy will conduct an investigation to attempt to identify and charge, as appropriate, the person(s) who abandoned the vehicle, and document the results of the investigation in the appropriate report. Whenever practicable, the criminal investigation should be conducted prior to impoundment.

II. Abandoned Motor Vehicles, Cargo or Debris on Public Property

A. Colorado statute requires that peace officers who find motor vehicles that they have reasonable grounds to believe have been abandoned (left for 48-hours or longer, see §42-4-1802(1), C.R.S.) on public property or any portion of a highway right-of-way shall require or cause the vehicle to be removed. See §42-4-1803(1), C.R.S.

1. The deputy who tags the motor vehicle believed to be abandoned on public property with a “48-hour” tow tag is responsible to ensure that vehicle tagging information is placed into pass-on for other deputy and supervisory awareness.

   a. If the responsible deputy is not scheduled to work after the 48-hours has elapsed, they are responsible to plan with another deputy or sergeant to have the vehicle removed.

2. Deputies who observe vehicles that have been abandoned for more than 48 hours—as indicated by tow tag—are responsible for impounding the vehicle, regardless of whether they or the Sheriff’s Office tagged the vehicle or not.

3. Prior to impounding the vehicle, the investigating deputy is responsible to clear the vehicle through CCIC/NCIC to determine if the vehicle has been entered as reported stolen, associated with a missing person, or as a vehicle of interest for any other reason.

4. The impounding deputy will complete a Vehicle Impound Form, including a property inventory of the vehicle, for every vehicle impounded, as prescribed by the OP507 – Vehicle Impound policy.
5. The impounding deputy will complete a “Vehicle Impound” incident report documenting the circumstances of the impound, including as much index information as is available for the registered owner, and whether or not the registered owner was contacted.

B. Disabled Vehicles, Cargo, or Debris

1. Deputies are authorized to impound or relocate any vehicle, cargo, or other debris, which is obstructing the right of way for any roadway or highway within the county, regardless of whether the vehicle is attended or not.

   a. If the vehicle is not attended, the impounding deputy should make reasonable attempts to contact the owner and advise them of the impound and the vehicle’s location.

   b. The impounding deputy will complete a “Vehicle Impound” incident report documenting the circumstances of the impound, including as much index information as is available for the registered owner, and whether the registered owner was contacted or not.

C. Weather Events or Public Safety Emergencies

1. Deputies are authorized to relocate any unattended motor vehicle that may be obstructing, either in whole or part, a highway or roadway within Boulder County during a significant weather event or public safety emergency.

   a. When relocating vehicles, the responsible deputy or on-duty supervisor should designate a nearby staging location for vehicles to be relocated to.

2. Such events are generally time-critical. As such, a Vehicle Impound Form is not required, as the vehicle(s) are only being relocated, not impounded.

3. An incident report is not required but may be directed by the on-duty supervisor, to document a list of the vehicles that were re-located by the tow vendor, where they were relocated from/to, and/or any other extenuating circumstances that should be documented.

4. Relocating unattended motor vehicles under this section is done at Sheriff’s Office expense using a contracted tow vendor.
D. Documention

1. Unless otherwise specified, motor vehicles impounded or relocated under this section (§II) are documented in an incident report captioned “Vehicle Impound” (VEH IMPOUN*).

III. Abandoned Motor Vehicles on Private Property

A. Nothing in the policy shall be construed as a limitation on a private citizen or business to lawfully remove an abandoned motor vehicle from private property without the assistance of the Sheriff’s Office or law enforcement.

By Order of the Division Chief,

[Signature]

Robert Sullenberger,  
Division Chief  
1/7/2020  
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
None
SUBJECT: Accident Investigation & Reporting

NUMBER: OP602

EFFECTIVE DATE: January 8, 2019

SUPERSEDES: [New]

POLICY: The Operations Division is primarily responsible for traffic accident investigation within contracted municipalities, but at times investigates accidents at the request of the Colorado State Patrol. The Sheriff's Office adopts the State of Colorado’s Investigating Officer’s Traffic Accident Reporting Manual, as the policy governing accident investigations undertaken by the Office. This procedure supplements additional accident investigation and reporting procedures specific to the Sheriff’s Office, including those that may occur with recreational or off-road vehicles.

RELATED PROCEDURES:
OP202 – Report Writing

DEFINITIONS:

Cataclysm: An avalanche, cloudburst, cyclone, earthquake, flood, hurricane, landslide, lightning, tidal wave, tornado, torrential rain, volcanic eruption, or other natural act of God.

Motor Vehicle: Any mechanically or electronically powered vehicle designed for highway use.

Motor Vehicle Accident: Unintentional damage or injury caused by the movement of a motor vehicle or its load.

Off-Highway Vehicle (OHV): Any self-propelled vehicle which is designed to travel on wheels or tracks in contact with the ground, which is designed primarily for use off of the public highways, and which is generally and commonly used to transport persons for recreational purposes. "Off-highway vehicle" does not include the following: vehicles designed and used primarily for travel on, over, or in the water; snowmobiles; military vehicles; golf carts; vehicles designed and used to carry individuals with disabilities; vehicles designed and used specifically for agricultural, logging, or mining purposes; or vehicles registered pursuant to article 3 of title 42, C.R.S. (cf. § 33-14.5.101, C.R.S.).

Pedestrian: Any person involved in a traffic accident who is not an occupant of a vehicle. This includes skateboarders, persons operating mechanized toy vehicles, etc.


Traffic Accident: Unintentional damage or injury caused by the movement of a motor
vehicle or its load.

Trafficway: Any land way open to the public as a matter of right or custom for moving persons or property from one place to another. Forest Service roads and other off-road trails are not considered trafficways (cf. Colorado Traffic Accident Reporting Manual, Rev. July 2006, p. 17).

PROCEDURE:

I. Reporting of Motor Vehicle Accidents

A. State Accident Report Form (DR2447)

1. The State of Colorado accident reporting form (DR2447) will be completed in its entirety for all traffic accidents investigated and documented by the Sheriff’s Office, which meet the definition of traffic accident outlined in the State of Colorado Accident Investigation Manual. The following events are considered traffic accident reportable to the Department of Revenue (DOR) on Form DR2447:

   - When a motor vehicle is in motion and it, or its load, becomes involved in a traffic accident, regardless of whether it occurs on public or private property.

   - When a motor vehicle experiences tire failure, and as a result, it becomes involved in an accident (e.g., running off the road and colliding with property).

2. The following events are not considered a traffic accident for purposes of state accident reporting. The DR2447 form is not completed and submitted to the State DOR, but these events are still documented under the appropriate Sheriff’s Office case report type when requested by a citizen, or when involving third-party property damage or any injury:

   - A bicycle accident regardless of injury, unless it involves a motor vehicle in motion.

   - An all-terrain vehicle (ATV) while being driven off-road.

   - An ATV being driven on a trafficway, unless it collides with a motor vehicle in motion.

   - A snowmobile, whether driven on or off road, regardless of
injury to the rider(s), unless the snowmobile is traveling on a trafficway and collides with a vehicle in motion.

- A motor vehicle being driven off-road.

- When a rock or other debris falls from a mountain into traffic and strikes an oncoming vehicle.

- When a motor vehicle sustains damage due to breaking an axle, blowing a tire, or separating tread.

- Damage caused by a cataclysmic event, whether or not the vehicle is in motion at the time.

3. The investigating deputy is responsible to complete all state-required forms in their entirety and according to the instructions outlined in the State of Colorado Traffic Accident Reporting Manual. An electronic copy of this manual will be made available on the Operations Division’s internal webpage and MDCs.

   a. **Description or Narrative (Field 66):** The narrative box on the back of the DR2447 form is for a chronological narrative of the accident and should include the following elements: setting the stage, vehicle crash/point of impact, and how/where the vehicles came to rest.

   b. **Diagrams (Field 67):** Accidents not investigated at the scene (cold reports and counter reports), crashes with less than $1,000 in damage, or non-injury crashes where vehicles were moved prior to the arrival of deputies, do not require a diagram be completed. If no diagram is completed, the DR2447 must be marked or notated as such.

4. All DR2447 forms must be reviewed, approved, and endorsed by a supervisor of at least the rank of sergeant prior to being submitted to the State DOR.

B. **Off-Highway Vehicle (OHV) Accidents**

1. All Colorado OHVs, even if legally titled and registered in the state, are required to be registered with Colorado Parks & Wildlife (CPW) on an annual basis unless they meet certain exceptions (§33-14.5-102, C.R.S.).

   a. **Out-of-state OHV’s,** provided they have not been in the state
for more than 30 days and are currently and legally registered out of state, are exempt from this requirement (§33-14.5-102(6)(b), C.R.S.).

2. The operator of an OHV involved in an accident resulting in property damage of $1,500 or more, or injuries resulting in hospitalization or death, (or some person acting for the operator, or the owner of the off-highway vehicle having knowledge of the accident) shall immediately, by the quickest available means of communication, notify law enforcement. Failure to notify law enforcement as required is a criminal violation of §33-14.5-113, C.R.S.
   a. Whenever possible, the responding and/or investigating deputy should advise the reporting party that they are required to file an OHV accident report with CPW in addition to the law enforcement report. Details on how to file an OHV accident report are available on the CPW website.

3. When completing an OHV accident investigation, the investigating deputy is responsible to document the accident and ensuing investigation into a written report, and request a copy of the report be transmitted via Records, once approved, be sent to CPW as required by §33.14.5-113, C.R.S.

II. Sheriff’s Office Reports

A. All accidents and intentional crashes investigated by the Sheriff’s Office are required to be memorialized under a case report number.

B. Alcohol & Drug-Related Accidents and Crashes
   1. Crashes involving impairment or suspected impairment of one or more drivers require the completion of an ARS, narrative-based report by the investigating deputy(s), and a DR2447 form where required.

C. Minor, Property Damage-Only Accidents
   1. These types of accidents do not require a separate ARS report, provided that sufficient detail memorializing the investigation can be appropriately captured on the DR2447 form in the narrative field when required. The narrative from the DR2447 form will be directly transcribed and entered by Typing Pool into RMS in the Traffic Collision module.
2. Absent extenuating circumstances, records of crash and accident investigations of this nature are only found in the RMS system and there is no corresponding ARS report.

D. Minor, Injury Accidents

1. Accidents and crashes involving minor injury require a dictated ARS report documenting the investigation when the complete details of the accident investigation can't be documented in the DR2447 narrative field. In circumstances where the narrative will not fit into the DR2447 narrative field, the last line of the DR2447 narrative should state, ‘See ARS report for additional details.”

2. Provided that the DR2447, any corresponding summons, contain all sufficient indexing information for the involved drivers and vehicles, no additional indexing sheets are required to be completed. All related case information and documents must be submitted to Typing Pool together with a case cover sheet attached.

   a. If indexing information is incomplete, or additional witnesses, victims, complaints, etc., must be indexed, the appropriate index forms must be completed and submitted with the report packet.

3. A crash or accident involving injury requires photographic documentation as part of the investigation.

E. Major, Property Damage-Only Accidents

1. Accidents and crashes of this nature require a dictated ARS report documenting the investigation when the complete details of the accident investigation can't be documented in the DR2447 narrative field. In circumstances where the narrative will not fit into the DR2447 narrative field, the last line of the DR2447 narrative should state, ‘See ARS report for additional details.”

2. Provided that the DR2447, any corresponding summons, contain all sufficient indexing information for the involved drivers and vehicles, no additional indexing sheets are required to be completed. All related case information and documents must be submitted to Typing Pool together with a case cover sheet attached.

   a. If indexing information is incomplete, or additional witnesses, victims, complaints, etc., must be indexed, the appropriate
index forms must be completed and submitted with the report packet.

3. A crash or accident involving major damage should include photographic documentation as part of the investigation whenever possible.

F. Major, Injury Accidents

1. Accidents and crashes of this nature require a dictated ARS report documenting the investigation, in addition the DR2447 form narrative where required. In these circumstances, the last line of the DR2447 narrative should state, ‘See ARS report for additional details.”

2. Provided that the DR2447, any corresponding summons, contain all sufficient indexing information for the involved drivers and vehicles, no additional indexing sheets are required to be completed. All related case information and documents must be submitted to Typing Pool together with a case cover sheet attached.

   a. If indexing information is incomplete, or additional witnesses, victims, complaints, etc., must be indexed, the appropriate index forms must be completed and submitted with the report packet.

3. A crash or accident involving major injury requires photographic documentation as part of the investigation.

G. Major, Serious Bodily Injury (SBI) or Fatal Accidents

1. When an SBI or fatal accident occurs within the primary response jurisdiction of the Sheriff’s Office, a sergeant must respond to the scene. The sergeant is responsible to determine if the Sheriff’s Office has sufficient resources and expertise for the given circumstances to investigate the SBI or fatal accident (e.g., accident investigators, detectives, etc.), or to request mutual aid assistance from another law enforcement agency (e.g., Colorado State Patrol, etc.) to conduct a thorough, complete, competent investigation.

2. Accidents and crashes of this nature require a dictated ARS report documenting the investigation by all deputies on-scene, in addition to completion of the DR2447 form narrative where required. In these circumstances, the last line of the DR2447 narrative should
state, ‘See ARS report for additional details.”

3. An SBI or fatal crash or accident requires photographic and/or video documentation as part of the investigation, and should include video walkthroughs and/or tours of the scene whenever possible.

H. Sheriffs’ Office reports are to be classified appropriately; criminal natures of call should be used when there is probable cause that a criminal event (including traffic violations) has occurred, including events on private property. Incident-only natures of call should be used only when there is no probable cause that a criminal event occurred (e.g., car vs. animal, ATV crashes, etc.). Whether a citation was issued or not has no bearing on the proper report classification.

III. Investigation of Accidents and Crashes

A. Whenever possible, deputies are to respond and investigate reported crashes and accidents on-scene.

B. Evidence collection, documentation, and preservation methods are to be utilized in the same manner as any other investigation.

C. Voluntary statements should be sought from all drivers, vehicle occupants, and witnesses, as part of the investigation. If an individual declines or fails to complete and return a voluntary statement as part of the investigation, it should be noted in the investigating deputy’s corresponding report.

D. Deputies should assist in facilitating an exchange of driver information to ensure that each driver has the insurance information for the other involved drivers.

E. Deputies are authorized, after consultation with a supervisor, to request whatever mutual aid resources may be necessary to conduct a thorough, competent, and complete investigation.

F. Nothing in this policy or procedure requires a deputy to conduct a traffic crash or accident investigation outside of the Sheriffs’ Office’s primary response jurisdiction; however, a deputy may offer to conduct the investigation on behalf of another agency (i.e., the Colorado State Patrol) when call load allows.

1. If an investigation is assumed for another agency, the pertinent portions of this policy become applicable.
By Order of the Division Chief,

Robert Sullenberger,  
Division Chief  

1/8/2019  

ATTACHMENTS OR ADDENDUMS:  
OP602-A State of Colorado's Investigating Officer’s Traffic Accident Reporting Manual  

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
State of Colorado

Investigating Officer’s
Traffic Accident Reporting Manual

Prepared By

Colorado State Traffic Records
Advisory Committee
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The Traffic Accident Reporting Manual

Origins of the Manual

The State Traffic Records Advisory Committee (STRAC) has developed this manual to aid Colorado Peace Officers in completing traffic accident investigation reports. Colorado Statutes state, in part, that the Department of Revenue, Motor Vehicle Division “shall prepare and upon request, supply to Police Departments, Coroners, Sheriffs, and other suitable agencies or individuals, forms for accident reports required under this article, which reports shall call for sufficiently detailed information to disclose, with reference to a traffic accident, the contributing circumstances, the conditions then existing, and the persons and vehicles involved.”

In a joint, cooperative effort with STRAC, the Department of Revenue, Motor Vehicle Division has revised the Investigator’s Traffic Accident Report, DR2447. This manual was developed not only to provide information concerning these revisions, but to create uniformity in accident reporting by all law enforcement agencies. This revised manual has been compiled to provide answers to many recurring questions asked by peace officers when completing the Investigator’s Traffic Accident Report.

Keep in mind that the manual is designed as a set of guidelines only; every conceivable question raised may not be covered.

The Importance of Data

The importance of accurate data collection and reporting cannot be overemphasized. Many individuals and agencies, both from the public and private sector, use and rely on information gathered on accident reports. This manual should assist every peace officer in Colorado with the reporting of timely, accurate and consistent accident information. That information leads to improved highway safety at the local, state, and federal level.
Changes in Accident Reporting

Many of the changes in the revised Traffic Accident Report (DR2447) reflect a growing trend across the United States to create a more uniform set of accident data. With better data, problems can be accurately identified. Subsequently, goals and performance measures can be established, resources can be allocated, and vehicle safety countermeasures can be engineered.

The revised DR2447 incorporates research and guidelines from the Model Minimum Uniform Crash Criteria (MMUCC), the National Highway Traffic Safety Administration (NHTSA), American National Standards Institute (ANSI), the Federal Highway Administration (FHWA), and the Federal Motor Carrier Safety Administration (FMCSA).

Significant Changes/Additions to the Manual

Changes

- The Traffic Accident Report, DR447, and the Fatal Traffic Accident Supplemental Report, DR447B, have been revised and renamed DR2447 and DR2447A.
- A Traffic Accident Report Supplemental (Truck Supplemental), DR447A, is no longer required. The information previously collected on the DR447A will now be collected in the blocks on the back of the DR2447 using the Federal Motor Carrier Overlay C (FMC Overlay).

Changes/Additions to the DR2447

- **Case Number** - Block 7 is a case # block.
- **Road information** - (Block 8) has been changed to reflect the type of highway or road.
- **Road Information** - (Block 8) Milepost is now referred to as Milepoint.
- **Date of Accident/Date of Report** - (Blocks 10 and 22) date formats changed to include 4-digit year MMDDYYYY.
- **Location, Route, Street, Road** - (Block 23), added Longitude and Latitude.
- **Agency Code** - (Block 24) agency code was moved from block 7 to block 24.
- **Bridge Related** - (Block 33) has been changed to “bridge-related” instead of “accidents involving bridges”. An accident is not considered to be bridge related merely by the fact it occurred on a bridge. If the bridge structure or width contributed to the accident, it should be coded bridge related.
- **Traffic Unit #** - (Block 34) vehicle/pedestrian/parked, has been expanded to include non-vehicle and non-contact vehicle. When more than one “traffic unit” is involved in an accident all are referred to as “traffic units” and are numbered sequentially.
- **DOB** - (Block 44) age format has been changed. Enter only full numbers, not months (Example: an 18 month old child would be recorded as a 1 year old, not as a 1 ½ year old or 1.5 year old).
- **Primary Violation** - (Block 45) added a check box for DUI in the primary violation block. The primary violation would be specific driving behavior that otherwise contributed to the accident, unless the only charge was DUI.
- **License Plate Number** - (Block 53) policy changed to reporting the license plate on the vehicle, even if it is not the one listed on the vehicle’s registration.
- **State or Country** - (Block 54) added country to the driver’s license information for foreign drivers.
Changes/Additions to Traffic Accident Report Overlay A (previously Accident Report Overlay)

Several blocks include revised or additional information, which will be addressed in the Overlay A instructions. Some significant changes are described below.

- **Harmful Event Sequence** - (Block B) a 3-harmful event sequence has been added. The first two are sequential; the 3rd is the most harmful. Either of the first two sequential harmful events can also be the most harmful, or it can be another, which happens later in the sequence.
- **Approach Turn/Overtaking Turn** - (Block C) box has been added.
- **Road Description** - (Block D) Roundabout has been added.
- **Vehicle Type** - (Block K) – Listed in categories according to type of vehicle. Also, triggers when to use the FMC Overlay (Overlay C).
- **Vehicle Movement** - (Block M) - Categories 10 and 14 have been added.
- **Roadway Speed Limit and Estimated Vehicle Speed** - (Blocks N and P) the two categories have been divided into two separate blocks.
- **Driver Actions** - (Block Q) - This block has been added.
- **Driver Most apparent Human Contributing Factor** - (Block R) Categories 05, 10, 12, 13, 14, and 15 have been added.
- **Vehicle Defects/Conditions** - (Block T) has been added.
- The numbering has changed to double digits. If a description is no, none, or no apparent, it is numbered as 00.

Changes/Additions to Traffic Accident Report Overlay B

- Additional blocks for driving restrictions and driving endorsements.
- **Safety Equipment Used** (previously Block CC), the occupant/restraint is now divided into 3 blocks - SYSTEM, USE and HELMET.
- Additional blocks for airbag use and deployment.
- Additional blocks for suspected alcohol and drug use.

Federal Motor Carrier Overlay C

- A Federal Motor Carrier overlay has been added for reporting accidents including commercial and non-commercial vehicles with a GVWR, or GCWR of 10,001 lbs or more.

*Note: Several expanded definitions are included throughout the manual. Refer to the **INDEX** and **GLOSSARY**
Accident Reporting

The accident report is a legal document.

➢ Reports are to be typed or legibly hand printed in blue or black ink; illegible entries cannot be entered into the Department of Revenue computer system. Alternately, reports may be electronically generated and transmitted.

➢ The first page of the report will accommodate information relating to a total of two traffic units. For reporting more vehicles, pedestrians, or more than eight injured occupants in an accident, use as many additional sheets of the report as necessary.

➢ In the narrative of the accident, refer to vehicles or traffic units by number and describe what happened simply and succinctly.

➢ By statute (42-4-1606), investigating officers are required to submit the report within five days of receiving information regarding the accident or upon the completion of their investigation. Every effort should be made to ensure that the report submitted to the Department of Revenue is complete.

➢ The original of all reports should be mailed to:

   Department of Revenue  
   Motor Vehicle Division  
   Traffic Records Section  
   Denver, Colorado 80261-0016

➢ Copies of the report are available to parties of interest for a fee (will vary by department). Written requests should include the complete names of all drivers involved and the date of the accident. The request should be directed to:

   Department of Revenue  
   Motor Vehicle Division  
   Traffic Records Section  
   Denver, Colorado 80261-0016
The focus of the accident report is to provide information to analysts regarding the circumstances surrounding traffic collisions and to aid in the development of engineering, enforcement, and educational strategies for the reduction of traffic accidents and their related economic loss. It is also used for court cases/appearances, restraint actions, civil and criminal litigation, as well as the administration of driver’s license regulations. The Department of Revenue uses this information to prepare statistics for State and Federal entities. Other users include attorneys, insurance companies, and private individuals who have a need for reliable traffic accident information.

An accident is caused by a series of events involving the road, vehicle, and driver. This report revision is designed to identify specific contributing factors impacting the system in order to improve the quality of accident data analysis.

Information regarding commercial vehicles (trucks and buses) is collected in the blocks on the back of the Traffic Accident Report using the Federal Motor Carrier Overlay C.

Information regarding fatal accidents is collected on supplemental form DR2447A.

What is a Traffic Accident?

A traffic accident is defined as unintentional damage or injury caused by the movement of a motor vehicle or its load.

The DR2447 is used to report traffic accidents only. This is not to say that agencies will not respond to other types of accidents. However, different (agency-specific) forms will be used in those cases.

To determine which traffic accidents require that a DR2447 be sent to the Department of Revenue, use the guidelines on the next page.
When to Use a Traffic Accident Report (DR2447)

Use this report if you can answer “yes” to all of the following questions:

- Is there unintentional damage or injury?
- Is at least one motor vehicle in motion involved?
- Did the situation involve a trafficway?

Exclusions

Cataclysms are not included

Do not use the DR2447 if an avalanche, earthquake, flood, landslide, falling rock, lightning, hail, tidal wave, tornado, or forest fire caused the damage or injury.

Vehicle defects are not included

However, use a DR2447 if the defect led to additional damage, such as a blown tire causing loss of control of the vehicle and a subsequent collision into another vehicle.

Road Debris

Most agencies will not investigate accidents where there is only minor cosmetic damage by rocks that are kicked up by tires.

If the damage or injury occurs during the process of a vehicle spilling its load, use the DR2447. This would include rocks dropped off the back of an aggregate hauler that causes damage to the vehicle behind it, or treads causing damage to another vehicle during the process of a tire separation.
Examples (When is it considered a traffic accident and when it is not considered a traffic accident?)

Not Considered a Traffic Accident

- A bicycle accident is not a traffic accident unless it involves a motor vehicle in motion, regardless of injury.
- When a cyclist is involved in an accident on a bicycle only, and is injured, it is not a traffic accident. If, by law, a report needs to be completed, use an agency-specific report. Do not submit this report to DOR.
- When a cyclist collides with a parked vehicle, it is not a traffic accident.
- When an All Terrain Vehicle (ATV) driven off-road, has an accident, it is not a traffic accident.
- When an ATV, driven on a trafficway, has an accident, it is not a traffic accident unless it collides with a motor vehicle in motion.
- When a snowmobile, driven off-road, has an accident and the driver is killed, it is not a traffic accident.
- When a snowmobile, driven on a trafficway, has an accident and the driver is killed, it is not a traffic accident.
- When a motor vehicle, driven off-road, has an accident, it is not a traffic accident.
- When a rock falls from a mountain into traffic and strikes an oncoming vehicle, it is not a traffic accident.
- When a motor vehicle sustains damage due to breaking an axle, blowing a tire, or separating a tread, it is not a traffic accident.

Considered a Traffic Accident

- When a motor vehicle experiences tire failure and is subsequently involved in an accident, i.e. running off the road and colliding with a sign, it is a traffic accident.
- When a snowmobile, driven on a trafficway, is involved in an accident with a motor vehicle in motion, it is a traffic accident.
Traffic Accident Report Instructions

How to Use This Section

This section of the manual provides a detailed explanation of how to complete the Investigator’s Traffic Accident Report, **DR2447**. This section can be used in various ways. As a training tool for a new officer, it gives a step-by-step explanation of the whole report. As a resource tool for an experienced officer, it facilitates looking up the information in a specific block without having to read all the other material.

A copy of the Investigator’s Traffic Accident Report has been provided at the beginning of this section. For purposes of this manual, the blocks on the **DR2447, DR2447A,** and **Federal Motor Carrier Overlay C** will be numbered. This will ensure that if there is a question regarding one of the blocks, the investigating officer will be able to cross reference that specific block via the manual.

A glossary of terms has been provided to assist the investigating officer in accurately reporting accident data.
**STATE OF COLORADO TRAFFIC ACCIDENT REPORT**

**1. AMENDED/SUPPL.**

**2. UNDER $1,000**

**3. COUNTER REPORT**

**4. PRIVATE PROPERTY**

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| **None** | **80** |
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**Approved By**

**I.D. #**

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Required General Accident Data

*Information in this section is provided once for each accident*

1. Amended/Supplemental

Enter an “X” if this is an amended, supplemental, or follow-up report.

**Note:** In order to link a supplemental or amended report to the original, the new report must have several blocks that match the original. The date and time of the accident must be consistent, as well as the location of the accident and information on the operator of each unit involved in the accident [blocks 1 through 35 as many times as applicable]. The date of the report on the supplemental is the date the supplemental is filed, not the date of the original report. Also, in the narrative block 66, describe what information was added or corrected with this supplemental or amended report.

2. Under $1,000 Accident

Accidents under $1000 will need to be completed if:

- One of the drivers does not have insurance; or,
- One of the drivers specifically requests that a report be completed.

Enter an “X” if this accident qualifies as under $1,000. Any accident under $1,000 sent to the Department of Revenue, must be on this form.

To qualify as an under $1,000 accident, the following must be true:

- No injuries; A complaint of pain, classification 01, is not classified as an injury.
- No alcohol or drugs suspected; and
- The vehicles involved have less than $1,000 each in damage

If all of these conditions are met, fill out the DR2447 with the exception of a diagram.

Some agencies may still require a diagram for traffic accidents under $1,000.
3. Counter Report

Use this box when an accident is not investigated by a law enforcement agency and the DR2447 is completed by one or more of the parties of interest (drivers or property/vehicle owners).

➢ This is most commonly used during “Accident Alert”.

Any time an officer takes information and completes a report, it is not a counter report. However, some agencies will enter an officer’s name and badge number on a counter report for data entry purposes. This is still considered a counter report and block 3 is checked.

Counter reports may also be filed online using the following link: https://crash.state.co.us

4. Private Property

Enter an “X” if an accident occurs and is entirely contained within a location that is considered private property.

Private property is property that is not included in the trafficway. Since private property is not maintained or regulated by state or local transportation departments, do not submit private property accident reports to DOR. Private property accident reports are to be kept at the local level for individual agency use. Private Property includes Forest Service roads and BLM land.
Reporting private property accidents will be determined by individual agencies.

*Regardless of the first harmful event, when an accident involves a public roadway or highway (i.e., ran off the road on to private property), the accident is not to be considered a private property accident and the report must be completed per the general report instructions.*

5. Page of Pages

Enter the number of pages of this accident report only. The front of the first DR2447 will always be page 1. For instance, a single vehicle accident would require two pages; the front of the DR2447 is page 1 and the back of the DR2447 is page 2. Officer notes or agency-generated supplementals are not counted in the page totals for this purpose.

The first space reflects the individual page number. The second space reflects the total number of DR2447, DR2447A pages used to document a single accident. One DR2447, front and back, is two pages (this includes the FMC overlay information).

Any additional pages should be stapled securely to the DR2447 before it is submitted to the Department of Revenue. When sequencing the pages, place the DR2447(s) on top, followed by any DR2447A(s).

If an accident report requires multiple pages of the DR2447 to be completed (such as in a three-vehicle accident), blocks 1 through 33 must be completed on each of the pages, in order to link them together as one report.

6. CDOT Code

Leave this block blank. It will be filled in at a later time by the Colorado Department of Transportation.

7. Case Number

For individual agency use
8. Highway Number and Milepoint (formerly Milepost)

Check the box for interstate highway, state highway, or city/county road. If the accident occurred on a state or interstate highway, outside the city limits, enter the three-digit highway number. For interstate highways and state highways within city limits, enter the three-digit highway number from Appendix F, which cross references local street names to a state highway number. If a highway in your jurisdiction is not listed in Appendix F, but you know it is a “state road”, list the highway number and milepoint in this block.

This information can also be accessed using the following two web-sites:
http://www.dot.state.co.us/Traffic_Manuals_Guidelines/City_maps.asp

Example: A traffic accident occurring on Federal Boulevard would be listed as 287 in these blocks, and the State Highway box would be checked. “Federal Blvd” may be spelled out in the Location block (23) if desired.

Enter the milepoint (MP) up to the 100th decimal place (for example, 139.25) if available.

9. DOR Code

Leave this block blank. A state serial number will be assigned to each accident report upon receipt by the Department of Revenue.

10. Date of Accident

Enter the numerical date on which the traffic accident occurred by listing the month, day, and year. This may differ from the date of the report.

If the date of the traffic accident is unknown, enter the date the accident was discovered. If a discovered date is used instead of an actual, known date, note this in the narrative (block 66).

Use the format MM/DD/YYYY to fill in this block. Example: 05/08/2005

11. City

Enter the appropriate city or town name if the accident occurred within incorporated limits.

12. Law Enforcement Agency

Enter the full name of the reporting agency.

13. County

Enter the appropriate county of occurrence.
14. County Number

Enter the appropriate county number (See Appendix A).

15. Time

Enter the time the accident occurred using the 24 hour clock system. Do not use a colon.

If the time of the accident is unknown, enter the time the accident was discovered. If a discovered time is used, note this in the narrative block 66.

Example: If an accident occurred at 2:43 PM, the time would be entered as “1443”.

16. Officer Number

Enter the identification or badge number of the investigating officer completing this report.

17. Officer Name

Print the name of the investigating officer completing this report. Entering only the last name is acceptable.

18. Officer Signature

Enter the signature of the investigating officer completing this report.

19. Detail

For individual agency use.

20. Number Killed

Enter the number of persons killed. If there were no fatalities, a numerical zero (0) must be entered in this block.

For purposes of this report, a fatal is an accident wherein an involved party sustains an accident-related injury that results in death within 30 days of the accident. If the accident involved a fatality, the DR2447A must also be completed.

Any death or subsequent deaths directly attributable to a motor vehicle accident must be reported immediately to the Colorado State Patrol. A blotter report can either be delivered in person or via facsimile to Colorado State Patrol headquarters. (303-239-4566)

All fatal DR2447 reports must contain a diagram.
21. Number Injured

Enter the number of persons exhibiting evident injury; (classifications 02 and 03). Persons killed are not listed as injured. A complaint of injury, classification 01, is not listed as injured. (See definitions block 80, pg. 49) If there were no evident injuries, a numerical zero (0) must be entered.

22. Date of Report

Enter the date on which the investigating officer completed the report. If this is an amended or supplemental report, enter the date that the new report was completed.

Use the format MM/DD/YYYY to fill in this block. Example: 05/08/2005

23. Location

Use this block to accurately locate the accident scene by specifying a distance and direction to the accident scene from a known, permanent reference point. Various reference points may be used, such as: junctions of city streets, county roads, or state highways; bridge structure identifiers; and milepoint markers. If using fractions of miles, express fractions of miles in decimals. Example: 1¼ would be 1.25

The block is completed by first marking down the route, street, or road on which the accident occurred. Then, a distance in either “feet” or “miles” is recorded in a particular direction (N, S, and E, W) from the permanent reference point (this will depend on the agency).

If using a GPS locator, enter information latitude and longitude to the 100th of a second (i.e., two digits following the decimal point). You must also enter a location as described above.

For private property accidents enter a physical address, if known.

Use the “At” checkbox when the first harmful event occurs within the intersection of the two roadways listed.


This block is available for use by each individual agency. It may be used to indicate a complaint number, or any other information the agency finds helpful for filing or identifying accident reports.

25. Investigated At Scene

Enter an “X” if the investigating officer responded to the scene of the accident. Leave this block blank if the investigating officer did not respond.

If an accident is not investigated at the scene, no diagram is required.

Example: cold, counter, and desk reports are usually not investigated at the scene.
26. Total Vehicles

Show the total number of vehicles involved in the accident, excluding “non-contact” and “non-vehicles”.

For purposes of the accident report, a vehicle means any self-propelled vehicle designed for travel on public highways and which is generally and commonly used to transport persons and property over the public highways. See Glossary for motor vehicle definition.

A “non-contact vehicle” is defined as a traffic unit which is involved in the circumstances of an accident but does not strike anything and is not struck. Non-contact vehicles are not included in this block, even if their information may be included in other blocks on this report.

Example: Non-contact Vehicle 1 turned in front of Vehicle 2. Vehicle 2 swerved off the road and collided with a tree. The driver of Vehicle 1 was issued a citation for improper left turn, therefore that information is listed in blocks 34-67 (see block 34 instructions). However, the total Vehicles block 26 will specify “1” as the total number of vehicles.

For the purpose of this block, bicycles with wheels exceeding 14 inches in diameter will also be counted as vehicles.

Examples of Accidents (involved vehicles)

Car versus train = 1 vehicle accident

Car versus bicycle = 2 vehicle accident

Car versus farm tractor when used in husbandry = 1 vehicle accident

Car versus tractor when used in transport on public roads = 2 vehicle accident

Car versus motorized skateboard (go-ped) = 1 vehicle accident

Car versus off-highway vehicle (ATV) = 1 vehicle accident

Car versus golf cart = 1 vehicle accident

Car versus golf cart used in transport on public roads = 2 vehicle accident

Car versus moped = 2 vehicle accident

27. District Number

For individual agency use
28. Public Property or Public Employee

Enter an “X” when equipment, property, or personnel are involved who are employed or that is owned by a Federal, State, County or Municipal agency, or a special governmental district.

Public property is property owned, operated or maintained by any Federal, State, County or Municipal agency or by a special governmental district.

If only a public employee is involved (no equipment), this block is checked only if the employee is in the performance of his or her employment duties at the time of the accident.

Example: A city employee in a personal vehicle on the way to a work-related meeting would be included here. A public employee who is not working but is in a state-owned vehicle would also qualify for a checkmark. A county employee commuting to work in a personal vehicle would not be included in this box.

29. Photos Taken

Enter an “X” or an agency photo number if photos were taken by the reporting agency.

30. Railroad Crossing Related

Enter an "X" if the accident occurred at a railroad crossing and it either involved railroad equipment, or the railroad crossing design itself contributed to the cause of the accident. This category includes Light Rail.

Examples:

An accident in which a vehicle was stopped on railroad tracks, but no railroad equipment was involved or damaged would not be considered a Railroad crossing accident; therefore, this box would not be checked.

A vehicle sideswipes a Light Rail unit that runs parallel to the traffic way. This is not considered a Railroad crossing accident since the damage or injury did not occur at a crossing.

A road narrows at the crest of a hill where a railroad crossing is located. The line of sight at the crest of the hill is limited, causing two cars to collide. This is considered railroad crossing related, since the design of the crossing contributed to the accident, even though no railway equipment was involved in the actual accident.

Trains

- Locomotive (engine information) is entered in the vehicle information blocks (Excluding block 26).
- Engineer is entered as driver.
- Railroad crossing accidents are not considered private property.

Note: Do not enter a Locomotive Engineer's driver license number
31. Construction Zone Related

Enter an “X” if the accident occurred in a construction zone.

A construction zone is defined as any location where roadwork (construction or maintenance, not to include plowing or mowing) is in progress or where traffic control devices (orange and black signs, barricades, or cones) designate a construction/work zone.

Note: There does not need to be any person working at the site for the area to be designated a construction zone.

32. Highway Interchange

Enter an “X” if the accident occurred within the boundaries of a highway interchange (See Glossary).

33. Bridge Related

Enter an "X" if the accident involved an impact with a bridge structure, or the design of the bridge itself contributed to the cause of the accident. Generally, the area of a bridge begins and ends at the bridge’s expansion joints.

Note: An accident that occurs on a bridge does not automatically warrant a check in this box. The accident must involve a piece of the bridge structure or be related to its design to receive a mark here.

Example:

A driver falls asleep, drifts into the opposing lane of traffic and collides with a truck on a bridge. The box would not be checked, as the location of the accident on top of a bridge is incidental to the actual cause of the accident: sleeping while driving.

A pickup enters a bridge and slides on ice, colliding with a motorcyclist. The box would be checked because the design of the bridge (its elevation) caused the formation of the ice, which contributed to the accident.
Specific Unit Accident Data

Information in this section is provided for each unit in the traffic accident.

34. Traffic Unit #1 or ___ □ Vehicle □ Parked □ Bicycle □ Pedestrian

□ Non-Vehicle □ Non-Contact Vehicle

Traffic Unit

A traffic unit is a motor vehicle, vehicle, or pedestrian involved in the circumstances of a traffic accident. Check the block preceding Vehicle, Parked, Bicycle, Pedestrian, Non-Vehicle or Non-Contact Vehicle to define what type of traffic unit it is (definitions follow). Traffic units are numbered sequentially in the space after Traffic Unit #. For example, a vehicle collides with a pedestrian who is legally crossing in a crosswalk, and then collides with a pickup that is parked at the curb. The vehicle would be Traffic Unit #1, and the block next to "Vehicle" would be checked. The pedestrian would be Traffic Unit #2 and the block next to "Pedestrian" would be checked. The pickup would be Traffic Unit #3, and the block next to "Parked" would be checked.

This block and the continuing blocks through 65 (blocks on the left half and bottom two rows) should be used to list the information pertaining to the traffic unit which is cited (or could have been cited) for a motor vehicle law violation that contributed to the accident.

If more than one driver is cited for a violation that contributed in some way to the accident, either party may be listed in this block. If nobody is cited or could have been cited as a result of the accident, either party may be listed in this block.

If investigating a multiple car accident, where the DR2447 extends onto second or subsequent sheets check the appropriate blocks and enter the appropriate unit number or pedestrian number. On second or subsequent sheets, pedestrians or parked vehicles can be entered onto either half. Units are numbered sequentially in order of events, regardless of type of unit. That is, do not assign a vehicle as #1 and a pedestrian as #1. Use each number only once per traffic accident report.

Vehicle

For the purposes of this block, a “vehicle” means a motor vehicle, i.e., a mechanically or electrically powered vehicle designed for highway use.

Parked

"Park" means a vehicle that is stationary, whether occupied or not. A vehicle, briefly stationary for the purpose of, and while engaged in, loading or unloading property or passengers, is not considered a parked vehicle.
Unless the owner, attendant, or driver of a parked vehicle involved in an accident is charged with an accident related violation, the description of the owner, driver or attendant is not to be entered in the blocks normally utilized for vehicle operators.

The appropriate box in block 34 shall be checked to indicate that the involved vehicle was a parked vehicle.

The description of the vehicle and the owner of the parked vehicle will be noted the same as other involved vehicles in blocks 49 through 60 and 49a through 60a. In addition, blocks 38 and 39 may be utilized to record phone numbers of owners of parked vehicles.

If the person responsible for the vehicle at the time of the accident is other than the registered owner, and that person is not cited with an accident related violation, that person's information may be entered in the narrative section.

**Bicycle**

A vehicle upon which a person may ride and which is propelled by human power applied to pedals. It may have either two wheels in tandem, or three wheels-two parallel and one forward. All wheels must be more than 14” in diameter.

**Pedestrian**

Check the appropriate box in block 34 to indicate that the involved party is a pedestrian. An incident solely involving anything defined as a toy is classified as a pedestrian on a toy and is not investigated as a traffic accident. If an accident involves a vehicle versus a pedestrian on a toy, it will be categorized as a vehicle versus a pedestrian and will be investigated as a traffic accident.

The description of the pedestrian is to be entered the same as any involved driver, utilizing the blocks provided, except that a driver's license number is not entered.

Do not include vehicle information for a pedestrian.  
(For example: A driver walking around out of his/her vehicle).

**Non-vehicle**

A non-vehicle is any unit involved in the traffic accident that is not classified as a vehicle in block 26 (total vehicles block), and is not already noted by one of the other classifications in block 34.

**Examples:** Train, farm tractor, horseback rider, a snowplow spreading de-icer

**Non-contact Vehicle** (See information under block 26, page 22, for the definition and example of a non-contact vehicle)

If a driver of a non-contact vehicle is cited or could be cited as a result of their contribution to the accident, the appropriate driver and/or vehicle information will be entered in blocks 34 through 67.
34a. Traffic Unit #2 or____ □ Vehicle □ Parked □ Bicycle □ Pedestrian

□ Non-Vehicle □ Non-Contact Vehicle

The blocks on the right side are used to list a second vehicle, pedestrian, or any subsequent unit. The instructions for the right side blocks are the same as the left side blocks. If there are more than two traffic units involved, the number of the traffic unit will be written in the blank space after the word “or” in blocks 34 and 34a.

35. Last Name, First Name, MI

Enter the driver/pedestrian’s last name, first name, and middle initial.

If the driver has more than one middle name, use both initials. Apostrophe’s are not accepted in this field. Hyphens and one space for each name (last, first) ARE accepted.

Example: O’Connor must be written as OConnor and a hyphenated last name such as Rodriguez-Sanchez can be written as Rodriguez-Sanchez. One space for each name (last, first) is accepted. Boutrous Boutrous Ghali would therefore be written as Boutrous Boutrous Ghali.

A driver is any person who is in actual physical control at the time of the accident.

The investigating officer should confirm name, address, and age of involved parties by asking them. Do not rely solely on the information given on a driver’s license or registration.

Hit and Run

When a "run" driver is not identified in a Hit and Run Accident, write the words "HIT and RUN" in block 35.

- For purposes of this report, a hit and run accident means either a driver or a vehicle that does not remain at the scene of an accident as required by statute.

- The vehicle driven by such an operator/driver shall be listed as Vehicle #1 when the primary cause of the accident can be attributed to the operation of such vehicle and such vehicle may be referred to as the "run" vehicle.

- If the original report was submitted, and the "run" driver is subsequently identified, a follow-up report must be submitted. This should be done even if the original report was submitted as being complete. Information about the run vehicle can be included in the vehicle information blocks.
36. Street Address

Enter the driver’s current street, route or box address. The investigating officer should confirm the address of involved parties by asking them. Do not rely solely on the information given on a driver’s license or registration.

37. City, State, Zip Code

Enter the city, state, and zip code. The standard two-letter abbreviations for states are listed in Appendix B and should be used when completing this block. If a foreign country has a state or province listed in Appendix C, use the state or province rather than the country code (See pg. 79).

38. Personal Phone

Enter the personal phone number including the area code. If the phone number is unknown, do not enter “NONE” in the block, instead, leave the box blank.

39. Business Phone

Enter the work phone number, including the area code. If the phone number is unknown, do not enter “NONE” in the block, instead, leave the box blank.

40. Driver License Number

Enter the driver's license number or state identification number. Use the original license number rather than a reissue number or a probationary number.

If the license is under restraint, still enter the PIN number in the box.

If an operator of a unit is not required to have a driver’s license, do not enter a license number in this block (e.g. train engineer, bicyclist, or operator of other non-vehicle). Do not include a driver’s license number for a pedestrian in this block.

If the driver has a valid driver's license and it is not in his possession, obtain a driving record and indicate the driver's license number in this block.

If there is no record of a driver’s license, enter the word "NONE" in this block. If the driver is operating a military vehicle in the performance of his or her military duties at the time of the accident, the correct license to use is the government-issued license rather than one from a particular state.
41. CDL Type
If driver has a Commercial Driver’s License (CDL), enter the appropriate type: A, B, or C.

42. State or Country
Enter the standard two-letter abbreviation of the state which issued the driver's license shown in block 42. See Appendix B for a list of state codes.

If the license is issued by an authority outside the United States, enter the two-letter abbreviation for the country (or state/province) of issuance taken from Appendix C. If no license is shown, leave this block blank.

43. Sex
Enter the letter "M" for a male or the letter "F" for a female.

44. Date of Birth
Enter the numeric month, day, and four-digit year of the operator’s or pedestrian's birth.

Example: 05/15/1969

45. Primary Violation
If this block is filled in, blocks 46 through 48 must also be completed.

If DUI, DUID or DWAI is charged, indicate this by checking the DUI box. List the primary accident-related charge in this block (such as Failed to Yield Right of Way), not the DUI-related charges.

If a citation is to be issued, state the violation charged. If a driver or pedestrian is charged with more than one violation, show the primary accident-related charge. A primary accident-related charge is defined as a violation of the motor vehicle laws relating to vehicle or pedestrian movement and contributing to an accident.

An administrative violation, such as expired license plates, is considered a secondary violation under this definition and need not be listed on the accident report unless it is the only violation charged. Some jurisdictions may require that all violations charged be listed. If this is the case in your jurisdiction, the accident-related charge should be listed first on the report (For example, Careless Driving/No Valid Operator's License).

46. Violation Code
Enter the appropriate state statute or municipal ordinance number for the primary violation. If only an alcohol or drug related charge is applicable, enter that number here.
47. Citation Number

Enter a citation number, if any, which corresponds with the violation charged. If the charge was filed directly with the District Attorney, enter “DIRECT FILING”. If charges are pending, enter the word “PENDING”.

48. Common Code

Enter the appropriate common code for the violation listed in block 46.

49. Year

Enter the year of manufacture of the vehicle, using the information from the registration if available. Use four digits.

50. Make

Enter the make of the vehicle from the registration.

51. Model

Enter the model name or designation given to the vehicle.

52. Body Type

Enter the body type of the vehicle. See Appendix G, page 113.

53. License Plate Number

Enter the license plate that is attached to the vehicle. Do not use the tab or validation sticker number. Enter the license plate number even if it is expired.

54. State or Country

Enter the appropriate two-letter abbreviation for the state or country which issued the license plate number. See Appendix B for a list of state codes, and Appendix C for country codes.
55. Color

Enter the color of the vehicle from the registration papers, unless the vehicle has been repainted. The standard color terms used by the Department of Revenue are to be used whenever possible. For colors, see Appendix H, page 115.

If the vehicle is more than one color, list the primary top color over the primary bottom color.

56. Vehicle Identification Number (VIN)

Enter the vehicle identification number. Verify that the number listed on the registration matches the number on the vehicle.

57. Vehicle Owner Last Name, First Name, Middle Initial

Enter the owner's last name, first name and middle initial. If the name on the registration is the same as the driver, mark the "SAME" check box. This will signify the registered owner was the driver of the vehicle.

If the name shown on the registration is other than the driver, the information on the registration must be entered. When more than one party is indicated as owner, both names may be entered.

When a misuse of plates or other ownership irregularities are suspected, the reporting officer must determine the identity of the current vehicle owner, and the current vehicle owner's name is to be entered.

The definition of owner from Colorado Revised Statutes 42-1-102(66) is: "Owner" means a person who holds the legal title of a vehicle; or, if a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of articles 1 to 4 of this title. The term also includes "parties otherwise having lawful use or control or the right to use or control a vehicle for a period of thirty days or more."

When a lien holder is named first, do not use this name unless it is the only one listed.

58. Street Address, City, State, Zip Code

Enter the vehicle owner's street, route or box address along with the city, state, and zip code for that address. If the address indicated on the registration is the same as that for the driver, mark the "SAME" check box.
59. Towed Due To Damage  □  By:  
To:

Enter an "X" in the check box if the vehicle was towed because of damage sustained in the accident. Enter the name of the tow company. If the storage location of the towed vehicle is different than the tow company’s usual storage yard, also enter the storage location.

60. Damage Severity

Damage severity to either a vehicle and/or its trailer is shown on this diagram by using the damage code numbers 1, 2, or 3 written within the marked-off sections.

- **1 - Slight** damage means scratches, minor dents, and cracked windows.
- **2 - Moderate** damage means moderate dents, windows out, etc.
- **3 - Severe** damage means major body/mechanical damage.

Damage to the windshield or the rear window should be shown in the roof section of the vehicle along with any damage to the top. Investigating officers should only code damage resulting from the accident being investigated. Old damage should not be shown.

Enter a trailer vehicle identification number if applicable. Other trailer information may be included in the narrative.

61. Insurance Company

List the name of the insurance company insuring the vehicle listed in blocks 49 through 56. If the operator has no insurance or no proof of insurance, check the appropriate box, "None" or "No Proof" in this block and leave blocks 61 through 63 blank. If insurance is Not Required, (i.e., a bicycle or on most private property), enter “Not Required” into this block.

- **No Proof** means the officer believes the driver has insurance, but does not have proof at the time of the accident, i.e., the date on the insurance card is expired.

62. Expiration Date

List the expiration date of the policy. Leave this block blank if the operator has no insurance, no proof of insurance, or if insurance is not required.

63. Policy Number

List the insurance policy number of the company insuring the vehicle. Leave this block blank if the operator has no insurance, no proof of insurance, or if insurance is not required.
64. Owner of Damaged Property Last Name, First Name, Middle Initial

This block is provided to record the name of the owner(s) of any property damaged in an accident.

Damaged property generally refers to such items as fences, trees, lawns, utility poles, animals, traffic control devices, and other non-vehicles (if the information hasn’t already been included in prior blocks). Vehicles, whether parked or not, should not be listed here. Wild animals are listed here and belong to the State of Colorado.

Do not use this block to list what was damaged, how it was damaged, the location of the damaged property, or the circumstances surrounding it at the time of the accident. This information should be explained in the narrative.

The owner of the property, if known, should always be listed in this block. If another individual, such as a renter, has immediate control of the property, his or her name should be listed in the narrative.

When an accident involves several owners of several pieces of damaged property, the second owner is listed in the second set of blocks 64 and 65. If there are more than two damaged properties, third and subsequent owners are listed in the narrative unless another page has already been created by the involvement of a third traffic unit. In other words, do not generate multiple sheets just to list owners of damaged property.

If both public and private property is damaged, list the owners of public property first.

65. Address, City, State, ZIP Code

Enter the street, route, or box number, city, state, and zip code of the owner of the damaged property.

7a, 9a, 10a, 12a - Identifier Blocks

The blocks above the narrative on page two are identifier blocks that tie page one and page two together, in case they become separated. The information is completed the same as on page one.
66. Describe Accident - The Narrative

The accident description is a chronological narrative of the accident.

1) **Set the Stage:** Vehicles #1 and #2 were northbound on Colorado 287. Vehicle #3 was southbound on Colorado 287.

2) **Crash the Vehicles Together:** Vehicle #2 was slowing for traffic ahead. Vehicle #1 failed to slow and collided into the rear of Vehicle #2. Vehicle #2 skidded 22 feet into the southbound lane, and collided head-on with Vehicle #3.

3) **Bring the Vehicles to Rest:** After impact, Vehicle #1 skidded 18 feet and came to rest facing north on the shoulder. Vehicle #2 rotated counterclockwise ¼ time and came to rest on its wheels facing west. Vehicle #3 rotated clockwise ½ turn and came to rest on its wheels facing north in the southbound lane.

**Examples:**

1) Vehicles #1 and #2 were northbound on Colorado 287. Vehicle #3 was southbound on Colorado 287. Vehicle #2 was slowing for traffic ahead. Vehicle #1 failed to slow and collided into the rear of Vehicle #2. Vehicle #2 skidded 22 feet into the southbound lane, and collided head-on with Vehicle #3. After impact, Vehicle #1 skidded 18 feet and came to rest facing north on the shoulder. Vehicle #2 rotated counterclockwise ¼ times, skidded 20 feet and came to rest on its wheels facing west. Vehicle #3 rotated clockwise ½ turn, skidded 21 feet and came to rest on its wheels facing north in the southbound lane.

   **Note:** Because the measurements for the paths of difficulty are included in this narrative, they will not need to be shown on the diagram. The measurements can be listed in either the diagram or the narrative.

2) Vehicle #1, westbound on Colorado 14, skidded off the right side of the roadway, rolled ½ time down an embankment, and struck a tree with its left side. After impact, Vehicle #1 rolled another ½ time and came to rest on all wheels in the Cache le Poudre River. The driver was ejected from the vehicle prior to the impact with the tree, and came to rest south of the vehicle.

   **Note:** Measurements will need to be shown on the diagram, because they weren't included in this narrative.

3) Traffic Unit #1 (Rae) was eastbound on Colfax Avenue. Traffic Unit #2, pedestrian (Johnson), was walking northbound in the crosswalk. Traffic Unit #1 failed to stop for a red light, skidded 52 feet, and collided with the left side of Traffic Unit #2. After impact, Traffic Unit #1, skidded 47 feet and came to rest against the curb. Traffic Unit #2 was vaulted 71 feet and came to rest on the sidewalk at the northeast corner of the intersection. Johnson expired at the scene.

   **Note:** The last names, as an option, can be included in the narrative.
67. Diagram

The diagram area is provided for the officer to draw a sketch of the accident scene. All accident reports involving trains must contain a diagram. All accident reports involving injury classifications 03 and 04 must contain a diagram. Although a diagram is not required on the DR2447 for injury classifications, 00, 01 and 02, it is strongly encouraged that officers do a field sketch of the accident scene, even though this sketch will not be submitted with the DR2447.

Diagrams are not required for:

- Cold Reports
- Counter Reports
- Accidents classified as under $1,000
  - No injuries;
  - No alcohol or drugs suspected; and
  - The vehicles involved have less than $1,000 each in damage.

A north direction indicator must appear somewhere in the diagram (See Appendix E). Direction is defined as "compass" direction.

Standardized symbols are recommended for use in the diagram (See Appendix E), and can, in most cases, be drawn with a traffic template. Computer generated diagrams are also acceptable. Diagrams need not be drawn to scale, but they should be proportional.

**Note:** When drawing by hand, the use of a template is strongly recommended.

*Traffic templates may be obtained from various places. Two commonly used manufacturers of traffic templates are:*

**Northwestern University**
[http://server.traffic.northwestern.edu](http://server.traffic.northwestern.edu)

**Institute of Police Technology and Management – IPTM**
[http://www.iptm.org](http://www.iptm.org)
Diagrams should include:

I) Road

1) Draw roadway lanes and markings at the accident scene. If applicable, also include shoulders, medians, traffic control devices (stop signs and stop lights), and structures (fences or poles).

2) Identify the name of each roadway. If only one-half of a divided roadway is included in the diagram, specify which roadway it is (for example, southbound I-25).

II) Vehicles

1) Draw vehicle paths prior to collision, at the point of impact, and to the point of rest. All paths can be drawn with a solid line. The use of dotted lines for skids, scuffs or other physical difficulty is optional, but not required.

2) Vehicle symbols should be drawn at the point of most significant impact to show approximate headings at impact.

3) On a non-impact roll-over accident, the vehicle should be drawn immediately prior to the roll-over to show approximate vehicle heading during the roll.

4) Drawing vehicle symbols prior to impact or at rest is optional. The use of an "X" to indicate point of rest is optional. (See Appendix E)

III) Measurements

1) Show the measurement to locate the most significant Point of Impact (POI).

2) Indicate the lengths of the paths of difficulty (skid, scuff, etc.). However, if the path measurements are included in the narrative, the measurements will not need to be included again on the diagram.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>B. HARMFUL EVENT SEQUENCE</td>
<td>01. Overturning</td>
<td>02. Other Non-Collision</td>
<td>21. Sign</td>
<td>03. School Age To / From School</td>
<td>04. Pedestrian on Toy Motorized Vehicle</td>
<td>05. All Other Peds</td>
</tr>
<tr>
<td>COLLISION WITH MOTOR VEHICLE</td>
<td>32. Tree</td>
<td>07. Rear to Rear</td>
<td>06. Rear to Side</td>
<td>33. Large Rocks or Boulder</td>
<td>34. Railroad Crossing Equipment</td>
<td>35. Barricade</td>
</tr>
<tr>
<td>COLLISION WITH ANIMAL</td>
<td>03. Curve On-Level</td>
<td>10. Road Maintenance Equipment</td>
<td>04. Dust</td>
<td>05. Fog</td>
<td>06. Other (Describe in Narrative)</td>
<td>07. Unknown</td>
</tr>
<tr>
<td>C. APPROACH/OVERTAKING TURN</td>
<td>01. Approach Turn</td>
<td>02. Overtaking Turn</td>
<td>03. Not Applicable</td>
<td>04. Dry W/Visible Icy Road Treatment</td>
<td>05. Wet W/Visible Icy Road Treatment</td>
<td>06. Dry W/Visible Icy Road Treatment</td>
</tr>
<tr>
<td>E. ROAD CONTOUR</td>
<td>01. Curve On-Level</td>
<td>02. Straight On-Grade</td>
<td>03. Curve On-Level</td>
<td>04. Curve On-Grade</td>
<td>05. Hillcrest</td>
<td>06. Other (Describe in Narrative)</td>
</tr>
<tr>
<td>F. ROAD SURFACE</td>
<td>01. Concrete</td>
<td>02. Blacktop</td>
<td>03. Brick or Block</td>
<td>04. Gravel, Slag or Stone</td>
<td>05. Dirt</td>
<td>06. Other (Describe in Narrative)</td>
</tr>
<tr>
<td>H. LIGHTING CONDITION</td>
<td>01. Daylight</td>
<td>02. Dawn or Dusk</td>
<td>03. Dark - Lighted</td>
<td>04. Dark - Unlighted</td>
<td>05. Wind</td>
<td>06. Fog</td>
</tr>
<tr>
<td>J. ADVERSE WEATHER CONDITION</td>
<td>00. None</td>
<td>01. Rain</td>
<td>02. Snow / Sleet / Hail</td>
<td>03. Fog</td>
<td>04. Dust</td>
<td>05. Wind</td>
</tr>
<tr>
<td>K. VEHICLE / VEHICLE COMBINATION</td>
<td>01. Vehicle / Vehicle Combination</td>
<td>02. School Bus (all school buses)</td>
<td>03. Non-school Bus (9 occupants or more including driver) in commerce</td>
<td>04. Transit Bus</td>
<td>05. Passenger Car / Passenger Van</td>
<td>06. Passenger Car / Passenger Van W/ Trailer</td>
</tr>
<tr>
<td>M. VEHICLE MOVEMENT – PRIOR TO IMPACT</td>
<td>01. Going Straight</td>
<td>02. Following</td>
<td>03. Stopped in Traffic</td>
<td>04. Making Right Turn</td>
<td>05. Making Left Turn</td>
<td>06. Making U-Turn</td>
</tr>
<tr>
<td>S. BY PEDESTRIAN ACTION (Officer Opinion Only)</td>
<td>01. Cross Against Signal</td>
<td>02. Cross / Enter at Intersection</td>
<td>03. Cross / Enter NOT at Intersection</td>
<td>04. Standing in Roadway</td>
<td>05. Playing in Roadway</td>
<td>06. Soliciting Rides</td>
</tr>
</tbody>
</table>
Accident Classifications (Overlay A)

When an accident report includes more than one page, blocks A through J need only be completed on the first page of the accident report. This section is designed for single responses only. Enter one numerical response per block.

These blocks need not be completed on counter accident reports.

A. Location

Enter the number which best describes the location of the accident with respect to roadways. If there are any conflicts or inadequate information, classify the accident as an on-roadway accident (#01).

Although there are several events involved in an accident, traffic accidents are classified by the first harmful event. Location is the location where the first harmful event occurred.

*Example:* Vehicle #1 ran off the road on the right, overcorrected and ran off on the left where it hit a tree. No damage occurred where it ran off on the right. This would be classified as 02, Ran Off Left Side.

Option #05 is only used if a vehicle crosses the median and enters the opposing lanes or roadway. A frontage road is a roadway set apart by a separator not a median, and is not included in this definition.

Use the Glossary to assist you with classification when needed.

Refer to diagrams on the following pages to identify locations and harmful events.

*Note:* The addition in Block A: Private Property (#06) Only used if entirely contained within the boundaries of a private property. If a vehicle runs off a roadway onto private property (where damage occurs), this is a “run off road” accident.
B. Harmful Event Sequence

Enter the number which best describes the harmful event or events. A harmful event is that point in the sequence of events when injury or damage occurs.

The first block (B) is for the first harmful event. The second block (B) is for the second event in the sequence of harmful events. The third block (B) is for the most harmful event in the sequence.

* Note: If there is NO second event, the second block B is to be left blank.

Example:

Vehicle #1 is northbound on I-25 when it changes lanes and sideswipes Vehicle #2. Vehicle #2 runs off the roadway into the median and rolls over, coming to rest on its top. This accident would be classified:

- Block B1: 11, Side to Side-same direction
- Block B2: 01, Overturning
- Block B3: 01, Overturning

*Note #1: The classifications for motor vehicle in transport now depict vehicle headings at the point of impact. This is a change from previous versions of this report, when these classifications defined vehicle movement prior to the point of impact. Also, these classifications for a Motor Vehicle in Transport, only apply when both vehicles are in transport. If one vehicle is parked, select #13.

*Note #2: Railway Vehicle, #14, also includes lightrail vehicles, trolleys and similar type streetcars.

*Note #3: In a collision with a pedestrian, #03, school age to/from school, has priority over #04, pedestrian on toy vehicle. In other words, if school-aged children are going to or from school, the selection would be #03, whether they are walking or on a toy (See Glossary for definition of a toy vehicle).

*Note #4: There are several new classifications in Block B, and several of the numbers have changed from the previous DR447 report.
C. Approach Turn/Overtaking Turn

If the accident involved an approach turn or overtaking turn, enter 01 or 02. If the collision did not involve an approach turn or overtaking turn, enter 03.

01 - Approach Turn: Two vehicles traveling in the opposite direction. One vehicle turns into the path of the other. (Example: left turn at intersection).
02 - Overtaking Turn: Two vehicles traveling in the same direction. One vehicle turns into the path of the other. (Example: right turn from the left lane).
03 - Not Applicable

D. Road Description

Enter the number which best describes the location of the accident on the roadway.

*Note* the addition of #06 Roundabout and #08 Parking Lot.

E. Road Contour

Enter the number which best describes the contour of the roadway where the first harmful event occurred. **Note:** A parking lot does not contain roads. In a parking lot accident, blocks E, F and G can remain blank.

F. Road Surface

Enter the number which indicates the composition of the roadway at the time and location of the first harmful event.

G. Road Condition

Enter the number which best describes the condition of the roadway at the time and location of the first harmful event. Visible icy road treatment refers to sand, salt, gravel and liquid chemical treatments.

H. Lighting Condition

Enter the number which best describes the lighting condition at the time and location of the first harmful event. #03 "Dark-lighted" refers to street/highway lighting.

J. Adverse Weather Condition

Enter the number which best describes weather condition at the time and location of the first harmful event.
Unit Specific Information

Blocks K through T are double blocks. In the upper block, enter the information for the traffic unit listed in block 34 (the left half of the report). In the lower block, enter the information for the traffic unit listed in block 34a (the right half of the report). If there is no vehicle or driver listed in block 34a, leave the bottom blocks empty.

K. Vehicle Type

Enter the number which best describes the type of vehicle. Selections 01-04 require the use of the FMC Overlay C. Any vehicle or vehicle combination, whether Commercial or not, with a GVWR or GCWR (see page 51 and Glossary) of 10,001 pounds or greater, or a vehicle transporting an amount of hazardous material cargo that would require a placard, will require the use of the FMC Overlay C. Selections 05-15 are classified as vehicles with a GVWR of 10,000 pounds or less. If selection #18 (OTHER) is chosen, describe the vehicle type, in the narrative, i.e. railway train.

*Note the addition of several new selections; #04-Transit Bus (i.e. RTD), #09/10-SUV, and #17-Light rail.

L. Direction of Travel - Prior to Impact

Enter the number which designates the general direction the vehicle was traveling just prior to impact.

For Colorado highways, regardless of compass direction or switchbacks, "direction" is defined as follows:

- Odd numbered highways are designated north and south. Milepoints usually increase from south to north.
- Even numbered highways are designated east and west. Milepoints usually increase from west to east.

Examples:

Berthoud Pass, Colorado 40, consists of numerous switchbacks. Vehicles will be classified as headed east or west, depending on which travel lane they were in and regardless of the direction of a specific stretch of the highway.

Colorado 7, between Brighton and Lafayette, runs east and west by compass. However, it is still labeled north or south for direction of travel.

The direction in block L should match the direction written in the narrative. It does not necessarily have to match the direction shown in the diagram. If the vehicle was turning, the direction is defined as the direction of travel just prior to the turning movement. If the vehicle was backing, the direction of travel will be the direction the vehicle is backing.

M. Vehicle Movement - Prior To Impact

Enter the number which best describes the movement of the vehicle prior to impact.

*Note the addition of #14 - Spun out of control and #15 - Drove Wrong Way.
N. Roadway Speed Limit (Vehicles Only)

The posted or legal speed limit for the roadway on which the vehicle was traveling is entered into this block.

White speed limit signs are regulatory. Yellow speed limit signs are advisory. In most cases, you will use the white speed limit sign closest to the first harmful event to complete this block.

P. Estimated Vehicle Speed (Vehicles Only)

Enter the estimated speed of the vehicle prior to difficulty. This information is used to develop traffic safety programs and is used by highway engineers to determine appropriate speed limits for a roadway. Appendix I contains information to assist in determining estimated vehicle speed.

Q. Driver Action

Enter the number that best describes the driver action that led to the accident. Whereas, the next block, Block R describes a driver condition, Block Q defines a specific action, or law violation, that led to the cause of the accident.

*Note that if #17, Careless Driving, is selected, Block R can not be coded as 00, No apparent contributing factor.

R. Driver-Most Apparent Human Contributing Factor (Officer Opinion Only)

Enter the number which best describes the human factor, if any, contributing to the accident. With the exception of #10 (DUI, DWAI, DUID), this block is intended to record the officer’s opinion only and may or may not be supported by other evidence. Number 10 will only be selected if an officer charges a driver with DUI, DWAI, and DUID or if the accident involved a deceased driver whose blood test results are over the legal limit. In some situations, an officer suspects that alcohol or a drug were involved, but does not have enough evidence to substantiate a DUI, DWAI or DUID charge. Those cases will now be noted in the bottom block (#78-suspected alcohol, #79-suspected drugs).

*Note the addition of selections #05, #10, and #12-#15.

S. Pedestrian Action

Enter the number which best describes the actions of a pedestrian. Enter only the most serious or significant action. The most serious or significant action is that action which contributed to the cause of the first harmful event or explains the pedestrian's actions at the time of the first harmful event. If "OTHER" is selected, explain in the narrative. Use the upper box for a pedestrian listed in block 34 and the lower box for a pedestrian listed in block 34a.

T. Vehicle Defect

Enter the number that best describes any vehicle defect that may have been a contributing factor in the accident. If several defects were present, select the number of the most significant defect.
<table>
<thead>
<tr>
<th>Traffic Unit #</th>
<th>Position In / On Vehicle</th>
<th>Compliance with Driving Restrictions</th>
<th>Compliance with Driving Endorsements</th>
<th>Safety equipment used</th>
<th>Air Bag</th>
<th>Suspected alcohol (Officer Opinion Only)</th>
<th>Suspected drugs (Officer Opinion Only)</th>
<th>Injury Severity</th>
<th>Age</th>
<th>Sex</th>
<th>Name / Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>00. No</td>
<td>00. No</td>
<td>00. No injury</td>
<td>01. Driver, 02-09. Passengers, 10. Other enclosed passenger/cargo area, 11. Other UN-ENCLOSED passenger/cargo area, 12. Sleeper Section of Truck, 13. Trailer, 14. Riding/Hanging on to Exterior of vehicle or trailer, 15. Pedestrian</td>
<td>Name / Address</td>
<td></td>
</tr>
</tbody>
</table>
**Occupant Information (Overlay B)**

The occupant information boxes, located on the bottom of the DR2447, must be completed for all parties involved except for uninjured bus or railway passengers.

- Also excepted are non-injury or minor injury private property accidents.

**Occupant and Injury Information - Bottom Boxes**

These boxes are used to record information about pedestrians and all occupants of any type of vehicle.

Boxes must be completed for all occupants of vehicles and all pedestrians. When completing the information for a pedestrian, the boxes that pertain to vehicles or motorcycles do not have to be filled out.

Whenever there are more than eight occupants and pedestrians involved in an accident, an additional sheet will be necessary to complete this information. However, if an accident situation involves three or more vehicles (requiring two or more pages) but there are a total of eight or fewer occupants, all occupants should be coded on the first page. In other words, fill out the first page before moving on to the second.

Uninjured bus passengers do not need to be individually listed. You only need to distinguish between those passengers wearing a seat belt and those passengers not wearing a seat belt (the safety equipment used box). Enter #10 into the position block. The name/address block 83, should state the number of passengers, i.e., 20 uninjured passengers.

This section is designed for single responses only.

**68. Traffic Unit Number**

This box must be used for all occupants, pedestrians, and bicyclists involved in the accident. Enter the number that corresponds with the assigned number in block 34 or 34a.

**69. Position In / On Vehicle**

This box must be used for all involved occupants. Enter the position of the occupant or passenger as per the diagram provided. All bus passengers are classified as 10. (#11-Unenclosed passenger cargo is, for example, a Pickup truck bed)

**70. Compliance with Driving Restrictions**

This box must be completed for drivers of the vehicles with information pertaining to their compliance with driving restrictions. “Restrictions” means restrictions such as corrective lenses, left side mirror, interlock, etc., not driving suspensions. If drivers have no restrictions, or if this is being completed for a vehicle, passenger or pedestrian, use 00.

**71. Compliance with Driving Endorsements**

This box must be completed for the driver of the vehicle with information pertaining to compliance with driving endorsements, only if endorsements are necessary for the type of vehicle, i.e. motorcycle, hazmat. If no endorsements are required or if this is a vehicle passenger or a pedestrian, use 00.
Safety Equipment Used; SYSTEM/USE/HELMET - Boxes 72-74

72. SYSTEM

Enter the letter that describes what type of restraint system was available in the traffic unit. If the traffic unit was a motorcycle, select “F”. If the traffic unit was a bicycle, select “G”.

73. USE

Enter the number that describes how the system was used. In the case of a motorcycle, “USE” refers to eye protection. If the traffic unit was a bicycle, enter “04”.

74. HELMET

Helmet refers to motorcycle or bicycle helmets. For traffic units other than a bicycle or a motorcycle, enter the letter “A”. For a motorcycle, enter a letter, B through F, depending how the helmet was used. For bicyclists, either they wore a helmet: letter “G”, or they didn’t: letter “B”.

Examples:

- A driver who had a lap/shoulder combination restraint and had the lap belt on but put the shoulder portion behind his back would be classified as (SYSTEM), B-shoulder and lap belt, (USE), 02- improperly used (HELMET), A-Not Applicable i.e. B02A.

- A 4-year-old is belted into a vehicle without a child safety seat. He would be listed as (SYSTEM), B-shoulder and lap belt, (USE), 02-improperly used, (HELMET), A-Not Applicable i.e. B02A.

- A passenger in a bus with no available occupant restraints would be classified as, (SYSTEM), A-none, (USE) 00-not used, (HELMET), A-Not Applicable i.e. A00A.

- A driver of a classic car with no safety equipment installed would be classified as, (SYSTEM), A-none, (USE), 00-not used, (HELMET), A-Not Applicable i.e. A00A.

- A motorcyclist wearing protective eyewear but with a helmet strapped to the back seat of the cycle would be classified as, (SYSTEM), F-motorcycle, (USE), 01-eye protection properly used, (HELMET), C-available, not used i.e. F01C.

- It is determined that a motorcyclist was wearing a helmet that was not strapped securely around the head, and the goggles were stuffed in a saddlebag. This would be classified as, (SYSTEM), F-motorcycle, (USE), 00- eye protection not used (HELMET), D-helmet improperly used i.e. F00D.

- If a motorcyclist with glasses perched atop his head and no helmet would be classified as, (SYSTEM), F-motorcycle, (USE), 02-eye protection improperly used, (HELMET), B-no helmet i.e. F02B.
75. Air Bag Deployment

Enter a number to describe how the air bags deployed, in reference to the position (driver, passenger, etc.) entered into block 69.

00 - Vehicle not equipped with air bags at this position.
01 - Vehicle equipped with air bags at this position, but they didn’t deploy.
02 - The air bags deployed at this position, but not at any other position.
03 - The air bags deployed at this position, and they also deployed at other positions in the vehicle.
04 - The air bags did not deploy at this position, but they did deploy at other positions.
05 - It is unknown how the airbags deployed.

76. Airbag Type

Enter the letter that specifies which airbag(s) deployed at the position (same position referred to in block 75). Use selection A, for either a vehicle not equipped with an airbag or if it was equipped, but did not deploy. Selection “F”, Multiple, refers to more than one air bag deploying at the position, i.e., both the front and side at passenger position 03.

Examples:
The driver’s and right front passenger’s front airbags deployed in Vehicle 1.

<table>
<thead>
<tr>
<th>Unit</th>
<th>Position</th>
<th>A.B. Deployment</th>
<th>A.B. Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>01</td>
<td>03</td>
<td>B</td>
</tr>
<tr>
<td>1</td>
<td>03</td>
<td>03</td>
<td>B</td>
</tr>
</tbody>
</table>

In Vehicle 1, the driver’s front air bag deploys. There is a passenger in position 03, and the airbag does not deploy.

<table>
<thead>
<tr>
<th>Unit</th>
<th>Position</th>
<th>A.B. Deployment</th>
<th>A.B. Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>01</td>
<td>02</td>
<td>B</td>
</tr>
<tr>
<td>1</td>
<td>03</td>
<td>04</td>
<td>A</td>
</tr>
</tbody>
</table>

In Vehicle 1, the driver’s front air bag deploys. The passenger’s side air bag deploys.

<table>
<thead>
<tr>
<th>Unit</th>
<th>Position</th>
<th>A.B. Deployment</th>
<th>A.B. Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>01</td>
<td>03</td>
<td>B</td>
</tr>
<tr>
<td>1</td>
<td>03</td>
<td>03</td>
<td>C</td>
</tr>
</tbody>
</table>

77. Ejection

Enter a 00 if the occupant was not ejected. Enter a 01 if the physical forces of the collision caused partial ejection of a major or significant portion of the body. Enter a 02 if the occupant was fully ejected. Enter a 03 if an occupant had to be extricated from the vehicle.

78. Suspected Alcohol (Officer Opinion Only)

Complete this section for all parties involved, including passengers who were contacted by the investigating officer at the scene or shortly after the accident. This box is intended to record the officer’s opinion only, and may or may not be supported by other evidence.
79. Suspected Drugs (Officer Opinion Only)

Complete this section for all parties involved who were contacted by the investigating officer at the scene or shortly after the accident. This box is intended to record the officer’s opinion only, and may or may not be supported by other evidence.

80. Injury Severity

This box is to be completed for all involved parties. Enter the number which best describes the injury severity to the party in question.

*Note 1: The numbering system now begins with 00, for No Injury.
*Note 2: Transportation by EMS personnel does not automatically categorize the injury severity.
*Note 3: If the injury severity is in question, use the higher category.
*Note 4: Pre-existing injuries are excluded unless re-injured in the accident.

00. No injury

Note: If a party is transported and is subsequently examined and found to have no injuries, that party would be classified as No Injury.

01. Complaint of injury

A complaint of injury is any injury reported or claimed which is not a fatal, incapacitating, or non-incapacitating evident injury. Examples include a claim of injury, complaint of pain, limping, and nausea or hysteria.

02. Evident non-incapacitating injury

This type of injury is evident to observers at the scene, but is not a fatal or incapacitating injury. These injuries do not prevent the injured person from walking, driving, or normally continuing the activities that he/she was capable of performing before the injury occurred. This includes momentary unconsciousness, bruises, lumps, and minor lacerations. This also includes injuries that are treated at the scene and do not require further medical attention away from the scene.

03. Evident incapacitating injury

This is any injury other than a fatal injury which prevents the injured person from walking, driving or normally continuing the activities he/she was capable of performing before the injury occurred. Included are severe lacerations, broken or distorted limbs, and internal injuries. This also includes an injured party transported to a hospital because of the severity of the injuries.

04. Fatal

For the purposes of the accident report, a fatal injury is any injury that results in death within thirty days of the accident. Example, a pregnant woman is involved in an accident that causes the birth of the child at the accident scene. The child subsequently dies as a result of injuries sustained in the accident. The child will NOT be classified as a fatality.

Note: A person must be born prior to the accident to be classified as a fatality.
81.  Age

This box must be used for all parties involved in an accident except uninjured bus or railway passengers.

Enter the age of the party involved using only years. Months are not included and children under the age of one are entered as 0.

This box may be left blank if the information requested applies to the driver or a pedestrian already recorded in blocks 34 or 34a. If this box is left blank, the name/address box must state "SAME AS DRIVER" or "SAME AS PEDESTRIAN."

82. Sex

This box must be used for all parties involved in an accident, except uninjured bus or railway passengers.

Enter "M" for male or "F" for female.

This box may be left blank if the information requested applies to the driver or a pedestrian already recorded in block 35 or 35a. If this box is left blank, the name/address box must state "SAME AS DRIVER" or "SAME AS PEDESTRIAN."

83. Name and Address

Enter the name and address for all fatal and injured parties (classifications 02, 03, and 04). If the information on name and address is the same as in block 35 or 35a, enter "SAME AS DRIVER" or "SAME AS PEDESTRIAN".
Federal Motor Carrier (FMC)

Overlay C is used to complete the truck and bus blocks on the back of the DR2447. These blocks must be completed for accidents involving all vehicles or vehicle combinations with a Gross Vehicle Weight Rating (GVWR) or a Gross Combined Weight Rating (GCWR) of 10,001 pounds or greater, and vehicles of any size or weight requiring hazardous material placards.

**Exclusions:** Under $1000 accidents and private property accidents do not require the completion of Overlay C.

Each page 2 (the back side) of the DR2447 has room to record the carrier information for two vehicles. The blocks beneath the Narrative record information about the carriers. Traffic unit numbers correspond to the traffic unit number listed in the General Data (the front pages) of the DR2447.

The side blocks are double blocks. The back side of each DR2447 allows you to enter the information for two FMC vehicles.

All vehicles or vehicle combinations with a GVWR/GCWR of 10,001 pounds or greater will need to have Overlay C completed. However, if the vehicle is not in commerce (i.e., a private owner hauling a 5th wheel camper) only blocks AA, CC, DD, EE, FF, and GG or NN will need to be completed. The entire form only needs to be completed if the vehicle is an interstate or intrastate hauler or is a vehicle hauling a placarded hazardous material load.

**Vehicles Requiring the Completion of the FMC Overlay (Overlay C):**

- Any vehicle with a GVWR or GCWR of 10,001 pounds or greater; or
- Any vehicle in commerce and equipped to transport other motor vehicles by means of winches, cables, pulleys, or other equipment for towing, pulling, or lifting; or
- A vehicle hauling hazardous materials requiring placarding; or
- A bus, if it is designed to transport nine or more people, including the driver, and is used in the furtherance of a commercial enterprise. This definition includes all school buses.

See the glossary for assistance in defining a commercial enterprise.

**Motor Coaches and Buses**

The FMC Overlay (Overlay C) will be completed for motor coaches and buses designed or used to transport nine or passengers, including the driver, and is used in the furtherance of a Commercial Enterprise.

**Examples Requiring the Completion of the FMC Overlay (Overlay C)**

- A shuttle bus that transports nine or more passengers (including the driver) from a hotel to the airport
- A limousine that transports nine or more passengers (including the driver) and is for hire.
- A vehicle designed or used to transport nine or more passengers (including the driver) used by a day care service.
- A vehicle designed or used to transport nine or more passengers (including the driver) and is used by a church to transport its members to a picnic.
Off-road Equipment

Off-road construction equipment such as a motor scraper, backhoe, motor grader, compactor, tractor, trencher, bulldozer and a railroad track maintenance crane do not require the completion of the FMC Overlay.

When do you use the FMC Overlay C?

- Speedy courier is driving a vehicle with a GVWR of 4,000 pounds. The vehicle has placards due to a small amount of hazardous material on board. The GVWR is not taken into consideration when a vehicle is hauling hazardous material. The entire FMC Overlay is required.

- Al’s Mowing Service is using a truck in conjunction with his business. It has a GVWR of 6,000 pounds and is towing a trailer with a GVWR of 4,500 pounds (GCWR = 10,500 pounds). The entire FMC overlay would be required because the GCWR is over 10,001 pounds and the vehicle is an intrastate carrier.

- A nine passenger limo (including driver) transporting a group to the local homecoming dance. The entire FMC overlay would be required.

- Jim’s Transportation is operating a nine passenger van (including driver) to transport passenger from the airport to a ski area. The entire FMC overlay would be required.

- A daycare is using a nine passenger van (including driver) to transport children. The entire FMC overlay would be required.

- John is driving a ¾ ton truck with a GVWR of 8,800 pounds and towing a trailer with a GVWR of 7,000 pounds (GCWR = 15,800 pounds) loaded with hay. The FMC overlay would be required. However, because this vehicle is not in commerce, only blocks AA, CC, DD, EE, FF, and GG or NN are required.

- Joe Johnson is driving a one-ton pickup truck with a GVWR of 11,000 pounds and is hauling a load of gravel for landscaping his backyard. The FMC overlay would be required. However, because this vehicle is not in commerce, only blocks AA, CC, DD, EE, FF, and GG or NN are required.

- Al’s Mowing Service is using a truck in conjunction with his business. It has a GVWR of 6,000 pounds and is towing a small trailer with a GVWR of 4,000 pounds (GCVW = 10,000 pounds). The FMC Overlay would not be required. Although it is being used for business purposes, the GCWR is less than 10,001 pounds and is not considered a commercial vehicle.

- Farmer John is driving a ¾ ton truck with a GVWR of 8,800 pounds hauling bags of grain from the market. The FMC overlay would not be required.

Following is a guideline for block-by-block completion using the FMC Overlay:
### Federal Motor Carrier Information

#### A. Carrier Type
01. Interstate
02. Intrastate
03. Government Vehicle (10,001 lbs. GVWR and over)
04. Not in Commerce (10,001 lbs. GVWR and over)

(If #4 is chosen, complete only blocks CC, DD, EE, FF, and GG or NN.)

#### B. Source of Name
01. Log Book
02. Shipping Papers, Truck, Bus, or Trip Manifest
03. Driver
04. Side of Vehicle

#### C. Gross Vehicle Weight Rating
01. Under 10,001 Pounds
02. 10,001 to 26,000 Pounds
03. 26,001 Pounds and Over

#### D. Total Number of Axles
Enter the total number of axles including truck and trailer.

#### E. Vehicle Configuration
01. Passenger Car (only if HM placarded)
02. Light Truck (only if HM placarded)
03. Bus/ Limousine
04. Single-unit Truck (2 axles)
05. Single-unit Truck (3 or more axles)
06. Truck and Trailer
07. Truck Tractor (Bobtail)
08. Truck Tractor and Semi-Trailer
09. Truck Tractor and Double Trailers
10. Truck Tractor and Triple Trailers
11. Other (Describe in narrative)

#### F. Cargo Body Type
01. Bus/ Limousine (seats 9-15 occupants including the driver)
02. Bus/Limousine (seats 16 or more occupants including the driver)
03. Van/ Enclosed Box
04. Cargo Tank
05. Flatbed/Pickup
06. Dump Bed
07. Concrete Mixer
08. Auto Transporter
09. Garbage Refuse
10. Grain, Chips, Gravel
11. Pole
12. Intermodal Container
13. Vehicle Towing another Vehicle
14. Fire Apparatus
15. Ambulance
16. No Cargo Body
17. Other (Describe in narrative)

#### G. Sequence of Accident Events

<table>
<thead>
<tr>
<th>Non-Collision</th>
<th>Collision</th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Ran Off the Road</td>
<td>11. Pedestrian</td>
</tr>
<tr>
<td>03. Overturning</td>
<td>13. Parked Motor Vehicle</td>
</tr>
<tr>
<td>04. Downhill Runaway</td>
<td>14. Train</td>
</tr>
<tr>
<td>05. Cargo Loss or Shift</td>
<td>15. Pedal Cycle (Bicycle, Tricycle, etc.)</td>
</tr>
<tr>
<td>06. Explosion or Fire</td>
<td>16. Animal</td>
</tr>
<tr>
<td>07. Separation of Units</td>
<td>17. Fixed Object</td>
</tr>
<tr>
<td>08. Crossed the Median/Center Line</td>
<td>18. Work Zone Maintenance Equipment</td>
</tr>
<tr>
<td>09. Equipment Failure (Tires, etc.)</td>
<td>19. Other Movable Object</td>
</tr>
<tr>
<td>10. Other (Describe in Narrative)</td>
<td>20. Other (Describe in Narrative)</td>
</tr>
</tbody>
</table>

#### H. Hazardous Materials
Did the vehicle have a hazardous material placard?
00. No
01. Yes

#### J. Hazardous Materials
Was hazardous cargo from the placarded truck released?
(Do not count fuel from the vehicle fuel tank)
00. No
01. Yes

#### K. Hazardous Materials
Enter the four digit number from the placard. If no number on the placard enter the four digit identification number from the shipping paper(s).

#### L. Hazardous Materials
Enter the one digit number taken from the bottom of the placard.

#### M. Liquid Hazardous Materials
Enter the amount of bulk liquid cargo at time of accident.
01. 0 to 1,000 gallons
02. 1,001 to 2,000 gallons
03. 2,001 to 3,000 gallons
04. 3,001 to 4,000 gallons
05. 4,001 to 5,000 gallons
06. 5,001 to 6,000 gallons
07. 6,001 to 7,000 gallons
08. 7,001 to 8,000 gallons
09. 8,001 gallons and over

#### N. Block AA
Bottom

---

**Sample Placard**

- **1369**
- **69**
- **3**

**Sample**

---

**Placard Number**

- **1369**
- **3**

**Placard Identification Number**

- **69**
Carrier Identification Blocks – Blocks Below the Narrative

Blocks 84 and 85 will only need to be completed for Commercial Vehicles requiring carrier identification numbers. These vehicles are primarily interstate and intrastate carriers and buses hauling for hire.

84. Carrier’s Name / Address

Refer to Appendix J for help with locating the responsible carrier. When obtaining the carrier name, use the same hierarchy as block BB, (i.e. a carrier’s name from the driver’s log, takes precedence over a name on the side of a vehicle).

85. Carrier Identification Numbers

Indicate the carrier’s identification number or numbers in the carrier identification block. Enter an X in the check box to indicate what type of number it is. Types of numbers are listed below. Refer to Appendix J to assist in identifying proper carrier numbers.

Carrier Identification Numbers

US DOT numbers can have up to eight digits. These are primarily interstate haulers.

Example: Enter the number and check the U.S. DOT block. A straight truck is involved in a traffic accident. The investigating officer notes that the U.S. DOT number is 45789978. This DOT number indicates an interstate carrier because there is no state code.

STATE DOT numbers can have up to eight digits, followed by a two letter state code. These are primarily intrastate haulers. When entering a state DOT code, you must include the two digit state code at the end.

Example: Enter the number and check the state DOT block. A straight truck is involved in a traffic accident. The investigating officer notes that the DOT number is 457899CO. This DOT number indicates that the company is an intrastate carrier with the authority to operate only in Colorado.

ICC MC NUMBER - MC numbers can contain up to six digits. If the MC number is less than six digits, add leading zeros.

Example: A tractor/semi-trailer is involved in a motor vehicle accident. The investigating officer notes that the MC identification is 1234. Although most MC identification numbers have six digits, other documentation verifies the 4-digit number. This would be correctly entered as:

- MC 0 0 1 2 3 4 - Block ICC should be checked
In the case of a leased or rented truck, be sure to use the identification number of the carrier leasing the truck, not the number of the parent company renting out the vehicle.

If there is more than one number present, you may enter both, but if the vehicle displays a US DOT number it must be entered. Verify that the US DOT number belongs to the entity or corporation responsible for transporting the goods or persons.
FMC Information (Overlay C)

The side blocks are double blocks. The back side of each DR2447 (page 2) allows you to enter the information for two FMC vehicles. The vehicle with the lower “traffic unit” number is entered into the upper blocks and block GG. If there are more than two FMC vehicles, fill up page 2 before moving on to subsequent pages. Enter the vehicles sequentially on subsequent pages.

AA. Carrier Type

Indicate whether the carrier is interstate, intrastate, a government vehicle (over 10,000 pounds GVWR), or not in commerce. If #4 is chosen, complete only blocks CC, DD, EE, FF, and GG or NN.

- **interstate carrier** — An interstate carrier is any commercial vehicle that hauls between states, between two points in a single state by going through another state, or between two places in a state with cargo that originated outside the state. A load’s origin is found on the shipping papers.

- **intrastate** — Any commercial motor vehicle which does not meet the requirements of an interstate carrier would be classified as an intrastate carrier.

BB. Source of Name

- Enter from which source you found the carrier’s name.
- The order in which the sources are listed is the hierarchy. In other words, a name from the driver’s log book has priority over all other sources. If the name is obtained from several sources, enter the source with the lowest number.
- If the truck is a rental or lease (such as Penske or Ryder), examine the rental contract. The carrier’s name should be on it. Use the carrier’s name, not the rental company’s name. (see Appendix J for source of name)

**Example:** Doyle’s Extra Large Gadgets is a leased box truck from Penske. Even though “Penske” is on the side of the door, do not use that as the carrier name. Instead, examine the rental contract or the driver’s paperwork to find the name of the company renting the vehicle.

CC. GVWR/GCWR

- **gross vehicle weight rating (GVWR)** — A GVWR is a value specified by the manufacturer for a single-unit truck, truck tractor, or trailer. In the absence of a GVWR, an estimate of the gross weight of a fully loaded unit may be substituted.

- **gross combined weight rating (GCWR)** — A GCWR is the sum of the GVWRs for the units which make up a truck combination.

For the power unit, the GVWR can be found on the driver’s side door, or by looking at the hinge pillar, door-latch post, or door edge for the manufacture label.
The GVWR for the trailer can be found on the manufacturer’s tag affixed to the trailer.

If there is more than one trailer, use the Gross Combed Weight Rating (GCWR) of all the trailers and the power unit in block CC.

**DD. The Number of Axles**

Enter the total number of available axles including the truck, trailer and tag axles, whether they are up or down.

**EE. Vehicle Configuration**

Select the appropriate vehicle or vehicle combinations that describe the truck involved in the accident. Refer to **Appendix K**.

**FF. Cargo Body Type**

Enter the cargo body type that best describes the vehicle involved in the accident. In the case of a school bus, always use 01 or 02. For a pickup by itself over 10,000 pounds, (i.e., a Ford F450), use 05. For a pickup pulling a 5th wheel trailer (i.e., camper), use 03. Refer to **Appendix K**, page 120.

**GG. Sequence of Accident Events**

Enter the numbers that describe the sequence of the first four events for the vehicle listed in the top block of section AA. All entries must be two digits. There are two categories; collision and non-collision.

**EXAMPLE:**

A truck/semi-trailer loses control on an icy roadway. The vehicle runs off the left side of the road and crosses the center median. When the vehicle enters into the opposite lanes it jackknifes and collides head on with an SUV. The vehicle comes to rest in the opposite lanes of traffic.

<table>
<thead>
<tr>
<th>First box</th>
<th>01</th>
<th>Ran off the road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second box</td>
<td>08</td>
<td>Cross the median/center line</td>
</tr>
<tr>
<td>Third box</td>
<td>02</td>
<td>Jackknifed</td>
</tr>
<tr>
<td>Fourth box</td>
<td>12</td>
<td>Collision motor vehicle in transport</td>
</tr>
</tbody>
</table>

If there are less than four events, leave the remaining blocks blank.

**HH. Hazardous Materials/Placards**

Enter "Yes" or "No" to indicate if the vehicle has hazardous material placards. Refer to **Appendix J**. If no, leave blocks JJ-MM blank.
If you mark “no” and then determine from other sources, (i.e., shipping papers) that the vehicle was transporting hazardous materials and should have been placarded, continue to complete blocks JJ through MM as applicable.

JJ. Hazardous Materials Cargo Released

Indicate whether or not any hazardous materials were released. For the purposes of this block, fuel released from the fuel tank does not count as a hazardous material release, even if the spill was over 25 gallons.

KK. Hazardous Materials ID Number

When transporting hazardous materials, in reportable quantities, the vehicle is required to display the four digit hazardous materials number on either placards or orange panels. When multiple placards are displayed on the vehicle, only information from one of the placards needs to be written down. Enter the four digit number from the placard. If there is no number on the placard, enter the four digit identification number from the shipping paper(s). If the vehicle is transporting hazardous material that does not require a placard, leave this block blank. Refer to Appendix J. Enter the number sequence as shown in the sample below.

LL. Hazardous Materials Class

In most cases, vehicles carrying hazardous materials are required by law to conspicuously display a placard indicating the class, type, or the specific name of the hazardous material cargo. When multiple placards are displayed on the vehicle, write down the information from only one of the placards. Enter the one digit number taken from the bottom of the placard.

MM. Liquid Hazardous Materials

Enter the amount of bulk liquid cargo at the time of the accident. If one or more of the units is a cargo tank, indicate in gallons the amount of bulk liquid cargo in the tank at the time of the accident. The officer can use the shipping papers and the amount of liquid cargo off-loaded, if any, to determine the amount of liquid cargo at the time of the traffic accident.

If investigating officers are unable to obtain the amount of liquid cargo at the time of the traffic accident they should estimate the amount to the best of their ability.

NN. Sequence of Accident Events

Enter the numbers that describe the sequence of the first four events for the vehicle listed in the bottom block of section AA. All entries must be two digits. See instructions and example for block GG.
Fatal Accident Section

The DR2447A

This sheet will be completed and submitted with the DR2447 whenever an accident involves a fatality. Enter only one response per block.

This report must be completed when a person* dies within 30 days of the accident date as a result of injuries sustained in the accident.

Information for up to eight occupants and four vehicles can be completed on one DR2447A. If there are more than eight occupants or more than four vehicles, additional DR2447A sheets must be completed.

If more pages are used, fill out blocks 1 through 5 to link the additional sheet or sheets to the original report. Blocks 6 through 9 do not need to be filled out again when using additional sheets.

* A person is any living human. Within the context of an accident report, a fetus is considered to be part of a pregnant woman rather than a separate individual.
## Emergency Medical Services

<table>
<thead>
<tr>
<th>Time Notified</th>
<th>Time Arrived @ Scene</th>
<th>Time Arrived @ Hospital</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If times are unknown provide name of responding services

### Trafficway Flow

- 01. Not Divided (Two Way)
- 02. Divided, Median W/O Barrier
- 03. Divided, Median W/Barrier
- 04. One Way

### Number of Travel Lanes

If the accident is totally contained on half of a divided highway (physical barrier not painted median), only count the number of travel lanes on that half.

### Traffic Control Device Functioning

01. No Controls
- 02. Not Functioning
- 03. Functioning Improperly
- 04. Functioning Properly
- 05. Unknown

### Accident Avoidance Maneuver

- 00. No Avoidance Maneuver
- 01. Braking (Skid marks evident)
- 02. Braking (Per driver, no skid marks evident)
- 03. Braking (Per witness, no skid marks evident)
- 04. Steering (Evidence or stated)
- 05. Steering & Braking (Evidence or stated)
- 06. Other Avoidance Maneuver

### Fire/Hazardous Materials Involvement

- 00. No Fire/No Haz-Mat Cargo
- 01. No Fire/Haz-Mat Cargo Not Involved
- 02. No Fire/Haz-Mat Incident
- 03. Vehicle Fire/No Haz-Mat Cargo
- 04. Vehicle Fire/Haz-Mat Cargo Not Involved
- 05. Vehicle Fire/Haz-Mat Incident

### Alcohol Suspected

- 00. Not Tested
- 01. Preliminary Breath Test
- 02. SFST
- 03. Observed
- 04. Passive Alcohol Sensor
- 05. Other method
- 06. By Coroner

### Other Drug/Impairment Suspected

- 00. Not Tested
- 01. Blood
- 02. Breath
- 03. Urine
- 04. Other
- 05. Refusal

### Tested for Other Drugs

- 00. Not Tested
- 01. Blood
- 02. Breath
- 03. Urine
- 04. Other
- 05. Refusal

### Name Taken to Expired Date Time

<table>
<thead>
<tr>
<th>Name</th>
<th>Taken to</th>
<th>Date</th>
<th>Expired</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
General Information

Information for blocks 1 through 5 can be obtained from the first page of the DR2447.

6. Emergency Medical Services

- Record all time using 24 hour time.
- Enter the time notified for the first responder/EMS personnel.
- Enter the time the first responder/EMS personnel arrived at the scene.
- Enter the time the most seriously injured party arrived at the hospital.
- If times are unknown, provide the name of the first responding EMS agency as well as the transporting agency.

7. Trafficway Flow

Enter the number which best describes the roadway at the accident scene.

8. Number of Travel Lanes

Enter the number of travel lanes on the roadway where the accident occurred. If the accident is totally contained on half of a highway divided by a physical barrier (does not include a painted median), only count the number of travel lanes on that half.

*Example #1:* A vehicle is traveling northbound on Colorado Interstate 25 and collides into another vehicle. The accident is wholly contained within the northbound lanes. The number of travel lanes would be two (2).

*Example #2:* A vehicle is traveling northbound on Colorado Interstate 25, drives off the right side of the road onto a service road and collides with another vehicle. This number of travel lanes would be two (2).

*Example #3:* A vehicle is traveling northbound on Colorado Interstate 25, collides with another vehicle in the northbound lane, skids off the interstate and travels onto the service road and collides with another vehicle. The number of travel lanes would be four (4)

9. Traffic Control Device Functioning

Enter the number which describes how it was functioning. If more than one device was at the accident scene, it is only necessary to enter the information of the *most significant* traffic control device(s) in the box provided on the right. As an option, the other devices may also be listed.

*Note:* For purposes of this listing, pavement markings are not considered traffic control devices.
Vehicle Information

10. Accident Avoidance Maneuvers

Enter the number that best corresponds to evidence of any accident avoidance maneuver taken by the traffic units involved in the accident. If "other avoidance maneuver" is selected, explain the maneuver in the narrative section of the DR2447. There can be up to four traffic units listed in the boxes provided. For more than four units, use additional sheets and fill in the appropriate number in the space provided.

11. Fire and Hazardous Materials Involvement

Select the number that best describes fire or hazardous material involvement in the accident.

*Note: Do not include fuel spilled from the vehicle fuel tank as Hazardous Materials Involvement.*

00. No Vehicle fire. Vehicle was not carrying hazmat cargo.

01. No Vehicle fire. Vehicle was carrying hazmat cargo, but it was not released.

02. No Vehicle fire. Vehicle released hazmat cargo.

03. Vehicle caught fire. Vehicle was not carrying hazmat cargo.

04. Vehicle caught fire. Vehicle was carrying hazmat cargo, but it was not involved in the fire, nor was it released.

05. Vehicle caught fire. Vehicle’s hazmat cargo was either released or involved in the fire.
Occupant Information

These blocks must be completed for all parties involved except for uninjured bus and railway passengers.

Blocks A through H are similar to the boxes on the bottom portion of the DR2447, however, the DR2447A asks for more detailed information.

A. Traffic Unit

Enter the number of the vehicle, as on the DR2447.

B. Position in/on Vehicle

Enter the position of the occupant or passenger as per the diagram provided. This is the same as the information on the DR2447.

C. Ejection Path

Enter the ejection paths of the occupants.

D. Alcohol Suspected (Officer Opinion Only)

- Did you or did you not suspect alcohol was involved in the accident?
- If you suspected alcohol was involved, list the reason why by using numbers 01 through 05.
- If you did not suspect alcohol involvement, list the reason why by using numbers 06 through 10.

Explanation of Terms:

“SFST” means behavior of the driver observed during Standardized Field Sobriety Tests.

“Observed” means physical symptoms heard or seen by the officer during investigation, such as slurred speech, staggering, or admissions of alcohol or drug use by the driver, or other physical evidence.

Hierarchy of selections 01 through 03:

- 01 - The use of a PBT takes priority over an SFST or other observations. Without a PBT, an SFST takes priority over other observations.
- 02 - SFSTs are observations of a driver as the result of a Standardized Field Sobriety Test.
- 03 - (Observed) are behaviors, other than an SFST, made during the course of the investigation. These include slurred speech, staggering, admissions of drinking, or other physical evidence.
Examples of alcohol suspected / not suspected:

- As you’re talking to a driver involved in the accident, you observe that his eyes are bloodshot and his speech is slurred. He has trouble walking back to his car to get his registration. This is a **03**.

- The driver is transported before you arrive. You observe empty beer cans strewn about and the inside of the car smells like an old brewery. This is a **03**.

- The driver is transported before you arrive. The ambulance attendants note the odor of an alcoholic beverage on the driver’s breath and nystagmus, and contacts you. This is a **05**.

- As you’re talking to the driver, you observe indications of intoxication. He submits to a Preliminary Breath Test (PBT) and the reading comes back as 0.148. This is a **01**. Note: even though your suspicions are raised through observations, any time a PBT is used, the entry into this block is either a **01** or a **06**.

- As you talk to the driver, you observe no indications of intoxication. This is a **08**.

E. Tested for Alcohol

Was this occupant tested for alcohol? Enter the number that describes what type of test was given to determine alcohol use.

*Note the addition of selection #6-by coroner.*

F. Other Drug/Impairment Suspected (Officer Opinion Only)

Were other drugs suspected? Numbers **01** through **04** apply to "yes". Numbers **05** and **08** apply to "no".

Similar to “alcohol suspected,” a **DRE** takes precedence over SFSTs and SFSTs take precedence over other observations.
G. Tested for Other Drugs

Was this occupant tested for drugs? Enter the number that describes what type of test was given to determine drug use.

*Note the addition of selection #06-by coroner*

H. Dead at Scene

This classification is used when the involved party dies at the scene and is not transported for treatment.

- Enter 00 for No
- Enter 01 for Yes

Name, Location, Time

If the occupant was injured or killed, enter the name of this occupant. Addresses are not needed. Drivers can simply be listed as "Driver 1", "Driver 2", etc. If an officer has only obtained a partial name, enter only that information obtained. If an officer wasn't able to obtain a name, enter "unknown".

Enter the location where the occupant was taken (for example, Lutheran Hospital, Swan Funeral Home, or Denver Coroner).

Enter the pronounced date and time of death for all fatalities. If the death occurred at the scene, and the time is unknown, use the date and time of the accident.
Glossary

Some of the definitions following are from the ANSI D16.1-1996 Manual on the Classification of Motor Vehicle Traffic Accidents (Sixth Edition). The primary purpose of the D16 manual is to promote uniformity and comparability of motor vehicle traffic accident statistics. The definitions taken from D16 are provided as guidelines and clarification of terminology. However, definitions in state law and elsewhere in the DR2447 manual always supersede those of the D16 manual.

alley  For the purposes of traffic accident reporting, alleys are treated like any other roadway.

alley related  Any accident which occurs in an alley or occurs when a vehicle is entering or exiting an alley.

animal drawn vehicle  Any vehicle powered or drawn by an animal. This would include horse drawn buggy, horse drawn stagecoach, ox drawn wagon, etc.

at intersection  This term describes an accident in which the first harmful event occurs in the confines of an intersection. See illustration under intersection.

bus  A bus is a motor vehicle designed to transport nine or more people, including the driver. It is a commercial motor vehicle if it is used in commercial enterprise.

bicycle  A vehicle upon which a person may ride and which is propelled by human power applied to pedals. It may have either two wheels in tandem, or three wheels-two parallel and one forward. All wheels must be more than 14” in diameter.

cataclysm  A cataclysm is an avalanche, cloudburst, cyclone, earthquake, flood, hurricane, landslide, lightning, tidal wave, tornado, torrential rain, or volcanic eruption.

commercial carrier  Any owner of a motor vehicle, truck, laden or unladen truck tractor, trailer, or semi-trailer used in the business of transporting persons or property over the public highways for profit, hire, or otherwise in any business or commercial enterprise.

commercial enterprise  A venture or undertaking involving financial commitment and connected to business and commerce in general. Included in this definition are churches, food banks, charities and other non-profit organizations

commercial motor vehicle

- Any vehicle in commerce with a GVWR or GCWR of 10,001 pounds or greater; or
- In commerce and is equipped to transport other motor vehicles by means of winches, cables, pulleys, or other equipment for towing, pulling, or lifting; or
- Hauling hazardous materials requiring placarding
- A bus designed to transport nine or more people, including the driver, and is used in furtherance of a commercial enterprise. This definition also includes all school buses.
controlled access highway Every highway, street or roadway in which preference it given to through traffic and access is limited and controlled by on and off ramps.

crosswalk That portion of a roadway included in the prolongation or connection of the lateral lines of sidewalks or any portion of the roadway distinctly indicated for pedestrian crossing by lines or other marking.

driveway access A driveway access is a roadway providing access to property adjacent to a trafficway.
evident non-incapacitating injury  This type of injury is evident to observers at the scene, but is not a fatal or incapacitating injury. Examples include bruises, lumps, and lacerations. Injuries that cannot be seen, such as limping or complaints of pain, are classified as possible injury.

farm vehicle  When a vehicle is exclusively used as an implement of husbandry, it is classified as a farm vehicle. If that same vehicle is used solely for transportation, it is no longer classified as a farm vehicle. For example, a person driving his tractor into town to pick up groceries, the tractor would be classified as a motor vehicle instead of a farm vehicle.

fatal injury  For the purposes of the accident report, a fatal injury is any injury that results in death within thirty days of the accident. Note that person must be born prior to the accident to be classified as a fatality. For example, a pregnant woman is involved in an accident that causes the birth of the child at the accident scene. The child subsequently dies as a result of injuries sustained in the accident. The child will NOT be classified as a fatality.

fire  Incidents in which injuries or damage are solely the result of a vehicle fire are not investigated as traffic accidents regardless of whether the vehicle was in motion or not.

first harmful event  The first harmful event is the first point of injury or damage in the sequence of events in a traffic accident.

gore  A gore is an area of land where two roadways converge or diverge. The direction of traffic must be the same on both sides of the area, and the area includes shoulders or marked pavement between the roadways. The gore area stops at 60 meters (approximately 200 feet) from the convergence or, if another road is within 70 meters, the gore stops 10 meters away from that road.
**gross combined weight rating (GCWR)** A GCWR is the sum of the GVWRs for the units which make up a truck combination.

**gross vehicle weight rating (GVWR)** A GVWR is a value specified by the manufacturer for a single-unit truck, truck tractor, or trailer. In the absence of a GVWR, an estimate of the gross weight of a fully loaded unit may be substituted.

**harmful event** is that point in the sequence of events when injury or damage occurs.

**highway interchange** Defines the boundaries of the ramps of the controlled access highway.
implement of husbandry  Every vehicle designed, adapted or used for agricultural purposes. Also see farm vehicle.

incapacitating injury  Any injury (other than a fatal injury) that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury is an incapacitating injury. Examples include severe lacerations, broken limbs, and skull, chest, or abdominal injuries. Momentary unconsciousness is not included.

intermodal container means a freight container designed and constructed to permit it to be used interchangeably in two or more modes of transport.

intersection  An intersection is an area which contains a crossing or connection of two or more roadways (not classified as driveway access). An intersection is embraced within the prolongation of the lateral curb lines or the lateral boundaries of the roadways if curbs are not present.
**intersection-related** An accident in which the **first harmful event** occurs on an approach to or exit from an **intersection** and the harmful event results from movements controlled by the intersection.

**interstate carrier** An interstate carrier is any commercial vehicle that hauls between states, between two points in a single state by going through another state, or between two places in a state with cargo that originated outside the state.

**Intrastate carrier** Any commercial motor vehicle which does not meet the requirements of an interstate carrier would be classified as an intrastate carrier.

**light rail** A vehicle other than a railroad train for transporting persons or property upon rails, principally within a municipality.

**median** An area of a **trafficway** between parallel roads that separates travel in opposite directions. Note the distinction between a **median** and a **separator**. (See illustration under **trafficway**)

**most harmful event** That event in the sequence of events that caused the most significant injury or damage.

**motorcycle** For the purpose of the accident report, a motor vehicle designed to travel on not more than three wheels in contact with the ground and has an engine greater than 50cc in displacement. Excluded from this category are items of construction, farm, or industrial machinery.

**motor-driven cycle** A motor driven cycle meets the definition of a motorcycle, but has an engine displacement of 50 cc’s or less and is designed for highway use. This excludes motor driven toys including, go-peds, mini-scooters, pocket bikes and motorized skateboards.

**motor vehicle** Any mechanically or electronically powered vehicle designed for highway use.

**non-contact vehicle** A vehicle that is directly involved in contributing to the traffic accident, yet does not make contact with involved vehicles, pedestrians or objects.

**non-vehicle** Any motorized vehicle involved in a **traffic accident** for which information must be collected on the accident report but cannot be classified as any of the other categories listed in the driver’s block section of the DR2447. This would include snowplows in the act of plowing snow, ATVs, etc.

**occupant** Any person who is in or on a motor vehicle in transport.

**overturning accident** An accident in which the first harmful event is the overturning of a vehicle.
pedestrian  Any person who is not an occupant of a vehicle. This includes persons operating mechanized toy vehicles, skateboards, etc., who are not otherwise classified as occupants on the DR2447.

person  A person is any living human. Within the context of an accident report, a fetus is considered to be part of a pregnant woman rather than a separate individual.

pole trailer  A pole trailer is a trailer designed to be attached to the towing vehicle by means of a reach or pole, or being boomed or otherwise secured to the towing road vehicle. These are ordinarily used for carrying property of a long or irregular shape such as poles, pipes, or structural members.

possible injury  A possible injury is any injury reported or claimed which is not a fatal, incapacitating, or non-incapacitating evident injury.

private property  Private property is property that is not included in the trafficway. Private property is not maintained or regulated by state or local transportation departments. Private property includes forest service roads and BLM land.

property  Property is any physical object other than a person. Examples: real property, personal property, animals (wild and domestic), signs, guard rails, trees and property.

railway vehicle  A vehicle designed for moving persons or property from one place to another on rails. When the vehicle is on rails, it is not considered a motor vehicle, i.e., high rail.

road  A road includes both the roadway and any shoulder alongside the roadway.

roadside  Roadside is the outermost part of the trafficway from the property line or other boundary to the edge of the first road. See illustration under trafficway.

roadway  A roadway is that part of the trafficway designed, improved, and ordinarily used for motor vehicle travel. See illustration under trafficway.

roundabout  A circular intersection joining two or more streets which feeds traffic into a circulatory roadway that surrounds a central island. (Accidents which occur within the shaded area of the diagram below are classified as roundabout accidents).
**school bus** A school bus is a motor vehicle which is owned or under contract to a public school or governmental agency and is used for the transportation of school children to or from public school or school activities. Any automobile, bus, van, utility vehicle, truck, or other vehicle that is designed for the transportation of school children and which meets the criteria above qualifies as a school bus.

**semi-trailer** A semi-trailer is a trailer (other than a pole trailer) designed for carrying property and constructed so that part of its weight rests upon or is carried by the towing vehicle.

**separator** The area of a trafficway between parallel roads separating travel in the same direction, or separating a frontage road from other roads is called a separator. See illustration under *trafficway*. Note the difference between a separator and a median.

**shoulder** A shoulder is that part of the trafficway contiguous with the roadway for emergency use, for accommodation of stopped road vehicles, and for lateral support of the roadway structure. See illustration under *trafficway*.

**single-unit truck** This truck consists of a single motorized transport device. When connected to a trailer, such a device may be part of a truck combination.

**suv** A sports utility vehicle as defined by the manufacturer.

**toy vehicle** Any vehicle, whether or not home-built by the user, that has wheels with an outside diameter of not more than fourteen inches and is not designed, approved, or intended for use on public roadways or highways. Toy vehicle includes, but is not limited to, gas-powered or electronic-powered vehicles commonly known as mini bikes, “pocket bikes”, kamikaze boards, go-peds, and stand-up scooters.

**traffic accident** In the State of Colorado, a traffic accident is defined as unintentional injury or damage caused by the movement of a motor vehicle or its load.
**traffic unit**  A traffic unit is a motor vehicle, vehicle, or a pedestrian.

**trafficway**  A trafficway is any land way open to the public as a matter of right or custom - for moving persons or property from one place to another.

**trailer**  A trailer is a road vehicle designed to be drawn by another road vehicle. This includes pole trailers, semi-trailers, and full trailers.

**transit bus**  Any vehicle meeting the definition of bus owned or contracted by a transit authority.

**transport device**  Any device designed primarily for moving persons or property along with the device itself from one place to another is a transport device. Weapons and devices used within the confines of a building are not included. Human-powered devices that are not propelled by pedaling (such as skis or roller skates) are also excluded from this definition. Examples of devices which fit this definition include: airplanes, ships, helicopters, hovercraft, trains, snowmobiles, automobiles, buses, trucks, trailers, motorcycles, bicycles, mopeds, golf carts, and others.

**transport vehicle**  A transport vehicle consists of one or more devices or animals and their load. When using the term to refer to a device or a unit of connected devices, it refers to them while idle or engaged in moving persons or property from one place to another. When referring to an animal or team of animals, it means that they are in use for moving persons or property other than the animal from one place to another. A movable device such as construction, farm, or industrial machinery is considered a transport vehicle if it is used outside the confines of a building and is used for moving people or other property or the device itself from one place to another. If any such device or animal has a load, the load is considered part of that transport vehicle.

**transport way**  A transport way is any way or place reserved or commonly used for the operation of transport vehicles. Hiking trails, sidewalks, and footpaths are excluded.

**truck**  A truck is a motor vehicle designed primarily for carrying property. Included are single-unit trucks and combinations.

**truck combination**  A truck consists of a single-unit truck tractor together with one or more attached trailers.

**truck tractor**  A truck tractor is a motor vehicle consisting of a single motorized transport device designed for drawing trailers.
Typical Vehicle Silhouettes

Bus

Single unit truck – 2 axles

Single unit truck – 3 axles or more

Truck with trailer

Truck tractor (Bobtail)

Tractor with semi-trailer

Tractor with double trailers

Tractor with triple trailers
## Appendix A - County Codes

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### Appendix A – County Codes – Alphabetical Order

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<td>(now includes Portuguese Timor)</td>
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<td>LE</td>
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<tr>
<td>Israel</td>
<td>IS</td>
<td>Liechtenstein</td>
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<td>Italy (includes Sicily and Sardinia)</td>
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<td>Lithuania</td>
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<td>JN</td>
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<tr>
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<td>Mali</td>
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<td>Malta</td>
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<td>Korea (KR for reference only)</td>
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<td>Manahiki Island</td>
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<td>(use code MM only when state is unknown)</td>
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<td>Paracel Islands</td>
<td>PF</td>
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<td>SJ</td>
<td>Paraguay</td>
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<td>NR</td>
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<td>RC</td>
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<td>People’s Republic of China</td>
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<td>Poland</td>
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<td>New Hebrides (now Vanuatu)</td>
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<td>Portugal</td>
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<td>IU</td>
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<td>Reunion, Department of</td>
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<td>Rhodesia (now Zimbabwe)</td>
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<td>Romania/Rumania</td>
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<td>RF</td>
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<td>South Africa</td>
<td>SF</td>
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<td>Saint Kitts (or Saint Christopher) and Nevis</td>
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<td>South Vietnam (for reference only)</td>
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<td>Anguilla (now separate)</td>
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<td>Southern Yemen (now Republic of Yemen; ST for reference only)</td>
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<td>Saint Lucia</td>
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<td>Soviet Union (USSR; SX for reference only)</td>
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<td>Saint Pierre and Miquelon, Territorial Collectivity of</td>
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<td>Spratly Islands</td>
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<td>Tajikistan</td>
<td>TJ</td>
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<td>Thailand</td>
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<td>Socialist Republic of Vietnam</td>
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<td>Timor, Portuguese (now included in Indonesia; TI for reference only)</td>
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<td>Solomon Islands (formerly British Solomon Islands)</td>
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<td>VY</td>
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<td>Tongareva</td>
<td>TQ</td>
<td>Venezuela, Republic of</td>
<td>VZ</td>
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<td>Vietnam (VM for reference only)</td>
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<td>Turks and Caicos Islands (dependent territory of</td>
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<td>West Indies (For West Indies Islands not found in this listing)</td>
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<td>United Kingdom (see England, Scotland, Wales,</td>
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<td>United Arab Emirates (Formerly Trucial States)</td>
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<td>United Arab Republic (Now code as Egypt; UA for</td>
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<td>United States of America (USA)</td>
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<td>Uzbekistan, Republic of</td>
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All others (use the code YY for any country/dependency/territory not included in this listing)
### Appendix D – Registration Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ABC</td>
<td>Always Buy Colorado (license plates that are no longer available)</td>
</tr>
<tr>
<td>BATCH LOG</td>
<td>Batch login is done when the title application batches are received from the county offices. This notation on tracking lets us know when the paperwork was received at the state office.</td>
</tr>
<tr>
<td>AIR</td>
<td>Automobile Inspection Readjustment Program</td>
</tr>
<tr>
<td>ANR</td>
<td>Agricultural and Natural Resources</td>
</tr>
<tr>
<td>BOS</td>
<td>Bill of Sale</td>
</tr>
<tr>
<td>BT</td>
<td>Bond Batch-Ownership documents not available. The VIN cannot be corrected with documentation or as part of the special ID process. Title issued by the state title section.</td>
</tr>
<tr>
<td>CBI</td>
<td>Colorado Bureau of Investigation</td>
</tr>
<tr>
<td>CCIC</td>
<td>Colorado Crime Information Center system</td>
</tr>
<tr>
<td>CO</td>
<td>Court Order</td>
</tr>
<tr>
<td>CRIS</td>
<td>Colorado Registration Information System</td>
</tr>
<tr>
<td>CSTARS</td>
<td>Colorado State Titling and Registration System</td>
</tr>
<tr>
<td>CT</td>
<td>Colorado to Colorado title batch issued at the state</td>
</tr>
<tr>
<td>CVIN</td>
<td>Confidential Vehicle Identification Number</td>
</tr>
<tr>
<td>DBA</td>
<td>Doing Business As</td>
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<tr>
<td>DP</td>
<td>Duplicate title batch printed at the county office, handed to the customer over the counter or mailed to the lien holder.</td>
</tr>
<tr>
<td>DV</td>
<td>Disabled Veteran</td>
</tr>
<tr>
<td>DT</td>
<td>Duplicate title batch printed at the state office.</td>
</tr>
<tr>
<td>DUP</td>
<td>Duplicate title</td>
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</table>
FILM LOGIN  Film login is done on tracking after the paperwork has been microfilmed. This is the address where the film is located if it needs to be located.

GOV BOS  Government Bill of Sale

GVW  Gross Vehicle Weight

GVWR  Gross Vehicle Weight Rating

HMD  Homemade

HUTF  Highway Users Tax Fund

HVUT  Heavy Vehicle Use Tax

ID  Identification number

IRP  International Registration Proration

IDS  Integrated Data System

IT  Colorado to Colorado Title Batch. These titles were issued and printed at the office and handed to the customer over the counter.

JBC  Joint Budget Committee

JTWROS  Joint Tenancy with Rights of Survivorship

MCO  Manufacture Certificate of Origin

MSO  Manufacturer Statement of Origin

MIIDB  Motorist Insurance Identification Data Base

MSRP  Manufacture Suggested Retail Price

MT  Miscellaneous Batch. This batch includes corrections as well as other types of titles.

MVBG  Motor Vehicle Business Group
NATB  National Automobile Theft Bureau
NICB  National Insurance Crime Bureau
NVIS  New Vehicle Information Sheet (Canadian type of MSO)
ODO  Odometer
OTR  Titles that were mailed and returned to the State as undeliverable
PH  Pearl Harbor
PHT  Purple Heart
PIP  Plate Inventory Program
POA  Power of Attorney
POT  Previous Ownership Tax
POW  Prisoner of War
PTO  Power Takeoff
REB  Rebuilt
RT  Regular Batch. Includes out-of-state titles issued by the state and any
title or MSO that will have a lien filed.
SMD  Special Mobile Machinery Dealer
SME  Special Mobile Equipment (no longer used, refer to SMM)
SMM  Special Mobile Machinery
SOT  Specific Ownership Tax
ST  Special Batch. This usually includes rush title applications,
aplications that may have been rejected to the county office and
problem corrected, and dealer for resale titles issued by the state
office.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>SUV</td>
<td>Sport Utility Vehicle</td>
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<td>2/4 PLATES</td>
<td>License plates that have a configuration of 2 letters and up to 4 numbers. These will be remade during the plate replacement program.</td>
</tr>
<tr>
<td>TABOR</td>
<td>Taxpayer Bill of Rights</td>
</tr>
<tr>
<td>TMS</td>
<td>Title Management System</td>
</tr>
<tr>
<td>USURER</td>
<td>Term used for Military Registration</td>
</tr>
<tr>
<td>VIPER</td>
<td>A nickname for the actual computer</td>
</tr>
<tr>
<td>VIN</td>
<td>Vehicle Identification Number</td>
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<tr>
<td>VIR</td>
<td>Vehicle Inspection Report (Emissions)</td>
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<td>VT</td>
<td>Salvage Batch. Titles that will be issued a salvage title when vehicles are repaired and made road-worthy before a branded title can be issued and vehicle registered.</td>
</tr>
<tr>
<td>YOM</td>
<td>Year of Manufacture</td>
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## Appendix E – Diagram Symbols

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<th>DESCRIPTION</th>
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<td>VEHICLE PATH PREVIOUS TO PHYSICAL EVIDENCE OF DIFFICULTY</td>
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EJECTED OCCUPANT OR PEDESTRIAN (SPECIFY)

ANIMAL (SPECIFY)
MISC OBJECT (SPECIFY)

PREVIOUS TRAFFIC CONTROL

UTILITY POLE (SPECIFY)

STREET LIGHT

ELECTRIC SIGNAL LIGHT
ELECTRIC SIGNAL LIGHT WITH GREEN ARROW

RAILROAD TRACK

DITCH WITH WATER
DRY DITCH

GUARD RAIL OR CABLE RAIL - SPECIFY
### Appendix F – Highway Code Numbers

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**Appendix G – Vehicle Body Styles Abbreviations**

**Body Styles - Use the one that best describes the vehicle**

*These descriptions were derived from the Colorado Revised Statutes, the Second College Edition of the American Dictionary, and the Standard Catalog of American Cars.*

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<tr>
<th>Abbreviation</th>
<th>Description</th>
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<td>AM</td>
<td>Ambulance A vehicle equipped to transport the sick and injured.</td>
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<td>BU</td>
<td>Bus A large vehicle for carrying passengers.</td>
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<tr>
<td>CP</td>
<td>Coupe/2D A two-door passenger vehicle.</td>
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<td>CT</td>
<td>Camper Trailer A wheeled vehicle without motive power, less than 26’ long that is pulled and is commonly used for temporary living/sleeping.</td>
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<td>CV</td>
<td>Convertible A passenger car with a convertible or removable top</td>
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<td>HB</td>
<td>Hatchback/ Liftback/3D A passenger car with a rear lift-gate</td>
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<td>LM</td>
<td>Limousine A large passenger vehicle usually driven by a chauffeur and sometimes having a glass partition separating the passenger compartment from the driver’s seat.</td>
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<tr>
<td>MC</td>
<td>Motorcycle A vehicle with two wheels in tandem, may sometimes have three wheels.</td>
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<td>MH</td>
<td>Manufactured Home A wheeled pre-constructed building unit without motive power commonly used for occupancy by persons.</td>
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<tr>
<td>MT</td>
<td>Motor Home A vehicle built on a truck chassis and designed to serve as self-contained living quarters for travel.</td>
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<tr>
<td>NV</td>
<td>Neighborhood Electric Vehicle A self-propelled electrically powered motor vehicle that has speed attainable in one mile that does not exceed 25 miles per hour.</td>
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<td>PK</td>
<td>Pickup A light truck with an open bed</td>
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<td>PV</td>
<td>Passenger Van A fully enclosed vehicle (built on a truck chassis) to transport passengers. Has seats throughout; usually has windows in rear compartment.</td>
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Effective July 1, 1999 the primary color of a motor vehicle is required on all NEW title applications for registration. (HB98-1001)

The following abbreviations are used to identify colors:

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Appendix I – Estimating Speed

The following formulas are included to assist the investigating officer in determining a reasonable estimate of speed for the involved vehicle prior to difficulty, when tire marks are left on the roadway as part of the accident.

When skid marks are present, the formula

\[ S = \sqrt{30df} \]

May be used where \( S \) = the speed of the vehicle prior to first braking, \( d \) = the total distance the vehicle skid (the length of the longest single skid mark) and \( f \) = the drag factor of the roadway surface (see the chart on the next page).

If the vehicle went into a "yaw" prior to impact, the formula

\[ S = 3.86\sqrt{Rf} \]

May be used where \( R \) equals the radius of the "yaw" mark.

Note: The above listed information regarding determination of speed from tire marks left on the roadway is sufficient for the purpose of this entry on the accident report form. However, by themselves, these calculations should not normally be used for the prosecution of a speed offense.

These formulas are general in nature. An officer should be familiar with each formula and its variations before attempting to use it to estimate speed.
## Coefficients of Friction of Various Roadway Surfaces

<table>
<thead>
<tr>
<th>Description of Road Surfaces</th>
<th>DRY</th>
<th>WET</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Less than 30 MPH</td>
<td>More than 30 MPH</td>
</tr>
<tr>
<td></td>
<td>From</td>
<td>To</td>
</tr>
<tr>
<td>PORTLAND CEMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New, Sharp</td>
<td>.80</td>
<td>1.20</td>
</tr>
<tr>
<td>Traveled</td>
<td>.60</td>
<td>.80</td>
</tr>
<tr>
<td>Traffic Polished</td>
<td>.55</td>
<td>.75</td>
</tr>
<tr>
<td>Towed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Traffic Polished</td>
<td>.50</td>
<td>.60</td>
</tr>
<tr>
<td>ASPHALT or TAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New, Sharp</td>
<td>.80</td>
<td>1.20</td>
</tr>
<tr>
<td>Traveled</td>
<td>.60</td>
<td>.80</td>
</tr>
<tr>
<td>Traffic Polished</td>
<td>.55</td>
<td>.75</td>
</tr>
<tr>
<td>Excess Tar</td>
<td>.50</td>
<td>.60</td>
</tr>
<tr>
<td>GRAVEL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Packed, Oiled</td>
<td>.55</td>
<td>.85</td>
</tr>
<tr>
<td>Loose</td>
<td>.40</td>
<td>.70</td>
</tr>
<tr>
<td>CINDERS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Packed</td>
<td>.50</td>
<td>.70</td>
</tr>
<tr>
<td>ROCK</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crushed</td>
<td>.55</td>
<td>.75</td>
</tr>
<tr>
<td>ICE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smooth</td>
<td>.10</td>
<td>.25</td>
</tr>
<tr>
<td>SNOW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Packed</td>
<td>.30</td>
<td>.55</td>
</tr>
<tr>
<td>Loose</td>
<td>.10</td>
<td>.25</td>
</tr>
</tbody>
</table>

This table lists coefficients of friction of various roadway surfaces. This table is not intended for large, heavy trucks.
Appendix J – Truck and Bus Haz-Mat Supplemental

Nine Classes of Hazardous Materials

<table>
<thead>
<tr>
<th>Class 1 Explosives</th>
<th>Class 2 Gases</th>
<th>Class 3 Flammable Liquid and Combustible Liquid</th>
<th>Class 4 Flammable Solid, Spontaneously Combustible &amp; Dangerous When Wet: Divisions 4.1, 4.2, 4.3</th>
<th>Class 5 Oxidizer &amp; Organic Peroxide: Divisions 5.1 &amp; 5.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Divisions: 1.1, 1.2, 1.3, 1.4, 1.5, 1.6</td>
<td>Divisions: 2.1, 2.2, 2.3</td>
<td>Divisions: 3.1, 3.2, 3.3</td>
<td>Divisions: 4.1, 4.2, 4.3</td>
<td>Divisions: 5.1, 5.2</td>
</tr>
</tbody>
</table>

Class 6 Poison (Toxic) & Poison Inhalation Hazard

Class 7 Radioactive

Class 8 Corrosive

Class 9 Miscellaneous

Dangerous

Reporting Hazardous Materials Information

Accurate Reporting Saves Lives

Data you collect is used to calculate risk assessment, determine response methods and develop regulations. Vehicles carrying hazardous materials are required to carry shipping papers containing the HM Class and ID number (or name). Your Accident or Collision Report Supplement may ask the following hazardous materials questions (exact wording will vary by state):

Some Common Placards:

1. DOES THE VEHICLE HAVE A HAZARDOUS MATERIALS PLACARD?

   YES ☐ NO ☐

   Placards should be on all four sides of the vehicle. Freight containers, box trailers, etc. that have bulk containers inside will not have the ID number on the outside of the trailer but on the bulk container itself.

2. ENTER THE FOUR-DIGIT NUMBER (OR NAME) FROM THE PLACARD

   1993

   The four-digit number may be on an orange panel or a white “square-on-point” panel. If no four-digit number appears on the placard, enter the Placard Name.

3. ENTER THE HAZARDOUS CLASS NUMBER ON BOTTOM OF PLACARD

   3

   The Class Number can be a one- or two-digit number with a decimal in the middle. 5.1.

   It is critical for identifying and studying various types of Hazardous Materials involved in traffic crashes.

4. WAS HAZARDOUS CARGO RELEASED?

   YES ☐ NO ☐

   The intent of this question is to determine whether any of the placarded material was released or escaped from its transport container into the environment. Fuel or oil carried by the vehicle for its own use is NOT considered cargo and should not be reported in this section.
**APPENDIX J**

**HOW TO FIND THE RESPONSIBLE CARRIER AND CORRECT U.S. DOT #**

**SIDE OF THE VEHICLE**
This is good for most of the cases for name and number. Look for a number preceded by the letters: USDOT.

**DON'T STOP... keep moving...**
The information on the side of the truck may not be the U.S. DOT #, name or address of the responsible motor carrier.

**DRIVER INTERVIEW:**
1. Is the vehicle leased or rented?
2. Who is the motor carrier responsible for this load?
3. Who is directing and controlling the movement of this vehicle?
4. Where is the motor carrier's principal place of business?

**LEASE AGREEMENT**
Identifies the name of the lessee and the U.S. DOT #.

**DRIVER'S LOG**
Contains the name of the motor carrier, city and state for the principal place of business.

**SHIPPING PAPERS**
Provide the name of the motor carrier responsible for the load.

**NOTE:**
VEHICLE REGISTRATION: Generally good for identifying owner or registrant. CAREFUL: This may not be the responsible carrier!

---

**EXAMPLE 1:**
John Smith owns his own truck tractor, operating under John Smith Trucking. He contracts with White Manufacturing to take one of its trailers loaded with its goods from New York to Los Angeles.

Who is the Motor Carrier:
A. John Smith?
B. White Manufacturing?

John Smith is the motor carrier because he is the entity that has agreed to carry this particular load.

**EXAMPLE 2:**
John Smith, driving his truck tractor utilizes a cargo broker, K&S Trucking, to obtain goods from Intermodal Inc., shipping company for his return trip to New York.

Who is the Motor Carrier:
A. John Smith?
B. K&S Trucking?
C. Intermodal Inc.?

On the return trip, John Smith is again the carrier.

**EXAMPLE 3:**
John Smith, driving his truck tractor, leases his services to Polyester Chemical Company. Polyester directs Smith to deliver a semi-trailer from New York to St. Louis.

Who is the Motor Carrier:
A. John Smith?
B. Polyester?

In this case, Polyester is the motor carrier because it told Mr. Smith to take the particular load.

**EXAMPLE 4:**
John Smith is driving a tractor semi-trailer owned by ABC Trucking.

Who is the Motor Carrier:
A. John Smith?
B. ABC Trucking?

Both the tractor and semi-trailer are owned by ABC Trucking, so they are the motor carrier.

**EXAMPLE 5:**
John Smith is driving a tractor owned by ABC Trucking which has been leased to XYZ Trucking. XYZ uses the tractor to pull XYZ trailers in its regular shipping service.

Who is the Motor Carrier:
A. John Smith?
B. ABC Trucking?
C. XYZ Trucking?

In this case, XYZ is the carrier because XYZ is directing the carrying of the load.
## Appendix K – Vehicle Configuration and Cargo Body Type

### Vehicle Configuration

<table>
<thead>
<tr>
<th>Configuration</th>
<th>Image</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus - (9-15 Seats Including Driver)</td>
<td><img src="image1" alt="Bus Image" /></td>
</tr>
<tr>
<td>Bus - (16 or More Seats Including Driver)</td>
<td><img src="image2" alt="Bus Image" /></td>
</tr>
<tr>
<td>Single-Unit (2 axles, 6 tires)</td>
<td><img src="image3" alt="Single-Unit Image" /></td>
</tr>
<tr>
<td>Single-Unit (3 or more axles)</td>
<td><img src="image4" alt="Single-Unit Image" /></td>
</tr>
<tr>
<td>Truck/Trailer (Single-Unit Truck pulling a trailer)</td>
<td><img src="image5" alt="Truck/Trailer Image" /></td>
</tr>
<tr>
<td>Truck Tractor (Bobtail)</td>
<td><img src="image6" alt="Truck Tractor Image" /></td>
</tr>
<tr>
<td>Tractor/Semi Trailer (one trailer)</td>
<td><img src="image7" alt="Tractor/Semi Trailer Image" /></td>
</tr>
<tr>
<td>Truck Tractor/Double (two trailers)</td>
<td><img src="image8" alt="Truck Tractor/Double Image" /></td>
</tr>
<tr>
<td>Truck Tractor/Triples (three trailers)</td>
<td><img src="image9" alt="Truck Tractor/Triples Image" /></td>
</tr>
</tbody>
</table>

### Cargo Body Type

<table>
<thead>
<tr>
<th>Cargo Body Type</th>
<th>Image</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus - (9-15 Seats Including Driver)</td>
<td><img src="image10" alt="Bus Image" /></td>
</tr>
<tr>
<td>Bus - (16 or More Seats Including Driver)</td>
<td><img src="image11" alt="Bus Image" /></td>
</tr>
<tr>
<td>Van/Enclosed Box</td>
<td><img src="image12" alt="Van/Enclosed Box Image" /></td>
</tr>
<tr>
<td>Cargo Tank</td>
<td><img src="image13" alt="Cargo Tank Image" /></td>
</tr>
<tr>
<td>Flat Bed</td>
<td><img src="image14" alt="Flat Bed Image" /></td>
</tr>
<tr>
<td>Dump</td>
<td><img src="image15" alt="Dump Image" /></td>
</tr>
<tr>
<td>Concrete Mixer</td>
<td><img src="image16" alt="Concrete Mixer Image" /></td>
</tr>
<tr>
<td>Auto Transporter</td>
<td><img src="image17" alt="Auto Transporter Image" /></td>
</tr>
<tr>
<td>Garbage/Refuse</td>
<td><img src="image18" alt="Garbage/Refuse Image" /></td>
</tr>
<tr>
<td>Grain, Chips, Gravel</td>
<td><img src="image19" alt="Grain, Chips, Gravel Image" /></td>
</tr>
<tr>
<td>Pole</td>
<td><img src="image20" alt="Pole Image" /></td>
</tr>
<tr>
<td>Log</td>
<td><img src="image21" alt="Log Image" /></td>
</tr>
<tr>
<td>Intermodal Chassis</td>
<td><img src="image22" alt="Intermodal Chassis Image" /></td>
</tr>
<tr>
<td>Vehicle Towing Vehicle</td>
<td><img src="image23" alt="Vehicle Towing Vehicle Image" /></td>
</tr>
<tr>
<td>No Cargo Body</td>
<td><img src="image24" alt="No Cargo Body Image" /></td>
</tr>
</tbody>
</table>
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Yaw 116
Year 7, 19, 29, 30, 47, 50
SUBJECT: Vehicle Impound Appeals

NUMBER: OP603

EFFECTIVE DATE: January 3, 2017

SUPERSEDES: [New]

POLICY: The Operations Division has established an appeal hearing procedure for vehicle impounds, as required by Boulder County Ordinance 2010-1-1815(3) and § 42-4-1804, C.R.S. Any citizen whose vehicle is impounded by the sheriff’s office may appeal the decision to impound and its corresponding cost(s).

RELATED PROCEDURES:
OP507 – Vehicle Impounds

DEFINITIONS:
Appellant: The individual making an appeal of a vehicle impound and/or a vehicle hold placed on a vehicle.

PROCEDURE:

I. Request for an Appeal

A. The request for an appeal of a vehicle impound is typically made to the Records Section in the Support Services Division.

B. Upon receiving a request for a hearing to appeal a vehicle impound and its related costs, the receiving employee will forward the request to the commander of the deputy or detective who completed the impound.

II. Appeal Process

A. Upon the receipt of a request for hearing to appeal a vehicle impound, the receiving commander will contact the complainant as soon as possible. The receiving commander will obtain, at a minimum, the following information:

1. The associated case number, the appellant’s name and their relationship or association with the subject vehicle, and the identification of the subject vehicle.

2. The specific points of appeal (e.g. specific costs being appealed, the appeal of a hold placed on a vehicle, etc.).

3. The appellant’s basis or rationale for filing the appeal.
4. Whether the appellant desires an in-person hearing or a paper hearing.

B. The involved commander will review the circumstances surrounding the vehicle impound, taking into account, at a minimum, the reason for the impound, the need for retaining custody of the vehicle, and any mitigating factors or argument provided by the appellant, when making their determination.

C. The involved commander will render a prompt decision and notify the appellant by phone of the decision. The commander will also follow-up with a written decision, which can be provided to the appellant by U.S. mail or e-mail.

D. The appellant may appeal the involved commander’s decision to the Operations Division Chief. The appeal of the commander’s decision must be made within 3 days, in writing, and must address the specific points in the involved commander’s decision that are being appealed and the basis for such.

1. The Operations Division Chief decision is not subject to further appeal.

III. Documentation

A. In their written decision, the involved commander will document the appeal request, the basis for the appellant’s appeal, the circumstances surrounding the appeal, and their decision and its supporting basis.

1. A copy of the written decision is placed into the case file.

B. If the involved commander makes a determination that the appellant should not be held responsible for vehicle impound and/or storage fees, in whole or part, a copy of the written decision shall be provided to the Sheriff’s Accounting Section so that the fees the appellant is not being held responsible for are paid as appropriate.

1. The involved commander is responsible to notify the towing vendor of the portion of the vehicle impound fees that will be billed to the sheriff’s office and not the appellant, and obtain an invoice in the
name of the sheriff's office for fees the appellant is not being held responsible for to submit to Sheriff's Accounting along with the written decision.

2. If the appellant has already paid the impound and/or storage fees, they are required to provide a copy of the invoice and proof-of-payment in order to be reimbursed.

C. If the appellant appeals the commander’s written decision to the Operations Division Chief, the division chief will similarly reduce their decision to writing. A copy of the written decision will be provided to the appellant and a copy will be placed into the case file.

IV. Abandoned Vehicles

A. This policy does not cover requests for hearings when a vehicle has been impounded as abandoned and a salvage title has been issued by the Department of Revenue. Appeals of this nature are referred to the Department of Revenue's Hearing Office.

By Order of the Division Chief,

 Robert Sullenberger,
 Division Chief

1/3/2017

ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Technical Accident Investigation Team

EFFECTIVE DATE: June 14, 2016

SUPERCEDES: February 12, 2006

POLICY: The Boulder County Sheriff’s Office formerly participated with the Boulder County Technical Accident Investigation Team to provide law enforcement agencies with an independent team of skilled investigators specializing in traffic accident investigations for officer-involved traffic accidents that involved serious bodily injury or death. The team was led by the Colorado State Patrol, but was subsequently disbanded and was replaced by the Boulder County Investigation Team.

RELATED PROCEDURES:
503 – Boulder County Investigation Team

DEFINITIONS:

PROCEDURE:

POLICY RESCINDED

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

6/15/2016

ATTACHMENTS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Mobile Video Recording  
NUMBER: OP606  
EFFECTIVE DATE: December 18, 2019  
SUPERSEDES: February 24, 2009  

POLICY: RESCINDED  

By Order of the Division Chief,  

Robert Sullenberger,  
Division Chief  

12/18/2019  
Date  

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION  

ATTACHMENTS OR ADDENDUMS:  
[None]  

HISTORY:  
12/2019: No in-car camera recording systems deployed so policy rescinded.
POLICY: The use of an automated license plate reader (ALPR) system can provide useful documentation in the identification and prosecution of criminal and traffic investigations. ALPR systems enhance productivity, effectiveness, and promote officer safety. In keeping with the Sheriff’s Office’s commitment to providing efficient, effective public safety services, the agency has adopted the following guidelines governing the use and management of the ALPR.

Deputies must use reasonable discretion as an ALPR “hit” does not automatically provide deputies with probable cause to stop and/or arrest. Enforcement action, stops, detentions and arrests are based on facts and observations the deputy can articulate in addition to the ALPR hit. An ALPR hit relates typically only to the vehicle, not to the person who may be driving the vehicle. Information obtained through the use of the ALPR system is independently confirmed before enforcement action is taken.

DEFINITIONS:

ALPR: The Automated License Plate Reader (ALPR) is a computer-based system that utilizes cameras to capture a color image, as well as an infrared image, of the license plate of a passing or parked motor vehicle. The infrared image is converted into a text file utilizing Optical Character Recognition (OCR) technology. The text file is then automatically compared against an “informational data file” or “Hot List” containing information on stolen vehicles, or wanted vehicles associated with Amber Alerts, wanted parties or other criteria as selected. If a match is found, the operator is notified of the vehicle “hit” by an audible alert and an associated notation on the user’s computer screen. When the ALPR captures an image it also logs the data, time and GPS location of the capture.

MDC: Acronym for Mobile Data Computer.

Data: When used in this application, data refers to captured images from the ALPR system and associated information.

BOSS: Acronym for Back Office System Software. This is the desktop system that allows authorized users to access the data captured.

PAGIS: Acronym for Police ALPR Graphical Interface System.

Hot List: A data file containing information on stolen vehicles, or wanted vehicles associated with Amber Alerts, wanted parties, or other criteria as selected.
Hits: License plate “reads” captured by the ALPR system which correspond to data file listings of vehicles of interest, whether stolen, associated with a wanted party, or matching some other established criteria.

PROCEDURE:

I. Installation of the ALPR system

A. The ALPR equipment is installed in a manner that ensures that the ALPR system will activate when the patrol vehicle’s MDC is turned on.

B. Installation settings and preferences for the ALPR system are set by the ALPR technician.
   1. Only designated users are given access to the ALPR system’s administrative functions.
   2. The audible tone is turned “on” for each license plate read to ensure license plates are being recorded.

C. Unique user IDs and passwords are assigned to each authorized user of both the PAGIS and BOSS Systems.

II. Training and Inspection of the ALPR System

A. No deputy may use the ALPR or BOSS Systems unless they have been properly trained as an operator on the system.

B. Deputies are responsible for inspecting the ALPR equipment for proper operation in accordance with the manufacturer’s procedures prior to the beginning of their shift. Any malfunction, damage, or deviation in operating condition of the ALPR equipment will be reported immediately to the system administrator.

C. Vehicles equipped with an ALPR system must be washed by brushless car washes only so as to protect the alignment of the cameras.

III. Vehicle

A. The patrol vehicle equipped with the ALPR will be assigned to an operator that is trained in the use of the ALPR and it should be used when the vehicle is in service.
IV. Operation of the ALPR System

A. At the beginning of each shift the ALPR operator will ensure the following steps have been completed:

1. The ALPR System in the trunk is turned on.

2. Once the MDC is turned on, the operator logs into PAGIS using their assigned ID and password.

3. The operator clicks on “Begin Shift” twice at the beginning of their shift.

4. The operator ensures that the camera lenses are clean and free of obstructions. If needed, the camera lenses should be cleaned with water and a soft rag. No glass cleaner is to be used on the camera’s lenses.

5. The operator validates all “Hits” from the ALPR by contacting communications or utilizing MDC software, cross checking the hit against CCIC (or other databases).

6. The operator is responsible for entering a disposition on all “hits” from the ALPR.

7. The operator clicks on “End Shift” twice at the end of their shift.

V. Records Access and Retention

A. All ALPR systems may only be used for official law enforcement purposes in the furtherance of public safety and may not be used for any personal reasons.

B. The Boulder Police Department currently provides the server that houses the data generated not only from the Sheriff’s Office but also the other county law enforcement agencies.

C. The retention schedule for the data will be agreed upon by the “command group” comprised of representatives from each of the county law enforcement agencies utilizing the system.

D. The Operations Division Chief will designate a “System Administrator” (typically a patrol sergeant) who will be responsible for authorizing users of the ALPR and access to the captured data via BOSS.

E. One detective each from the Detective Section and Boulder County Drug Task Force will be assigned to input/delete entries on the “hot list” created
for the Sheriff’s Office agency. These detectives are responsible for the timely inclusion/deletion of entries in the hot list. All license plates included on the hot list are uploaded to the BPD server. All ALPR systems utilizing this server will automatically query the Sheriff’s Office hot list.

F. It is possible for the ALPR operator to enter a license plate via PAGIS while in the patrol vehicle. This license plate will be cleared out after the “end shift” is executed.

G. The Support Services Division Chief will designate an “ALPR computer technician” to maintain the systems at the Sheriff’s Office and to issue username/passwords to operators as approved by the System Administrator.

By Order of the Division Chief,

___________________________
Phil West,             5/1/2012
Division Chief        Date

ATTACHMENTS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: It is the policy of the Boulder County Sheriff’s Office to assist the county department of Health and Human Services (HHS) in conducting after-hours background checks for emergency child placements.

RELATED PROCEDURES:
[None]

DEFINITIONS:

Background Check: A search of the CCIC, NCIC, and sheriff’s computerized records system for a specific individual, identified by full name and date of birth (including any known aliases).


Emergency Placement: The placement of a child outside of the normal placement process.

HHS: The Boulder County Department of Health and Human Services.

Law Enforcement Agency: A state or local government agency, including the Colorado State Patrol, authorized to enforce the laws of the State of Colorado.


Tiburon™: The computer-based records management system utilized by the sheriff’s office.

PROCEDURE:

I. Request for assistance

   A. Calls received from HHS requesting assistance in conducting emergency background checks for child placement shall be referred to a deputy in the Operations Division.

      1. Requests for placement within a municipal jurisdiction inside Boulder County who does not contract their law enforcement
services with the sheriff’s office should be referred to the law enforcement agency within that local jurisdiction for completion.

a) If a local jurisdiction within Boulder County is unwilling, or unable, to assist HHS in conducting an emergency background check, sheriff’s deputies are authorized to assist HHS in lieu of the local agency.

b) A deputy who completes an emergency background check on behalf of a municipality should inform the requesting HHS case worker that the background check does not include the local jurisdiction’s criminal or local contact histories, which did not result in a custodial arrest.

B. The deputy assigned to conduct the emergency background investigation for HHS must obtain the identifying information of the requestor and the associated HHS file or case number.

C. The following information must be provided by HHS to conduct a thorough background investigation:

1. Full name(s), including any aliases
2. Date(s) of birth

II. Conducting the background investigation

A. The assigned deputy may utilize the Communications Section or the Records Section to assist in completing the background investigation, if needed.

B. The background investigation shall include queries in the following systems:

1. CCIC/NCIC Systems
   a) The following queries shall be completed: QWI, QH and QR.
(1) The assigned deputy shall ensure the following information will be provided in the mask fields for each query:

   (a) Purpose Code (PUR/): X

      (i) Purpose code “X” is for emergency placements by HHS, per the CCIC Training Manual.

   (b) Car Field (CAR/): Requesting deputy’s badge number

   (c) Attention Field (ATTN/): “HHS” and the corresponding sheriff’s case number (i.e. “HHS 16-1500”).

b) Tiburon™ Systems

   (1) An alpha name search that queries all Tiburon™ systems shall be completed (viz. CMS, RMS, ARS, Traffic Module, Special Flags, Field Contacts, Licenses and Permits). The most comprehensive search is the system-wide alpha name search.

C. Fingerprinting

1. When possible, emergency placement candidates should be fingerprinted as part of the emergency background check process, if the Records Section is open during public hours and the emergency placement candidate is available to appear.

   a) If an emergency placement candidate is fingerprinted as part of the background check, those fingerprints must be transmitted to the Colorado Bureau of Investigation by the sheriff’s office with 72 hours. This is the responsibility of the Records Section.
b) In all circumstances, the emergency placement candidate must be fingerprinted within five days of the emergency placement for the emergency placement to continue. Enforcement of, and compliance with, this requirement is the responsibility of HHS, not the sheriff’s office.

2. If the Records Section conducts a fingerprint background check under subsection (1)(a), section (C) of topic (II), they will complete the requirements listed in section (D) of topic (II) and provide the results to HHS upon receipt.

D. Review of records and histories

1. The deputy conducting the emergency background check should review the results of all system queries against the criteria identified in § 19-3-406(4), C.R.S., which governs emergency placements and disqualifying convictions that bar emergency placement.

2. The results of the background investigation shall be verbally provided to the HHS requestor.

   a) Confirmation of the prohibited crimes outlined in § 19-3-406(4), C.R.S. can be made by providing the arrest or conviction date(s), and the involved jurisdiction, to the HHS requestor.

3. Under no circumstances are copies, either paper or electronic, of the CCIC/NCIC or Tiburon™ history or search results to be provided to the HHS requestor.

III. Documentation of an emergency background check

A. The assigned deputy will pull a case number and complete an “Agency Assist” incident report documenting the emergency background check. The report shall include, but is not limited to, the following information:

1. The full name, job title, and contact information for the HHS requestor;

2. The corresponding HHS case or file number;
3. The identification of the Records/Communications employee assisting with the background investigation queries, if applicable;

4. The results of the background investigation; and

5. A recounting of the verbal report provided to the HHS requestor, including the date and time the information was provided to HHS.

B. Copies of all search results and supporting documentation from all system queries shall be placed into the case file under the corresponding sheriff’s case number.

By Order of the Division Chief,

[Signature]
Robert Sullenberger, Division Chief

9/28/2016

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The District Attorney of the 20th Judicial District has authorized the use of a felony summons within the judicial district in accordance with C.R.S. § 16-5-206. The Sheriff’s Office was tasked with managing the felony summons process and maintenance of the summons form on behalf of the Boulder County law enforcement agencies by the County Chiefs and the District Attorney. The policy of the Operations Division is to utilize the felony summons process whenever possible and in accordance with the Boulder County Incarceration Standards.

RELATED POLICIES:
202 – Authority & Jurisdiction
OP711 – Felony Arrest Paperwork

DEFINITIONS:
Boulder County Incarceration Standards: A county-wide decision-making tree that determines which arrestees should be lodged at the Boulder County Jail (Policy 202, Attachment A).

Felony Summons: A document commanding a defendant to appear in Court on a specific date, signed by the defendant, for a first appearance on felony charges.

PROCEDURE:
I. Felony Summons Eligibility
   A. Only felony crimes that are a class five, six, or an unclassified felony not punishable by more than 10 years in prison, are eligible for the felony summons procedure.
   B. Felony crimes covered by the Victim Rights Act (C.R.S. § 24-4.1-302) are ineligible for the felony summons procedure.
   C. A prior felony arrest within the preceding five years disqualifies a defendant from being eligible for the felony summons procedure.

II. Felony Summons Process
A. Once a defendant has been determined to be eligible for the felony summons process, they should be placed into custody, and be booked and released through the jail.

1. The defendant may be placed into custody, or an appointment can be made for them to surrender themselves at the jail to the arresting deputy by appointment.

B. The deputy shall complete an arrest report and all related documentation required for any arrest processed through the Boulder County Jail.

C. The deputy shall complete a felony summons, which identifies the defendant, their biographical data, and lists all charges the defendant is facing in the case, including any lesser misdemeanor charges.

D. A court date for the summons is obtained from the 20th Judicial District’s Summons and Bond Appearance schedules, which are published monthly by the Clerk of the Court. The felony summons court date is the same date as the felony bond return date and should be indicated as such on the schedule.

1. All first appearance return dates on the felony summons require a return appearance in the County Court at the Boulder County Jail.

E. If the defendant refuses to sign the felony summons, it renders them ineligible for the process and they must be lodged on the charges.

III. Paperwork Process

A. The original arrest report and the original copy of the summons shall be filed with the Court through the relay basket maintained in Booking.

B. A copy of the arrest report and summons (Copy 2) must be provided to the District Attorney’s Office through the relay basket maintained in Booking.

C. Two copies of the arrest report must be placed in the “Booking Basket” (which contains the inmate’s property during the booking process), along with the defendant’s copy of the summons (Copy 1).
D. After the arrest is completed, the arresting deputy is required to complete the “felony packet” as outlined in OP711 - Felony Arrest Paperwork.

IV. Process Exceptions

A. In extenuating circumstances (e.g. the defendant is hospitalized and unavailable, is in extremely poor health, etc.), and upon the approval of at least an Operations Division sergeant, a defendant may be issued a felony summons without being booked and released through the Boulder County Jail.

1. If a defendant is issued a summons without being booked and released, the arresting deputy is responsible to make arrangements for the defendant to surrender themselves at the Boulder County Jail in order for the statutorily-required booking photo, fingerprints, and DNA, collections to occur.

   a) If a defendant is issued a summons and later makes arrangements for the collection of a photograph, fingerprints, and DNA, an arrest report is not completed during that process. Additionally, reports are not distributed to the Courts or the District Attorney’s Office through the relay baskets in Booking.

2. Deputies who issue a felony summons without a book and release are required to file the original summons, along with all victim information, with the Clerk of the Court, in order to initiate a criminal case.

   a) The case must be filed with the Clerk of the Court within 24 business hours of the arrest. The arresting deputy must also provide their contact information to the Clerk of the Court in the event any information needed for their system entry is lacking.

3. The District Attorney’s Office will receive notification of the issuance of a felony summons through the receipt of the “felony packet.”
a) The felony packet coversheet shall prominently indicate that the case was initiated through the felony summons procedure.

By Order of the Division Chief,

[Signature]
Robert Sullenberger, 
Division Chief

12/13/2016
Date

ATTACHMENTS OR ADDENDUMS:
OP707-A   Felony Summons

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Juvenile Arrests

NUMBER: OP708

EFFECTIVE DATE: December 31, 2019

SUPERSEDES: [New]

POLICY: It is the policy of the Boulder County Sheriff’s Office to file criminal charges against juvenile offenders when appropriate, utilizing the lowest level of criminal arrest/charging as possible, while ensuring both victim and community safety. Additionally, it is the policy of the Sheriff’s Office to utilize alternatives to the criminal justice system whenever possible to attempt to intervene and dissuade juvenile delinquent behavior at its earliest stages.

RELATED POLICIES & PROCEDURES:
202A – Boulder County Incarceration Standards
OP514 – Warrant Arrests
OP521 – Runaways

DEFINITIONS:

Juvenile Referral: The charging document to refer a criminal case involving a juvenile to the judicial system.

Restorative Justice (RJ) Program: A Sheriff’s Office program that focuses on repairing harm caused by criminal behavior by facilitating a reconciliation process between the offender(s) and their victim(s), including the community. The Restorative Justice Program is used in lieu of criminal charges and referral to the criminal justice system, unless an offender fails to complete the RJ process.

PROCEDURE:

I. In-Custody Arrests

   A. Deputies should consult the Boulder County Incarceration Standards (See Policy 202, Attachment A) when attempting to determine whether an in-custody arrest of a juvenile is necessary or not.

   B. A charging document (e.g., a summons or juvenile referral form) is not required when making a custodial arrest of a juvenile and booking them into the Boulder County Juvenile Assessment Center (JAC).

      1. The only exception is for traffic charges, which are directly filed to County Court by misdemeanor summons. If a juvenile is being charged with Title 42 traffic crimes along with other crimes, traffic charges are not to be listed in the arrest report and are to be handled by summons. No separate police report or case number is required.
C. Juveniles under the influence of alcohol and/or drugs, or who express suicidal ideations, are required to undergo a medical clearance, at a hospital, prior to being booked into the JAC.

II. Alternatives to Incarceration - Summonses

A. Eligible Offenses for Municipal/County/State Summonses (including summons and release)
   1. Traffic Violations, including first-offense DUI-related crimes (*Title 42, C.R.S. or Boulder County Model Traffic Code*)
   2. Underage Possession/Consumption (UAD) or Minor in Possession (MIP) crimes, whether alcohol or marijuana related (*§ 18-13-122, C.R.S.*)
   3. Tobacco Violations (*§ 18-13-121, C.R.S.*)
   4. Fish & Game Violations (*Title 33, C.R.S.*)
   5. Boulder County Ordinance Violations/Offenses (e.g., Parks & Open Space violations, parking violations, etc.).
   6. Municipal Code Violations/Offenses

B. Ineligible Offenses for Municipal/County/State Summonses
   1. All criminal charges, except for those in §II.A. are to be referred to the judicial system through a juvenile referral or an arrest warrant.
   2. Traffic charges must be filed separately in County Court by summons, even if the juvenile is being charged with other crimes.
   3. UAD/MIP/MJ charges are only written into County Court as a stand-alone crime (i.e., no other crimes are being charged). If other crimes outside of those listed in §II.A. are being charged, UAD/MIP/MJ charges should be added to the juvenile referral.

III. Alternatives to Incarceration - Juvenile Court Referrals

A. For all criminal acts, other than those listed in §II, where a custodial arrest is not made, are referred to the judicial system through a Juvenile Court Referral form.

B. Court dates for juvenile referrals are obtained by calling the JAC at (303) 441-3798.
IV. Status Offenses

A. Juveniles listed as status offenders (e.g., out-of-state runaways) who cannot be returned to their family may be taken into custody and booked into the JAC, even without criminal charges. See §III, Policy OP521 – Runaways.

V. Alternatives to Criminal Charges

A. Juvenile Diversion

1. The District Attorney’s Office maintains a juvenile diversion program and makes all diversion determinations. Arresting deputies do not need to make a separate diversion assessment or referral, as all juvenile cases are automatically reviewed for this program overseen by the DA's Office.

B. Restorative Justice Program

1. The Sheriff’s Office maintains a Restorative Justice (RJ) program as an alternative to the criminal justice system for first-time offenders or for low-level crimes wherein the offender has taken responsibility for their actions, and the victim is open to resolving the criminal behavior through a justice system alternative.

   a. Deputies are required to maintain a working knowledge of the current RJ program capabilities and admission criteria and use this information when making arrest and charging determinations. An RJ program referral does not automatically preclude the ability to later criminally charge a juvenile should they fail to comply with or complete the program.

2. Deputies should strongly contemplate use of the RJ program when investigating juvenile related crime in lieu of criminal charges and referral into the criminal justice system.

By Order of the Division Chief,

Robert Sullenberger
Division Chief

12/31/2019

RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
None.
POLSICY: It is the policy of the Boulder County Sheriff’s Office to thoroughly investigate all cases of check fraud, per Colorado Revised Statutes 18-5-205 and 18-5-512. The Sheriff’s Office does not act as a collection agency, but as the criminal investigatory agency.

RELATED PROCEDURES:

OP502 Arrest Standards and Procedures

DEFINITIONS:

Check: A written, unconditional order to pay a sum certain in money, drawn on a bank, payable on demand, and signed by the drawer.

Drawee: A Bank, savings and loan association, Industrial Bank or Credit Union, upon which the check is drawn.

Drawer: A person whose name appears on the check as the primary obligor whether the actual signature is that of himself or another authorized signer.

Insufficient Funds: A drawer has insufficient funds, has no account or has a closed account with the drawee and is unable to cover the amount for which the check was written.

Issue: A person issues a check when he makes, draws, delivers, or passes it, or causes it to be made, drawn, delivered or passed.

PROCEDURE:

1) Initial Investigation:

a) Upon initial contact with the victim(s), the deputy determines if the check fraud meets the requirements of the Bad Check Restitution Program. If it does meet the following requirements, the victim is referred to the Bad Check Restitution Program through the Boulder County District Attorney’s Office.

   i) The amount of the check does not exceed $1,500.00 (or multiple checks do not exceed this amount.)

   ii) It was received in Boulder County and deposited in a bank in exchange for goods or services, and presumed “good” at the time of acceptance.

   iii) A “courtesy notice” was sent to the drawer allowing 10 days to make the check good.
iv) The check is submitted to the program no earlier than 31 days, but no later than 90 days from the date on the check.

v) Photo identification (Driver's License, Military I.D., or State Identification card) was recorded at the time of the transaction.

b) The check does not meet the requirements of the Bad Check Restitution Program if any of the following exists:

   i) The check is over $1,500.00;
   ii) The check is stolen;
   iii) It is post-dated;
   iv) Both parties knew there were insufficient funds at the time of the transaction;
   v) It is an out-of-state, two party, stop payment, rent, government, or payroll check;
   vi) The identity of the check writer is unknown;
   vii) There is no amount, date, or signature on the check;
   viii) A bank has not processed it;
   ix) The check involves an “extension of credit” or was payment on an account.

2) If the check does not meet the requirements of the Bad Check Restitution Program, the Boulder County Sheriff’s Office will conduct an investigation.

   a) Upon contact by the victim of a check fraud, the responding deputy obtains all pertinent information on the victim, suspect, services provided and the original check.

   b) Deputies verify the check has been submitted to (cancelled by) the bank twice, and returned both times for insufficient funds. On closed account, or non-existent, the check only needs to be submitted one time.

   c) Note whether the victim has contacted the suspect and the results of the contact.

   d) Explain to the victim that the case will be investigated and submitted to the District Attorney’s Office for prosecution. The Sheriff’s Office is not responsible for collection of any funds.

3) Follow up Investigation

   a) When the case is assigned for follow-up the assigned deputy will complete and document all follow-up investigation.

   b) The assigned deputy will make contact with the victim as soon as possible and explain the procedures that will be followed and that a key component to prosecution is proving the knowledge and intent of the suspect.

   c) The assigned deputy will send a letter to the bank requesting account information as well as information on the account holder.
d) Upon the receipt of the account information from the bank, the assigned deputy will make the determination as to whether knowledge and intent to commit fraud can be established.

i) If intent cannot be established, the assigned deputy will contact the victim and explain to them that the case cannot be submitted for prosecution, but they may seek civil restitution and the original check will be returned to them.

(1) Closed accounts: If the check was written 30 days after the account was closed, the charge becomes a felony, bank documentation is necessary detailing the date the account was closed. If the check was uttered within 30 days of the account being closed, the check is treated as a non-sufficient funds check.

(2) If the bank has stamped the check “Refer to maker” this is an indication the signature may be forged. Contact the financial institution and check the status of the account.

ii) Upon the receipt of the account information from the bank, the assigned deputy will make the determination as to whether knowledge and intent to commit fraud can be established.

(1) Submit the original check along with all known signatures of the drawer to the Questioned Document Examiner for examination and comparison of the signatures.

(2) If the suspect cannot be contacted, the assigned deputy will complete an Affidavit for the arrest of the suspect.

(3) Upon the arrest of the suspect the assigned deputy will contact the victim and inform them of the arrest.

4) Any checks written in the Town of Lyons for less than $500.00 can be written into the Lyons Municipal Court.

5) Any checks written in the Town of Superior are submitted for prosecution to the town of Superior Municipal Court under ordinance 10-62: Superior municipal code applies only to checks that are under $400.00, or the aggregate amount of checks within 60 days is under the amount of $400.00. Amounts over $400.00 but under $500.00 are handled by State summons

i) The payee must have obtained at least two forms of non-photo identification or one form of photo identification bearing a photograph of the drawer.

ii) The payee must have obtained an address of the drawer of the check at the time of acceptance of the check.
iii) The check must have been presented to the band for acceptance or refusal for the first time within 30 days of the date of issuance.

iv) The check has been submitted (cancelled) to the bank twice, and returned both times for insufficient funds.

v) The payee must then send a certified letter, returned receipt requested, to the last known address of the drawer. The letter must notify the writer of drawer that the bank has refused payment on the check and give the writer 14 days to make good on the check. The letter can be returned unclaimed and this satisfies the requirement.

vi) Fifteen days following the Date of Delivery or attempted delivery, a summons may be issued.

By Order of the Division Chief,

__________________________________________

Dennis Hopper, Division Chief

__________________________

Date
SUBJECT: Fire Investigations

NUMBER: OP710

EFFECTIVE DATE: October 30, 2018

SUPERSEDES: [New]

POLICY: It is the responsibility of Operations Division deputies to respond with Fire Agencies on all reported fires, whether they are structural, vehicular or wildland in nature. Deputies will work closely with the fire agencies to insure the safety of all involved as well as the investigation into the cause and origin of the fire.

RELATED POLICIES & PROCEDURES:
[None]

DEFINITIONS:

Boulder County Fire Agency: The Fire Protection District or Fire Department responsible for the suppression of a fire and for determining its Cause and Origin, unless the fire is a wildland fire on U.S. Forest Service property.

Cause and Origin: Determination by a trained fire investigator as to the cause of a fire and the location of where the fire originated, which assists in determining if the fire is criminal in nature.

Multi-Agency Fire Investigation Team (“MAFIT”): A standing Boulder County investigative task force comprised of trained fire investigators from Boulder County fire agencies who assist the Sheriff’s Office or a local requesting fire district in determining the cause and origin of a fire. All MAFIT members are assigned and approved by their employing or sponsoring fire agency and the Sheriff’s Office.

Sheriff’s (BCSO) Fire Investigator: A POST-certified deputy assigned to the Operations Division who is trained in fire investigation and is assigned to MAFIT to assist in the management and documentation of fire investigations with a criminal, or suspected criminal foundation.

PROCEDURE:

I. Response to Fire Incidents

A. Patrol Deputies respond to all reported fires – whether structural, vehicular or wildland – along with the local fire district.

B. The responding Patrol Deputy is responsible for ensuring:

1. Life safety is the primary objective.
2. Update the fire dispatcher as to the specifics of the fire, if arriving prior to fire personnel.

3. Assure that roads are clear for responding fire agency vehicles.
   
a. Consider utilizing Longmont Emergency Unit (LEU) or Boulder Emergency Squad (BES) for traffic control.

4. Coordinate any necessary evacuations, including management of evacuation points, evacuation messaging, and tracking – to the best degree possible under the circumstances – of those who have been evacuated and those who have not by utilizing the BCSO evacuation log sheet.

C. Once Incident Command (IC) is established by the responding fire agency, the deputy will assume leadership of the Law Enforcement Branch (“Law Branch”) of the command structure and will work closely with fire command.

1. The preferred method of coordination is for the Law Branch Director to establish a physical presence at the Incident Command Post (ICP).

2. The Law Branch Director is responsible to serve as the incident commander over law enforcement resources at a fire event. As such, they are responsible for ensuring communication of who has “law enforcement command” [who is the Law Branch Director], what operational or tactical channels are assigned, and for designating other positions and assignments within the Law Branch as needed (e.g., a staging area manager (STAM), resource staging location, etc.).

D. If appropriate under the circumstances, deputies should attempt to take photographs of the active fire from as many angles as possible and do so throughout the suppression of the fire, as they may be helpful in the post-incident investigation. These photos should also include bystanders and other vehicles in the area.

E. When appropriate, deputies should begin to interview witnesses/victims and begin to conduct a basic investigation to attempt to determine early on if the fire is criminal in nature.

F. Contact victim advocates, if appropriate, for homeowners and/or residents.

II. Investigation of Fires
A. Once the fire has been suppressed, the deputy will work with the responsible fire agency representative to determine what resources are needed for the fire investigation.

1. The fire agency that has primary jurisdiction is responsible by statute to determine the cause and origin of the fire. The role of the Sheriff’s Office is to assist the local fire department, as needed, in their investigation of the cause and origin, and to ensure proper warrants are obtained and any evidence is collected properly, to facilitate a criminal prosecution should the fire be determined to be criminal in nature.

2. If the local fire agency investigation is delayed, the responsible deputy assigned to the fire will contact their supervisor(s) to arrange for the most appropriate security of the scene pending the investigation.

3. Fire Agency Investigation
   a. During the course of the local fire agency investigation, a deputy should be assigned by a supervisor to the scene for security, and in the absence of a BCSO Fire Investigator as part of the local fire agency investigative team, to collect and package evidence if necessary; or
   b. If the fire is obviously non-criminal or has been determined to be non-criminal and there are no security concerns or evidence chain-of-custody concerns, then a deputy need not be assigned to the fire scene during the term of the investigation.

4. MAFIT Investigation
   a. It is the responsibility of the responsible fire agency to determine what, if any, outside resources, including MAFIT, will be required to investigate the cause and origin of the fire.
   b. The request for MAFIT will be made by the responsible fire agency through BOCC.
   c. If MAFIT has been requested, a deputy should remain on scene until the arrival of the MAFIT investigators and until cleared by Incident Command.
   d. If a BCSO Fire Investigator responds as part of the investigation team, the deputy should confer with the BCSO
Fire Investigator to determine if additional deputy personnel need to remain on scene during the investigation.

e. If no BCSO Fire Investigator responds as part of the investigation team, a deputy will remain on scene for scene security, and to be the liaison between MAFIT and the Sheriff's Office as needed. A deputy will be expected to remain on scene until cleared by Incident Command.

f. The BCSO Fire Investigator and/or deputy on scene, along with the on-duty shift supervisor, will work closely with MAFIT or the local fire agency investigator(s) to determine if a detective response is necessary.

1) Detectives will respond to any fire involving: a death; any fire involving a substantial property loss; at the request of the MAFIT lead investigator (through the on-duty shift supervisor); or if a BCSO Fire Investigator is part of the fire's investigative team, anytime the scope of the investigation exceeds their experience or ability, or additional investigative resources are required.

g. It is the responsibility of the BCSO Fire Investigator and/or deputy on scene to ensure proper legal procedures are followed, including halting the investigation at the point that it is determined that a search or administrative warrant is required.

5. Evidence

a. The Sheriff’s Office collects and retains all evidence related to a criminal or suspected criminal fire.

b. In a criminal or suspected criminal fire, the Sheriff's deputy or detective assigned the investigation is also responsible for submitting any evidence for additional testing, and for ensuring proper follow-up investigation is completed.

III. Documentation of Fire Incidents

A. Deputies are to document every reported fire under the appropriate case report type.

B. Deputies will complete reports documenting their actions and findings on scene, or in the follow-up investigation. This should include any damage
done because of forced entry into a structure.

IV. Public Information

A. In general, the public information function is guided by Policy 601 – Public Information.

By Order of the Division Chief,

[Signature]

Robert Sullenberger, Division Chief

[Date]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
SUBJECT: Handheld Narcotics Identification Systems (TruNarc™)

EFFECTIVE: April 16, 2019

POLICY: It is the policy of the Boulder County Sheriff’s Office to provide staff with a safe and effective means to quickly and safely test and identify known and unknown suspected narcotics.

RELATED POLICIES & PROCEDURES: [None]

DEFINITIONS:

Reachback Support: Support available for scan results that are suspicious, such as inconclusive results. A reachback file can be sent to Thermo Fisher Scientific for customer support where a chemist will analyze the scan data within 24 hours and email a final written report.

TruNarc™ Analyzer: A 785-nm Raman spectrometer used for the rapid identification of suspected narcotics. Designed for law enforcement organizations, the handheld narcotics identification system analyzes most substances through sealed packaging and provides clear, definitive results. The TruNarc™ analyzer is property of the Boulder County Sheriff’s Office.

PROCEDURE:

I. Training & Certification

   A. Prior to the use of the TruNarc™ analyzer, all personnel utilizing the analyzer must be trained on the proper use of the instrument regarding safety, scanning procedures and proper documentation.

   B. Initial training will include one hour of instruction regarding operation of the analyzer.

II. Access and Use of the TruNarc™ Analyzer

   A. The TruNarc™ analyzer will be secured in a locked compartment in the evidence processing area of the Sheriff’s Headquarters.

   B. The TruNarc™ administrative software has been downloaded onto a designated computer at the TruNarc™ work station. This computer allows for
reachback support, the ability to print test results, and the placement of documents in a G:\ drive folder that allows access by Records for case file entry.

C. Only deputies who have completed the TruNarc™ training are authorized to access and use the TruNarc™ analyzer. The TruNarc™ analyzer shall be used within the confines of the Sheriff Headquarters. The removal and use of the TruNarc™ analyzer outside of the Sheriff’s Headquarters shall require supervisor approval.

D. The user shall be responsible for performing the analyzer self-check scan, the scanning of known or unknown suspected narcotics, and providing Records with a copy of the results for the case file. The scan number and results must be documented in their report.

E. Reachback support will be emailed to #SheriffOpsSergeants. The on-duty sergeant(s) who receive a reachback report is responsible to forward the report to the user.

   1. The user receiving a report is responsible to submit the report to Records for inclusion in the case file.

III. Safety Practices

A. When utilizing the TruNarc™ analyzer, users are always required to use proper personal protection equipment. Users must notify a supervisor and any employees present that they will be using the TruNarc™ analyzer, as suspected narcotics and unknown substance can be dangerous and even deadly.

   1. The TruNarc™ work station will be supplied with personal protection equipment: Eye protection, dust mask, and powder free Nitrile examination gloves. This equipment will be stocked by the evidence section and notify an evidence technician if supplies need to be restocked.

   2. The TruNarc™ work station will be supplied with Narcan® (naloxone) nasal spray kits. The evidence technicians should be notified if Narcan® needs to be restocked or has expired.

   3. The TruNarc™ work station will be supplied with a complete step-by-step instruction guide detailing the proper use of the TruNarc™ analyzer, as well as instructions on how to save the results and request reachback support from Thermo Fisher Scientific.
IV. Maintenance

A. \textit{TruNarc}™ supplies for scans, such as the \textit{TruNarc}™ solution kit (Type H) for identification of heroin and other special narcotics (test sticks and solution vials) and maintenance of the analyzer will be completed by Boulder County Drug Task Force staff.

B. Email \#DrugTaskForceInfo for supply and maintenance needs.

By Order of the Division Chief,

\begin{center}
\textbf{Robert Sullenberger,}
\textbf{Division Chief}
\end{center}

\begin{center}
4/16/2019 \hspace{1cm} Date
\end{center}

\begin{center}
\checkmark RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
\end{center}

\section*{ATTACHMENTS OR ADDENDUMS:}

\section*{HISTORY:}
POLICY: The Operations Division has established the following procedures to guide auto theft investigations and the recovery of stolen vehicles.

RELATED PROCEDURES:
OP507 – Vehicle Impounds

DEFINITIONS:
Stolen Vehicle: A motor vehicle, as defined by § 42-1-102(58), C.R.S., that has been reported to a law enforcement agency as stolen and is entered into CCIC/NCIC as such.

PROCEDURE:

I. Stolen Vehicle Investigations

A. The Sheriff’s Office shall respond to, document, and investigate any report of stolen vehicles within its primary jurisdiction, or when a request for assistance is received by a municipal law enforcement jurisdiction for cause.

B. The assigned deputy will respond to investigate the theft and meet with the victim or complainant, in person, unless the circumstances preclude an in-person response.

1. If circumstances do not allow for an initial in-person response to the crime scene (e.g. a victim is calling from their work to report a vehicle stolen from the residence and are unable to return to the scene to make the report), the deputy is to make arrangements for another deputy to respond to the scene for any required crime scene processing or documentation when the victim is available to meet.

C. As part of their criminal investigation, the deputy is required to obtain complete index information for the vehicle, including year, make, model, vehicle identification number, license plate, color, and unusual markings or distinguishing features (i.e. bumper stickers, tool boxes, aftermarket parts,
unique lighting, etc.), value, and the last time and location the vehicle was known to be at prior to being stolen.

1. Deputies must, as soon as reasonably possible, request the stolen vehicle be entered into CCIC/NCIC as stolen. The request shall be made, in writing, with all pertinent and required information, to the Records Section during business hours, or Dispatch when the Records Section is closed. Copies of the CCIC/NCIC stolen vehicle entry confirmations are made by the entering unit and are placed into the case file.

D. A criminal investigative report must be completed and submitted, along with evidence and case file documents, as outlined in their respective divisional policies and procedures.

1. The vehicle, and any known stolen property of value within the vehicle, must be indexed in the report as “STN” (Stolen).

II. Recovery of Stolen Vehicles from Sheriff’s Investigations

A. Local (Boulder County) Recovery

1. Deputies are to respond to the scene where the recovered stolen vehicle is located, regardless of the intra-county jurisdiction.

2. Deputies shall process the vehicle for evidence, as appropriate, including an inventory search of the vehicle’s contents.

a. Property that is identified by the vehicle’s owner as not belonging to them will be taken as evidence.

b. Current evidence collection guidelines (e.g. departmental training guidelines, publications by the Colorado Bureau of Investigation, the Handbook of Forensic Services by the Federal Bureau of Investigation, etc.) should be utilized. In general, evidence should be documented and collected from least destructive to most destructive means, with attention given to avoiding cross-contamination of trace evidence.
3. The condition of the recovered stolen vehicle must be assessed, with damage documented and given an approximate value by the investigating deputy, and indexed into the report.

4. The deputy is to complete a thorough on-scene investigation, including photographs, a neighborhood canvass, and the identification of any witnesses and/or suspects in the area. That investigation should be documented in a report.

   a. If the vehicle is recovered during the initial investigation, prior to the investigating deputy completing the initial report, the vehicle, and any associated property, must be indexed in the report as “SAR” (Stolen and Recovered).

   b. If the vehicle is recovered after the initial report is completed, the vehicle, and any associated property, must be indexed as “RCV” (recovered) in a supplemental report made to the original case number.

5. Once the investigation is complete, the vehicle must be directly released to the registered owner in lieu of impoundment. If the registered owner is not available, the vehicle should be impounded as a last resort.

B. Vehicle Recovery Outside Boulder County

1. When notified by Communications that a locate has been received for a stolen vehicle entered into CCIC/NCIC by the Sheriff’s Office in a jurisdiction outside Boulder County, the on-duty supervisor must be notified.

   a. When a vehicle has been recovered within the Denver metro area, or a surrounding county, and staffing allows, a supervisor should send a deputy to perform an investigation, including the steps outlined in §II.A.2 and §II.A.3.

   1) Once the investigation is complete, the vehicle must be directly released to the registered owner in lieu of impoundment. If the registered owner is not available, the vehicle should be impounded as a last resort.
b. When a vehicle is recovered in a jurisdiction that is impractical to respond to, or staffing does not allow, the on-duty supervisor must request the recovering agency process the vehicle for evidence and then release the vehicle to its owner and then note the associated case number.

1) If the recovering agency declines to process the vehicle but impounds it, the on-duty supervisor must email the detective supervisors advising them of the impound location and need for processing.

III. Recovery of Stolen Vehicles Unrelated to Sheriff’s Investigations

A. When deputies encounter a stolen vehicle reported to another law enforcement agency, a locate should be sent via CCIC/NCIC (typically through Records or Communications) notifying the reporting jurisdiction of the vehicle’s recovery. A deputy must request that the reporting agency, if local to the Denver-metro area or a surrounding county, respond to process the vehicle.

1. If the reporting jurisdiction is unavailable or unwilling to respond to process the vehicle, the deputy in contact with the stolen vehicle must complete a basic investigation as outlined in II.A.2 and II.A.3.

2. Unless specifically requested otherwise by the originating agency, the investigating deputy will attempt to release the vehicle to the registered owner. If the owner is unavailable, is unable to respond in a timely manner, or requests the vehicle be towed, the stolen vehicle will be impounded. All impoundment fees are the responsibility of the vehicle’s owner.

   a. Owners who request their vehicle be impounded may elect to use a tow company of their choice, or elect to utilize one of the sheriff’s office’s contracted vendors.

B. A vehicle recovered inside the jurisdiction of the sheriff’s office, but reported stolen to another law enforcement agency, must be documented under an incident report captioned MVRLSO* (Motor Vehicle Recovered Local, Stolen Other).
1. The recovered vehicle must be indexed as “OUT” (Recovered Outside Agency’s Vehicle)

2. Recovered property belonging to the owner previously reported as stolen must be indexed as “RCV” (Recovered).

C. It is the responsibility of the attending deputy to ensure a locate is completed to the originating agency, which provides the vehicle disposition (including impound location, if applicable), and the sheriff’s office corresponding case report number.

By Order of the Division Chief,

[Signature]
Robert Sullenberger, Division Chief

11/28/2017

ATTACHMENTS OR ADDENDUMS:
[None]

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POLICY: The Boulder County Sheriff’s Office recognizes that eyewitness identification is an important investigative tool for identifying individuals suspected of committing crimes. The purpose of this policy is to set forth eyewitness identification protocols that will result in strong, reliable evidence while observing relevant constitutional and statutory protections.

RELATED PROCEDURES:

DEFINITIONS:

Eyewitness: A person who observed another person at or near the scene of an offense.

Filler: A person or photograph of a person who is not suspected of the offense in questions and is included in an identification procedure.

Show-up: An identification procedure in which an eyewitness is presented with a single suspect in person to determine if the eyewitness identifies the suspect as the perpetrator of an offense.

Photo Array (Photo Lineup): An identification procedure in which a group of photographs, including a photo of the suspected perpetrator of an offense and photos of additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator. The photographs may be displayed in either hard copy form or via electronic means.

Live Lineup: A live identification procedure in which a group of people, including the suspected perpetrator of an offense and additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator.

Administrator: The person who is conducting an identification procedure.

Blind Administrator: The administrator of an identification procedure who does not know the identity of the suspect when it is viewed by the eyewitness.

Blinded Administrator: The administrator of an identification procedure who may know who the suspect is, but does not know in which position the suspect is placed in a photo array.

Confidence Statement: A statement by an eyewitness immediately following an identification regarding his or her confidence in the identification’s accuracy.
PROCEDURE:

I. Photo Array (Photo Lineup)

A. Creating the Photo Array

1. Fillers should be similar in appearance to the suspect and to the eyewitness' original description of the suspect. Similarities should include gender, age, race, height, hair color, facial hair, clothing and distinctive physical features.

2. At least five fillers should be included in each photo array, in addition to the suspect. Administrators should not include fillers who are known to the eyewitness.

3. Only one suspect should be included in a photo array. If there is more than one suspect in an investigation, a separate photo array should be made for each suspect. Different fillers should be used in the separate arrays.

4. Photos used in an array should be of consistent size, quality, color and background. Photos should not contain stray markings or information about the subject. Any markings or identifying information should be covered. If one photo in the array is covered in any manner, all the photos should be similarly covered.

B. Communicating with the Eyewitness

1. When contacting an eyewitness to arrange for viewing a photo array, the officer/investigator should advise only that he/she intends to conduct a photo identification procedure.

2. Avoid addressing whether a person is in custody or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, and other identifications).

3. When an eyewitness arrives to view the array, he/she should be prevented from speaking to any other eyewitnesses about the identification procedure.
4. The administrator should provide the following or substantially similar instructions to an eyewitness before displaying a photo array:

a. The eyewitness is being asked to view a photo array as part of an ongoing investigation into a crime that occurred on (date) at (location), to see if the eyewitness recognizes anyone involved with the crime.

b. The eyewitness should not assume the administrator knows who the suspect is, or seek assistance from the administrator or anyone else present in making an identification.

c. The suspect may or may not be pictured in the array.

d. Individuals pictured in the photo array may not look exactly as they did on the date of the incident. Some features - like hairstyle or facial hair - are subject to change.

e. Photos do not necessarily depict the true complexion of a person; it may be darker or lighter than appears in the photo.

f. The eyewitness should pay no attention to any markings on the photos or any differences in the style/type of the photos.

g. If the eyewitness makes an identification, the eyewitness will be asked about his/her level of certainty. The administrator will ask the eyewitness to choose whether he/she is confident, somewhat confident or not confident about his/her identification.

h. The investigation will continue, regardless of whether the eyewitness makes an identification.

C. Administering the Photo Array

1. When practicable, a blind administrator is recommended for all photo arrays (an administrator who does not know the identity of the suspect).
2. When use of a blind administrator is impractical, blinded administration of the photo array should be used (the administrator knows the identity of the suspect, but not what position the suspect occupies in the array).

3. Examples of methods for blinded administration may include, but are not limited to, the following:

   a. The photo array is created by an officer other than the administrator and then placed in a folder. The administrator gives the folder to the eyewitness, who looks at the array within the folder, so that the administrator cannot see the photos during the identification.

   b. The administrator makes multiple arrays, placing the suspect's photo in different positions in each. The same fillers may be used in the multiple arrays. The arrays are then placed in separate, closed folders and the witness selects which one to view. The eyewitness looks at the array within the folder, so that the administrator cannot see the photos while the eyewitness is viewing them.

4. During all photo array procedures, the administrator should stand out of the eyewitness' line of sight during the viewing of the array, but in a position where he/she can observe and hear the eyewitness.

5. If multiple eyewitnesses are viewing a photo array, they should be prevented from speaking to one another about the identification procedure. Each eyewitness must view the array separately and be admonished not to discuss the identification procedure with any other eyewitness.

6. The administrator should always remain neutral during the identification procedure, so as not to suggest a particular photo to the eyewitness.

7. If both practicable and available, administrators are encouraged to video record the photo array procedure and confidence statement. Audio recording is an acceptable alternative if video recording is not practicable.
8. After viewing the array, the administrator should ask the eyewitness the following questions. If the eyewitness’ answers are unclear, the administrator should ask the eyewitness what he/she meant by the answers.
   
   a. Do you recognize anyone?
   b. If so, what number do you recognize?
   c. From where do you recognize this person?

9. If the eyewitness makes an identification, in addition to recording or memorializing any spontaneous statements made by the eyewitness, the eyewitness should be asked about his/her level of certainty. The administrator should ask the eyewitness to choose which of the following statements best describes his/her level of certainty in the identification:
   
   a. I am confident that is the person I saw.
   b. I am somewhat confident that is the person I saw.
   c. I am not confident at all that this is person I saw.

10. The administrator should not comment, nod or make gestures (either positive or negative) on whether the eyewitness picked the suspect. If asked by the eyewitness, the administrator should explain he/she is not allowed to provide feedback.

11. Once the procedure is concluded and fully documented (see below), the administrator can talk to the eyewitness about the next steps in the case. The eyewitness should be instructed not to discuss the identification procedure with other eyewitnesses. Also, the administrator should not discuss any other identification procedures viewed by other eyewitnesses.

D. Documenting the Photo Array

1. Where the procedure took place, who was present, the date and time it was administered.

2. Any statements, comments or physical reactions of the eyewitness while viewing the array.
3. Each eyewitness should complete a standard form that records their identifying information and the results of the procedure after viewing the array. The eyewitness should sign and date the array itself, or a copy supplied to document the identification procedure.

4. The eyewitness’ confidence statement, including any spontaneous statements, should be documented word for word.

5. Preserve the photo array in the original form that was shown to each eyewitness. A copy of the photo array should be included with the case report.

II. Live Lineups

A. Consultation with the prosecuting attorney’s office is recommended whenever a live lineup is being considered.

B. Creating the Live Lineup

1. Fillers should be similar in appearance to the suspect and to the eyewitness’ original description of the suspect. Similarities should include gender, age, race, height, hair color, facial hair, clothing and distinctive physical features.

2. At least five fillers should be included in each live lineup, in addition to the suspect. In no case, should less than four fillers be used. Only one suspect should appear per live lineup. Administrators should not include fillers who are known to the eyewitness.

3. If necessary, all members of the live lineup should be seated to minimize any height differences.

4. If there is more than one suspect, different fillers should be used in each live lineup.

5. The suspect should be allowed to select his/her own position in the live lineup. Where the suspect was previously identified in a photo array, that number should be avoided unless insisted upon by the suspect.
6. All members of the live lineup should be instructed not to speak or gesture to one another during the procedure. All members of the live lineup should be instructed to remain still and look forward unless otherwise directed by an officer/investigator.

C. Communicating with the Eyewitness

1. When contacting an eyewitness to arrange for viewing a live lineup, the officer/investigator should advise only that he/she intends to conduct an identification procedure.

2. Avoid addressing whether a person is in custody or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, and other identifications).

3. When an eyewitness arrives to view the live lineup, he/she should be prevented from speaking to any other eyewitnesses about the identification procedure.

4. The administrator should provide the following or substantially similar instructions to an eyewitness before viewing a live lineup:

   a. The eyewitness is being asked to view a lineup as part of an ongoing investigation into a crime that occurred on (date) at (location), to see if the eyewitness recognizes anyone involved with the crime.

   b. The eyewitness should not assume the administrator knows who the suspect is, or seek assistance from the administrator or anyone else present in making an identification.

   c. The suspect may or may not be present in the lineup.

   d. Individuals presented in the lineup may not look exactly as they did on the date of the incident. Some features -like hairstyle or facial hair - are subject to change.

   e. The eyewitness can ask the administrating officer to have the lineup members move, speak or change clothing. If one
lineup member is asked, all the members will be asked to do the same.

f. If the eyewitness makes an identification, the eyewitness will be asked about his/her level of certainty. The administrator will ask the eyewitness to choose whether he/she is confident, somewhat confident or not confident about his/her identification.

g. The investigation will continue, regardless of whether the eyewitness makes an identification.

C. Administering the Live Lineup

1. A blind administrator is recommended for all live lineups (an administrator who does not know the identity of the suspect).

2. After the administrator instructs the eyewitness, he/she should stand outside the eyewitness' line of sight, while still being in position to observe and hear the eyewitness.

3. If there are multiple eyewitnesses, they must each view the lineup separately. The position of the suspect should be moved each time the lineup is shown to a different eyewitness. Eyewitnesses should be prevented from speaking to each other about the identification procedure.

4. The officer/investigator monitoring the suspect and fillers in the lineup room should remain out of view of the eyewitness to avoid any claims of inadvertent suggestion.

5. If both practicable and available, administrators are encouraged to video record the live lineup procedure and confidence statement. Audio recording is an acceptable alternative if video recording is not practicable. If the procedure is not video recorded, the lineup should be preserved by photograph.

6. After an eyewitness views the lineup, the administrator should ask him/her the following questions. If the eyewitness’ answers are
unclear, the administrator should ask the eyewitness what he/she meant by the answers.

a. Do you recognize anyone?
b. If so, what number do you recognize?
c. From where do you recognize this person?

7. If the eyewitness makes an identification, in addition to recording or memorializing any spontaneous statements made by the eyewitness, the eyewitness should be asked about his/her level of certainty. The administrator should ask the eyewitness to choose which of the following statements best describes his/her level of certainty in the identification:

a. I am confident that is the person I saw.
b. I am somewhat confident that is the person I saw.
c. I am not confident at all that is the person I saw.

8. The administrator should not comment, nod or make gestures (either positive or negative) on whether the eyewitness picked the suspect. If asked by the eyewitness, the administrator should explain he/she is not allowed to provide feedback.

9. There are circumstances where a suspect may have an attorney present during a live lineup. Consult with the appropriate prosecuting attorney's office for guidance regarding a suspect’s right to counsel. When in attendance, a defense attorney should be instructed not to speak in the viewing room when the eyewitness is present.

D. Documenting the Live Lineup

1. Administrators should document the following or substantially similar information using appropriate forms or notes:

a. Where the procedure took place, who was present in the viewing room and the lineup room, the date and time it was administered. Document the names of any officers/investigators who escorted the eyewitness to and from the viewing room.
b. Any statements, comments or physical reactions of the eyewitness while viewing the lineup.

c. Anything the lineup members were asked to do, such as speak, move or change clothing.

d. Any requests made by defense counsel and whether they were granted.

e. Each eyewitness should complete a standard form that records their identifying information and the results of the procedure after viewing the lineup.

f. The eyewitness’ confidence statement, including any spontaneous statements, should be documented word for word.

g. If video recording is not made, preserve a photograph of the lineup.

III. Show-ups/Field Identifications

A. Show-up (field identification) is an identification procedure used when a suspect has been detained soon after the commission of an offense because he/she resembles the description of the perpetrator provided by an eyewitness. The eyewitness is then allowed to view the suspect so that a positive or negative identification to be made.

1. The eyewitness should be transported to view the suspect whenever possible, rather than have the suspect transported to the eyewitness’ location. Detentions for the purpose of a show-up procedure are typically seizures based upon reasonable suspicion. Without probable cause to arrest a suspect, transporting him/her to the eyewitness' location might be considered an unlawful arrest. Suspects do not have the right to refuse to participate in a show-up.

2. The officer transporting an eyewitness to view a show-up should not discuss the suspect or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, and other identifications).
3. The administrator of the show-up should instruct the eyewitness that:

   a. He/She is being transported to view a person fitting their description of the suspect for the purpose of making a positive or negative identification.

   b. The person involved in the crime(s) may or may not be the detained suspect.

   c. If the eyewitness makes an identification, the eyewitness will be asked about his/her level of certainty. The administrator will ask the eyewitness to choose whether he/she is confident, somewhat confident or not confident about his/her identification.

   d. The eyewitness can ask the administrating officer to have the detained suspect put on or remove outer garments, repeat words or make gestures.

   e. The investigation will continue, regardless of whether the eyewitness makes an identification.

4. The eyewitness should be transported to a position at a distance that allows him/her a clear view of the suspect. Imprudent under the circumstances of the case, the eyewitness should not be visible to the suspect.

5. When there are multiple eyewitnesses for a show-up procedure, they should each be transported to view the suspect in separate vehicles. Eyewitnesses should be prevented from speaking to each other about the identification procedure. When the procedure is over, eyewitnesses should be admonished not to discuss the identification procedure with any other eyewitness.

6. When there are multiple suspects detained, the suspects should be distanced from each other sufficiently so that the eyewitness views each suspect one at a time.
7. Whenever practicable, the suspect should not be handcuffed or in a patrol vehicle at the time of the show-up.

8. Video recording of show-up procedures is recommended using dashboard cameras, body-worn cameras or other available recording devices. When video recording is not practicable, audio recording is an acceptable alternative.

9. The administrator should not comment, nod or make gestures (either positive or negative) about the eyewitness' identification of the suspect.

10. The administrator of a show-up identification should document the procedure using appropriate forms and/or notes to record the following or substantially similar information:

   a. The name and identifying information of the eyewitness.

   b. Where the procedure took place, who was present, the date and time it was administered.

   c. The circumstances leading to the show-up procedure.

   d. Physical circumstances of the show-up - including lighting, weather, approximate distance between the eyewitness and suspect, whether the suspect was handcuffed, physical description of the suspect and the length of time between the suspect's detention and the identification.

   e. Any statements, comments or physical reactions of the eyewitness(es) during the identification procedure.

   f. The eyewitness' confidence statement, including any spontaneous statements, should be documented word for word.

11. Each eyewitness should complete a standard form about the results of the procedure after viewing the suspect.
By Order of the Division Chief,

Tommy L. Sloan,
Division Chief

03/17/2016
Date
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PHOTO ARRAY - WITNESS INSTRUCTIONS

☐ As part of the ongoing investigation into a crime that occurred on ______ (date) at _______ (location) you will view a photo array.

☐ It consists of six photographs of individuals. Each photograph has a number underneath the photograph.

☐ Take whatever time you want to view the photo array.

☐ The photographs may or may not include the person(s) involved in the crime that you were a victim of or witness to.

☐ Do not assume that I know who the suspect is.

☐ I want you to focus on the photo array and not look to me or anyone else in the room for guidance about making an identification during the procedure.

☐ Individuals presented in the photo array may not appear exactly as they did on the date of the incident because features, such as hairstyles and facial hair, are easily changed.

☐ Photographs may not always depict the true complexion of a person; it may be lighter or darker than shown in the photo.

☐ Pay no attention to any markings that may appear on the photos, or any other difference in the type or style of the photographs.

☐ After you have had an opportunity to view the photo array, I will ask you if you recognize anyone. If you do, I will ask you the number of the person you recognize and from where you recognize the person. I will also ask you about your level of certainty in your identification.

☐ If you believe one of the photographs is the person involved in this crime, I will ask you to please sign and initial the appropriate photo and mark the appropriate number in the space provided on the Photo Array Form.

☐ The investigation will continue regardless of whether or not you make an identification.

☐ DO NOT discuss with other witnesses what you see, say or do during this procedure.

WITNESS SIGNATURE:
The above instructions have been read to me.

_________________________________________ Date:__________ Time:_______

15
PHOTO ARRAY
ADMINISTRATOR FORM – CONFIDENCE STATEMENT

Witness: ___________________________ Administrator: ___________________________

Instructions to the administrator showing the photo array:

• Remain neutral. Do not comment on the identification before, during or after the identification procedure.
• Provide the photo array in a closed envelope or folder when handing it to the eyewitness.
• Stand out of the eyewitness’ line of sight, where practical, but still observe and listen to the eyewitness as he/she views the photo array.
• Where practicable and appropriate, video record the entire procedure. When video recording is not practicable, audio recording is an acceptable alternative.
• Complete the Case Information Sheet that accompanies this form.

After the eyewitness has viewed the photo array, ask the following questions:

☐ Did you recognize anyone in the photo array? ____________________________

• If the answer to the preceding question is negative, STOP and go to the signature line.
• If the answer is positive, proceed to the next question:

☐ If so, what is the number of the person you recognized? ____________

☐ From where do you recognize that person? ____________________________

Confidence Statement:

Please choose which of the following statements best describes your level of certainty in your identification:

☐ I am confident that is the person I saw.
☐ I am somewhat confident that is the person I saw.
☐ I am not confident at all that is the person I saw.

Date: _______ Time: _______ Witness Signature: __________________________

Form OP721A, p.2
PHOTO ARRAY CASE INFORMATION SHEET
[DO NOT SHOW THIS FORM TO WITNESS]

Complaint or Case Report #: ____________ Crime Date & Location: ____________

Photo Array Date: _________ Time: _________ Location: __________________________

Crime Committed: ____________ Witness' Name: __________________________

Was Witness Transported? Yes ☐ No ☐

Transporting Officer: __________________________
Rank: _________ Command: _________ ID #: _________

Photo Array Administrator: __________________________
Rank: _________ Command: _________ ID #: _________

Investigating Officer: __________________________
Rank: _________ Command: _________ ID #: _________

Interpreter Present? Yes ☐ No ☐ Name: __________________________ Language: ____________

Was the procedure recorded? Video Only ☐ Audio & Video ☐ Audio Only ☐ No ☐

The original photo array MUST BE preserved.
Attach a copy of the photo array to this form and provide the information below.

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
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<tbody>
<tr>
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</tr>
</tbody>
</table>

Suspect's Name: __________________________ D.O.B.: ____________ Position: _________

Was any photo altered? Yes ☐ No ☐ If yes, which? __________________________

Describe the alteration: ____________________________________

Form OP721A, p.3
Record the words and gestures of the witness during the identification procedure and confidence statement:


Signature of Administrator: __________________________ Date: _______ Time: _______
LIVE LINEUP - WITNESS INSTRUCTIONS

☐ As part of the ongoing investigation into a crime that occurred on ______ (date) at ________ (location) you are about view a lineup.

☐ You will look through a one-way mirror and see six people in the lineup. They will not be able to see you. There will be a number associated with each person in the lineup.

☐ Take whatever time you want to view the lineup.

☐ The person(s) involved in the crime that you were a victim of or witness to may or may not be present in the lineup.

☐ Do not assume that I know who the suspect is.

☐ I want you to focus on the lineup and not look to me or anyone else in the room for guidance about make an identification during the procedure.

☐ Individuals presented in the lineup may not appear exactly as they did on the date of the incident because features, such as hairstyles and facial hair, are easily changed.

☐ You may ask me to have members of the lineup speak, move or change clothing. If one member is asked to speak, move or change clothing, then all the lineup members will be asked to do the same.

☐ After you have had an opportunity to view the live lineup, I will ask you if you recognize anyone. If you do, I will ask you the number of the person you recognize and from where you recognize the person. I will also ask you about your level of certainty in your identification.

☐ The investigation will continue regardless of whether or not you make an identification.

☐ DO NOT discuss with other witnesses what you see, say or do during this procedure.

WITNESS SIGNATURE:
The above instructions have been read to me.

_________________________________________ Date: ________ Time: ________
LIVE LINEUP
ADMINISTRATOR FORM – CONFIDENCE STATEMENT

Witness: ____________________  Administrator: ____________________

Instructions to the administrator conducting the live lineup:

- Remain neutral. Do not comment on the identification before, during or after the identification procedure.
- After instructing the eyewitness, stand out of the eyewitness’ line of sight, where practical, but still observe and hear the eyewitness.
- Where practicable and appropriate, video record the entire procedure. When video recording is not practicable, audio recording is an acceptable alternative.
- A photo should be taken of the live lineup when a video recording of the procedure is not made.
- Introduce by name all individuals present in the viewing room to the eyewitness.
- If there is a need to have a lineup member speak, move, change clothing or some other activity, then all lineup members must do the same activity.
- Complete the Case Information Sheet that accompanies this form.

After the eyewitness has viewed the live lineup, ask the following questions:

☐ Did you recognize anyone in the lineup? ____________________
  - If the answer to the preceding question is negative, STOP and go to the signature line.
  - If the answer is positive, proceed to the next question:

☐ If so, what is the number of the person you recognized? ________________

☐ From where do you recognize that person? ____________________

Confidence Statement:

Please choose which of the following statements best describes your level of certainty in your identification:

☐ I am confident that is the person I saw.
☐ I am somewhat confident that is the person I saw.
☐ I am not confident at all that is the person I saw.

Date: _______  Time: _______  Witness Signature: ____________________
LIVE LINEUP CASE INFORMATION SHEET
[DO NOT SHOW THIS FORM TO WITNESS]

Complaint or Case Report #: ____________ Crime Date & Location: ______________

Live Lineup Date: _______ Time: _______ Location: ______________

Crime Committed: ______________ Witness' Name: ______________

Was Witness Transported? Yes [ ] No [ ]

Transporting Officer: __________________________
Rank: _______ Command: _______ ID #: _______

Lineup Administrator: __________________________
Rank: _______ Command: _______ ID #: _______

Investigating Officer: __________________________
Rank: _______ Command: _______ ID #: _______

Security Officer: __________________________
Rank: _______ Command: _______ ID #: _______

Deputy District Attorney Present: Yes [ ] No [ ] Name: __________________________

Interpreter Present? Yes [ ] No [ ] Name: __________________________ Language: _______

Was the procedure recorded? Video Only [ ] Audio & Video [ ] Audio Only [ ] No [ ]

Lineup photograph taken? Yes [ ] No [ ]

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Suspect's Name: ______________ D.O.B.: _______ Position: _______
Record the words and gestures of the witness during the identification procedure and confidence statement:


Signature of Administrator: __________________________ Date: __________
LIVE LINEUP – DEFENSE COUNSEL SHEET

Suspect's Attorney Present?  Yes □ No □

Defense Attorney: ___________________ Telephone: ___________________

The Defense Attorney was instructed not to speak while in the viewing room with the witness? Yes □ No □

If Defense Attorney makes requests about the live lineup, record the request and whether the request was agreed to or refused:

1. Request: __________________________________________
   Agreed □ Refused □

2. Request: __________________________________________
   Agreed □ Refused □

3. Request: __________________________________________
   Agreed □ Refused □

4. Request: __________________________________________
   Agreed □ Refused □
SHOWUP - WITNESS INSTRUCTIONS

☐ You are being transported to view a person fitting your description of the person(s) involved in the crime that you were a victim of or witness to, for the purpose of making a positive or negative identification.

☐ [Whenever practicable or when necessary under the circumstances of case] You will be able to view the person, but he/she will not be able to see you.

☐ Take whatever time you want to view the person.

☐ The suspect may or may not be the person you will see.

☐ I want you to focus on the person and not look to me or anyone else for guidance about making an identification.

☐ You may ask me to have the person speak, move or change outer clothing.

☐ After you have had an opportunity to view the person, I will ask you if you recognize him/her. If you do, I will ask you from where you recognize the person. I will also ask you about your level of certainty in your identification.

☐ The investigation will continue regardless of whether or not you make an identification.

☐ DO NOT discuss with other witnesses what you see, say or do during this procedure.

WITNESS SIGNATURE:

The above instructions have been read to me.

_________________________________________ Date:__________ Time:_______
SHOWUP
ADMINISTRATOR FORM – CONFIDENCE STATEMENT

Witness: ____________________  Administrator: ____________________

Instructions to the administrator conducting the showup:

- Remain neutral. Do not comment on the identification before, during or after the identification procedure.
- After instructing the eyewitness, stand out of the eyewitness' line of sight, where practical, but still observe and hear the eyewitness.
- Where practicable and appropriate, video record the entire procedure. When video recording is not practicable, audio recording is an acceptable alternative.
- If the eyewitness requests, the detained person may be asked to speak, move, or add/remove outer clothing.
- Complete the Case Information Sheet that accompanies this form.

After the eyewitness has viewed the live lineup, ask the following questions:

☐ Did you recognize the person you viewed? ____________________
  - If the answer to the preceding question is negative, STOP and go to the signature line.
  - If the answer is positive, proceed to the next question:

☐ If so, from where do you recognize that person? ____________________

Confidence Statement:

Please choose which of the following statements best describes your level of certainty in your identification:

☐ I am confident that is the person I saw.
☐ I am somewhat confident that is the person I saw.
☐ I am not confident at all that is the person I saw.

Date: _______ Time: _______ Witness Signature: ____________________
SHOWUP CASE INFORMATION SHEET
[DO NOT SHOW THIS FORM TO WITNESS]

Complaint or Case Report #: ______________

Crime Date: _______ Time: _______ Location: ____________________________

Showup Date: _______ Time: _______ Location: ____________________________

Crime Committed: ____________________________

Witness' Name: ____________________________

Was Witness Transported? Yes ☐ No ☐

Transporting Officer: ____________________________
Rank: _______ Command: _______ ID #: _______

Showup Administrator: ____________________________
Rank: _______ Command: _______ ID #: _______

Investigating Officer: ____________________________
Rank: _______ Command: _______ ID #: _______

Interpreter Present? Yes ☐ No ☐ Name: ____________________________ Language: __________

Was the procedure recorded? Video Only ☐ Audio & Video ☐ Audio Only ☐ No ☐

Suspect's Name: ____________________________ D.O.B.: __________

Conditions during showup:

Weather: ____________________________

Lighting: ____________________________

Approximate distance between witness and suspect: ____________________________

Suspect handcuffed? Yes ☐ No ☐ Suspect in patrol vehicle? Yes ☐ No ☐

Record the words and gestures of the witness during the identification and confidence statement:

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Signature of Administrator: ____________________________ Date: _______ Time: _______
POLICY: The Board of County Commissioners (BOCC) have adopted a resolution that establishes the requirements for the inspection, licensure, and operation of private and public ground ambulance vehicles based or operating within Boulder County. The BOCC has delegated their authority and obligations for all aspects of ambulance licensing and contracts to the Boulder County Sheriff. It is the policy of the Sheriff’s Office, through the Operations Division, to establish policies and procedures herein to comply with the requirements of County Resolution 2018-103, §§25-3.5-101 through 502, C.R.S., and the applicable portions of Chapter 4, Rules Pertaining to Licensure of Ground Ambulance Services, of the Colorado Administrative Code in 6 CCR § 1015-3.

RELATED POLICIES & PROCEDURES: [None]

DEFINITIONS: All definitions in § 2 of County Resolution 2018-103 are adopted for this policy and procedure, unless otherwise modified below.

PROCEDURE:

I. Authority and Responsibilities

A. The BOCC has delegated their authority for the inspection, licensure, and certification of all ambulance companies operating within Boulder County, including municipalities, to the Boulder County Sheriff. This authority includes entering into a county ambulance service contract on behalf of the County, the investigation of complaints regarding ambulance service, and to suspend or revoke ambulance licenses or permits (cf. § 1.3, Resolution 2018-103).

B. The responsibility for all ambulance licensing, inspection, compliance, and complaint resolution activities is assigned to the Emergency Services Unit of the Special Operations Section of the Operations Division under the general supervision of the Special Operations Commander.

II. Licensing

A. Ambulance Service Licenses

1. Each Ambulance Company who operates within Boulder County is required to complete the Ambulance Service License Application (Form OP801-A), prior to entering service, or continuing service the following license year, in the county.
a. Each annual application for an Ambulance Service License requires the payment of a $100 fee payable to the Boulder County Sheriff’s Office, unless the Ambulance Company is a governmental organization or special district (e.g., a fire department or fire district), for which the annual fee is waived.

1). Any check returned to the County for insufficient funds may result in suspension of the Ambulance Service License. If the license is suspended for insufficient funds, the license may not be reinstated until the original fee, plus any bank charges or penalties accrued, has been made by certified funds.

b. Each Ambulance Service License is valid for one year (365 days) from the date of issuance. Renewal applications shall be filed annually but not less than thirty (30) days before the date the license expires.

c. If the Ambulance Company meets all staff, vehicle, equipment and inspection requirements, and complies with all applicable policies, resolutions, statutes, and administrative regulations, an Ambulance Service License shall be issued.

2. Under limited circumstances, and at the discretion of the Special Operations Commander, a conditional Ambulance Service License may be issued, but shall only be valid for a period of ninety (90) days.

a. Conditional Ambulance Service Licenses are generally only issued for technical issues related to administrative compliance, which do not effect patient safety and/or the delivery of medical care.

b. In the event the Special Operations Commander grants a Conditional Ambulance Service License, the Ambulance Company must submit a written plan of action to obtain compliance with all required policies, resolutions, statutes, or administrative regulations, within thirty (30) days of the Conditional Ambulance License being issued.

3. In order for an Ambulance Service License application to be eligible for consideration, it must include the following:
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

- A completed *Ambulance Service License Application* (Form OP801-A), which includes all information required under Section 4 of Resolution 2018-103.

- An affirmation from the applicant that the Ambulance Company will maintain a list of all drivers, EMTs, paramedics, or other staff authorized to operate Ambulance Vehicles, and make it open to inspection by the Sheriff’s Office upon request. The list must include the employee’s state medical license certification number and driver’s license number, and include a copy of their current cardiopulmonary resuscitation card (cf. §9.1, Resolution 2018-103).

- A roster of all ambulances that will be operated in Boulder County and need inspection, including their make, model, license plate, and VIN.

- An original signed document from the Ambulance Company’s medical director identifying medications carried on-board and what related protocols are being utilized.

- A valid *Certificate of Insurance* dated within the prior 30 days outlining all minimum insurance threshold requirements.

- Payment of $100, payable to the Boulder County Sheriff, unless excepted under §II.A.1.a.

  a. The Ambulance Company is responsible to provide all relevant updates or changes to the information identified in §II.A.3 as an on-going condition of licensure. Failure to provide updated information may be grounds for restraint action against an Ambulance Service License.

4. As an on-going condition of an Ambulance Service License, the Ambulance Company is required to immediately notify, in writing, the Sheriff’s Office of any claim alleged in which a plaintiff’s (patient’s) injury, illness, or incapacity was caused or exacerbated by the Ambulance Service or its negligence. It is the responsibility of the Sheriff to determine if the Ambulance Company and/or its personnel were in compliance with all applicable rules and regulations, and to take appropriate action if a violation is substantiated (cf. §13.4, Resolution 2018-103).
B. Ambulance Vehicle Permits

1. Every ambulance vehicle that operates within Boulder County, except as listed below, is required to have a valid, current Ambulance Vehicle Permit issued under this policy.
   
a. The only exceptions to the Ambulance Vehicle Permit requirement are listed in §3.1 of Resolution 2018-103. These exceptions include, but are not limited to, ambulances used by a department or agency of the federal government, ambulances from another county or state used during a major catastrophe or mass casualty incident, or ambulances that transport patients to Colorado from another state.

2. If the ambulance is determined to meet all inspection requirements and complies with all applicable policies, resolutions, statutes, and administrative regulations, an Ambulance Vehicle Permit shall be issued.

3. Each ambulance vehicle must be issued an Ambulance Vehicle Permit annually. Ambulance Vehicle Permits shall only be issued after a successful inspection has been completed. Renewal applications shall be filed annually but not less than thirty (30) days before the date the permit expires.
   
a. The Sheriff’s Office reserves the right to conduct ambulance vehicle inspections at its discretion during the vehicle permit year to ensure continued compliance with all inspection requirements, applicable policies, resolutions, statutes, and administrative regulations.

4. Each ambulance vehicle inspection requires a $100 fee, unless the Ambulance Company is a governmental organization or special district (e.g., a fire department or fire district), for which the inspection fee is waived.
   
a. If an ambulance vehicle fails an inspection for the Ambulance Vehicle Permit and requires re-inspection at a later time, the $100 fee is assessed each time.
      
1). Any check returned to the County for insufficient funds may result in the suspension of the Ambulance Vehicle Permit. If the permit is suspended for insufficient funds, the permit may not be reinstated until the original fee, plus any bank charges or penalties accrued, has been made by certified funds.
b. Inspections initiated by the Sheriff’s Office that are outside of the annual Ambulance Vehicle Permit process (e.g., inspections initiated by the Sheriff’s Office to ensure continued compliance, etc.) are not charged the inspection fee.

5. No Ambulance Vehicle Permits shall be issued until the Ambulance Company has received an Ambulance Service License.

a. In the event an Ambulance Service License is suspended, revoked, or lapses, any valid Ambulance Vehicle Permit(s) issued to the Ambulance Company are automatically suspended until the Ambulance Service License is reinstated. Notice of the suspension must be personally served on a company representative in accordance with Rule 4, C.R.C.P.

6. Under limited circumstances, and at the discretion of the Special Operations Commander, a Conditional Ambulance Vehicle Permit may be issued, but may not exceed a period of ninety (90) days.

a. Conditional Ambulance Vehicle Permits are generally only issued for technical issues related to administrative compliance, which do not effect patient safety and/or the delivery of medical care.

C. Denial of Licenses or Permits

1. The Special Operations Commander may deny any application for a license or permit that does not comply with the rules and regulations of any applicable policy, resolution, statute, or administrative regulation.

a. A reasonable time, in the discretion of the Special Operations Commander, will be allowed for the applicant to cure a deficiency in an application for an Ambulance Service License or Ambulance Vehicle Permit prior to a denial being made.

b. Nothing shall prohibit an applicant from re-applying for a license or permit that was previously denied, provided they submit evidence the prior issue that resulted in a denial has been resolved. An additional fee may be required.

2. Obtaining or attempting to obtain an Ambulance Service License or
an Ambulance Vehicle Permit by fraudulent means or misrepresentation shall be grounds for denial, suspension, or revocation of the license or permit (§4.1, Resolution 2018-103).

D. Termination, Suspension or Revocation of a License or Permit

1. **Proposed Restraint Action.** Any proposed restraint action (e.g., termination, suspension, or revocation) of a license or permit shall be made in writing and provided to the Ambulance Company. The notification for a proposed restraint action against a license or permit shall include the opportunity for a hearing prior to the restraint action being commenced, unless excepted below.

   a. A temporary suspension of a license or permit may occur prior to a hearing when a violation of any resolution, statute, rule or regulation is found that directly impacts patient safety and in which a delay for hearing would place a potential patient’s health and welfare into jeopardy. In no case shall the temporary suspension last longer than thirty (30) days.

   b. An opportunity for hearing shall be held no later than ten (10) days after written notice is provided.

2. **Hearings.** The Special Operations Commander, or their designee, is responsible to conduct any hearings for proposed restraint action.

   a. Restraint action on a license or permit is based upon a preponderance of the evidence that the Ambulance Company or one of its employees has:

      1). Provided incompetent medical care; and/or has

      2). Violated or failed to comply with the licensing or permit requirements required under Resolution 2018-103, Colorado Statute, or any of the applicable rules and regulations of the Colorado Department of Public Health and Environment.

3. **Restraint Actions.** After completion of the hearing, an Ambulance Service License or Ambulance Vehicle Permit may be suspended for any portion of the license or permit term or for the entirety of its term. At the end of the suspension period, the Ambulance Company may apply for a new Ambulance Service License or Ambulance Vehicle Permit under Section 4 of Resolution 2018-103.
a. **Subsequent Violations.** Upon a finding that an Ambulance Company has violated or failed to comply with any of the requirements outlined herein more than once, the Ambulance Service License or Ambulance Vehicle Permit may be permanently revoked.

4. **Restraint Action Notification.** The hearing officer is responsible to notify, in writing: (a) the Ambulance Company’s primary medical director; (b) other jurisdictions within Colorado in which the Ambulance Company is licensed to operate; (c) the Colorado Department of Public Health & Environment; and/or (d) the Colorado Medical Board (for violations by individual medical providers); when any violation has been substantiated.

III. Inspection of Ambulance Vehicles

A. The Special Operations Commander is responsible to designate an ambulance inspector, or inspectors, in the Emergency Services Unit, to conduct inspections of ambulance vehicles in Boulder County.

1. The designated ambulance inspector(s) are responsible to maintain a current *Ambulance Vehicle & Equipment Requirements Checklist* (Form OP801-B) that lists all required minimum medical equipment requirements set forth by the State of Colorado’s EMS Advisory Council.

B. The inspector is responsible to determine the suitability of the conditions of the ambulance vehicle with regard to safety, emergency warning systems (e.g., markings, lights, siren, etc.), emergency medical equipment, supplies, basic sanitation, sterility of equipment used in patient care, and any other related requirements established by resolution, statute, or administrative regulation of the state, including Section 6 of Resolution 2018-103.

C. An *Ambulance Vehicle & Equipment Requirements Checklist* (Form OP801-B) shall be used to document the inspection of every ambulance vehicle. This form may be made available to the Ambulance Company prior to the inspection.

1. Each inspection requires its own *Ambulance Vehicle & Equipment Requirements Checklist* form as a record.

2. A copy of an *Ambulance Vehicle & Equipment Requirements Checklist* form may be provided to the Ambulance Company upon request, including for failed inspections.
3. The *Ambulance Vehicle & Equipment Requirements Checklist* form is to be signed by the inspector(s) and the company representative in attendance at the inspection.

IV. Boulder County Ambulance Oversight Committee

A. As required by Resolution 2018-103, a *Boulder County Ambulance Oversight Committee* is established to (1) investigate and (2) make recommendations to the Sheriff concerning issues and improvements to the Boulder County Ambulance Services Agreement. The Sheriff appoints all members of the Committee. The sergeant assigned to the Emergency Services Unit is the standing chair of the committee.

1. The *Boulder County Ambulance Oversight Committee* acts as a fact-finding investigative body and provides written results of all investigations and/or for any recommendation for system improvement.

   a. All reports and recommendations of the *Boulder County Ambulance Oversight Committee* are delivered to the Special Operations Commander for further action and/or dissemination.

2. The *Boulder County Ambulance Oversight Committee* does not have enforcement powers and is not authorized to take disciplinary or restraint action against any Ambulance Company, Ambulance Service License, or Ambulance Vehicle Permit.

B. All meetings of the *Boulder County Ambulance Oversight Committee* are public meetings and are to be properly noticed and posted with the agenda and minutes from the previous meetings. The sergeant assigned to the Emergency Services Unit is authorized to assist the Committee Chairperson with making public notice of the meetings, as needed.

C. The Special Operations Commander is responsible to identify a member of the Emergency Services Unit (ESU) to serve on the *Boulder County Ambulance Oversight Committee* to represent the Sheriff’s Office.

1. The ESU staff member is responsible to ensure that the Sheriff’s Office receives and maintains a copy of all documents, agendas, meeting minutes, and any other relevant committee correspondence, and retain it in accordance with §VII of this policy.

D. The *Boulder County Ambulance Oversight Committee* charter is attached to Resolution 2018-103 as Exhibit A.
V. Complaints

A. Receipt of Complaints

1. Any member of the Boulder County Ambulance Oversight Committee, the Emergency Services Unit, or any supervisor of the Sheriff’s Office may receive a complaint related to ambulance service in Boulder County. All complaints are to be reduced to writing and sent to the Special Operations Commander.

2. The Special Operations Commander is responsible to evaluate any complaint made. If additional investigation of the complaint is required, it shall be referred to the Boulder County Ambulance Oversight Committee for investigation.

B. Investigation of Complaints

1. The Boulder County Ambulance Oversight Committee is to conduct a fact-finding investigation and produce a written investigative report to the Special Operations Commander in a timely manner.

2. Any member of the Sheriff’s Office is authorized to assist the Boulder County Ambulance Oversight Committee in an investigation when requested.

3. The Emergency Services Unit representative is responsible to make notification to the Ambulance Company’s medical director, in writing, of any alleged complaint or violation by individual medical providers operating under the employment of an Ambulance Company (cf. 6 CCR 1015-3:4.4).

4. The Special Operations Commander is responsible to review the investigative report from the Boulder County Ambulance Oversight Committee and to render a determination as to whether the complaint is: (a) substantiated, (b) unsubstantiated, or (c) inconclusive.

C. Complaints Hearings

1. For any substantiated complaint, the Special Operations Commander is responsible to conduct a hearing to consider disciplinary sanction against an Ambulance Service License or Ambulance Vehicle Permit. These hearings are to be conducted in accordance with §II.D of this policy.
VI. Ambulance Service Agreement

A. The Sheriff reserves the right to assign the responsibility for a County Ambulance Services Agreement and vendor selection process to any division or section within the Sheriff’s Office when a new bid is required. Once a signed Agreement is in place, annual renewals of the Agreement, if authorized, are the responsibility of the Special Operations Commander in the Operations Division.

VII. Record-Keeping and Documentation

A. All documents related to the licensing, operations, inspection, permitting, hearings, and complaints involving an Ambulance Company or Ambulance Vehicle are to be retained electronically in FileNet, the County’s electronic records archiving system. FileNet automatically manages the established retention schedule of the related documents.

1. Original documents, unless needed for specific reason, are to be shredded after upload to FileNet.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

10/16/2018

ATTACHMENTS OR ADDENDUMS:
Form OP801A – Ambulance Service License Application
Form OP801B – Ambulance Vehicle & Equipment Requirements Checklist
Form OP801C – Ambulance Vehicle Permit
SUBJECT: Search and Rescue (SAR)                      NUMBER: OP802

EFFECTIVE DATE: December 31, 2019    SUPERSEDES: [New]

POLICY: It is the policy of the Sheriff’s Office to respond to—and act as the Incident Commander—on all search and rescue incidents which occur in the unincorporated areas of Boulder County as defined in the Search and Rescue Annex to the Emergency Operations Plan for Boulder County, City of Boulder, Local Governments & Special Districts. Additionally, the Sheriff’s Office maintains agreements with air ambulance companies for the purpose of assisting search and rescue missions within Boulder County.

RELATED POLICIES & PROCEDURES:
219 – Public Information
OP108 – On-Call
OP202 – Report Writing

DEFINITIONS:
Approved Fire Medics (AFM) – Used in this policy to mean mountain fire department personnel meeting a set of criteria to include characterological history, medical experience, backcountry experience, and rescue experience who are selected to participate in the Certification training.

Boulder Backdrop – The property immediately outside of the City of Boulder municipal boundaries in which the Sheriff’s Office has primary law enforcement jurisdiction but the property is outside of a fire protection district.

Boulder County Communications Center (BCCC): The Sheriff’s Office Communications Center in the Support Services Division.

Boulder County Rescue Agency (BCRA) – An agency with which the Sheriff’s Office has entered into an annual contract to perform certain search and rescue services or set of services within the jurisdiction of Boulder County.

Certification – An official document from one of the air ambulance companies (AACs) attesting to annual training of an individual rescuer for flight preparation for search and rescue missions. Certifications will include at least one of the following: Lift Ticket™ (Flight for Life, “FFL”), Avalanche Deployment (FFL), or Rescue Deployment (FFL) or any other certification offered by an AAC.

Command Post – The physical area where the Incident Commander (Command) will be located.

Emergency Service’s Duty Officer (ESDO) – The Boulder County Sheriff’s Office
Emergency Services Unit employee who is assigned to cover rescue calls for a certain period of time.

Goals and Objectives – A desired result to be achieved (goals), and the specific, measurable actions (objectives) which must be taken to achieve the overall goals.

Life Threatening Situation – Situations which cause fear or anxiety by threatening great harm to either the patient or rescuers directly involved with the rescue. This may be severity of injury, weather, terrain, or some other circumstance.

Memorandum of Understanding/or other Agreements (MOU) – A signed agreement between the Boulder County Sheriff’s Office and one or more air ambulance companies (AAC) indicating an intended common line of action regarding aiding BCRAs, and the BCSO with search and rescue missions.

RMRG Call Taker – The RMRG-qualified group member assigned responsibility for the execution of the rescue call for the Rocky Mountain Rescue Group for a set period. The RMRG radio call-sign is “1910.”

Search and Rescue Agency - The Agencies which are under contract with the Boulder County Sheriff’s Office to provide search and rescue services.

Search and Rescue Missions – Incidents under the authority of the BCSO which require the use of aircraft, surface craft, submarines, specialized rescue teams and equipment, and provision of aid to people who are in distress or imminent danger on land or water.

PROCEDURE:

I. General Guidelines

A. The sheriff’s office is statutorily responsible for all search and rescue (SAR) calls within unincorporated Boulder County (cf. § 24-33.5-707(10), C.R.S.). In order to effectively coordinate and manage SAR responsibilities, the SAR coordination and command response is assigned to the Emergency Services Unit (ESU).

B. Under the supervision of the Special Operations commander, ESU shall always have an Emergency Services Duty Officer (ESDO) designated for response, whether on-duty or off-duty.

C. When the Boulder County Communications Center (BCCC) dispatches a search and/or rescue (SAR) call, the ESDO is expected to acknowledge and/or initiate a response within fifteen minutes of the initial page or notification (see OP108 – On-Call).
1. **On-Duty:** While ESU resources are on-duty, a response to a SAR event is expected, unless cancelled by a supervisor.

2. **Off-Duty:** While ESU resources are off-duty, a response to a SAR event is not automatically expected. The ESDO may consult with the on-duty patrol supervisor, ESU supervisor, or other command-level personnel to determine if ESU support is required or not.

### D. On-Scene and Incident Command Responsibilities

1. The ESDO is responsible to ensure that an incident command post (ICP) is established, that Communications has been advised of its location, and that the incident has been named and communicated by radio.

   a. If Incident Command for the event has not been established upon their arrival, the ESDO is to establish and maintain command throughout the event.

   b. If Incident Command for the event is established prior to their arrival, the ESDO should introduce themselves to the incident commander (IC) and request an incident update. Once the update has been received, the ESDO may take over, offer to take over, or offer to share command (unified command) depending on what is most appropriate under the circumstances.

   1). When making the command determination, the ESDO is responsible to ensure that the incident commander is appropriately qualified under the National Incident Management System (NIMS) definition of incident commander.

   2). The ESDO always retains the statutory responsibility to ensure that the incident command responsibilities outlined in section B.2. are carried out until the incident is terminated.

2. **Incident Command Responsibilities**

   a. The IC is responsible for the overall management of the incident and response, including:

      • Situation status
      • Incident objectives and priorities
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

- Current organization
- Resource assignments
- Resources ordered and in route
- Incident facilities
- Incident communications plan
- Incident prognosis, concerns, and other related issues
- Introduction of Command and General Staff members.

b. When all rescue personnel are out of the field, the ESDO should check with all personnel to determine if there were any issues, and whether an immediate debrief or After-Action Review (AAR) is necessary.

1) If there is a request for an immediate debrief/AAR, the ESDO will generally facilitate the discussion in a non-biased manner and seek resolution to any issues that arise.

2) If a resolution cannot be reached during the debrief/AAR, the ESDO should summarize the discussion with the special operations supervisory team and, through regular business efforts, work to resolve the issue(s).

3) Once the incident is terminated, the ESDO clears the call on BCFire and then BCLaw.

E. Documentation

1) That ESDO shall ensure that a case number is assigned to the incident and that all pertinent information for the resulting report has been collected. The ESDO is responsible to document their involvement and overall incident response in accordance with the established report writing procedures.

2) The ESDO—or in the event they don’t respond, the on-duty patrol supervisor—is responsible to ensure that any media release or public information functions related to the event are completed in accordance with the public information policy.

II. SAR Calls for Service – Unincorporated Boulder County

A. Initial Response

1) When a SAR dispatch is received, the ESDO acknowledges the
dispatch on BC Law and advises they will be moving to BC Fire for coordination of the response. In general, all radio communications are to occur on BC Fire for the duration of the incident.

a. While responding, the ESDO is responsible to ensure that a tactical operations radio channel has been designated, and that all appropriate fire/rescue resources necessary for the mission have been requested.

III. SAR Calls for Service – City of Boulder Property in Unincorporated Boulder County (aka the “Boulder Backdrop”)

A. Initial Response

1. When a SAR dispatch is received in the “Boulder Backdrop,” the ESDO acknowledges the dispatch on BC Law and advises they will be moving to BC Fire for coordination of the response. In general, all radio communications are to occur on BC Fire for the duration of the incident.

a. While responding, the ESDO is responsible to ensure that a tactical operations radio channel has been designated, and that all appropriate fire/rescue resources necessary for the mission have been requested.

b. If the Boulder Fire Department has not been dispatched to the call, the ESDO shall, in conjunction with the RMRG call-taker and the responding City of Boulder Open-Space and Mountain Parks (OSMP) ranger, determine if the fire department is needed for response or not.

1). If the Boulder Fire Department is en route to the call but not needed, the ESDO will generally communicate with the responding BFD personnel on the assigned tac channel and advise them of such.

2). If the Boulder Fire Department is not en route to the call but needed, the ESDO will request their response through the BC Fire channel.

IV. SAR Operations by Air Ambulance

A. ESU is responsible for entering into and managing written agreements with air ambulance companies (AAC) for the purpose of assisting in search and rescue missions.
1. All written agreements shall follow the established Sheriff’s Office business processes and workflow for legal agreements.

B. Annually, the sergeant assigned to ESU will assign an ESU staff member to oversee the AAC-SAR partnership program. The administrative responsibilities of the assigned ESU staff member include:

1. Setting annual program goals and objectives. These goals and objectives will include, but are not limited to:
   a. Training
      1). Schedule joint trainings between Boulder County Rescue Agencies (BCRA), the participating AACs, and ESU, to meet the AAC certification levels for the following programs (Flight for Life designations):
         
         * Lift Ticket (or equivalent)*
         
         Rescue Deployment
         Avalanche Deployment
      2). The number of trainings to be held for each BCRA will be recommended on an annual basis by each BCRA.
      3). At least one of the AACs and an ESU member must be present at each BCRA training for it to meet the requirements under this policy. A copy of the attendance roster must be provided to the ESU member and placed into ESU records.
   b. Recommendations for AAC crewmember gear lists and qualification standards for field operations by flight personnel.
   c. Dispatching and communication procedures for search and rescue calls for each specific AAC, in coordination with Communications.
   d. Approval of AFM’s who may be involved in the joint training with BCRAs.
   e. Provide operational certification for contracted AAC operations within Boulder County.

2. Ensure written MOUs or other contractual agreements remain...
current and are periodically reviewed to ensure they align with annual program goals and objectives.

3. Approval of AFM’s from BCRAs who may be involved in joint training for certification to operate within Boulder County.

   a. In conjunction with the ESU sergeant, the assigned ESU staff member is to develop and maintain a set of criteria for approval, which includes but is not limited to characterological history, medical experience, backcountry experience, and resource experience, which will be used in selecting personnel out of the BCRA’s to participate in the certification training. These individuals are referred to as approved fire medics (AFMs).

   b. The responsible ESU staff member will work with Boulder County mountain fire departments to develop and maintain a list of AFM’s who meet the criteria and who are authorized to train with specific BCRA’s for certification.

      1). Personnel who are accepted to participate in the certification process must attend one of the AAC trainings each year with RMRG for certification.

C. Roles and Responsibilities of the ESDO

1. Requests for air ambulance assistance for SAR calls

   a. For SAR calls in Boulder County, a request for the use of air ambulance resources—outside of immediate transport of a patient—must be approved by the ESDO, or their designee, assigned to the call, and are generally evaluated based on a life-threatening element to the call.

   b. The ESDO will determine the appropriateness of the AAC request, and if supported, order the resource through the BCCC. The request types are as follows:

      1). **Scene Calls** – Requesting the AAC to assist in the care and evacuation of patients either in conjunction with or without EMS or search and rescue personnel on-scene.

      2). **Ground Standby** – Requesting an AAC to standby while more information about a patient’s condition/rescue situation is gathered.
3). **Airborne Standby** – Requesting the AAC to launch the aircraft towards the scene or general area or the location of the rescue while rescue assets are being placed into the field.

4). **Search and Rescue Reconnaissance** – Requesting the AAC to quickly assess the scene from the air. This can include attempts to locate or visualize the victim(s).

5). **Immediate “GO”** – A request for the AAC to immediately lift off and fly to a discrete location for a discrete task.

6). **Lift Ticket** – A request for the AAC to fly to a discrete location with the task of ferrying certified rescuers and rescue gear to a rescue scene.

c. If necessary, the ESDO with their designee may contact the AAC directly to work out specific issues associated with a request.

d. If non-certified rescue personnel need to fly into a rescue scene for a unique reason, the ESDO and/or the AAC assigned to the call must approve the flight cessation for training.

e. The ESDO must approve the AAC inserting one of its medical crewmembers into the backcountry to provide care whether they are escorted by BCRA personnel or not.

V. **Record Keeping**

A. Records generated under this policy are to be managed and maintained in accordance with the Office’s *Records Retention Policy*.

B. Records are to be electronically maintained in the County’s electronic content management system (“FileNet”) system for retrieval. Absent extraordinary circumstances, as determined by the Special Operations commander, original records generated under this policy are not required to be kept once they are electronically scanned into FileNet.
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

By Order of the Division Chief,

[Signature]
Robert Sullenberger,
Division Chief

12/31/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
SUBJECT: Department of Local Affairs Search & Rescue Grant  
NUMBER: OP803  
EFFECTIVE DATE: December 31, 2019  
SUPERSEDES: [New]  

POLICY: It is the policy the Boulder County Sheriff’s Office to utilize the State of Colorado’s Department of Local Affairs (DOLA) search and rescue fund grant, which was created to reimburse political subdivisions for costs incurred conducting search and rescue operations and provide funding for the purchase of search and rescue related equipment. The Emergency Services Unit (ESU) manages this grant on behalf of the Sheriff’s Office, which may be utilized to benefit contracted public safety cooperators for equipment and/or training, including Front Range Rescue Dogs (FRRD) and Rocky Mountain Rescue Group (RMRG).

RELATED POLICIES & PROCEDURES: 
None

DEFINITIONS:

Actual Operational Expenses: All direct operating costs incidental to search and rescue (SAR) activities (i.e., fuel, operating costs, repair/rental of motor vehicles, fixed-wing aircraft, helicopters, snowmobiles, boats, horses, generators or other necessary SAR equipment, reimbursement of mileage, etc.). Personnel costs and operational standby costs are excluded.

Colorado Outdoor Recreation Search and Rescue (CORSAR) Card: A card authorized by CRS § 33-1-112.5(l)(c), issued by the Colorado Department of Local Affairs or one of its licensed vendors.

Eligible Agency: A public or private entity or volunteer association providing specialized search and rescue services and resources authorized by the Sheriff.

Eligible Person: A person in possession of a current and valid Colorado Parks and Wildlife hunting or fishing license; a current and valid Colorado Parks and Wildlife hiking certificate; a vessel, snowmobile or off-highway vehicle currently registered through the Division of Parks and Outdoor Recreation (DPOR) or a current and valid Colorado Outdoor Recreation Search and Rescue Card. As used herein, “hunting or fishing license” includes all those licenses listed in subsections 33-4-102(1) through 33-4-102(1.5), C.R.S. as may be amended. Vessel, snowmobile, and off-highway vehicle registrations include all those listed in Section 33-12-102(1.2)(e), (1.2)(h), (1.2)(o), (1.2)(1), (1.3)(a), (1.3)(d), and (1.3)(e) as may be amended.

Eligible Search and Rescue Mission: Mobilization of persons or agencies with specialized search and rescue skills authorized by a County Sheriff’s Office or statutorily designated search and rescue political subdivision of the State of Colorado for the purpose of locating or rescuing a person within the State of Colorado from an area beyond the boundaries of...
normally available emergency services.

**Rescue Agency** – An agency which the Sheriff’s Office enters into an annual contract with to perform a certain rescue service or set of services within the jurisdiction of Boulder County.

**Tier I Payment:** Reimbursement for eligible, actual operational expenses of an eligible search and rescue mission for an eligible person as certified by the sheriff of the county in which the mission took place.

**Tier II Payment:** Year-end reimbursement for eligible, actual operational expenses of an eligible search and rescue mission for parents, siblings, spouses, children, or grandchildren of an eligible person as certified by the sheriff of the county in which the mission took place. There is a minimum of $150.00 or more in which a mission will be reimbursed.

**Tier III Payment:** Year-end reimbursement for eligible, actual operational expenses of a search and rescue mission for a person not otherwise considered eligible as defined herein, as certified by the sheriff of the county in which the mission took place. There is a minimum of $150.00 or more in which a mission will be reimbursed.

**Year-end Award:** Year-end payment for approved search and rescue related training and equipment paid to eligible SAR agencies and political subdivisions.

**PROCEDURE:**

I. Administration

A. The Emergency Services Unit (ESU), under the supervision and direction of the Special Operations commander, will maintain an online account with the Colorado Department of Local Affairs (DOLA) for submitting and tracking SAR grant requests.

II. DOLA Search and Rescue Grant Claims

A. Reimbursement Claims

1. Within ten (10) days of each search and rescue mission in Boulder County, the ESU sergeant should review the mission to determine whether the mission meets any of the DOLA tier requirements, and if so, if there are associated costs which meet the definition of actual operational costs under the reimbursement grant.

2. Within fifteen (15) days of each mission, the ESU sergeant should submit any identified costs believed to be reimbursable under the grant.
DOLA SAR grant to the Special Operations commander for review. The Special Operations commander should review and determine if reimbursement is to be sought under the grant as soon as practicable.

3. If the Special Operations commander determines grant reimbursement should be sought, the ESU sergeant, or their designee, is responsible to enter the request into the grant management system within forty-five (45) days of the mission.

B. Year-End Award

1. Each year, ESU will coordinate any year-end award grant request on behalf of local rescue agencies under contract with the Sheriff’s Office for SAR operations. This may include acting as the sponsor agency for these contracted agencies, so they can acquire rescue equipment and rescue training funds under the program.

2. By January 15th of each year, ESU should contact each rescue organization the Sheriff’s Office is under contract with for any SAR operations to determine if the agency is proposing any SAR related training and equipment needs under the grant.

   a. Each eligible rescue agency must submit to ESU, in writing, a detailed description of the equipment or training needed, including quantity, contact information for their selected vendor, pricing estimates for such equipment or training, and a justification of need and benefit to Boulder County.

   b. In addition to the written grant request, each rescue agency must provide a call load report for the prior year, including their calls for service whether they occurred within Boulder County or not.

   c. All requests, including supporting documentation, must be received by ESU by March 1st in order to be sponsored or supported by the Sheriff’s Office.

3. After March 1st, ESU will review requests submitted by the rescue agencies and will seek any additional clarifying information necessary. If supported by ESU, the grant request will be forwarded to the Sheriff for his/her review. No requests will be filed with DOLA without the approval of the Sheriff.

   a. If the Sheriff supports the grant request, ESU will enter the request with DOLA on the appropriate forms and/or websites.
b. If the Sheriff does not support the grant request, the request will be returned to the rescue agency by ESU with an explanation as to why the grant request was not supported.

4. As the sponsoring fiscal agent, DOLA notifies the Sheriff’s Office of the total dollar award, if any, for year-end grants.

5. ESU is responsible to purchase—in accordance with all applicable Boulder County purchasing policies—and delivering any equipment/training programs funded under the grant application to the applicable rescue agencies.

   a. In addition to Boulder County purchasing policies, all purchases of equipment or training under the grant must comply with grant guidelines, including any specified delivery or completion date deadlines.

6. Prior to April 1st, ESU will submit a report of grant spending from the prior year to DOLA, in accordance with the grant guidelines and procedures.

7. In addition to contracted rescue agencies, ESU has the flexibility to review equipment and training needs of other rescue teams (as defined in the Search and Rescue Annex to the Emergency Operations Plan for Boulder County, City of Boulder, Local Governments & Special Districts) and apply for such equipment and training on behalf of those teams, as needed.

   a. Any grant requested equipment or training under paragraph II.B.7. must follow the same application request and review/approval process under this section.

III. Record Keeping and Financial Compliance

A. Records generated under this policy are to be managed and maintained in accordance with the Office’s Records Retention Policy. This includes written requests from rescue agencies, documentation between DOLA and the Sheriff’s Office, worksheets, receipts, grant awards, etc.

B. Records are to be electronically maintained in the County’s electronic content management system (“FileNet”) system for retrieval. Absent extraordinary circumstances, as determined by the Special Operations commander, original records generated under this policy are not required to be kept once they are electronically scanned into FileNet.
C. ESU staff are responsible for complying with all Boulder County Finance policies and procedures.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

Date
12/31/2019

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
None.
POLICY: It is the responsibility of the Emergency Services Unit (ESU) to respond to, and act as the Incident Commander, on all Search and Rescue incidents which occur in the unincorporated area of Boulder County which are considered water rescue calls as defined in the Search and Rescue Annex to the Emergency Operations Plan for Boulder County, City of Boulder, Local Governments & Special Districts.

RELATED POLICIES & PROCEDURES:
None

DEFINITIONS:

Emergency Service’s Duty Officer (ESDO) – The Emergency Services Unit employee assigned to cover search and rescue calls for a certain period of time, whether on-duty or off-duty.

Water Rescue Agency – Agencies which are contracted by the Sheriff’s Office to provide water rescue services including, but not limited dive, ice and swift water rescue.

Water Rescue Call - A Dive Rescue, Open Water Rescue, Ice Rescue, or Swift Water Rescue.

PROCEDURE:

I. General Guidelines

A. The sheriff’s office is statutorily responsible for all search and rescue (SAR) calls within unincorporated Boulder County (cf. § 24-33.5-707(10), C.R.S.), including water rescue. In order to effectively coordinate and manage this SAR responsibility, the SAR coordination and command response is assigned to the Emergency Services Unit (ESU).

B. Under the supervision of the Special Operations commander, ESU shall always have an Emergency Services Duty Officer (ESDO) designated for response to water rescues, whether on-duty or off-duty.

C. When the Boulder County Communications Center (BCCC) dispatches a water rescue call, the ESDO is expected to acknowledge and/or initiate a response within fifteen minutes of the initial page or notification, if needed (see OP108 – On-Call).
1. **On-Duty:** While ESU resources are on-duty, a response to a water rescue event is expected, unless cancelled by a supervisor.

2. **Off-Duty:** While ESU resources are off-duty, a response to a water rescue event is not automatically expected. The ESDO may consult with the on-duty patrol supervisor, ESU supervisor, or other command-level personnel to determine if ESU support is required or not.

II. **Call Types**

A. **Imminent or Immediate Danger (Persons or Domestic Animals in the Water, or confirmed Injuries)**

   1. The Boulder County Communications Center (BCCC) will dispatch a water rescue call ("REWATS") when a person or domestic animal is reported to be in the water, or a party has suffered an injury and rescue through or from a waterway is needed.

B. **Urgent or Potential Danger (Ice Rescues or Reckless Endangerment Calls)**

   1. The Boulder County Communications Center (BCCC) will dispatch a reckless endangerment call ("REENDS") when a person or domestic animal is not reported to be in the water but is at-risk (e.g., persons or domestic animals on ice).

III. **Response Protocol**

A. **Initial Response**

   1. When a water rescue dispatch is received (§II.A.), the ESDO acknowledges the dispatch on BC Law and advises they will be moving to BC Fire for coordination of the response. In general, all radio communications are to occur on BC Fire for the duration of the incident.

      a. While responding, the ESDO is responsible to ensure that a tactical operations radio channel has been designated, and that all appropriate fire/rescue resources necessary for the mission have been requested.

   2. When an ice rescue or reckless endangerment dispatch is received (§II.B.), the ESDO acknowledges the call on BCLaw and confirms a deputy is en-route.

      a. Based upon the circumstance of each dispatch, the ESDO is
to evaluate the dispatched resources and may cancel a deputy response and send fire/rescue resources only, may modify the rescue agency response, and/or may elect to respond.

B. On-Scene and Incident Command Responsibilities

1. The ESDO—or responding deputy if an ESDO is not responding—is responsible to ensure that an incident command post (ICP) is established, that Communications has been advised of its location, and that the incident has been named and communicated by radio.

   a. If Incident Command for the event has not been established upon their arrival, the ESDO is to establish and maintain command throughout the event.

   b. If Incident Command for the event is established prior to their arrival, the ESDO should introduce themselves to the incident commander (IC) and request an incident update. Once the update has been received, the ESDO may take over, offer to take over, or offer to share command (unified command) depending on what is most appropriate under the circumstances.

   1). When making the command determination, the ESDO is responsible to ensure that the incident commander is appropriately qualified under the National Incident Management System (NIMS) definition of incident commander.

   2). The ESDO always retains the statutory responsibility to ensure that the incident command responsibilities outlined in §III.B.2. are carried out until the incident is terminated.

2. Incident Command Responsibilities

   a. The IC is responsible for the overall management of the incident and response, including:

      • Situation status
      • Incident objectives and priorities
      • Current organization
      • Resource assignments
      • Resources ordered and in route
b. When all water rescue personnel are out of the field, that ESDO should check with all personnel to determine if there were any issues whether an immediate debrief or After-Action Review (AAR) is necessary.

1). If there is a request for an immediate debrief/AAR, the ESDO will generally facilitate the discussion in a non-biased manner and seek resolution to any issues that arise.

2). If a resolution cannot be reached during the debrief/AAR, the ESDO should summarize the discussion with the special operations supervisory team and, through regular business efforts, work to resolve the issue(s).

3. Once the incident is terminated, the ESDO clears the call on BCFire and then BCLaw.

C. Documentation

1. The ESDO—or responding deputy if an ESDO is not responding—shall ensure that a case number is assigned to the incident and that all pertinent information for the resulting report has been collected. The ESDO is responsible to document their involvement and overall incident response in accordance with the established report writing procedures.

IV. Public Information

A. The ESDO—or in the event they don’t respond, the on-duty patrol supervisor—is responsible to ensure that any media release or public information functions related to the event are completed in accordance with the public information policy.
By Order of the Division Chief,

________________________
Robert Sullenberger,
Division Chief

12/31/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
None.
SUBJECT: Mass Fatality Incidents

NUMBER: OP901

EFFECTIVE DATE: June 4, 2019

SUPERSEDES: [New]

POLICY: The Boulder County Sheriff’s Office has adopted the Boulder Mass Fatality Plan published by the Boulder Office of Emergency Management for all mass fatality incidents. The purpose of the county-wide mass fatality plan is to identify to the responsible investigative authorities, clearly define the structure of the response, and identify the conditions that need to be met before the response and recovery efforts can be terminated. Any deviation from the county-wide plan during an incident requires the authorization of the Sheriff.

RELATED POLICIES & PROCEDURES:
OP901-A Boulder OEM: Mass Fatality Plan, Rev. May 2019

DEFINITIONS:

Mass Casualty Incident: An event where the number of casualties exceed local resource response capability and requires mutual aid assistance from neighboring jurisdictions during the initial response phase. Casualty variables may include, but is not limited to, the number of available resources, number of injuries, and severity of injuries.

Mass Fatality Incident: An event where the number of deceased persons exceed local investigative resource capability and requires mutual aid assistance from neighboring jurisdictions.

PROCEDURE:

I. Administrative

A. The Boulder Mass Fatality Plan, Rev. May 2019, shall be used as the guiding framework for all mass fatality incidents that the Sheriff’s Office has primary jurisdiction over.

B. Any mass casualty or mass fatality incident response shall utilize the principles of ICS, including the establishment of a unified command with fire and rescue entities.

1. The on-duty field supervisor shall serve as the initial incident commander to any mass casualty or mass fatality incident, until relieved or reassigned by a higher-ranking sheriff’s deputy.

C. Off-duty sheriff’s employees should not self-dispatch to any mass casualty or mass fatality incident without the authorization of a supervisor.
1. Off-duty sheriff’s employees authorized by a supervisor to respond shall respond to the designated staging area and report to the staging area manager (STAM) to await assignment in the incident, unless otherwise directed by the law enforcement incident commander or operation section chief.

II. Plan Activation

A. Mass Casualty Response Phase

1. The incident commander for law enforcement operations is responsible to notify the on-call (a) staff duty officer (SDO) and (b) detective supervisor of the incident as soon as practicable.

2. The on-call detective supervisor is responsible for partner agency notifications, as prescribed in the process map on page 5 of the plan.

B. Mass Fatality Response Phase

1. The incident commander—or unified incident command—of the mass casualty event shall transfer command of the incident to the unified command structure identified in the mass fatality plan as soon as the initial response phase of the incident has passed.

III. Plan Termination

A. Section (IX) of the plan contains all demobilization criteria that must be met prior to plan termination. Additionally, consultation with the Sheriff shall occur prior to any Sheriff’s Office-initiated termination of the plan, or the Sheriff’s Office’s participation in the plan as a supporting agency.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

6/4/2019

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
OP901-A Boulder OEM Mass Fatality Plan (U//LES)
SUBJECT: Service of Animal Control Summons

EFFECTIVE DATE: January 3, 2017

POLICY:
The Boulder County Sheriff’s Office animal control officers are authorized to enforce Colorado Revised Statutes, Boulder County resolutions, and municipal ordinances in contracted municipalities, as they relate to animals.

RELATED PROCEDURES:
OP502 – Arrest Standards & Procedures

DEFINITIONS:
Animal Control Officer: Any person authorized by the Boulder County Sheriff to enforce animal ordinances within Boulder County or its contracted municipalities.

Deputy: A POST-certified, commissioned deputy sheriff assigned to the Operations Division and authorized to make arrests.

Park Ranger: A person authorized by Boulder County ordinance to enforce any county ordinance on property owned by Boulder County Parks & Open Space, which may include animal ordinances.

PROCEDURE:

I. Enforcement Authority

A. Animal control officers may issue summonses and complaints concerning any Boulder County or contracted municipality animal control ordinance. When probable cause has been established a summons and complaint may be served in accordance with the provisions of the county resolution, regulation or municipal code.

B. Animal Control Officers have a limited commission involving the issuance of summonses and complaints in accordance with C.R.S. 30-15-105, unless they have been commissioned by the State Department of Agriculture as outlined in C.R.S. 35-42-107(4).

C. Deputies may be utilized in the service of summonses and complaints involving state violations of Cruelty to Animals (C.R.S. 18-9-202), livestock
violations (under C.R.S. Title 35) and Dangerous Dogs (C.R.S. 18-9-204.5).

II. Summons & Complaint Process

A. Boulder County Ordinances

1. Animal control officers and deputies are permitted to issue a penalty assessment summons for violations not involving bodily injury for the first, second, and third offense violations only. The amount of the fine is listed in the ordinance.

B. Town of Lyons Violations

1. Animal control officers and deputies are required to issue a summons and complaint with a mandatory court appearance for all violations of the animal regulations.

C. Town of Superior Violations

1. In lieu of a summons and complaint, an administrative citation or penalty assessment may be issued for first and second violations of most sections not involving bodily injury. The amount of the fine is listed in the Town of Superior, Articles of Incorporation.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/3/2017

Date

ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: It is the policy of Sheriff’s Office to thoroughly investigate and enforce animal control ordinances in unincorporated Boulder County and contracted municipalities, including laws that require the owner of each dog, cat or ferret to be inoculated against rabies by a licensed veterinarian.

RELATED PROCEDURES:
OP1003 - Animal Bites

PROCEDURE:

I. Animal Bite Reports
   A. When the sheriff’s office receives a report of an animal bite report, the procedural steps are outlined in policy OP1003 – Animal Bites are followed.
      1. Animal control officers and deputies investigating animal bite reports are required to investigate and determine rabies vaccination compliance as part of their investigation.

II. Investigating Rabies Inoculation Status
   A. When a dog or cat owner is contacted as a result of a bite report, the investigating animal control officer or deputy is to determine whether the subject animal is current on its rabies inoculation.
      1. Upon request, animal owners are required to provide a current rabies inoculation certificate. The dates on the certificate should be documented in the investigative report.
   B. Dogs are required by ordinance to wear the rabies tag firmly attached to their collar or harness.
      1. The only exception to this requirement are for dogs participating in a sanctioned dog show or match, dogs aiding law enforcement officers, or dogs on private property with permission of the property owner.
   C. Wolf-hybrids are not considered domesticated canines. The Colorado Department of Public Health and Environment’s policy indicates the
decision of whether or not to vaccinate a wolf-hybrid animal rests with the veterinarian and the animal’s owner.

III. Other Species

A. For additional information on rabies inoculation or requirements for other species, Boulder County Public Health should be contacted for specific direction and information.

By Order of the Division Chief,

Robert Sullenberger, Division Chief

12/31/2019

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ATTACHMENTS OR ADDENDUMS:
None

HISTORY:
POLICY: The Boulder County Sheriffs Office investigates any animal bite that has broken the skin of a person. Bite reports are forwarded to the Boulder County Health Department.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

1) Bite report

   a) Complete a bite report form.
      i) Pink copy of the bite form are given to the owner of the animal;
      ii) White and yellow copies are given to Animal Control Secretary.

   b) Complete an incident report titled ‘bite report’ for cats and dogs (that were not at large at the time of the incident).

   c) If the dog was at large when the bite occurred, complete a criminal report for Dog at Large (County Ordinance 97-1-6, or vicious dog at large).

   d) A summons may be issued if the animal has not been vaccinated or the rabies vaccination has expired.

2) Handling of various animals involved

   a) Dog and cat bites:

      i) Contact the owner of the animal and check that the dog/cat is healthy.
      ii) Check the animal's rabies vaccination, which the owner is required to produce, and record information on bite form.
      iii) All dogs and cats must be confined for a period of ten days whether vaccinated or not.
      iv) Recommendations to consider how animal is to be confined:

         (1) If the dog or cat has a current rabies vaccination, they may be confined at home. The owner must sign the bite form and is given the pink copy.

         (2) If the vaccinations have expired, use discretion. Animal Control must see the animal in ten days, and its whereabouts must be known. If the owner can assure that the animal will be at the residence in ten days, and they can
adequately confine it, the animal may remain at the residence. (The owner must sign the bite form and is given the pink copy.)

(3) Dogs and cats under three months of age are too young to be vaccinated and may be confined at home (The owner must sign the bite form and is given the pink copy.)

(4) Owner unknown: Impound the animal at the Humane Society. Mark “BITE” on the impound card, on the animal's kennel, and indicate the bite release date (10 days from the date of the bite).

(5) If the animal dies the animal's head needs to be saved and sent to the Health Department for testing. Follow the procedure for rabies testing below.

(6) If the animal cannot be located after a reasonable attempt, Animal Control will then forward the information to the Health Department for a final disposition and the case will be closed exceptionally cleared; handled by other agency.

b) Ferret bites are handled the same as dogs and cats with a ten-day observation period, whether or not the animal has been vaccinated.

c) Hybrid-wolf bites are determined on a case-by-case basis by the Health Department. Depending on the situation they could either recommend euthanasia or quarantine (home quarantine is not acceptable) for an extended observation period, as determined by the State Veterinarian’s Office.

3) Wildlife bites

a) The Health Department must be notified immediately whenever a person has been bitten by wildlife.

b) The Health Department does not recognize a rabies threat in rodents. Bites involving mice, prairie dogs, or squirrels are not considered a threat and are not investigated.

c) There is no confinement period for wildlife involved in bites.

d) The animal should be captured and transported to the Humane Society for euthanasia and decapitation for rabies testing (with the exception of bats which are not decapitated).

e) If the animal cannot be caught, it should be dispatched out in the field, taking care not to damage the head. The animal must then be decapitated and the head sent to the Health Department for testing.

f) Commonly encountered wildlife involved in bites:
  i) Coyotes, skunks, raccoons, foxes,
ii) Bats (do not decapitate send the entire body to the Health Department.)

4) Exotic animal bites:
   a) Bite reports may be taken for livestock as well as bites involving non-indigenous animals.
   
   b) The Health Department is notified and makes the final decision as to confinement or euthanasia and testing.

5) Transportation of specimen
   a) If the animal dies while on bite confinement or is euthanized, the head must be saved.
   
   b) The decapitated head is refrigerated not frozen.
   
   c) The head is then taken to the Boulder County Department of Public Health and Environment, Environmental Services, along with a copy of the bite report.
   
   d) The Health Department will only accept the head (with the exception of bats).

By Order of the Division Chief,

_____________________________  _______________________
Dennis Hopper, Chief        Date
SUBJECT:  Dog at Large

EFFECTIVE DATE: March 3, 2006

POLICY: Boulder County Sheriffs Office animal control officers and/or deputies investigate and take appropriate action when a report of a dog(s) at large is received as provided under a contracted Municipality code or County Resolution 97-1-6.

RELATED PROCEDURES:
- OP1001 Service of Animal Control Summons
- OP1005 Small Animal Impounds

DEFINITIONS:

**Control:** Under leash control or when accompanied by a person, within view and hearing and under electronic or voice control.

**Leash control:** Firmly attached to a secured tether or leash that is being held and controlled by a person.

**Electronic control:** The use of a device that is physically attached to the dog, which is used to positively control the dog's behavior through an electromagnetic signal transmitted to the device by the owner.

**Voice control:** Immediate and reliable obedience to any voice or sound command given by the owner or handler irrespective of the distance involved or the presence of any distraction or provocation, including the presence of any human, domestic or wild animal.

PROCEDURE:

1. It is unlawful for the owner or keeper of any dog to fail to prevent the dog from running at large in the entire unincorporated area of Boulder County or the municipalities that have a contract with the Boulder County Sheriffs Office to enforce the County Resolutions and/or Municipal codes (Jamestown, Lyons and Superior).

2. Any dog off of the owner's premises or on private property without the permission of the property owner is to be under control as defined above.

3. A dog is presumed to be at large if injury, damage, or trespass has occurred even if said dog is under control.

4. It is unlawful for the owner of a dog to allow such dog to attack any domestic animal or fowl or any species of wildlife.

5. Any animal control officer or deputy apprehending a dog at large may impound the dog (OP1005 Small Animal Impounds), return the dog to the owner/keeper with a
warning, and/or issue a penalty assessment notice or a summons and complaint (OP1001 Service of Animal Control Summons).

6. An animal control officer or deputy may enter upon private property when it is necessary to apprehend any dog that has been running at large. Such entrance upon private property is to be in reasonable pursuit of said dog(s) but does not include entry into a domicile or enclosure which confines a dog unless at the invitation of the owner.

7. A summons is issued for the offense using resolution number 97-1-6 Dog at Large.

   a. When an animal control officer or deputy apprehends a dog at large that is un-neutered or unspayed, a summons for Ordinance 97-1-6, Dog at Large, with a notation on the ticket that the animal is un-neutered or unsprayed is issued.

8. In addition to the dog at large charge additional charges may include:

   a. When an animal control officer or deputy apprehends a dog and the owner cannot provide a valid rabies inoculation certificate, a summons for Ordinance 97-1-3, Rabies Inoculation Required is issued.

   b. When an animal control officer or deputy apprehending a dog that is either not wearing a rabies inoculation tag, or wearing an invalid Boulder County rabies inoculation tag, a summons for Ordinance 97-1-4, Rabies Inoculation Tag Required is issued.

   c. When an animal control officer or deputy apprehending a dog that has exhibited behavior in accordance to the vicious ordinance, a summons for Ordinance 97-1-7A, Vicious Dog at Large is issued.

   d. When an animal control officer or deputy apprehends a female dog in the pro-estrus or estrus state that is not confined in a building, secure enclosure or a kennel, a summons for Ordinance 97-1-8, Failure to Confine a Female Dog in Heat is issued.

By Order of the Division Chief,

__________________________________________  ____________________________________
Dennis Hopper, Chief                           Date
SUBJECT: Release Of Impounded Animals

NUMBER: OP1006

EFFECTIVE DATE: March 3, 2006

REVISION DATE: March 3, 2006

POLICY: The Boulder County Sheriff’s Office will take custody of dogs running at large and either impound the animal or return it to the owner. Animals impounded for any type of charges or circumstances will be held at the Humane Society of Boulder Valley or at Longmont Humane Society (only for animals within the Town of Lyons).

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

I. Animals impounded at the Humane Society will remain there until an owner or responsible person responds during normal business hours to retrieve the animal. Humane Society staff will handle release.

II. If the owner of an impounded animal contacts an animal control officer, or deputy, requesting the release of the animal the request is to be referred to the on duty supervisor. The supervisor may then authorize the release of the impounded animal by a member of the Boulder County Sheriff’s Office, if there are extenuating circumstances.

   a. The employee affecting the release will complete a detailed supplement.
   b. The officer who impounded the animal is notified either by phone, in person, or via e-mail.
   c. When possible, the officer who impounded the animal should be contacted prior to the release, for details on extenuating circumstances.

III. At no time will an employee of Boulder County Sheriff’s Office release an animal that was impounded by another agency.

IV. The Humane Society determines the fee to be charged for the impounded animal.

V. At no time is an animal to be released by an employee of Boulder County Sheriff’s Office solely to avoid fines or cost of the confinement of the animal

By Order of the Division Chief,

________________________________________  _________________________
Dennis Hopper, Chief                      Date
SUBJECT: Use of Force on Animals

PROCEDURE: Boulder County Sheriff's Office deputies and Animal Control Officers (ACOs) will use only the amount of physical or mechanical force that is objectively reasonable to defend themselves or another from bodily harm when encountering animals or wildlife. The Sheriff's Office recognizes that objectively reasonable force cannot always begin with the lowest levels of force. Deputies and ACOs will assess situations and their own abilities and training, select the tactics and level of force that they believe is proportional to the need, and will successfully resolve the situation. Deputies and ACOs will receive training that complies with the Dog Protection Act (C.R.S. § 29-5-112). In limited circumstances, deputies and ACOs are authorized to use deadly force on an animal as a humanitarian measure.

RELATED PROCEDURES:
502 - Use of Force
514 - Conductive Energy Devices
OP1004 - Dogs at large
OP1010 - Injured/Sick Animals
OP1013 - Wildlife
OP1015 - Wildlife Euthanasia

DEFINITIONS:
Animal: Any living creature other than a human being.

Dog: Any canine animal owned for domestic, companionship, service, therapeutic, assistance, sporting, working, ranching, or shepherding purposes.

Dog Owner: A person owning, possessing, harboring, keeping, having guardianship of, having financial or property interest in, or having control or custody of, a dog.

Deadly Force: Any use of force that is reasonably likely to cause death.

Dispatch: To kill with quick efficiency.

Mechanical Force: Involves the use of some device or substance, other than a firearm, to overcome an animal's resistance.

Non-Deadly Force: Any use of force other than that which is considered deadly force. This includes any effort used to control, capture and restrain an animal.

Objectively Reasonable: The reasonableness of the use of a particular level of force will be judged by paying careful attention to the facts and circumstances of each particular case, including whether the animal poses an immediate threat to the safety of the deputy, ACOs, or other bystanders, and to what degree.
Physical Force: Contact with an animal beyond that which is generally utilized to affect a control or capture objective, employed when necessary to overcome an animal’s physical resistance to the deputy or ACO, or to protect persons or property.

PROCEDURE:

I. Dog Protection Act Training

A. ACOs and deputies will receive a minimum of 3 hours of training prior to January 1\textsuperscript{st}, 2015, or within their first year of employment after January 1\textsuperscript{st}, 2015, in the following areas:

1. The identification and meaning of common canine behaviors (e.g. dog posture, barking, and other vocalizations), and differentiating between dogs that are exhibiting behavior that puts law enforcement officers or other persons in imminent danger and dogs who are not engaging in such behavior;

2. The alternatives to lethal use of force against dogs;

3. What consists of a reasonable opportunity for a dog owner to control or remove the dog from the area;

4. Methods to effectively evaluate and safely react to situations involving a potential dog interaction, including options for distracting and escaping from a dog, options for safely capturing a dog, and defensive options in dealing with a dog.

B. Compliance with the prescribed training mandates in the Dog Protection Act is the responsibility of the Operations Division Training Office.

II. Use of Force on Animals

A. A deputy or ACO is authorized to use physical or mechanical force that is objectively reasonable and necessary to bring an animal under control when necessary.

B. Prior to using any level of force, whenever feasible, a deputy or ACO should allow a reasonable opportunity for a dog owner to control or remove his or her dog from the immediate area.

1. Factors to be considered when determining whether a reasonable opportunity exists or not, include, but are not limited to:
a. Whether the call is a location that is listed in the dangerous dog registry (C.R.S. § 35-42-115);

b. Is a location at which illegal narcotics are suspected to be manufactured or trafficked; or

c. Any exigencies that may be present, such as when the officer or deputy is responding to a call that asserts or suggests that a person has been bitten by a dog or is in physical danger.

C. A deputy or ACO is authorized to use Sheriff’s Office approved techniques and equipment to apply force to animals in situations where it is necessary to:

1. Overcome resistance directed at the officer or others involving the use of an animal;

2. Protect the deputy, ACO or others from physical harm;

3. Protect property, including other animals or livestock; or

4. Restrain or control an animal.

D. Whenever practical, an ACO should request the response of a second ACO or deputy prior to using force, unless the situation dictates that immediate action is required.

III. Deadly Force Events

A. Deputies and ACOs may use deadly force to dispatch an animal under the following circumstances:

1. When they reasonably believe such action is immediately necessary to protect the deputy, ACO, another person, or another animal, from imminent danger of death or serious bodily injury by the aggressive animal.

2. As a humanitarian measure when the animal is seriously injured and is suffering.
a. Deadly force to euthanize an animal may only be used when there is no risk or danger to others in the surrounding area from the application of force.

B. Deadly force shall not be used if the deputy or ACO reasonably believes that an alternative to the use of deadly force will avert or eliminate an imminent danger of death or serious bodily injury, at no increased risk to the deputy, officer, another person, or animal.

IV. Any deputy or ACO whose use of force results in death or serious injury to an animal shall report that use of force to their supervisor as soon as practical and before the end of their shift. The use of force, including the use of a firearm or Taser on an animal, shall be documented as prescribed in the Use of Force Policy (#502).

By Order of the Division Chief,

____________
Tommy L. Sloan, Division Chief

________________________
11/10/2014 Date
POLICY: The Operations Division has established financial accounting systems for the Civil Section in order to manage the civil service process fees that are authorized and mandated by the Colorado Revised Statutes and Boulder County Resolution 2010-74.

RELATED PROCEDURES:
209 – Fiscal Management & Resource Control
OP1202 – Civil Paper Processing
County Policy 2.27 – Unclaimed Property

DEFINITIONS:
Actual Expenses: Personnel and processing costs incurred in typing, processing, filing, and serving a civil process paper, not including mileage (C.R.S. 30-1-104(2)).

Bank Statement: Monthly transaction statements for the civil checking account.

Civil Checking Account: An independent business checking account held at a local bank in the name of the Boulder County Sheriff Civil Section used to deposit civil fees collected and issue refunds. The Civil checking account is only used for civil cases occurring prior to January 1, 2018, and will be closed in the 4th Quarter 2018.

CivilSys: The Microsoft Access® based civil management computer system responsible for managing papers for service, assigning case numbers, and tracking current financial status of each case assigned to the Civil Section, for all process and monies received on or before December 31, 2017.

Judgements: Monies collected as a result of a Writ of Execution or other court order directing the sheriff of Boulder County to seize monies or conduct a Sheriff’s Sale.

Overpayment: Excess monies received for anticipated costs for service of process.

PayPort® Online Service: The credit card payment service associated with the State of Colorado utilized to receive credit card payments.

Recording Fee: The fee charged by the Boulder County Clerk & Recorder for recording a legal document.

Requestor: The individual or business making the request for civil process to be served or executed. The requestor is the financially responsible party for all civil process fees incurred.

SoftCode®: The electronic records management system responsible for managing
papers for service, assigning case numbers, and tracking the current financial status of each case assigned to the Civil Section.

PROCEDURE:

I. Civil Fees

A. The Civil Section shall collect and manage all fees mandated and authorized by the Colorado Revised Statutes for service of civil process, in accordance with § 30-1-104 and § 30-1-106(1), C.R.S., and Boulder County Resolution 2010-74.

B. Anticipated fees shall be collected in advance of service attempts, unless the attorney has an established billing account in good-standing as provided for in § II A.

1. The fees collected in advance of service attempts will include the service fee specific to the paper or service type to be attempted and one day’s mileage.

C. Mileage Fees

1. Mileage fees charged for civil service are calculated, as authorized by Boulder County Resolution 2010-74.

2. **Criminal Actions:** Mileage for each mile actually and necessarily traveled in serving each writ, subpoena, or other process in a criminal action, is charged at $0.20/mile (cf. 2010-74 § III.A).

3. **Actions Other Than a Criminal Action:**

   a. The specified roundtrip mileage per zone is based upon the Sheriff’s Headquarters Building, and are as follows (cf. 2010-74 § III.B):

      1) Zone One: 70 miles
      2) Zone Two: 45 miles
      3) Zone Three: 39 miles
      4) Zone Four: 27 miles
      5) Zone Five: 11 miles
6) Zone Six: 12 miles

b. Mileage fees for attempted service are charged per day, regardless of the number of attempts that are made in that day. The furthest distance will be the zone charged.

4. The current mileage rate authorized by the Board of County Commissioners (BOCC) will be posted on the sheriff’s website, the current civil fee schedule, and at the Civil Section counter.

5. On occasion a deputy may service civil process outside of Boulder County with the approval of a supervisor. In those instances the zone closest to the service location or attempt will be charged at the rate of $0.20/mile.

D. Cash Register

1. Due to the nature of civil fee collection, the Civil Section is authorized to maintain a cash register.

2. The cash register shall maintain $200 in cash, in various denominations, after a deposit is prepared.

3. The Civil Section supervisor(s) are responsible to balance the cash register funds against SoftCode™ financial records at least once per week.

   a. After balancing, cash exceeding $200 in the register will be deposited into the county’s general fund through the Sheriff’s Accounting Section.

4. Cash management is subject to Boulder County financial policies and is subject to periodic audit by Boulder County Finance.

5. Any financial records produced during the course of business will be kept on file in the Civil Section, either electronically or in paper form, in accordance with the civil retention schedule.

E. Credit Cards
1. For convenience, the payment of civil process fees may be made by credit card at the Civil Section counter or by phone or online.

   a. The anticipated fees will be charged to the tendered card during the initial receipt of the paper or process for service.

   1) After the transaction successfully transmits and a confirmation number or code has been received, the paper or process for service will be routed for service attempts.

   b. If there is a balance due after the final determination of fees is made, an invoice shall be sent to the requestor.

2. Any credit card transaction fees incurred will be charged to the requestor.

3. The Civil Section is authorized to use PayPort® as their credit card processing vendor.

4. Any refund due after the service of process, which was originally paid by credit card, will be issued by the by check by the Boulder County Financial Services.

F. Any monies received in the form of check will be deposited into the county’s general fund through Sheriff’s Accounting. The deposit will be reconciled against the SoftCode™ records at least once per week.

G. Final Fee Determination

1. A final determination of civil fees will be made and charged to the requestor after the paper or process has been served, the service window has expired, or when the maximum number of attempts requested has been reached.

   a. Additional fees billed to the requestor may include recording fees, additional mileage fees, or actual costs allowable by law.

2. If the final fees for civil service are less than the anticipated fees collected at the time the paper or process was received for service
resulting in an overpayment, a refund will be made to the requestor by check.

a. In accordance with county policy, any refunds less than $5.00 will not be processed, as the county’s cost to prepare and mail the refund exceeds the cost of the refund owed.

1) Any refund owed less than $5.00 will be applied as credit to future civil fees incurred for service of subsequent civil process.

b. If the requestor owes a balance due on another civil case, the refund amount will be transferred and applied to the balance due case regardless of amount.

c. In accordance with the County’s Unclaimed Property (2.27) policy, checks not cashed within one year from the date of issuance shall be considered unclaimed property and are subject to the disposition process outlined in county policy 2.27 § B.

3. If the final fees for civil service exceed the anticipated fees collected at the time the paper or process was received for service, the additional fees will be billed to the requestor.

4. Any checks returned for insufficient funds, any outstanding fees and balances owed, or any disputed credit card charges resulting in the loss of fees already paid or charged for service made or attempted, may be referred to a debt collection agency. All fees and costs incurred as a result will be billed to the service requestor.

a. A second billing of any outstanding balance(s) owed will be made prior to a referral to a debt collection agency.

H. An itemized receipt will be provided to the payer or billing account holder for any monies received by the Civil Section.
II. Civil Billing Accounts

A. Civil billing accounts may only be established for licensed attorneys and licensed collection agencies that have a principal office located in the State of Colorado, pursuant to § 30-1-106(2), C.R.S.

B. Invoicing

1. Each civil paper will be assigned a unique case number to identify and track the paper. This case number will be used to track all billing invoices and payments.

2. A separate billing invoice for each service requested will be prepared by the Civil Section when the paper has been served, the service window has closed, or when the maximum number of attempts requested has been reached. The invoice will include the total costs of service or service attempts.

3. When making a single payment for multiple invoices, the payee is required to include the civil case number(s) to which the payment is to be credited.

4. All payments are due immediately upon receipt.

C. The Civil Section may suspend billing account privileges for non-payment of fees or other good cause.

1. If billing account privileges are suspended, the billing account holder will be notified of the reason for the suspension, in writing, by a Civil Section supervisor.

D. Civil fees charged to other Boulder County agencies and departments will tender payment through a journal entry (JE) in the Boulder County financial system. These are not considered billing accounts for purposes of this procedure, as these organizations are part of the same governmental entity.
III. Civil Bank Accounts

A. Effective January 1, 2018, the Civil Section financial systems transferred from a private bank to the county’s financial system for all civil cases generated on or after this date. The Civil Section business bank account will be closed in the 4th Quarter 2018 after all 2017 disbursement checks have had the opportunity to be cashed within the prescribed 180 day timeframe imprinted on the check. Upon the date the Civil Section bank account is closed, all sections of this policy specifically referencing the external bank account shall be repealed.

B. Due to the nature and volume of civil fees collected by the Civil Section it is necessary that an independent checking account be established outside of the Boulder County financial system for the timely deposit and refund of civil fees.

1. Authorized signatories on the Civil Section checking account are the Operations Division chief, Civil Section commander, and all Civil Section supervisors.

C. The civil checking account is to be managed in accordance with Boulder County Finance policies and procedures.

D. It is the responsibility of the Civil Section supervisor(s) to ensure that the civil checking account is reconciled monthly after the bank statement is received.

E. Authorized Disbursements

1. Boulder County Treasurer

   a. A disbursement of civil fees collected shall occur at least once per month, in accordance with § 30-1-112, C.R.S. All fees from the prior month will be disbursed to the county treasurer, in their entirety, prior to the end of the following month.

   b. Included with any disbursement to the treasurer shall be an itemized statement of all fees collected by the sheriff that are being remitted.
2. Refunds of civil fees collected in advance of service or service attempts that resulted in an overpayment of the final monies owed.

3. Boulder County Clerk & Recorder for recording fees.

4. Any court, clerk of a court, individual(s), or entity(s) identified in a Writ of Execution or other court-order judgement directed to the sheriff of Boulder County for execution, which resulted in funds being seized and deposited into the civil checking account.

IV. County Financial Systems

A. Deposits

1. A deposit of monies received in the Civil Section into the County’s general fund, through the Sheriff’s Accounting Section, will generally occur twice per week: Tuesdays and Fridays. The Civil Section office staff is responsible to prepare the necessary reports to accompany the deposit.

B. Refund Requests

1. Refund disbursement requests are provided to the Sheriff’s Accounting Section on a weekly basis. The Civil Section office staff is responsible to prepare the necessary disbursement request documentation required for the issuance of checks to reimburse overpayment of civil fees.

   a. Refunds that are less than $5.00 will not be remitted to the Accounting Section, in accordance with § I.G.2.A of this policy.

C. Intra-County Department Invoicing

1. Internal departments of Boulder County with established billing accounts (e.g. the District Attorney’s Office, Health & Human Services, etc.) who utilize the same financial system as the Sheriff’s Office will be invoiced monthly. The Civil Section office staff is responsible to prepare the necessary invoice reports for the Sheriff’s Accounting Section to enter a JE request into the County financial system.
RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
OP1201-A  Civil Fee Schedule
OP1202-B  Mileage Zone Map ("Appendix A" to Resolution 2010-74)
OP1202-C  Bank Deposit Steps
OP1202-D  Credit Card Reconciliation Steps
OP1202-E  Actual Costs Spreadsheet

HISTORY:
1/2018: Revised structure moving to county financial system.
SUBJECT: Civil Paper Processing

EFFECTIVE DATE: January 16, 2018

POLICY: The Sheriff of Boulder County is statutorily obligated to serve civil process by Colorado law. As such, the policy of the Sheriff’s Office is to effect service of civil process in accordance with, and within the scope of, the Colorado Revised Statutes (C.R.S.) and the various rules of the Colorado courts. It is the purpose of this policy to provide Sheriff’s Office personnel with guidelines in the processing of the various types of civil papers received for service; but is not intended to describe in detail every type of paper received for processing. Portions of Colorado statutes or court rules are referenced in this policy for convenience and ease of research; in the event a conflict is found between the current Colorado law or court rule and the information referenced in this policy, the current state law and court rule shall prevail.

RELATED POLICIES & PROCEDURES:
OP1205 – Service of Civil Process

DEFINITIONS:
C.R.C.C.P.: Colorado Rules of County Civil Procedure
C.R.C.P.: Colorado Rules of Civil Procedure
C.R.J.P.: Colorado Rules of Juvenile Procedure
C.R.M.P.: Colorado Rules of Municipal Procedure
C.R.S.: Colorado Revised Statutes
Crim.P.: Colorado Rules of Criminal Procedure

Last Date to Serve: The last possible day service is valid for the type of paper routed.

Receive: Accepting or receiving paperwork to be served by the Sheriff.

Route: A method of giving direction to deputies to effectuate service of a civil paper.

Service: The delivering of civil process in accordance with the Colorado Revised Statutes and the applicable Colorado procedural rules to an individual, business or corporation.
PROCEDURE:

I. Receipt of Civil Process

A. All civil papers submitted to the Sheriff of Boulder County for service are routed through the Civil Section. Process may be submitted to the Civil Section by U.S. Mail, Boulder County interoffice relay (for internal county departments), in-person during business hours, fax, and email.

1. Emergency papers received after-hours and approved by an Operations Division supervisor at the rank of sergeant or above for after-hours service attempts, are still assigned and billed, if applicable, even if the service is completed prior to the next business day. It is the responsibility of the deputy who serves emergency papers after-hours to provide a copy of the papers and all pertinent information to the Civil Section (cf. OP1205 – Service of Civil Process, § I.B).

B. The individual, company, or law firm requesting service of civil process through the Sheriff of Boulder County, is required to complete the Civil Process Intake Form.

1. If a cover letter or email from a law firm provides sufficient information normally obtained by the Civil Process Intake Form for the process to be routed and attempted, the Civil Process Intake Form requirement may be waived by the receiving clerk.

C. All applicable fees are required to be paid at the time the papers are submitted for service, unless the requestor has a billing account (cf. OP1201 – Civil Billing Accounts) in good standing with the Sheriff’s Office.

1. Fees required prior to attempts being made include the applicable service process fee and one day’s mileage to the zone of the primary address. Fees may be remitted by cash, check, or major credit card.

2. Fees are required by statute and can only be waived by court order, or by statutory exception (§ 30-1-106 and § 30-1-116, C.R.S.).

3. The requestor will be provided a receipt for monies received at the time of payment.

D. Prior to accepting the papers for service, the attending clerk or deputy is responsible to check each process received for content, to ensure they were properly issued, and confirm the time frame for service is adequate.
1. Process properly issued are those that are:
   
a. Signed by a judge or magistrate;
   
b. Signed by an attorney;
   
c. Signed or issued by a court clerk; or are
   
d. E-file stamped

E. If the papers submitted for service contain sufficient information to establish probable cause that a mandatory reporting (i.e. child abuse, elder abuse, etc.), or mandatory arrest crime has been committed (i.e. a domestic violence based crime, etc.), a copy of the paperwork shall be referred to appropriate law enforcement jurisdiction for follow-up investigation if there is no information to indicate the crime was previously reported.

1. Papers that contain probable cause a crime was committed, but do not constitute a mandatory report or mandatory arrest crime, are not referred to the local jurisdiction for investigation, unless the victim or respondent requests so.

II. Routing of Civil Process

A. After civil process is accepted for service, the process will be entered into SoftCode®, the Civil Section’s electronic records management and case file system. Each civil paper submitted to the Sheriff of Boulder County for service is assigned a unique civil case file number, which is prefaced with the letter “C” to denote civil, followed by the year, and then the sequential file number (i.e. C18-1045).

B. Information entered into the SoftCode® software system will be entered exactly as reflected in the remitted papers.

1. Civil Section office staff are responsible to ensure that if a previous name and/or address record exists in the SoftCode® system for the parties named in the remitted process, are associated with the proper name and/or address record when enough information exists to confirm it is the same individual or location, even if the paper lists an alias name or different spelling of an address, etc.

2. If a duplicate name or address history is located in the system, the clerk or deputy who located the duplicate record is responsible to notify the unit’s legal secretary, so that a mash of the records can be made.
a. Mashing records in the *SoftCode®* system can only be made when two at least two pieces of information exist (e.g. date of birth, address, social security number, photograph, full name, family names/associates, etc.) that confirm that the name records being mashed are the same individual.

C. The route slip shall contain the following information, when available:

1. Sheriff’s civil case number, which is generated through the *SoftCode®* system.

2. “Document” [Process or paper type]
   
a. The paper type will be entered into the case record exactly as it is captioned on the legal process. For Colorado process, the paper type names are selected from a pick-list; for out-of-state process, a free-form text is entered.

b. The process type determines both the type and timeline of service.

3. “Serve By”
   
a. The date the paper expires for service is calculated by the Civil Section office staff based upon the specific process or paper type, which are outlined in § III of this policy.

b. For papers that do not have an expiration date for legal service, the route slip will denote “DE” (doesn’t expire).

   1) Papers routed as “DE” shall be returned by the assigned deputy if they remain unserved after one calendar month. The Civil Section office staff will contact the requestor to provide the status of the papers and determine if the requestor wants to cancel or make additional attempts.

4. Method of Service

   a. The Civil Section office staff shall determine, based upon paper or process type, the appropriate method of service to comply with statute and court rules. The following routing types shall be used when special service requirements exist:

   1) **POST**: Posting shall be made in a conspicuous place upon said premises by physically attaching the document(s) by
non-marking tape. When weather is a concern, the documents are to be placed in a plastic sheet protector to avoid damage to the document(s).

2) **ONLY**: This directive is to serve only the person listed on the route slip. Substitute service is NOT accepted. This classification includes all out-of-state papers.

3) **READ**: This is noted for protection orders, as well as certain District Court orders. This is not a court rule or statutory requirement, but done by the Sheriff as a courtesy when serving a respondent. If reading the paper as a courtesy would compromise deputy safety, upon articulable reason, the paper is not required to be read by the deputy as a courtesy.

5. **“Serve To”**
   a. This field shall reflect the name of the individual or business to be served, exactly as it appears on the orders or papers.

6. **“Address”**
   a. Addresses shall be entered in the order of priority for attempts to be made.

7. **“Date Received”**
   a. The date/time the paper was received and upon which the attempt window for “DE” papers (cf. §II.C.3.b.) is calculated from.

8. **“Special Instructions”**
   a. Any information helpful for service attempts, including community door access codes; known hazards, risks, or other concerns; etc.

9. **“Photos”**
   a. Any photograph that may be helpful in executing the service of process may be attached at the discretion of the Civil Section office staff (e.g. photos of the named subject, photos of property to be seized, etc.).
D. The completed route slip is printed and either jacketed to an envelope containing the papers to be served, or placed on the face of the papers to be served.

III. Types of Civil Papers / Process

A. Citation-Contempt: (C.R.C.P. Rule 107c) are usually accompanied by a Motion and Order supported by an affidavit to the court that an indirect contempt has occurred. These citations are served directly upon the named person at least 21 days before the time designated for the person to appear.

B. Distraint Warrant: (§ 39-10-111, C.R.S.) Issued by the county treasurer’s office notifying of taxes owed, which are in arrears. At any time after the first day of October, the treasurer shall enforce collection of delinquent taxes on personal property by commencing a court action for collection or selling the property. Whenever a distraint warrant is issued, it shall be served by the sheriff or a commissioned deputy or at the discretion of the sheriff, by a private service of process hired for the purpose.

C. Interrogatories: (C.R.C.P. Rule 33, District Court Rule 69 & 369) A set of written questions drawn up whereby the judgment debtor must answer such interrogatories concerning his property and shall be approved by the court. This document is usually accompanied by a motion and order.

1. Rule 33: Interrogatories to Parties: The party upon whom the interrogatories have been served shall serve a copy of the answers, and objections if any, within 35 days after the service of the interrogatories. It is unusual that the sheriff would receive this type of document for service, as they are generally dealt with at the attorney level, but if received they are to be personally served.

2. Rule 69(d): Execution and Proceedings Subsequent to Judgment: The interrogatories, when so approved by the court, shall be mailed by the clerk to the judgment debtor, who shall answer the said interrogatories and mail or file them with the court within 14 days after receipt thereof by the judgment debtor. The interrogatories upon approval may also be served upon the judgment debtor in accordance with Rule 304.

3. Rule 369(g): Pattern Interrogatories: Are set forth in the judgment order, may be mailed by the clerk or served by the judgment creditor in accordance with Rule 304 without any further order of the court. Any proposed no-pattern interrogatories must be specifically approved by the court.
D. **Juvenile Summons, Notice, Petition and Order:** (C.R.J.P. Rule 1; § 19-2-514, C.R.S.) This is a notice to parents, juveniles, or guardians to appear in court for a hearing concerning a juvenile.

1. **Pursuant to § 4:** The summons shall require the person or persons having the physical custody of the juvenile, if other than a parent or guardian, to appear and to bring the juvenile before the court at a time and place stated not more than thirty days after issuance of the summons.

2. **Pursuant to § 8a:** A summons issued under this section may be served in the same manner as the summons in a civil action or by mailing it to the juvenile’s last known address by certified mail with require receipt requested not less than five days prior to the time the juvenile is requested to appear in court.

3. **Pursuant to § 8b:** Service upon the parent, guardian, legal custodian, or physical custodian who has physical care of a juvenile of a summons that contains wording commanding said parent, guardian, legal custodian, or physical custodian to produce the juvenile in court shall constitute valid service compelling the attendance of both the juvenile and said parent, guardian, legal custodian, or physical custodian in court.

E. **Notice of Demand of Rent or Possession-Unlawful Detention Defined:** (§ 13-40-104, C.R.S.) First-step in the eviction process; it can be posted or served, and is not required to be completed by a sheriff’s deputy.

F. **Notice of Hearing/Motion:** (C.R.C.P. Rule 245d) This notice is intended to notify a person of some proceeding in which their interests are involved, or informing them of some fact which it is their right to know and the duty of the notifying party to communicate. A written motion, other than the one which may be heard ex-parte and notice of the hearing thereon, shall be served not later than 7 days before the time specified in the hearing, unless a different period is fixed by rule or order of the court.

G. **Notice of Hearing/Motion:** A criminal action found under Crim.P. Rule 47.

H. **Notice of Levy:** (§ 13-55-102, C.R.S.) This document does not act alone and must be served with supporting documents: *Service of Notice of Levy* or seizure of any property under a *Writ of Execution*, *Writ of Attachment*, or other order of court shall be served upon the defendant debtor by delivering a copy of such notice to the defendant debtor personally or a member of the family. This paper is routed as “Serve ASAP.”
1. If served by publication, it must run for a period of 14 days (cf. § 24-70-106, C.R.S. - Competency of Newspapers: Two weeks (14 days) publication, once each week for three successive weeks in any daily, weekly, semiweekly, or triweekly newspaper shall be sufficient).

I. **Notice to Quit - Termination of Tenancy for Substantial Violation**: (§ 13-40-107.5(a) to 108, C.R.S.) The first-step of the eviction process, which can be posted or served. The Sheriff is not required by law to serve this process and normally only serves the notice when requested by the landlord.

J. **Order to Show Cause - Replevin**: (C.R.C.P. Rule 104c) Once the Order for Replevin is served, along with the Summons and Complaint in Replevin, this order directs the defendant to show cause why the property should not be taken and delivered to the plaintiff. The Order to Show Cause (Replevin/Order for Possession) hearing date shall be not more than 14 days from the date of the issuance of the order, and must be served at least 7 days prior to the hearing date. Service must be made in accordance with the provisions of C.R.C.P. Rule 4.

K. **Small Claims Court Summons to Appear**: (C.R.C.P. Rule 501, et seq) A small claims action that is commenced by filing with the court a short statement of the plaintiff’s claim setting forth the facts giving rise to the action in the manner and form provided in C.R.C.P. Rule 506, and by paying the appropriate docket fee. The first scheduled trial date shall not be less than thirty days from the date of issuance of the notice of claim by the clerk. A copy of the Notice, Claim and Summons to Appear for Trial shall be served at least 15 days prior to the trial date.

L. **Subpoenas**

   1. **Subpoena - Municipal**: (C.R.M.P. Rule 217c) Service, unless service is admitted or waived, may be served by any peace officer or any other person who is not a party who is not less than eighteen years of age. Service of this subpoena may be made by delivering a copy thereof to the person named and is also valid if the person named has signed a written admission or waiver of personal service.

   2. **Subpoena - Civil**: (C.R.C.P. Rule 45a; C.R.C.C.P. Rule 345) A demand by the court to provide testimony.

   3. **Subpoena Duces Tecum**: (C.R.C.P. Rule 45b) Demand by a court or attorney to produce books, papers, documents or tangible things to be made available to the court. Does not require individual
appearance before the court and can be only for the described documents.

4. **Subpoena for Trial or Hearing Testimony**: (C.R.C.P. Rule 45b) Service of a subpoena only for testimony in a trial or hearing shall be made no later than 48 hours before the time for appearance set out in the subpoena.

5. **Subpoena for Deposition Testimony**: (C.R.C.P. Rule 45b) Service of a subpoena only for testimony in a deposition shall be made no later than 7 days before compliance is required.

6. **Subpoena for Production of Documents**: (C.R.C.P. Rule 45b) Service of any subpoena commanding a person to produce records or tangible things in that person’s possession, or custody, or control shall be made not later than 14 days before compliance is required. In the case of an expedited hearing pursuant to these rules or any statute, service shall be made as soon as possible before compliance is required.

7. **Subpoena - Criminal** (Crim.P. Rule 17e; § 16-1-101 to 16-1-108, C.R.S.) In every criminal case, the prosecuting attorney(s) and the defendant have the right to compel the attendance of witnesses and the production of tangible evidence by service upon them of a subpoena to appear for examination as a witness upon the trial or other hearing. Unless service is admitted or waived, a subpoena may be served by the sheriff, by his deputy, or by any other person who is not a party and who is not less than eighteen years of age. Service can be made up to the time of hearing.

8. **Subpoena - Small Claims**: Subpoenas for the attendance of witness or the production of evidence at trial shall be issued and served pursuant to C.R.C.P. 345c unless otherwise ordered by the court for good cause shown; such subpoena shall be served no later than 48 hours before the time for appearance set out in said subpoena.

M. **Summons to Answer**: (C.R.C.P. Rule 4 and Rule 304) County court documents summoning the defendant into court for the first time in order to respond to the allegations of the plaintiff. Service must be made at least 14 days prior to the court date.

N. **Summons and Complaint**: (C.R.C.C.P. Rule 303) Used when a plaintiff makes a complaint against a defendant and the defendant must answer to the complaint within a specific time listed on the summons before a court date is set. A District Court remedy. Serve ASAP (complaint must be filed
within 15 days of the service of the summons, and not less than 5 days of the return date)

O. **Summons and Criminal Complaint (aka Summons upon Felony Complaint):** (Crim.P. Rule 4 and 4.1, § 16-5-206, C.R.S.) A demand by the court to appear to answer to a criminally based charge(s) against the defendant. Attached to the summons is an explanation of the specific criminal charges pending against the defendant. Service must be made not less than 14 days prior to the court date. Does NOT have to be personally served.

P. **Summons - Dependency and Neglect:** (§ 19-3-503(7), C.R.S.) The summons shall be served personally, pursuant to C.R.C.P. Rule 4. If personal service is used, it shall be sufficient to confer jurisdiction if service is effected not less than two days before the time fixed in the summons for the appearance of the person served; except that personal service shall be effected not less than five days prior to the time set for a hearing concerning a dependent or neglected child.

Q. **Summons and Petition:** (§ 14-10-106 to 107, C.R.S.) A petition in a proceeding for dissolution of marriage/legal separation or allocation of parental responsibilities. District Court remedy. Serve ASAP (the petitioner files the return with the District Court and a court date is set)

R. **Summons and Petition Dissolution of Marriage:** (§ 14-10-101 to 133, C.R.S.) Upon the commencement of a proceeding by one of the parties, or by a legal guardian or conservator of one of the parties, the other party shall be personally served in the manner provided by the C.R.C.P. Rule 4, and he or she may file a response in accordance with such rules.

S. **Summons in Unlawful Detainer - Forcible Entry and Detainer Defined (“SFED”):** (§ 13-40-101 to 112, C.R.S.) The second-step in the eviction process. Personal service or service by posting shall be made no more than 14 days from its issuance and no less than 7 days before the day for appearance. The deputy must endorse upon such summons their service thereof if the SFED is posted.

1. Statutory exceptions to unlawful detention are located in §13-40-104(4)(a), C.R.S.

T. **Protection Orders:** (§ 13-14-105 to 110, C.R.S.) Protection orders, temporary or permanent, require service on only the named defendant. While statute states that permanent protection orders are no longer required to be served as they become automatic if approved by the judge, some judges require the service, directing the plaintiff to have the defendant served, or if any changes are made to the original TPO. Service
can be affected under C.R.C.P. Rule 4.

1. **Temporary Protection Order (TPO):** Demand by the court that an individual restricted in their actions, contacts, behavior and/or communication with a specified plaintiff. It is temporary because it includes a hearing date and an expiration date.

2. **Permanent Protection Order (PPO):** The same as a TPO, but remains in effect permanently unless the judge allows special conditions. In order for a PPO to be lifted, the plaintiff must appear in court and request it in writing.

3. **Fee Waiver:** (§ 13-14-109, C.R.S.) No fees for service of process may be assessed by a state agency or public agency against petitioners seeking relief under this section as a victim of conduct consistent with the following:

   - Domestic abuse (§ 13-14-101(2), C.R.S.);
   - Domestic violence (§ 18-6-800.3(1), C.R.S.);
   - Stalking (§ 18-9-111, C.R.S.);
   - Sexual assault (§ 18-3-402, C.R.S.); and/or
   - Unlawful sexual contact (§ 18-3-404, C.R.S.)

4. **Writ of Assistance:** (C.R.C.P. Rule 70) A court order that generally accompanies a seizure order and allows the sheriff to bring the powers of the county to assist. When any order or judgment is for the delivery of possession, the party in whose favor it is entered is entitled to a Writ of Execution or Assistance upon application to the clerk.

5. **Writ of Attachment:** (C.R.C.P. Rule 102) Any party, at the time of filing a claim, in an action on contract, express or implied, or in an action to recover damages for tort committed against the person or property of a resident of this state, or at any time after the filing but before judgment, may have nonexempt property of the party against whom the claim is asserted (defendant) attached by an ex-parte order of court in the manner and on the grounds prescribed in C.R.C.P. Rule 102, unless the defendant shall give good and sufficient security by section (f). No ex-parte attachments before judgment shall be permitted other than those specified in the rule.

6. **Writ of Execution:** (§ 13-52-110 to 111, C.R.S.; C.R.C.C.P. Rule 369) A court order obtained by a plaintiff to enforce a judgment of possession against the defendant or judgment debtor. The execution is active for ninety days from the date of issue, unless sale is pending under levy made. In order for the sheriff to seize property, the Writ of Execution must be accompanied by a Notice of Levy.
X. **Writs of Garnishment**: (C.R.C.P. Rule 103; C.R.C.C.P. Rule 403; § 13-54.5-101 to 111, C.R.S.)

1. **Writ of Continuing Garnishment**: The procedure for withholding the earnings of a judgment debtor for successive pay periods for payment of a judgment debt. Earnings are defined in § 13-54.5-101(2), C.R.S.

2. **Writ of Garnishment with Notice of Exemption and Pending Levy**: Required to be served on the judgment debtor in any garnishment proceeding excluding the continuing garnishment, as soon as practicable following the service of the writ of garnishment on the garnishee. A Notice of Exemption and Pending Levy includes a statement that the judgment creditor intends to satisfy the judgment against the judgment debtor out of the judgment debtor’s personal property held by a third party and that the judgment debtor has the right to claim certain property as exempt (§ 13-54.5-107, C.R.S.).

3. **Writ of Garnishment for Support**: The procedure for withholding the earnings of a judgment debtor for payment of a judgment debt for child support arrearage, maintenance when combined with child support or child support debts, or maintenance. (Note: child support has the highest precedence in garnishment actions).

4. **Writ of Garnishment - Judgment Debtor Other Than Natural Person**: To hold, pending further orders of the court, any personal property owed to or owned by the judgment debtor, and in their possession or control on the date and time the writ is served. This writ of garnishment applies to all personal property owed to or owned by the judgment debtor and in their possession or control as of the date and time this writ was served.

5. **Writ of Garnishment in Aid of Writ of Attachment**: To hold, pending further orders of the court, any personal property (other than earnings of a natural person) owed to or owned by the defendant in attachment and in the possession or control on the date and time the writ was served.

Y. **Writ of Replevin**: (C.R.C.P. Rule 104; C.R.C.C.P. Rule 404) Replevin means a re-delivery of personal property to the owner of the pledge or item taken in distress. The plaintiff in an action to recover the possession of personal property may, at the time of the commencement of the action, or at any time before trial, claim the delivery of such property to him as provided in the rule.
1. **Order for Possession:** (Rule 104d) The Court may issue this type of order prior to hearing, if probable cause appears under the provisions of this section.

Z. **Writ of Restitution:** (§ 13-40-115 to 122, C.R.S.) The final-step in the eviction process. A Writ of Restitution that is issued by the court shall remain in effect for forty nine (49) days after issuance and shall automatically expire thereafter. Only the Sheriff may execute a Writ of Restitution.

AA. **Til-Tap:** (§ 13-52-107, C.R.S.) This process authorizes the Sheriff to enter a business establishment during its operating hours and seize monies and negotiable on hand to attempt to satisfy the judgment. This is done by the Notice of Levy and Judgment under the Writ of Execution. The Sheriff will generally require a Writ of Assistance, unless waived by a Civil Section supervisor at the rank of sergeant or above, to aid in gaining access to secured areas in the subject business in order to seize funds.

IV. **Assignment of Process for Service**

A. The Civil Section sergeant is responsible for the day-to-day oversight of civil process attempts and making arrangements, as necessary, for attempts to be made after-hours, or by Patrol, when necessary.

B. The Civil Section staff, based upon standing direction from any supervisor of the Civil Section, can route papers to Patrol for attempted service outside of normal business hours for the Civil Section. Typically papers routed to Patrol for attempted service after hours include unserved protection orders, unserved court-ordered mental health holds, or papers where they have been diligently attempted or the named party has been unavailable during normal business hours.

1. The Civil Office staff member who routes the papers to Patrol for service after-hours shall send an email message to the affected sergeants listing the papers to be attempted, names, civil case number, and any special instructions patrol deputies should be aware of. The Sheriff’s Civil Unit is CC’d on any message for papers sent to Patrol.

2. Papers routed to Patrol for service attempts are then placed in the designated box in the patrol sergeant’s office.

3. It is the responsibility of the on-duty patrol sergeant to assign the civil papers routed to Patrol for attempted service in a timely manner. Civil papers are to be returned by the assigned deputy
V. Return of Process

A. Once the civil process has been served, the service window has expired, the maximum number of attempts requested have been reached, it has been determined that the named party cannot be served in-county, or diligent attempts have been made unsuccessfully based upon process type (as determined by a Civil Section supervisor), the route slip and papers are returned to the office staff of the Civil Section.

B. The Civil Section office staff are responsible to update the civil case in SoftCode®; prepare the appropriate return documents, if any; invoice or charge any remaining fees owed; close the civil file; and file or archive it as appropriate under the current business practice.

By Order of the Division Chief,

Robert Sullenberger, Division Chief

1/16/2018

ATTACHMENTS OR ADDENDUMS:
OP1202-A Civil Process Intake Form

HISTORY:
2018: [New]; revised and updated based upon prior policy 3.27.
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Civil Standbys & Keep the Peace Requests
NUMBER: OP1204
EFFECTIVE DATE: September 9, 2016
SUPERSEDES: July 20, 2016

POLICY:
It is the policy of the Boulder County Sheriff’s Office to accommodate all court-ordered civil standbys directed to this agency. Requests by a citizen to have the sheriff’s office conduct a civil standby or to be present at a “keep the peace” situation at which the sheriff’s office has not been court-ordered to respond will be handled at the discretion of the sheriff’s office and pursuant to the this policy.

Citizens are encouraged to mediate such civil matters between the parties involved and their respective legal counsels rather than having the sheriff’s office ordered to conduct a civil standby or being required to pay the sheriff’s office to handle the matter as a contracted extra-duty event.

RELATED PROCEDURES:
[None]

DEFINITIONS:
Civil Standby: A deputy or police officer who is present while parties in civil or criminal litigation exchange property, or when one or more parties with legal authority enter a residence, building or vehicle to obtain property. The role of a deputy in a civil standby is to keep the peace.

Civil Protection Order: A protection order granted at the request of a petitioner under the authority of C.R.S. § 13-14-101, et seq.

Criminal Protection Order: A mandatory protection order granted in a criminal case under the authority of C.R.S. § 18-1-1001.

PROCEDURE:

I. Types of Civil Standbys

A. Criminal Protection Order Standbys

1. If the requested civil standby is the result of a no-contact order stemming from an arrest, it is the responsibility of the restrained party to produce the court order authorizing the standby to the sheriff’s office.

   a. A civil standby in a criminal case is not automatic and must be expressly ordered by a judge.
i. Unless otherwise indicated by the authorizing judge, a court-ordered civil standby under these circumstances will be interpreted as a fifteen (15) minute, one-time, standby to obtain sufficient undisputed personal effects in order to maintain a normal standard of living until the next court hearing.

b. If a civil standby cannot reasonably be accomplished within fifteen (15) minutes, the citizen shall be directed to contact the extra-duty events coordinator at the sheriff’s office in order to contract for an extra-duty deputy at their cost.

c. Court-ordered civil standbys stemming from a criminal case shall be directed to the primary jurisdiction where the civil standby is to occur.

i. The sheriff’s office will not conduct short-term civil standbys (i.e. fifteen (15) minutes or less) outside their primary jurisdiction.

B. Civil Protection Order Standbys

1. If the requested civil standby is the result of a civil protection order, a civil standby shall be authorized one time to return to a shared residence to obtain sufficient undisputed personal effects in order to maintain a normal standard of living until the next court hearing.

a. The one-time standby is authorized automatically by C.R.S. § 13-14-104.5(11)(a).

b. When the service of a protection order is completed by a disinterested third-party over the age of 18 – including another law enforcement agency – the one-time civil standby authorized by statute shall be referred to the local law enforcement agency in the jurisdiction where the subject residence is located.

i. In those instances where a sheriff’s deputy has served the civil protection order at the residence, the deputy who served the protection order will conduct the one-time civil standby. The one-time civil standby will be no longer than fifteen (15) minutes.

2. Additional civil standbys require a court-order and must be arranged on an extra-duty, contract basis.

C. Civil Standbys Without Protection Orders

1. Civil standby requests that do not involve protection orders shall be referred to the primary jurisdiction where the standby is requested, unless
the request includes an order directing the Sheriff of Boulder County to act.

2. Civil standbys within the sheriff’s primary jurisdiction that do not exceed fifteen (15) minutes in length shall be handled by on-duty deputies, provided call load and staffing allow.

   a. Short-term civil standbys (e.g. fifteen (15) minutes or less) that occur outside of the sheriff’s primary jurisdiction shall be referred to the law enforcement agency with jurisdiction over the subject location.

3. Civil standbys that are expected to exceed fifteen (15) minutes, or those that must occur at an exact time, shall be referred to the Operations Division extra-duty coordinator for scheduling. All scheduled civil standbys shall be contracted between the sheriff’s office and the requestor, with associated fees.

   a. The extra-duty coordinator shall contact the parties involved, obtain a signed contract, and obtain a deposit of expected fees, from the requestor prior to the civil standby occurring.

II. Civil Standby Guidelines

   A. A deputy’s role in executing any civil standby order is limited to keeping the peace.

      1. A civil standby order is not sufficient to require the sheriff’s office to seize disputed property, remove persons from a residence or building, or remove a child from the custody of another person. Such assistance may only be rendered upon the issuance of an appropriate order directed to the Sheriff of Boulder County.

   B. Limitations on executing civil standby orders:

      1. A deputy is not authorized to trespass onto or forcibly enter a residence, building, or vehicle, unless a Writ of Assistance specifying such action accompanies the civil standby order.

      2. A deputy may not significantly restrain the movement of any person. Any restraint on movement must be reasonable, only through verbal instruction, and for the express purpose of keeping the peace.

      3. A deputy shall not restrain the movement of any vehicle.

      4. A deputy shall not physically remove or load any property.
5. A deputy shall not resolve disputes regarding property items to be obtained or exchanged, and will not allow the removal of disputed property unless specifically ordered by a court.

   a. If there is a dispute or breach of the peace of any kind, the deputy shall end the civil standby immediately and refer the parties to the court to pursue further orders.

C. Deputies shall not arrest any party for refusing to comply with the court-ordered, or authorized, civil standby or property exchange. Litigants are to return to the court and pursue further remedies.

   1. Criminal conduct that occurs in the presence of a deputy during the court ordered standby may subject a party to summons or arrest.

D. If the request is for a civil standby that is within a municipality, and a court order directing the Sheriff of Boulder County to act doesn’t accompany the request, the requestor shall be directed to contact that municipality’s police department for assistance.

   1. If the requestor has already spoken with a municipal police department and has been refused assistance by that department, the requestor is to be counseled to attempt to come to an agreement between the parties involved and their respective legal counsel to conduct the matter without the sheriff’s office’s involvement, unless an order directing law enforcement to act exists. The requestor should be encouraged to look at alternatives such as the aid of disinterested third parties in achieving the civil standby.

   2. If no such private arrangements can be reached, the supervisor, deputy, or other sheriff’s staff member speaking with the requestor has the discretion to:

      a. Refer the civil standby request to the extra-duty events coordinator as a contractual matter to be handled by an extra-duty deputy(s) at a specified contract rate, at the expense of the requestor; or

      b. Have the requestor return to the courts to obtain a court order that specifically directs the Sheriff of Boulder County or law enforcement, to act in effecting the standby.

   3. It is the sheriff’s position that the sheriff’s office will not conduct a civil standby within a municipality without that law enforcement agency’s involvement or notification.
III. Contractual Civil Standbys

A. In contracted civil standby situations as an extra-duty assignments, it is the responsibility of the designated coordinator of extra-duty events to establish:

1. The number of hours required to accomplish the civil standby (a two-hour minimum for contracted civil standbys is imposed);

2. Determine the number of deputies required to conduct the assignment in a safe, timely and efficient manner;

3. Determine if there are any court orders relating to the civil standby request, including protection orders; or, research the validity of documentation provided by the requestor.

   a. If a protection order exists between any of the involved parties or subject properties, a civil standby that is not court-ordered shall not be performed until ordered.

4. Determine what other billable equipment (e.g. patrol cars) may be required to complete the assignment, consistent with the rates charged for other extra-duty events; and

5. Ensure that the civil standby is conducted and the requestor pays, in advance, the estimated extra-duty costs. These costs may be paid by cash, check, credit card, or certified funds.

B. Prior to scheduling a contractual civil standby the following must be completed:

1. A contractual letter must be completed and signed by the requester ("Attachment A").

2. Collection of the estimated costs in cash or certified funds.

3. Provision of a receipt listing the estimated number of hours a deputy(s) is assigned, the cost per hour for the deputy(s), the cost for the assignment of a patrol vehicle, sub-totals and grand totals and the method of payment and the amount of payment (see "Attachment B")

C. The requestor must provide an order issued by any court of record that directly orders a civil standby to the extra-duty coordinator for processing during normal business hours.

D. The extra-duty coordinator shall require the requestor to complete the
required paperwork and contract, before the order is processed.

E. The extra-duty coordinator shall require the requestor to make all applicable payments in advance, as mandated by state statute.

F. The extra-duty coordinator will assign a deputy(s) to execute the order. The deputy assigned shall be responsible for discussing the details of the standby with the requestor.

G. If required, the Civil Section shall assist the extra-duty coordinator in preparing a return of service to the issuing court upon the completion of the execution of the order.

H. The extra-duty coordinator will obtain a civil case number from the Civil Section for each contract civil standby that is conducted.

1. A copy of the civil standby order, contract, and other paperwork created as a result of the request, shall be provided to the Civil Section by the end of the calendar year for filing and retention in accordance with the applicable retention schedule.

   a. A civil case number shall only be required for contractual civil standbys that are completed, or if monies are collected in anticipation of a contractual civil standby.

   2. In the event the extra-duty coordinator is not available to coordinate and arrange for a contractual civil standby request, the responsibility shall transfer to the commander assigned to oversee extra-duty.

IV. Civil Standbys Prohibited

A. The sheriff’s office will not conduct a civil standby that is not ordered by a court for any landlord / tenant issues or for inspection of a leased property.

By Order of the Division Chief,

__________________________  9/9/2016
Robert Sullenberger,       Date
Division Chief

ATTACHMENTS:
OP1204-A  Civil Standby Sample Contractual Agreement
OP1204-B  Civil Standby Quote / Invoice

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
Dear ___________________,

This is in regard to your request to hire an off-duty deputy to stand by while you move your personal items from ________/________(location)___________________ , Boulder County, Colorado on ________/________(date)_________, from _____(hours)______.  

The deputy will be present to keep the peace only.  He/she will not be moving pieces of property and should either party in the dispute violate the law or breach the peace, the deputy will take appropriate enforcement action.

The deputy will not settle disputes over property. Should one party dispute the ownership of any property, unless there is a court order determining who owns the property, the property must remain on the premises until such time as a court order enters regarding the same.

The charge for the deputy’s services is $ [current off-duty rate] per hour with a two-hour minimum. In addition, there is a $ [current off-duty rate] vehicle charge. You have indicated an estimate of needing the officer for _____ hours. The estimated cost is $_______. You will be billed, in 15-minute increments, for any additional time that the deputy is needed beyond the end of the contract. The deputy is not obligated to stay beyond the ending time of the contract. We encourage you to keep your schedule.

We require advance payment in the form or cash, money order, check, or credit card. Payment must be made at the time the contract is executed.

Unless you cancel the deputy at least twenty-four hours before the assigned meeting time on ________/________(date)_________, there will be a two-hour minimum charge.

By signing below, you guarantee that you have come to an agreement with the opposing party about the date and time and terms of the civil standby. Upon arrival, if the deputy learns that there is no agreement, the deputy will leave and you will forfeit your entire fee.

You must submit a signed copy of the order or agreement for our review. The order or agreement should specifically address the property and the authority to release or exchange the property.

If you are in agreement with the above requirements, please sign below and fax a signed copy to [Name] at 303-441-[TBD].

-----------------------------------------   Date:______________________  
I agree with the above stated requirements.

If you have any additional questions, please call 303-441-[TBD].

Sincerely,

[Name]  
Boulder County Sheriff’s Office
POLICY: The Sheriff of Boulder County is statutorily required to affect proper, legal and timely service of all civil processes presented to him or her, as designated by the State of Colorado Revised Statutes (C.R.S.) and various state rules of civil procedure. It is the purpose of this policy to establish the appropriate standards for the service of civil process and to provide the civil personnel with guidelines to perfect service of the various types of civil papers received; but is not intended to describe in detail every service situation.

The following procedure encompasses the current operating procedures, standards, statutory requirements and special instructions requested by the Judicial Districts which, though not specified by statute, are standard operating procedures followed by the Boulder County Sheriff’s Office.

RELATED POLICIES & PROCEDURES:
OP1201 – Civil Fees & Billing
OP1202 – Civil Paper Processing

DEFINITIONS:
Agent: A person who acts on behalf of another person, group, business, government, etc.; representative, a person or thing that acts or has the power to act.

Attorney of Record: Service on a party represented by an attorney is made upon the attorney, unless the court orders personal service upon the party.

By Whom Served: Process may be served within the United States or its Territories by any person whose age is eighteen years or older, not a party to the action.

Conservator: A conservator, or guardian of the property, is a court-appointed fiduciary who is responsible for managing the financial affairs of a child or an incapacitated adult. The conservator takes care of real estate, manages bank accounts, and handles investments.

Corporation: A business incorporated under Colorado State corporation laws with no individual owner, but stockholders and/or corporate officers.

C.R.C.C.P.: Colorado Rules of County Civil Procedure.


C.R.S.: Colorado Revised Statutes.
Guardian: A person who is entrusted by law with the care of the person or property, or both, of another, as a minor or someone legally incapable of managing his or her own affairs (i.e. a substitute decision maker).

Individual: Intended for one person.

Juvenile (13-17 years): Service upon a natural person whose age is at least thirteen years and less than eighteen years, by delivering a copy thereof to the person and another copy thereof to the person’s father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to the person in whose care or control the person may be (C.R.C.P. Rule 4(2)).

Juvenile (under 13 years): Service upon a natural person under the age of thirteen years by delivering a copy to the person’s father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to the person in whose care or control the person may be (C.R.C.P. Rule 4(2)).


Municipal Corporation: Any established municipality.

Natural Person: A human being; one who has its own legal personality as distinguished from non-human legal entities (i.e. corporation, created by operation of law, etc.).

Process: The actual paperwork to be served on an individual, company or corporation.

Partnership: A legal relation existing between two or more persons contractually associated as joint principals in a business.

Personal Service: Upon a natural person whose age is eighteen years or older by delivering a copy thereof to the person, or by leaving a copy thereof at the person’s usual place of abode, with any person whose age is eighteen years or older and who is a member of the person’s family, or at the person’s workplace, with the person’s supervisor, secretary, administrative assistant, bookkeeper, human resources representative or managing agent; or by delivering a copy to a person authorized by appointment or by law to receive service of process (C.R.C.P. Rule 4e).

Person Specific/Only: This is different than personal service in C.R.C.P. Rule 4 and County Court Rule 304, as these documents have to be hand delivered to the party named only and substitute service is not permissible.

Registered Agent: An individual registered with the Colorado Attorney General’s Office as a representative of a corporation able to receive process on behalf of the corporation.
Refusal of Copy: If a person refuses to accept a copy of the process, service shall be sufficient if the person serving the process knows or has reason to identify the person who refuses to be served, identifies the documents being served, offers to deliver a copy of the documents to the person who refuses to be served, and thereafter leaves a copy in a conspicuous place (C.R.C.P. Rule 4k).

Service: The delivering of civil process in accordance with the C.R.S. and the state rules of civil procedure, to an individual, business or corporation.

Substitute Service: A person or thing that takes the place or function of another as in C.R.C.P. Rule 4 which allows for service to certain individuals in lieu of the actual person the process is directed to, which can include publication.

PROCEDURE:

I. Service of Process

A. The sheriff, in person or by his undersheriff or deputy, shall serve and according to law, all processes, writs, precepts, and orders issued or made by lawful authority and to him directed, and shall serve the several courts of record held in his county (§ 30-10-515, C.R.S.).

B. All civil process provided to the Sheriff’s Office for processing (cf. OP1202 – Civil Paper Processing) must be presented to the Sheriff’s Office Civil Section prior to service attempts, with the following exceptions:

1. Emergency Orders directed by a judge.

2. Temporary Protection Orders received “after hours.”

3. Other civil papers received “after hours,” upon the approval of an Operations Division supervisor at the rank of sergeant or higher, when an articulable urgency exists (e.g. an out-of-state custody or protection order, etc.)

C. When civil process excepted in § I.B is received after-hours and approved for service attempts prior to routing, a copy of the process shall be provided to the Civil Section by the attending deputy so that a civil case file can be built the following business day (cf. OP1202 – Civil Paper Processing).
1. The attending deputy shall include a note of all attempts, location of attempts, the date/time they received the papers, the identity and contact information of the individual requesting service, the supervisor who approved the after-hours acceptance and service attempts, and any notes or remarks.

II. Restrictions on Service

A. Civil process may not be attempted before 0600 hours or after 2200 hours, without the direct authorization of (1) an Operations Division supervisor at the rank of sergeant or higher, (2) a specific request made by the defendant, or (3) by order of the court.

B. Civil Process service may not be served on a Sunday without the direct authorization of (1) an Operations Division supervisor at the rank of sergeant or higher, or (2) by order of the court.

C. Civil Process may not be attempted for service on a legal holiday without the direct authorization of an Operations Division supervisor at the rank of sergeant or above.

D. No civil process will be attempted after its legal expiration date, unless specifically ordered by the court.

III. Civil Office Staff Responsibilities

A. All civil process received shall be entered into the SoftCode®, the Civil Section’s computerized management system, for tracking. The tender of fees, if applicable, shall be paid in accordance with statute prior to the process being routed to a deputy for attempted service (cf. OP1202 – Civil Paper Processing).

B. The Civil Section office staff is responsible to process each paper type into the SoftCode® system in accordance with the Colorado Revised Statutes (C.R.S.) and various Colorado rules of procedure, making note of any statutory or rule based requirements for proper service on the route slip (e.g. the paper is Person Specific/Only, etc.), and the legal expiration date for service.
1. Calculation of Time: C.R.C.P. Rule 6 provides instruction for calculating the time frames allowable for the service of civil process, and shall be used by Civil Section office staff to determine the legal expiration date for service.

   a. In computing any period of time prescribed or allowed by these rules the day of the act, event, or default from which the designated period of time begins to run shall not be included. Thereafter, every day shall be counted including holidays, Saturday or Sundays (C.R.C.P. Rule 6).

   b. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday.

C. A case routing sheet shall be produced by office staff for each paper, and should include all pertinent information necessary to effectuate service, as well as any specialized instruction for that process, including any known hazards or concerns.

IV. Deputy Responsibilities

   A. Deputies are not to, without the approval of a supervisor, attempt service of process that has not been routed through the Civil Section, unless the process is an exception listed in § I.B.

   B. Deputies are not authorized to use their official standing to assist private process servers or disinterested third parties affect their service of process. Requests for such assistance are to be directed to the Civil Section.

   C. Attempts for service are to be made in a professional, courteous manner.

   D. Once assigned process for attempted service, the assigned deputy is responsible to make timely attempts at service in accordance with statute and applicable rules.

   E. Follows the instructions of the Civil Section routing sheet that accompanies each process requested for service (C.R.C.P. Rule 4h).
F. The responsible deputy is required to fill out the accompanying route slip, which shall document in detail, all attempts, service or non-service information and any notes made by the deputy. This becomes a permanent record of the civil case management file. This includes location, date, time, party served, total attempts, zone attempted/served, and deputy badge number.

G. If the party to be served refuses the copy of the documents to be served, the deputy must identify the person who refuses to be served, identifies the documents being served, and complete service by leaving the paperwork in a conspicuous place for the party to see.

H. For personal service, the deputy shall physically hand the process to the person being served, unless posting is permitted (cf. § V.C). If the party who is being served under the rules of personal service (cf. § V.B) does not verbally identify as the person listed on the route slip, the deputy must obtain the individual’s name, title/position or relationship, and indicate such on the route slip.

V. Service Types

A. Deputies and staff authorized to serve process are to follow the rules outlined in § V when serving process. The service type is to be listed on the route slip by the Civil Section office staff.

B. Personal Service (C.R.C.C.P. Rule 304, C.R.C.P. Rule 4)

1. Upon a natural person whose age is eighteen years or older by delivering a copy thereof to the person, or by leaving a copy thereof at the person’s usual place of abode, with any person whose age is eighteen years or older and who is a member of the person’s family, or at the person’s usual workplace, with the person’s supervisor, secretary, administrative assistant, bookkeeper, human resources representative or management agent; or by delivering a copy to a person authorized by appointment or by law to receive service of process.

2. Upon a natural person whose at least thirteen years and less than eighteen years, by delivering a copy thereof to the person and
another copy thereof to the person’s father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to any person in whose care or control the person may be; or with whom the person resides, or in whose service the person is employed; and upon a natural person under the age of thirteen years by delivering a copy to the person’s father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to the person in whose care or control the person may be

3. Upon a person for whom a conservator has been appointed, by delivering a copy thereof to such conservator.

4. Upon any form of corporation, partnership, association, cooperative, limited liability company, limited partnership association, trust, organization, or other form of entity that is recognized under the laws of this state or of any other jurisdiction, by delivering a copy thereof to the registered agent for service as set forth in the most recently filed document in the records of the secretary or assistant or one of the following.

a. An officer of any form of entity having officers, or that officer’s secretary or assistant.

b. A general partner of any form of partnership or that general partner’s secretary or assistant.

c. A manager of a limited liability company or limited partnership association in which management is vested in managers rather than members, or that manager’s secretary or assistant.

d. A member of a limited liability company or limited partnership association in which management is vested in the members or in which management is vested in managers and there are no managers, or that member’s secretary or assistant.

e. A trustee of a trust, or that trustee’s secretary or assistant.

5. Upon a municipal corporation, by delivering a copy thereof to the mayor, city manager, clerk, or deputy clerk.
6. Upon a county, by delivering a copy thereof to the county clerk, chief deputy, or county commissioner.

7. Upon a school district, by delivering a copy thereof to the superintendent.

8. Upon the state by delivering a copy thereof to the attorney general.

C. Posting

1. The following types of documents are permitted by law to be posted upon the said premises after diligent effort at personal service is made. Posting shall be in a conspicuous place upon said premises by physically attaching the documents with masking tape. Due to the elements, these types of papers are placed in a sheet protector to avoid damage to the document:


   b. Notice of Demand of Rent or Possession – Unlawful Detention (§ 13-40-104, C.R.S.)

   c. Summons in Forcible Entry and Detainer (§ 13-40-110 to 112, C.R.S.)

   d. Writ of Restitution (§ 13-40-122, C.R.S.)

   e. Notice of Judgement (§ 38-12-208(1)(b), C.R.S.)

   f. Writ of Assistance – Personal Property (C.R.C.P. Rule 70)

   g. Distraint Warrant (§ 39-10-111, C.R.S.)

2. Posting of process shall be made in a conspicuous place. The process will be posted in a secure manner in a way that avoids damage to any underlying surface, and, if applicable, endorsed by the deputy with the date and time of posting (e.g. writ of restitution, etc.). The responsible deputy will make note on the route slip of the date, time, and specific location where the process was posted.
D. Person Specific / Only

1. Certain types of documents require that service be made on the individual or agent personally. This is different than personal service rules prescribed in C.R.C.P. Rule 4 and C.R.C.C.P. Rule 304 (and § V.B). Route slips marked as “Person Specific / Only” have to be hand-delivered to only the party named, and substitute service is not permissible.

E. Attorney of Record

1. Service on a party represented by an attorney is made upon the attorney – when known or requested – unless the court orders personal service upon the party. A resident attorney, on whom pleadings and other papers may be served, shall be associated as attorney of record with any out-of-state attorney practicing in any courts of this state.

VI. Returns of Service

A. Signatures

1. All of out-of-state papers shall require an original notarized signature by the serving deputy on the return of service affidavit.

2. Civil Section office staff is authorized to generate an electronic or stamp signature for the serving deputy in order to complete a return of service, when completion of the service is documented on the route slip, or by electronic entry in the SoftCode® case management system, by the serving deputy.

B. Duplicate Returns

1. A duplicate return of service may be produced upon request, provided the request is documented in the case file or electronic case notes.
RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
SUBJECT: Writs of Execution (Real & Personal Property)          NUMBER: OP1206

EFFECTIVE DATE: September 25, 2018          SUPERSEDES: [New]

POLICY: The Boulder County Sheriff’s Office has a statutory responsibility to follow any court order that directs the Sheriff to levy and/or seize real or personal property pursuant to a writ of execution. It is the responsibility of an officer of the Sheriff’s Office Civil Section, following all statutory laws, to take custody and sell the property owned by the defendant that is described in the writ of execution in order to satisfy a judgment. C.R.S §§ 13 and 38 outlines all the legal requirements the Sheriff’s Office must follow when executing a sheriff sale pursuant to a writ of execution.

RELATED POLICIES & PROCEDURES:
[None]

DEFINITIONS:

Bankruptcy: A federally authorized procedure by which a debtor is relieved of liability for its debts by making court approved arrangements for their partial repayment. A filed bankruptcy petition immediately operates as an automatic stay.

Bonds in Civil Actions: Bond executed by a surety company.

Certificate of Levy: The document recorded with the clerk and recorder of the county where the real property is located which generates the lien and secures the property being executed upon.

Certificate of Purchase: A document given to the successful bidder at a sheriff sale giving ownership to the highest bidder and as confirmation of the personal and/or real property purchased at the sale.

Claim of Exemption: Defendant debtor files with the clerk of the court of record a written claim setting forth, in detail, a description of the property so claimed to be exempt together with the grounds of such claim of exemption.

Combined Notice: A written notice mailed to individuals or businesses that may have an interest in the property being sold by order of a writ of execution.

Confirmation Deed: The document issued and recorded by the officer following a sheriff sale confirming the ownership of the real property.

Continuance of Sale: At any time before the commencement of the sale, the attorney for the holder of debt or the officer may extend the sale to a later date, but no later than twelve months from the originally designated sale date.
Cure Statement: The signed and acknowledged statement listing the judgment amount, all interest, fees, and costs that will be paid to the sheriff prior to the real property being sold in order to satisfy the debt owed by the defendant.

Holder: The person, usually the plaintiff, in possession of or the person entitled to enforce an evidence of debt (judgment).

Homestead Exemption: A legal method designed to help protect the value of the home of a resident from creditors.

Judgment: A court decision establishing that an obligation/debt is owed, such as a debt to the plaintiff.

Junior Lien: A deed of trust or other lien or encumbrance placed upon the property for which the amount due and owing is subordinate to the lien being foreclosed.

Junior Lienor: A person who is a beneficiary, holder, or grantee of a junior lien.

Levy: The act of taking property pursuant to a writ of execution issued by a court to satisfy a judgment.

Livestock: Horses, mules, asses, cattle, sheep, hogs, and alternative livestock as defined.

Notice of Levy: Notice of the legal seizure of property to satisfy a debt and the opportunity for the defendant to claim an exemption on the property seized.

Officer: The Sheriff, deputy, or supervisor conducting a sale pursuant to a court order.

Personal Property Exemption: Property which is exempt from levy and sale of writ of execution.

Publication: Notice, published in a local newspaper, informing the general public of the time and place of a sheriff sale involving real and/or personal property. The publication is generally the same format as the combined notice.

Sheriff’s Indemnifying Bond: Protects the sheriff against damages that might be incurred during the levy process. Porter v. Stapp, 6 Colo. 32 (1881) amount of the bond shall be twice the judgment or twice the amount of the items to be seized whichever is greater.

Sheriff Sale: An auction sale of personal or real property held by an officer pursuant to a writ of execution to satisfy a judgment after notice to the public has been made.

Softcode®: Civil Unit computerized tracking and reporting system.

Statement of Redemption: The signed and acknowledged statement listing all costs
necessary to redeem the property following a sale.

Writ of Assistance: Document issued by a judge and signed by the clerk of the court that allows the Sheriff to use only the force necessary to gain entrance to a certain described property for the sole purpose of searching for the personal property listed within the writ.

Writ of Execution: A written command issued by the clerk of the court and directed to the sheriff of the county where the property is located and orders the Sheriff to satisfy a final money judgment by executing against any personal or real property legally subject to levy.

Til-Tap: Taking of paper currency, coins, bank bills, and other evidence of debt intended to be used as money which may be levied upon or attached under writ of execution.

PROCEDURE:

I. Writ of Execution

A. A writ of execution is the court ordered document that directs the Sheriff to seize or levy on real or personal property to satisfy a judgment. The writ is submitted to the Sheriff’s Office by the attorney or holder of the judgment.

B. Upon receipt of a writ of execution the Sheriff is required to time stamp the back of the writ and enter the case information into Softcode®, creating an electronic record pursuant to C.R.S. § 24-71.3-102(7). The electronic information shall be public record and open to inspection.

C. The writ of execution is valid for 90 days from the date of issue and unless levy is made, will be returned as no action taken/expired.

II. Requirements to Initiate the Writ of Execution Process

A. The Sheriff’s Office requires specific documents from the holder or attorney in order to execute a writ of execution sale.

   1. A cover letter with detailed instructions from the holder or attorney including any specific information as to the defendant and the property being levied upon or seized.

   2. The writ of execution, directed to the Sheriff where the property is located, and the transcript of judgment.

   3. A notice of levy or seizure prepared by the holder or attorney. C.R.S § 13-55-102.
4. A copy of the current deed recorded in the county where the real property is being levied upon.

5. Appraisal and homestead affidavit from a certified appraiser for any real property being levied upon.

6. Mailing List with names and addresses of all individuals or business to be noticed that may have an interest in the real property being foreclosed.

7. Two sets of self-addressed stamped envelopes that will be used for the combined notice and publication.

8. The combined notice prepared by the holder or attorney.


10. Proof of a Bond for the seizure of personal property.
   a. Sheriff's Indemnifying Bond provided by an insurance company.
   b. Bonds under C.R.C.P. 121, sections 1-23, may be given consideration by the Civil Unit supervisor or county attorney.
      1) The bond must be directed to the Boulder County Sheriff, be properly signed by the principal agent, and must contain a copy of the power of attorney showing the present or current authority of the agent for the surety signing the bond.
   c. Bonds for Til-Taps shall be for the amount of the judgment only.

11. A fee deposit may be required to be paid in advance of the seizure.
   a. Holders not represented by an attorney must deposit, in advance, an amount pursuant to C.R.S. § 30-1-104.

III. Writ of Executions for Personal Property
   A. Upon receipt, the officer will review the writ of execution and the notice of levy and make the arrangements for the removal, transportation and storage of the personal property being seized.
1. Personal property may consist of vehicles, jewelry, currency, etc.

2. For cash, checks, credit card receipts or certified funds seized, an inventory must be completed and all the funds shall be deposited into the registry of the court. These funds are not subject to a sheriff sale. C.R.S. § 13-52-107.

B. Arrangements with a locksmith shall be made if the property is within a locked or secured area as long as a writ of assistance is included with the writ of execution.

1. Writ of assistance language may be incorporated in the writ of execution or may be a separate document that will allow the sheriff to use force necessary to break and enter the certain described premises for the sole purpose of searching for the property to be seized. Without the writ of assistance, entry to the premises cannot be made without permission of the defendant.

C. The property seized must be stored within the County of Boulder so the Sheriff can maintain control, unless the court order to seize the property instructs the Sheriff to turn over the property to the holder pending sale. The holder must return the property to Boulder County the day of the sale.

D. Storage Facilities and Tow Companies

1. If the personal property being seized cannot be stored at the Sheriff’s Office, a secured storage facility that is bonded and insured must be used.

2. If the personal property being seized must be towed, a bonded and insured tow company must be used.

3. The officer will make the necessary arrangements for towing and storing of the property.

   a. If the court order instructs the property to be turned over to the holder, the holder may request that a storage facility of their choosing be used.

   b. Although the holder is the responsible billing party, the seized property remains within the control of the Sheriff’s Office while the civil action is in effect or until the Sheriff’s Office is provided instructions by the court.

4. The storage and tow companies must be instructed to not allow access, relocation, removal, or transfer of the property that is
seized unless authorized by a supervisor of the Boulder County Sheriff’s Office.

5. The holder or attorney must supply a check made payable to the storage facility or tow company prior to seizing the property.

6. Any additional costs are to be billed directly to the holder or attorney.
   a. The Boulder County Sheriff’s Office will not assume the financial burden and financial responsibility for property seized for storage under any court order writ of execution unless ordered by the court.

7. If the property to be seized can be stored within the Civil Unit safe the property, once seized, is stored in the safe located in the Civil Section and will be produced at the time of sale.

E. Once the property has been seized, the notice of levy and writ of execution must be personally served upon the defendant.
   1. Service of the documents prior to seizure of the property may result in the defendant disposing of the property causing the sheriff to be liable for the judgment.

F. The route slip will be completed and entered into Softcode® and a return of service will be sent to the holder or attorney with an inventory of the property seized.

G. Personal service of the notice of levy begins the 14 day period in which the defendant can file for an exemption with the court.

H. In the event the defendant is a nonresident, absent from the state, or conceals himself or herself so that personal service cannot be effected, then service of the notice of levy or seizure shall be made by publication for a period of 14 days in a newspaper in the county where the property is located. C.R.S. § 24-70-106(b).

I. Completion of the publication starts the 14 day exemption timeline. A copy of the proof of publication should be obtained by the Sheriff’s Office from the holder or attorney for inclusion in the case file.

J. Following the expiration of the 14 day exemption deadline, the sale will commence as described in section VI (Initiating the Sale Process) below.
K. The officer and/or the deputy must provide written documentation of all activity relating to the levy and seizure for the case file.

IV. Writ of Execution for Real Property

A. Upon receipt, the officer will review the writ of execution and notice of levy to confirm that the detailed description of the property to be levied is accurate and the defendant is the true owner of said property.

1. The officer will review the current deed to confirm ownership by the defendant and the accuracy of legal description contained in the writ and the notice of levy.

B. The officer will prepare and record the certificate of levy online with the clerk and recorder. The certificate of levy must contain the correct address and legal description of the real property and must be signed by the Sheriff.

1. The recorded levy is the document that creates the lien on the real property and may only be released by the Sheriff.

C. The notice of levy and writ of execution must be personally served upon the defendant.

D. The route slip will be completed and entered into Softcode® and a return of service will be sent to the holder or attorney.

E. Personal service of the notice of levy begins the 14 day period in which the defendant can file for exemption.

F. In the event the defendant is a nonresident, or absent from the state or conceals himself or herself so that personal service cannot be effected, then service of the notice of levy or seizure shall be made by publication for a period of 14 days in a newspaper in the county where the property is located. C.R.S. § 24-70-106(b).

G. Completion of the publication starts the 14 day exemption timeline. A copy of the proof of publication should be obtained by the Sheriff’s Office from the holder or attorney for inclusion in the case file.

H. Following the expiration of the exemption claim deadline, the process to move forward with the sale will commence as described in section VI (Initiating the Sale Process) below.

V. Writ of Executions for Livestock
A. For seizure of livestock, it is required that the Sheriff’s Office contact the
Brand Inspector for the NW Central-Longmont District prior to the seizure.
The Brand Inspector can assist if livestock is to be seized under a writ of execution.

Colorado Department of Agriculture Brand Office
305 Interlocken Parkway
Broomfield, CO  80021
(303) 869-9160

1. Primary duties of the Brand Inspector are to inspect cattle, horses, mules, asses, and sheep for brands and ownership.

2. Brand Inspections are required for a change of ownership and to legally cross county or state lines. The Brand Inspector will issue the Title Certificate.

B. Care for livestock seized must be with a bonded and insured storage facility who will provide feeding, herding, pasturing, keeping, ranching, boarding such livestock and any medical care provided. The facility to be used must be approved by the civil section sergeant or supervisor.

C. Once the livestock have been seized, the notice of levy and writ of execution must be personally served upon the defendant.

D. The route slip will be completed and entered into Softcode® and a return of service will be sent to the holder or attorney.

E. Personal service of the notice of levy begins the 14 day period in which the defendant can file for exemption.

F. In the event the defendant is a nonresident, or absent from the state or conceals himself or herself so that personal service cannot be effected, then service of the notice of levy or seizure shall be made by publication for a period of 14 days in a newspaper in the county where the property is located. C.R.S. § 24-70-106(b).

G. Completion of the publication starts the 14 day exemption timeline. A copy of the proof of publication should be obtained by the Sheriff’s Office from the holder or attorney for inclusion in the case file.

H. Following the expiration of the 14 day exemption deadline the sale will commence as described in section VI (Initiating the Sale Process) below.

VI. Initiating the Sale Process for Writ of Executions for Real and/or Personal Property
A. Following the 14 day exemption claim period, the sale deadlines will be set for noticing, publication, and the date of sale. Dates are statutorily directed.

B. The combined notice, mailing list, and publication will need to be requested from the holder or attorney that submitted the writ of execution.

C. Upon receipt of the documents, the officer will review the documents to confirm that all defendant and property information is correct and that all the statutory requirements are met.

1. No sale shall take place if the property listed in the writ of execution does not belong to the defendant.

D. The sale date for real property will be set 110 days from the day the documents were received, 215 days for agricultural properties. C.R.S. § 38-38-108.

E. The sale times for real property are defined by statute and are to be held between the hours of nine in the morning and the setting of the sun on the same day. C.R.S. § 13-56-201.

F. Statute is silent as to the date and time of sale for personal property.

G. Personal property and real property sales are generally held on Thursdays at 10:00 a.m. at the Boulder County Sheriff’s Office headquarters.

VII. Processing the Combined Notices

A. The holder or attorney will supply the officer with a mailing list of individuals or businesses that may have an interest in the property being sold along with a combined notice that will be sent to each address.

B. The combined notice must be mailed to each individual or business listed in the mailing list no less than 16 and no more than 30 calendar days from the receipt of the mailing list. C.R.S. § 38-38-103(3).

C. The combined notice has specific requirements that must be included and are detailed under C.R.S. § 38-38-103. See Attachment A.

D. An amended mailing may be necessary and the officer will be notified by the holder or attorney if an amended mailing is
needed. The amended list must be received no less than 65 days prior to the sale date and the amended combined notices must be mailed out no less than 45 days prior to the sale date.

VIII. Publication of the Legal Notice

A. The holder or attorney shall supply the publication, generally the same as the combined notice, to the officer who will review and submit the publication to the Daily Camera to be published in the legal notices section.

B. The Daily Camera is typically the newspaper utilized by the Sheriff’s Office to publish notices required by statute. They require notices on Saturdays and must receive a cover letter and a copy of the publication no later than Wednesday prior to the first publication date.

C. The publication must commence no more than 60 and no less than 45 calendar days prior to the date of sale. C.R.S § 38-38-103(5)(a).

D. The publication has specific requirements that are the same as the combined notice with a few omissions that are detailed under C.R.S § 38-38-103. See Attachment A.

E. The publication gives notice to the public that the property listed will be sold, the date and time of the sale, the location of the sale, and dates of the publication.

F. Publication time for personal property

1. The statute requires that the notice of the sale for personal property be published for 10 successive days, which means publication once each week for three successive weeks in any daily, weekly, semiweekly, or triweekly newspaper. C.R.S. § 13-57-101 and C.R.S § 24-70-106(a).

G. Publication for real property

1. Statute requires that the notice of the sale of real property be published by the officer for four weeks, which means once each week for five consecutive weeks. C.S.R. § 38-38-103(5)(a) and C.R.S § 24-70-106(d).

H. Billing of publication
1. The newspaper will bill the holder or attorney directly for the cost of publication.

2. The Daily Camera requires prepayment for publications over $500.00.

I. Review of publication

1. Following the first publication the officer will review the publication for accuracy and will request a second review by a Civil LET.

2. If the publication is accurate the officer will send a copy of the publication to the addresses listed on the mailing list and will then verify each week that the publication has been published.

3. If corrections are needed to the publication, contact the Daily Camera with any necessary changes and restart publication.

4. If publication is interrupted, review deadlines and adjust accordingly. An adjustment of the sale date may be necessary and if so, the holder or attorney should be contacted immediately.

IX. Right to Cure

A. Statute allows for the owner of the real property, their heirs, or transferees to cure or pay the sheriff the amount of judgment and all allowable costs to avoid the pending sale. C.R.S. § 38-38-104.

   a. It is not a requirement that the cure occurs through the Sheriff’s Office, but can also be effected through the holder or attorney.

B. The person entitled to cure the default must submit a written notice/request to cure with the officer no later than fifteen calendar days prior to the date of sale.

C. Upon receiving the notice to cure, the officer shall immediately contact the holder or attorney requesting a cure statement.

   1. The holder or attorney must submit to the officer, a signed and acknowledged cure statement stating the amounts necessary to cure the default. C.R.S. § 38-38-104 (2)(II).

   2. Upon receipt of the cure statement, the officer shall immediately transmit the cure statement to the person filing the notice.
3. The officer must receive certified funds made payable to the holder no later than 12 noon on the day before the sale or the sale will proceed. The funds will be forwarded to the holder or the attorney. A copy of the check should be retained in the case file.

4. The person making the cure has up to 90 days after the cure is paid to request copies of all receipts and credible evidence for the amount of the cure.

X. Day of Sale

A. All sales for personal and real property are held in the lobby at the Boulder County Sheriff’s Office headquarters, unless otherwise advertised to be sold where the property is located.

B. If the sale is to be held at the location of a business, permission must be granted by the owners of the business (e.g., the storage unit where the property is held).

C. The sale will be commenced, at the time and date indicated in the combined notice/publication, by reading the notice of sale as it was published in the Daily Camera.

D. The property will be sold “As Is.” The buyers should do their due diligence as to liens, damages, etc. It is not the responsibility of the Sheriff’s Office to supply this information.

E. Personal property is sold only as to the right, title, and interest of the defendant and whoever purchases the property does so subject to any prior liens.

F. For personal property, there is no bid required prior to the sale. A request for a starting bid is made at the start of the sale.

1. If there is more than one item to be sold, the items are offered for sale individually and the total of the bids are calculated.

2. The items are then offered as lot and the bids are taken for the lot as a whole bid. If the total bid for the lot is higher than the total of the single bids then the property is sold as a lot.

3. If the total of the individual bids are higher, than the property is sold as single items.
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

G. For real property sales, statute requires the holder or attorney submit a starting bid by noon, two business days prior to the sale. If the bid is not received the officer shall continue the sale. C.R.S. § 38-38-106.

1. The officer will prepare a statement of fees pursuant to C.R.S. § 30-1-104 that will be submitted to the holder or attorney prior to the day the bid is due to be used for the preparation of the initial bid.

2. The holder or attorney can amend the bid by noon the day prior to the sale or in person at the time of sale.

3. Upon receipt of the bid the officer shall make the bid information available to the public.

H. Both real and personal property is sold to the highest and best bidder for cash or certified funds. Funds are collected by 2:00 p.m. the day of the sale.

I. Personal property seized that is small in nature and kept at the Sheriff’s Office, can be given to the successful bidder upon completion of the sale and the receipt of payment.

J. When vehicles being stored at a tow company or storage facility are sold, the officer will complete the bill of sale that can be used to obtain the property from the facility until the post paperwork can be completed.

K. Property sold in parcels. When any real or personal property is taken in execution, if such property is susceptible of division, it shall be sold in such quantities as may be necessary to satisfy such execution and costs. C.R.S. § 13-52-109.

XI. Post Sale

A. Upon completion of the sale, the officer shall have the successful bidder complete the sheriff’s sale agreement and obtain a copy of their driver’s license.

B. Cash or certified funds made payable to the 20th Judicial District must be collected by 2:00 p.m. the day of the sale. Note: if the writ of execution is from a county other than Boulder County contact the court in the county where the writ was issued to make sure how the funds should be directed.

1. If an electronic deposit is made, confirmation showing the transfer of funds must be obtained.
2. A copy of the certified funds check must be kept with the sale file maintained in the sheriff civil section.

C. If the property is held at a storage facility, the officer will notify the storage facility that the property was sold and can be released to the purchaser. A letter to that effect may be required by the facility.

D. The Certificate of Purchase shall be prepared by either the attorney or the officer.

1. If attorney prepares the certificate of purchase, the officer will review making any necessary changes and obtaining signatures of either the Commander or Sergeant of the civil section.

a. No later than five business days following the sale, the officer shall record, online with the clerk and recorder, the certificate of purchase, decree of foreclosure, and mailing list.

2. The officer shall prepare the report and return of sheriff stating how the property was sold, how the proceeds were distributed, and any outstanding balance on the judgment.

E. If a vehicle was sold, the officer will complete the Colorado Motor Vehicle Bill of Sale DR2173, which will be signed by either the Commander or Sergeant of the civil section.

F. Upon close of the sale and receipt of the funds for personal property the sale is final. No redemption periods exist for personal property sales.

G. For real property, following the redemption deadlines, the sheriff’s deed shall be prepared and recorded online with the clerk and recorder.

H. The officer will update the case file in Softcode®.

XII. Redemption by Lienor(s) for Real Property Sales

A. A lienor or assignee of a lien may redeem, if the lien is a deed of trust or lien recognized by state or federal statute or by judgment of the court, is junior to the lien being foreclosed, and was recorded prior to the recording of the lis pendens. C.R.S. § 38-38-100.3 (11).

1. Owners of the real property being sold are not entitled to redeem.

B. Junior lienors must file a notice to redeem with the officer within eight (8) business days following the sale. C.R.S. § 38-38-302.
C. On the ninth business day after the sale, if notices to redeem are received, the officer shall set the dates of the redemption periods of each junior lienor. C.R.S. § 38-38-302(4)(d).

D. Upon receipt of the notice of intent to redeem, the officer shall within one business day, request a written statement of redemption from the holder of the certificate of purchase or the attorney for the holder of the certificate of purchase.

1. A signed and acknowledged statement specifying interest calculated through the date of the sale, the amount of per diem interest accruing thereafter, the interest rate on which the amount is based, and all other sums necessary to redeem, must be submitted to the officer no later than thirteen days following the sale. C.R.S. § 38-38-302(3)(a).

2. Each subsequent lienor entitled to redeem shall, in succession, have an additional period of five business days to redeem. The right to redeem shall be in priority of such liens according to the records. C.R.S. § 38-38-302(4)(b)(I).

3. The redeeming lienor shall redeem by paying the redemption amount in certified funds to the officer, on or before 12 noon of the last day of the lienor's redemption period.

E. Five days following the receipt of the redemption funds and upon the expiration of all redemption periods, the officer shall execute and record, online with the clerk and recorder, the certificate of redemption and disburse all redemption proceeds to the holder of the certificate of purchase. C.R.S. § 38-38-402.

XIII. Deed to Issue

A. Upon the expiration of all redemption periods or if no redemption periods exist upon the eighth business day following the sale, title to the real property shall vest to the holder of the certificate of purchase or the holder of the certificate of redemption.

1. Subject to the right to cure and the right to redeem provisions of C.R.S. § 38-38-506 and C.R.S. § 38-41-212 (2), title shall be free and clear of all liens and encumbrances junior to the lien foreclosed. C.R.S. § 38-38-501.

B. Between 10 and 15 business days after the title has vested and the officer has received all statutory fees and costs, the officer shall execute and
record, online with the clerk and recorder, a confirmation deed. C.R.S. §§ 38-38-502 and 503.

1. The deed shall be signed by the sheriff and the signature shall be notarized.

XIV. Distribution of the Post Sale Paperwork

A. The officer shall mail, via certified mail, to the purchaser, a cover letter detailing the outcome of the sale, the original certificate of purchase, the Colorado Motor Vehicle Bill of Sale DR2173, if a vehicle was sold, a copy of the report and return of the sheriff, and the proof of publication received from the holder or attorney requesting the sale.

1. If the purchaser is the holder or attorney requesting the sale and no funds are being exchanged, the officer will direct the holder or attorney to file the Report and Return with the court.

B. Following the sale and the receipt of the sales proceeds, hand deliver to the courts from which the writ of execution was issued, a cover letter detailing the outcome of the sale, the report and return, a copy of the certificate of purchase, a copy of the proof of publication, the sales proceeds check or copy of the electronic deposit.

C. Once the sale is concluded, as above, the action is complete. All case activity should be updated in Softcode®, all documents, notes, and correspondences should be organized and assembled in the case file and filed in the civil case file section.

XV. Issues that May Affect the Outcome of an Execution Sale.

A. Bankruptcy - 11 U.S.C. § 362

1. Upon the filing of a petition of bankruptcy by the defendant, which can occur at any time up until the time of sale, an automatic stay will be placed on the sale of the property. The stay will remain in effect until the officer is notified of the discharge and any order of the U.S. Bankruptcy Court.

B. Cancellation

1. The holder or attorney may request a cancellation of the sale upon cure or settlement of the judgment. If a cancellation occurs adjust the fees appropriately pursuant to C.R.S. § 30-1-104.

C. Continuance - C.R.S. § 30-38-109
1. For good cause or by request of the holder or attorney, a continuance of sale may be requested. A sale cannot be continued further than 12 months from the original sale date. If this occurs the sale shall be terminated.

D. Homestead Exemption. C.R.S. §§ 38-41-201 and 206

1. Every homestead in the state of Colorado shall be exempt from execution and attachment arising from any debt not exceeding in actual cash value in excess of any liens or encumbrances on the homesteaded property in existence at the time of any levy.

2. Upon execution, if the real property being executed is the primary residence of the defendant, the defendant is entitled to claim the homestead exemption.

3. The homestead exemption amount in the sum of $75,000.00 will be paid to the owner if the homestead is occupied by the owner or owner’s family.

4. The homestead exemption amount in the sum of $105,000.00 will be paid to the owner if the homestead is occupied by an elderly, 60 years of age or older, or disabled owner, elderly or disabled spouse, or elderly or disabled dependent of the owner.

5. The starting bid and final sale amount must exceed 70% of the fair market value or the sale terminates.

E. Certificates Assignable. C.R.S. § 38-38-403(1)

1. Every certificate of purchase or certificate of redemption shall be assignable by endorsement or by separate assignment, and the assignee shall be treated for all purposes as the original holder of the certificate of purchase or certificate of redemption.

F. Assignment of Debt

1. The holder of the evidence of debt may assign or transfer the secured indebtedness at any time during the pendency of an execution action without affecting the validity of the secured indebtedness.

2. Upon receipt of written notice signed by the holder who commenced the action or the attorney stating that the evidence of debt has been assigned and transferred and identifying the
assignee or transferee, the officer shall complete the sale as directed by the assignee or transferee or the attorney for the assignee or transferee.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

9/25/2018
Date

RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
POLICY: It is the policy of the Boulder County Sheriff’s Office to serve extreme risk protection orders (ERPO) authorized under the laws of the State of Colorado in the safest, most reasonable manner possible, with life safety—including that of the respondent—as the primary consideration. Deputies are authorized to seek an ERPO order, in conjunction with a court-ordered mental hold, when necessary to ensure the safety of an acute mentally ill subject and/or their family members, law enforcement, or other members of the public. The Sheriff’s Office shall safeguard all weapons collected for safekeeping under an ERPO order and keep them in the same or substantially the same condition they were received in until released or disposed of in accordance with statute.

RELATED POLICIES & PROCEDURES:
OP1205 Service of Civil Process

DEFINITIONS:

Concealed Handgun Permit (CHP): A permit issued by a County Sheriff authorizing the permittee to carry a concealed handgun where permitted by law.

Extreme Risk Protection Order (ERPO): A court order issued pursuant to C.R.S. § 13-4.5-101, et seq., that prohibits an individual (respondent) from possessing firearms, when it has been determined by a court, based upon clear and convincing evidence, that the respondent poses a significant risk of causing personal injury to him or herself or others in the near future by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a firearm.

Federal Firearms License (FFL): An individual or company who possesses a valid license through the Bureau of Alcohol, Tobacco and Firearms (ATF) to sell or transfer firearms.

Firearm: Any handgun, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging bullets, cartridges, or other explosive charges, as defined in C.R.S. § 18-1-903(3)(h).

InstaCheck™: A process through the Colorado Bureau of Investigation (CBI) that verifies personal identifying information provided on an application to purchase a firearm.

Petitioner: The person or law enforcement agency who petitions for a T/ERPO or ERPO order under Colorado law.
Respondent: The subject of a TERPO or ERPO.

Temporary Extreme Risk Protection Order (TERPO): A temporary order entered by the court, pursuant to C.R.S. § 13-4.5-101, et. seq., intended to prevent an individual (respondent) from possessing firearms, based upon a preponderance of the evidence that a respondent poses a significant risk of causing personal injury to him or herself or others in the near future by having in his or her custody or control a firearm or by purchasing, possessing or receiving a firearm.

PROCEDURE:

I. General Guidelines

A. The Civil Unit is responsible for coordinating and overseeing the execution of any ERPO petitioned by the Sheriff’s Office or directed to the Sheriff of Boulder County for execution.

B. No fees shall be charged for service of an ERPO-related order.

II. ERPOs Petitioned by Family Members

A. ERPOs petitioned by qualifying family members may be submitted to the Court directly.

B. Upon issuance of an ERPO based upon a petition filed directly with the 20th Judicial District, the Clerk of the Court will forward the Order(s), the Petition, and all relevant documentation to the Civil Unit for processing.

C. If the subject of an ERPO and any related Orders is a resident of a municipality that is outside the primary response jurisdiction of the Sheriff’s Office, the Civil Unit will contact the appropriate municipality as soon as practicable, forward the ERPO and all related Orders, and offer to assist in their execution as mutual aid, including filing of all appropriate returns with the Court.

1. The Civil Unit supervisor or staff member receiving an ERPO or related Orders from the Court for a municipal jurisdiction within Boulder County shall notify the on-duty supervisor of the affected agency and provide an electronic copy of all Orders by email. This notification is to be documented in the Civil Unit case file or electronic case management system.

D. The Boulder County Attorney’s Office may file a Mental Health Petition (M-3 Hold) under its statutory authority to do so.
1. If an M-3 Mental Health Petition contains allegations of firearms, the Boulder County Attorney’s Office may contact the local law enforcement agency jurisdiction, including the Boulder County Sheriff’s Office, in which the family resides, to notify them of a potential need for the law enforcement agency to investigate the potential filing of a concurrent ERPO Petition.

   a. The Boulder County Attorney’s Office cannot file ERPO Petitions on behalf of the public or another law enforcement agency but may facilitate the concurrent filing of petitions.

E. If the Court declines to issue an ERPO or other related orders, the Court will notify the petitioner of the disposition.

III. ERPOs Petitioned by the Sheriff’s Office

A. Sheriff’s deputies are authorized to seek a TERPO or ERPO under C.R.S. § 13-14.5-103, when grounds exist.

B. The sheriff’s deputy petitioning for an ERPO must complete an affidavit outlining the grounds for the resulting petitions. The ERPO petition must comply with all statutory requirements outlined in C.R.S. § 13-14.5-104(3). Additionally, the petitioning deputy is responsible for completing the search warrant required under C.R.S. § 16-3-301.5 and its accompanying affidavit, ensuring it complies with all requirements listed in C.R.S. § 16-3-303.

1. A search warrant under the authority of § 16-3-301(2)(f), C.R.S., should be prepared for filing with TERPO petitions and reviewed by the District Attorney’s Office for legal sufficiency prior to filing.

2. Template forms are published by the Colorado Judicial State Court Administrator’s Office (SCAO) and available under the forms page at www.courts.state.co.us.

C. Prior to filing the petition for an ERPO and a search warrant with supporting affidavit, the petitioning deputy must have the petitions and affidavits reviewed and approved by a Civil Unit supervisor.

D. Once approved by a Civil Unit supervisor, the ERPO Petitions shall be submitted to the Sheriff’s Office legal advisor and the search warrant submitted to the District Attorney’s Office for review. The legal advisor or their designee in the County Attorney’s Office will file the necessary paperwork including all proposed orders, their supporting petitions, and the search warrant and its underlying affidavit, to the Court.
1. The petitioner shall be listed in any proposed order as the Boulder County Sheriff’s Office and will not be an individual deputy’s name. The address of record is Sheriff’s Office Headquarters Building.

E. If the Court declines to issue an ERPO or other related Orders, the Court notifies the petitioner of the disposition.

IV. ERPOs Petition by Other Law Enforcement Agencies

A. Local law enforcement agencies are responsible for filing ERPO petitions concerning individuals in their local jurisdictions.

B. The BCSO Civil Unit may provide, at their discretion, non-legal procedural advice or other assistance to other law enforcement agencies as requested.

V. Assisting Outside Agencies with ERPO Execution

A. Members of the Sheriff’s Office, typically through the Civil Unit, are authorized to assist outside law enforcement agencies in executing ERPO-related orders as mutual aid. This assistance may include strategic or tactical advice, law enforcement support, non-legal procedural advice, and assistance with filing returns with the Courts.

B. Any weapons seized or surrendered pursuant to an ERPO-related order with which the Sheriff’s Office is assisting a local law enforcement agency, are to be held by the local law enforcement agency executing the orders. The Sheriff’s Office will not store firearms that are not the subject of an ERPO filed by or within their jurisdiction.

VI. Execution of ERPO-Related Orders

A. Orders petitioned by the Sheriff’s Office or family petitions directed to the Sheriff of Boulder County for execution within their primary law enforcement jurisdiction will be filed with the Civil Unit and entered into the electronic civil paper management system.

B. A Civil Unit supervisor is responsible for assigning the ERPO and any related orders to a Civil Unit deputy for planning and coordinating their execution. As part of that planning process, the assigned deputy is to contact the respondent’s petitioning family members.

C. Deputies are to plan the safest execution possible with the highest priority being life safety. To that end, deputies are authorized to coordinate the use of whatever Sheriff’s Office resources are necessary to bring about the safest possible resolution.
1. If an ERPO or related order cannot be safely executed within the specified time frame in the order, the responsible deputy is to coordinate with the Sheriff’s legal advisor and attempt to pursue additional time to execute the orders.

   a. If the Sheriff’s Office cannot execute the ERPO-related order within five days, the assigned deputy shall notify the petitioner. See C.R.S. §13-14.5-106(4).

2. Only under extreme circumstances will a strong-hold breach be contemplated to execute an ERPO-related order. Any such plan requires the written approval of the Sheriff or his designee prior to execution.

D. Upon taking a subject into custody for an Involuntary Evaluation and Treatment order (“M-3 Hold”) the subject is to be transported to any designated medical or hospital facility named in the Order.

1. A copy of all ERPO-related orders shall be served upon the respondent in accordance with C.R.C.P. Rule 4 or C.R.C.C.P. Rule 304, including the notice of referral resources provided by the Clerk of the Court, required under C.R.S. § 13-14.5-103(7).

E. Any firearms surrendered or seized pursuant to an ERPO-related order or search warrant are to be inventoried on a Return and Inventory Form with a copy of the receipt being provided to the respondent. The firearms are to be subsequently booked into Property and Evidence for safekeeping under the established process.

1. If a search warrant is not issued with ERPO-related orders, deputies are to take any firearms surrendered by a respondent, document their receipt, and make the appropriate return to the Court. A subsequent search of the respondent’s property may only be done under lawful authority (i.e., exigent circumstances, a warrant, or another appropriate order).

F. Prior to leaving the scene, the responsible deputy is to ensure that the respondent’s residence has been secured appropriately.

G. If the Court has not received a filing required by the respondent under C.R.S. § 13-14.5-108(6)(a), the Clerk of the Court will notify the Civil Unit. Upon receiving this notification, the assigned deputy shall make a good faith effort to determine whether there is evidence that the respondent has failed to relinquish any firearm in the respondent’s custody, control, or possession and/or a concealed handgun permit issued to the respondent, as required by C.R.S. § 13-14.5-108(6)(c).
1. If the related ERPO Order was referred to another law enforcement agency, the Civil Unit shall provide the additional information from the Court to the responsible agency as soon as practicable.

(Note: This circumstance is only likely to occur if a law enforcement agency is not the one who serves an ERPO-related order on the respondent).

H. The assigned deputy is responsible for contacting the petitioner and informing them of the disposition of any execution attempts. The corresponding case number(s) should be provided to the petitioner.

I. If probable cause is developed that a respondent has violated an ERPO-related order after proper service, appropriate criminal charges should be pursued under C.R.S. § 13-14.5-111, including any applicable warrants.

1. Once criminal conduct is suspected, the District Attorney’s Office should review any crime-related search and/or arrest warrants.

VII. Storage, Transfer and Return of Firearms

A. Firearms surrendered or seized under an ERPO-related order shall be held by the Sheriff’s Office for safekeeping in accordance with C.R.S. § 13-14.5-108.

1. The Sheriff’s Office shall maintain custody of the firearms until they are sold or transferred pursuant to C.R.S. §§ 13-14.5-108(1)(a)(I) or -109.

2. All firearms are to be maintained in substantially the same condition while in the custody of Property and Evidence or a vendor contracted by the Sheriff’s Office for firearms storage.

3. The deputy placing firearms into Property and Evidence is responsible for ensuring they are cleared of any wants or warrants and are entered as in-custody into CCIC/NCIC.

B. Transfer of Firearms

1. If a respondent requests a transfer of firearms in the custody of the Sheriff’s Office to a Federal Firearms Licensed (FFL) dealer, the department armorer is authorized to assist in the transfer of the firearms, provided any such transfer is legal.

2. In order to transfer possession of firearms to an FFL, the respondent (or lawful owner of the firearms, which must provide evidence or
affirmation of ownership), shall sign a *Transfer Authorization, Waiver, and Release Agreement Form* to transfer the firearms to a specified FFL. This authorization is to be placed into the corresponding case file.

C. Return of Firearms

1. If the Court denies an ERPO but granted a TERPO, the Sheriff’s Office shall return the respondent’s firearm(s) and reissue the concealed handgun permit (CHP) (if applicable) within three (3) days of being requested at no charge to the Respondent.

2. If an ERPO is terminated or expires without renewal, the Sheriff’s Office shall return the respondent’s firearm(s) and reissue the concealed handgun permit (CHP) (if applicable) within three (3) days of being requested at no charge to the Respondent.

3. Prior to returning any firearm(s), Property and Evidence technicians shall conduct a criminal background check through CCIC or the CBI *InstaCheck* program. This background check shall be documented.

VIII. Concealed Handgun Permits (CHP)

A. If a respondent is in possession of a CHP, he or she is required to surrender the permit upon execution of an ERPO order. *See C.R.S. § 13-14.5-108(2)(a).*

1. The issuing Court, within three (3) days after issuing an ERPO, shall forward all identifying information the Court has regarding the respondent, including the date the Order was issued, regardless of what jurisdiction petitioned the ERPO-related orders. *See C.R.S. § 13-14.5-110(3).*

   a. Upon receipt of this information, if related to an existing civil case, the information shall be documented in the electronic civil case management system. If the information received does not relate to an existing civil case (e.g., a respondent who is the subject of another law enforcement agency’s petition), the information shall be forwarded to the CHP technician in the Records Section.

   1). The CHP technician in Records is responsible for searching the roster of active CHP’s and if a valid permit is located for the respondent, the permit shall immediately be revoked.
2). If a CHP is revoked by the CHP technician, this information is to be reported back to the Civil Unit.

B. Any surrendered or seized CHP shall be documented and a receipt given to the respondent.

1. The confiscated CHP is to be returned to the CHP technician in the Records Section. If the CHP was issued from outside Boulder County, the CHP technician is responsible for arranging return of the permit to the issuing Sheriff.

IX. Documentation

A. All ERPO-related orders received by the Civil Unit shall be assigned a case number in the electronic civil case management system.

1. If records related to the execution of any ERPO-related order can be documented on the route slip, no additional case report numbers are required.

2. If firearms are surrendered or seized and are booked into Property and Evidence, an incident report shall be generated and cross-referenced to the civil case number.

B. The Civil Unit is responsible for ensuring all appropriate returns are made to the Court within the required timelines.

By Order of the Sheriff,

______________________________
Joseph K. Pelle,
Sheriff

______________________________
12/19/2019
Date

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

ATTACHMENTS OR ADDENDUMS:
OP1208-A ERPO Process Map
OP1208-B ERPO Search Warrant Affidavit Template
OP1208-C Transfer Authorization, Waiver, and Release Agreement

HISTORY:
None.
POLICY: The Boulder County Sheriff’s Office has a statutory responsibility to follow any court ordered Decree of Foreclosure that directs the Sheriff to sell real property located within the county owned by the defendant. Title 38, C.R.S., Foreclosure Sales, outlines all the legal requirements the Sheriff's Office must follow when executing a sheriff sale pursuant to an Order of Decree of Foreclosure.

RELATED POLICIES & PROCEDURES:
[None]

DEFINITIONS:

Bankruptcy: A federally authorized procedure by which a debtor is relieved of total liability for its debts by making court approved arrangements for their partial repayment. A filed bankruptcy petition immediately operates as an automatic stay.

Certificate of Purchase: A document given to the successful bidder at a sheriff sale giving ownership to the highest bidder and as confirmation of the property purchased at the sale.

Claim of Exemption: Defendant debtor files with the Clerk of the Court of record a written claim setting forth, in detail, a description of the property so claimed to be exempt together with the grounds of such claim of exemption.

Combined Notice: A written notice mailed to individuals or businesses that may have an interest in the property being sold by order of a decree of foreclosure.

Confirmation Deed: The document issued and recorded by the officer following a sheriff’s sale confirming the ownership of the real property.

Continuance of Sale: At any time before the commencement of the sale, the attorney for the holder of debt or the officer may extend the sale to a later date, but no later than twelve months from the originally designated sale date.

Cure Statement: The signed and acknowledged statement listing the judgment amount, all interest, fees, and costs that will be paid to the sheriff prior to the real property being sold in order to satisfy the debt owed by the defendant.

Decree of Foreclosure: A court order authorizing and directing the sheriff to sell real property held by the defendant.
Holder: The person, usually the plaintiff, in possession of or the person entitled to enforce an evidence of debt (judgment).

Homestead Exemption: A legal method designed to help protect the value of the home of a resident from creditors.

Judgment: A court decision establishing that an obligation/debt is owed, such as a debt to the plaintiff.

Junior Lien: A deed of trust or other lien or encumbrance placed upon the property for which the amount due and owing is subordinate to the lien being foreclosed.

Junior Lienor: A person who is a beneficiary, holder, or grantee of a junior lien.

Lis Pendens: A document that is recorded with the Clerk and Recorder of the county where the property or any portion thereof is located indicating that a legal action is pending against the property.

Officer: The Sheriff, deputy, or supervisor conducting a sale pursuant to a court order.

Publication: Notice, published in a local newspaper, informing the general public of the time and place of a sheriff sale involving real and/or personal property. The publication is generally the same format as the combined notice.

Sheriff Sale: A foreclosure sale conducted by an officer under the authority of the sheriff’s office.

Softcode®: Civil Unit computerized tracking and reporting system.

Statement of Redemption: The signed and acknowledged statement listing all costs necessary to redeem the property following a sale.

PROCEDURE:

I. Decree of Foreclosure

A. A decree of foreclosure is the court ordered document that directs the sheriff to sell real property in order to satisfy the judgment amount of the lien held on the property.

B. Under a decree of foreclosure no levy is made, therefore it is not necessary to record the decree.

II. Requirements to Initiate the Decree of Foreclosure Process
The Boulder County Sheriff’s Office requires specific documents from the holder or attorney in order to proceed with a decree of foreclosure sale:

1. Cover letter from the holder or attorney requesting the sheriff to begin the foreclosure process, including their complete billing information.

2. The court ordered decree of foreclosure stating the address and legal description of the real property to be sold and the amount of the outstanding judgment.

3. A copy of the recorded lis pendens.

4. A copy of the most current deed recorded against the real property.

5. Mailing List with names and addresses of all individuals or businesses to be noticed that may have an interest in the real property being foreclosed.

6. Two sets of self-addressed stamped envelopes that will be used for the combined notice and publication.

7. The combined notice prepared by the holder or attorney.


9. A fee deposit may be required to be paid in advance of the seizure.
   1. Holders not represented by an attorney must deposit, in advance, the required amount pursuant to C.R.S. § 30-1-104.

III. Initiating the Sale Process for a Decree of Foreclosure

A. Upon receipt of the documents, the officer will time stamp the decree of foreclosure.

B. The paralegal assigned to the Civil Unit will review all documents to confirm that all defendant and property information is correct and that all the statutory requirements are met.

   1. No sale shall take place if the property listed in the decree of foreclosure does not belong to the defendant.
C. The sale will be entered in Softcode® generating a civil case number thus creating an electronic record pursuant to C.R.S. § 24-71.3-102(7).

D. The sale date for real property will be set 110 days after the date of the recording of the lis pendens, 215 days for agricultural properties. C.R.S. § 38-38-108.

1. In most decree of foreclosure sales, the recording date of the lis pendens will have exceeded the 110 days required by statute. In these sales the sale date will be calculated by the date the documents were received by the officer.

2. A written statement by the Assessor of the county will define if the real property stated in the decree of foreclosure is agricultural and shall not be dated more than six months before the date of filing of the lis pendens. C.R.S. § 38-38-108 (2)(l.5).

E. The sale times for real property are defined by statute and are to be held between the hours of nine in the morning and the setting of the sun on the same day. C.R.S. § 13-56-201.

F. Real property sales are generally held on Thursdays at 10:00 a.m. at the Boulder County Sheriff’s Office Headquarters Building.

IV. Processing the Combined Notices

A. The holder or attorney will supply the officer with a mailing list of individuals or businesses that may have an interest in the property being sold along with a combined notice that will be sent to each address.

B. The combined notice must be mailed to each individual or business listed in the mailing list no less than 16 and no more than 30 calendar days from the receipt of the mailing list. C.R.S. § 38-38-103(3).

C. The combined notice has specific requirements that must be included and are detailed under C.R.S. § 38-38-103. See Attachment A.

D. An amended mailing may be necessary and the officer will be notified by the holder or the attorney if an amended mailing is needed. The amended list must be received no less than 65 days prior to the sale date and the amended combined notices must be mailed out no less than 45 days prior to the sale date.

V. Publication of the Legal Notice
A. The holder or attorney shall supply the publication, generally the same as the combined notice, to the officer who will review and submit the publication to the Daily Camera to be published in the legal notices section.

B. The Daily Camera publishes legal notices on Saturdays and must receive a cover letter and a copy of the publication no later than Wednesday prior to the first publication date.

C. The publication must be submitted no more than 60 and no less than 45 calendar days prior to the date of sale. C.R.S. § 38-38-103(5)(a).

D. The publication has specific requirements that are the same as the combined notice with a few omissions that are detailed under C.R.S. § 38-38-103. See Attachment A.

E. The publication gives notice to the public that the property listed will be sold, the date and time of the sale, the location of the sale, and dates of the publication.

F. Statute requires that the notice of sale of real property be published by the officer for four weeks, which means once each week for five consecutive weeks. C.R.S. § 38-38-103(5)(a) and C.R.S § 24-70-106(d).

G. Billing of publication
   1. The newspaper will bill the holder or attorney directly for the cost of the publication.
   2. The Daily Camera requires prepayment for publications over $500.00.

H. Review of publication
   1. Following the first publication the officer will review the publication for accuracy and will request a second review by a civil LET.
   2. If the publication is accurate the officer will send a copy of the publication to the addresses listed on the mailing list and will then verify each week that the publication has been published.
   3. If corrections are needed to the publication, contact the Daily Camera with any necessary changes and restart publication.
4. If publication is interrupted review deadlines and adjust accordingly. An adjustment of the sale date may be necessary and if so the holder or attorney should be contacted immediately.

VI. Right to Cure

A. Statute allows for the owner of the real property, their heirs, or transferees to cure or pay the sheriff the amount of judgment and all allowable costs to avoid the pending sale. C.R.S. § 38-38-104.

B. The person entitled to cure the default must submit a written notice/request to cure with the officer no later than fifteen calendar days prior to the date of sale.

C. Upon receiving the notice to cure the officer will immediately contact the holder or attorney requesting a cure statement.

1. The holder or attorney must submit to the officer a signed and acknowledged cure statement stating the amounts necessary to cure the default. C.R.S. § 38-38-104 (2)(II).

2. Upon receipt of the cure statement, the officer shall immediately transmit the cure statement to the person filing the notice.

3. The officer must receive certified funds made payable to the holder no later than 12 noon on the day before the sale or the sale will proceed. The funds will then be forwarded to the holder or the attorney. A copy of the check should be retained in the case file.

4. The person making the cure has up to 90 days after the cure is paid to request copies of all receipts and credible evidence for the amount of the cure.

VII. Day of Sale

A. All sales for real property are held in the lobby at the Boulder County Sheriff’s Office headquarters, unless otherwise advertised to be sold where the property is located.

B. The sale will be commenced, at the time and date indicated in the combined notice/publication, by reading the notice of sale as it was published in the Daily Camera.

C. The property will be sold “As Is.” The buyers should do their due diligence as to liens, damages, etc. It is not the responsibility of the Sheriff’s Office to supply this information.
D. For real property sales, statute requires the holder or attorney shall submit a starting bid by noon, two business days prior to the sale. If the bid is not received the officer shall continue the sale. C.R.S. § 38-38-106.

1. The officer will prepare a statement of fees pursuant to C.R.S. § 30-1-104 that will be submitted to the holder or attorney prior to the day the bid is due to be used for the preparation of the initial bid.

2. The holder or attorney can amend the bid by noon the day prior to the sale or in person at the time of sale.

3. Upon receipt of the bid the officer shall make the bid information available to the public.

E. Real property is sold to the highest and best bidder for cash or certified funds. Funds are collected by 2:00 p.m. the day of the sale.

VIII. Post Sale

A. Upon completion of the sale, the officer shall have the successful bidder complete the sheriff’s sale agreement and obtain a copy of their driver’s license.

B. Cash or certified funds made payable to the 20th Judicial District must be collected by 2:00 p.m. the day of the sale. Note: if the decree of foreclosure is from a county other than Boulder County, contact the court in the county where the decree was issued to make sure how the funds should be directed.

1. If an electronic deposit is made, confirmation showing the transfer of funds must be obtained.

2. A copy of the certified funds check must be kept with the sale file maintained in the sheriff civil section.

C. The Certificate of Purchase shall be prepared by either the attorney or the officer.

1. If attorney prepares the certificate of purchase the officer will review making any necessary changes and obtaining signatures of either the Commander or Sergeant of the civil section.

   a. No later than five business days following the sale, the officer shall record, online with the Clerk and Recorder, the
certificate of purchase, decree of foreclosure, and mailing list.

2. The officer shall prepare the report and return of sheriff stating how the property was sold, how the proceeds were distributed, and any outstanding balance on the judgment.

D. Following the redemption deadlines, the sheriff’s deed shall be prepared and recorded online with the Clerk and Recorder.

E. The officer shall update the case file in Softcode®.

IX. Redemption By Lienor(s)

A. A lienor or assignee of a lien may redeem if the lien is a deed of trust or lien recognized by state or federal statute or by judgment of the court, is junior to the lien being foreclosed, and was recorded prior to the recording of the lis pendens. C.R.S. § 38-38-100.3 (11).

1. Owners of the real property being sold are not entitled to redeem.

B. Junior lienors must file a notice to redeem with the officer within 8 business days following the sale. C.R.S. § 38-38-302.

C. On the ninth business day after the sale, if notices to redeem are received, the officer shall set the dates of the redemption periods of each junior lienor. C.R.S. § 38-38-302(4)(d).

D. Upon receipt of the notice of intent to redeem the officer shall within one business day, request a written statement of redemption from the holder of the certificate of purchase or the attorney for the holder of the certificate of purchase.

1. A signed and acknowledged statement specifying interest calculated through the date of the sale, the amount of per diem interest accruing thereafter, the interest rate on which the amount is based, and all other sums necessary to redeem must be submitted to the officer no later than thirteen days following the sale. C.R.S. § 38-38-302(3)(a).

2. Each subsequent lienor entitled to redeem shall, in succession, have an additional period of five business days to redeem. The right to redeem shall be in priority of such liens according to the records. C.R.S. § 38-38-302(4)(b)(I).
3. The redeeming lienor shall redeem by paying the redemption amount in certified funds to the officer, on or before 12 noon of the last day of the lienor’s redemption period.

E. Five days following the receipt of the redemption funds and upon the expiration of all redemption periods, the officer shall execute and record, online with the Clerk and Recorder, the certificate of redemption and disburse all redemption proceeds to the holder of the certificate of purchase. C.R.S. § 38-38-402.

X. Deed to Issue

A. Upon the expiration of all redemption periods or if no redemption periods exist upon the eighth business day following the sale, title to the real property shall vest to the holder of the certificate of purchase or the holder of the certificate of redemption.

1. Subject to the right to cure and the right to redeem provisions (C.R.S. § 38-38-506 and C.R.S. § 38-41-212 (2)), title shall be free and clear of all liens and encumbrances junior to the lien foreclosed.

B. Between 10 and 15 business days after the title has vested and the officer has received all statutory fees and costs, the officer shall execute and record, online with the Clerk and Recorder, a confirmation deed. C.R.S. §§ 38-38-502 and 503.

1. The deed shall be signed by the sheriff and the signature shall be notarized.

XI. Distribution of the Post Sale Paperwork

A. The officer shall mail, certified mail, to the purchaser a cover letter detailing the outcome of the sale, the original certificate of purchase, a copy of the report and return of the sheriff, and the proof of publication received from the holder or attorney requesting the sale.

1. If the purchaser is the holder or attorney requesting the sale and no funds are being exchanged, the officer will direct the holder or attorney to file the Report and Return with the court.

B. Following the sale and the receipt of the sales proceeds, hand deliver to the courts from which the decree of foreclosure was issued, a cover letter detailing the outcome of the sale, the report and return, a copy of the certificate of purchase, a copy of the proof of publication, the sales proceeds check or copy of the electronic deposit.
C. Once the sale is concluded, as above, the action is complete. All case activity should be updated in Softcode®, all documents, notes, and correspondences should be organized and assembled in the case file and filed in the civil case file section.

XII. Issues that May Affect the Outcome of a Decree of Foreclosure Sale.

   1. Upon the filing of a petition of bankruptcy by the defendant, which can occur at any time up until the time of sale, an automatic stay will be placed on the sale of the property. The stay will remain in effect until the officer is notified of the discharge and by any order of the U.S. Bankruptcy Court.

B. Cancellation.
   1. The holder or attorney may request a cancellation of the sale upon cure or settlement of the judgment. If a cancellation occurs adjust the fees appropriately pursuant to C.R.S. § 30-1-104.

   1. For good cause or by request of the holder or attorney, a continuance of sale may be requested. A sale cannot be continued further than 12 months from the original sale date. If this occurs the sale shall be terminated.

D. Homestead Exemption - C.R.S. §§ 38-41-201 and 206.
   1. Any homestead in the state of Colorado shall be exempt from execution and attachment arising from any debt.
   2. Upon execution, if the real property being executed is the primary residence of the defendant, the defendant is entitled to claim the homestead exemption.
   3. The homestead exemption amount in the sum of $75,000.00 will be paid to the owner if the homestead is occupied by the owner or owner's family.
   4. The homestead exemption amount in the sum of $105,000.00 will be paid to the owner if the homestead is occupied by an elderly, 60
years of age or older, or disabled owner, elderly or disabled spouse, or elderly or disabled dependent of the owner.

5. The starting bid and final sale amount must exceed 70% of the fair market value or the sale terminates.

E. Certificates Assignable - C.R.S. § 38-38-403(1).

1. Every certificate of purchase or certificate of redemption shall be assignable by endorsement or by separate assignment, and the assignee shall be treated for all purposes as the original holder of the certificate of purchase or certificate of redemption.

F. Assignment of debt.

1. The holder of the evidence of debt may assign or transfer the secured indebtedness at any time during the pendency of an execution action without affecting the validity of the secured indebtedness.

2. Upon receipt of written notice signed by the holder who commenced the action, or the attorney stating that the evidence of debt has been assigned and transferred and identifying the assignee or transferee, the officer shall complete the sale as directed by the assignee or transferee or the attorney for the assignee or transferee.

By Order of the Division Chief,

Robert Sullenberger,  
Division Chief

9/25/2018  
Date

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ATTACHMENTS OR ADDENDUMS:
[None]

HISTORY:
SUBJECT: Mental Holds

POLICY: Peace officers in the State of Colorado are granted authority by law to place individuals into protective custody and place them in a hospital when in mental health crisis under an emergency procedure. When the requirements of §27-65-105(1)(a), CRS, are satisfied, deputies may exercise this authority. Additionally, the Sheriff is responsible to execute writs, orders, and process issued by the courts, which may include a court order for mental health treatment and evaluation issued pursuant to §§27-65-105(1)(a) and (b), or 27-65-106, C.R.S. In circumstances where it is apparent an individual is suffering from significant mental health issues but does not meet the immediate requirements under the emergency procedure, deputies are authorized and encouraged to pursue a petition for an immediate court-ordered mental health evaluation through the County Attorney's Office.

RELATED POLICIES & PROCEDURES:
202 – Authority and Jurisdiction
202A – Boulder County Incarceration Standards
502 – Use of Force
OP502 – Arrest Standards
OP1202 – Civil Paper Processing

DEFINITIONS:

Danger to Others: When an individual poses a substantial risk of physical harm to another person or persons, as manifested by evidence of recent homicidal or other violent behavior by the person in question, or by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them, as evidenced by a recent overt act, attempt, or threat to do serious physical harm by the person in question (§27-65-102(4.5)(b) C.R.S.).

Danger to Self: When an individual poses a substantial risk of physical harm to himself or herself as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm to himself or herself (§27-65-102(4.5)(a), C.R.S.).

Gravely Disabled: A condition in which a person, as a result of a mental health disorder, is incapable of making informed decisions about or providing for his or her essential needs without significant supervision and assistance from other people. As a result of being incapable of making these informed decisions, a person who is gravely disabled is at risk of substantial bodily harm, dangerous worsening of any concomitant serious physical illness, significant psychiatric deterioration, or mismanagement of his or her essential needs that could result in substantial bodily harm. A person of any age may be “gravely disabled”, but such term does not include a person whose decision-making capabilities are limited solely by his or her developmental disability (§27-65-102, C.R.S.).
“M-1” Mental Hold: A 72-hour mental health hold invoked under emergency procedure in order to obtain treatment and evaluation of an individual in acute mental health crisis for 72-hours. M-1 is a reference to the statutory Emergency Mental Illness Report and Application, Form M-1, and is required to invoke the emergency procedure for placement (Mental Illness Forms, Appendix B to Chapter 27.). Attached as Exhibit A.

Medical Aid-in-Dying: The medical practice of a physician prescribing medical aid-in-dying medication to a qualified individual so that the individual may self-administer the medication to bring about a peaceful death (§ 25-48-102(7), CRS).

Medical Aid-in-Dying Medication: Medication prescribed by a physician to provide medical aid-in-dying to a qualified individual (§ 25-48-102(8), CRS).

Mental Health Disorder: One or more substantial disorders of the cognitive, volitional, or emotional processes that grossly impairs judgment or capacity to recognize reality or to control behavior. An intellectual or developmental disability is insufficient to either justify or exclude a finding of a mental health disorder pursuant to the provisions of article 65 of title 27 (§27-65-102, C.R.S.).

Order for Evaluation & Treatment: A court-order issued pursuant to §27-65-106, CRS, for the involuntary pick-up, placement, evaluation, or treatment, of an individual suffering from a mental health disorder(s). The order authorizes the Sheriff to use any reasonable force necessary to effectuate the order, including entry into the respondent’s residence. The Boulder County Attorney’s Office is the petitioner in Boulder County in such matters.

Petition (M-3): The court document completed and filed by the County Attorney’s Office on behalf of an affiant to request an immediate mental health evaluation or M-1 Mental Hold or both. M-3 is a reference to the statutory Form M-3—Affidavit, Motion, and Order for Evaluation and Treatment (Mental Illness Forms, Appendix B to Chapter 27).

PROCEDURE:

I. Emergency Procedure for Mental Health “M-1 Hold” Placements (§27-65-105, C.R.S.)

   A. Deputies are authorized and expected to place an individual into temporary custody and transport them for placement into an approved hospital or treatment facility when they have developed probable cause that:

       1. A person appears to have a mental health disorder and, as a result of such mental health disorder, appears to be:

           a. An imminent danger to themselves or others; and/or
b. Gravely disabled.

2. A person appears to have a mental health disorder and, as a result of such mental health disorder, is in immediate need of an evaluation for treatment in order to prevent physical or psychiatric harm to themselves or others (Note: § I.A.2 is only effective on/after May 1, 2018).

B. Deputies are authorized to use whatever resources or assistance is necessary to effect an M-1 under this section in the safest manner possible.

C. When completing the *Emergency Mental Illness Report and Application (M-1)*, deputies must articulate the probable cause grounds for the hold in the narrative section. If additional information must be communicated, it can be provided verbally to the attending medical staff, and then memorialized in the written report.

1. A copy of the *Emergency Mental Illness Report and Application (M-1)* must be given to the placing facility and the respondent.

D. Deputies may periodically receive calls from other medical or intervening professionals requesting an individual be placed on an M-1 hold. Deputies shall handle such requests as a welfare check, and are required to independently establish probable cause to affect an M-1 hold under the emergency procedure. Background information provided by another medical or intervening professional can be utilized, in part, in making a probable cause determination.

E. Pursuant to § 27-65-105(2), C.R.S., effective May 1, 2018, an individual meeting the definition of gravely disabled or a danger to self or others may not be detained in any jail, lockup, or other place used for the confinement of persons charged with or convicted of penal offenses when the respondent is not being charged with a criminal act but is being held on an M-1.

F. An individual in acute mental health crisis who is a danger to themselves (e.g. have actively self-harmed or presented behavior that results in self-injury, even if not suicidal) must be medically stabilized and cleared by a physician prior to being transported and booked into the Boulder County Jail or Juvenile Assessment Center (JAC),

1. Deputies are strongly encouraged to pursue alternative arrangements for the initiation of criminal charges, if necessary and/or required, if an individual requires hospital or facility admission to stabilize their acute mental health crisis (i.e. arrest warrants, summons and release, etc.).
II. Court Ordered Mental Health Holds (§27-65-106, C.R.S.)

A. All court ordered mental health “pick-up” orders (docketed as “MH” cases) are to be routed to the Civil Section for entry into the civil management software system, regardless of whether or not the mandates of the order have been completed (i.e. an order received after-hours, after the section has closed, but that is attempted or executed by Patrol).

B. The Civil Section is responsible for routing the order and making arrangements for timely pick-up of the respondent by either assigning a civil deputy to attempt the pick-up, or requesting assistance from the Patrol Section to attempt the pick-up.

C. All attempts to contact and/or pick-up the respondent by a deputy shall be noted on the accompanying route slip, which serves as the Sheriff’s documentation for execution, or attempted execution, of the court order.

D. Taking the respondent into custody:

1. At the time the respondent is taken into custody, a copy of the petition and order for evaluation must be given to: (a) the respondent; (b) to any one person designated by the respondent (if desired), promptly after service is made; and (c) to the facility at which the respondent is placed for evaluation, as required by § 27-65-106(6), C.R.S.

2. At the time the respondent is taken into custody for evaluation or within a reasonable time thereafter, unless a responsible relative is in possession of the respondent’s personal property, the deputy who is taking him or her into custody shall take reasonable precautions to preserve and safeguard their personal property in the respondent’s possession or on the premises occupied by the respondent, as required by § 27-65-106(8), C.R.S.

E. Seeking a court-ordered mental hold for treatment and evaluation:

1. Deputies are authorized, and encouraged, when they repeatedly encounter an individual suffering from a mental health disorder(s) who does not meet the threshold for evaluation and treatment under the emergency procedure (§ I), to pursue a court-ordered mental health hold for evaluation and treatment through the Boulder County Attorney’s Office, if the individual demonstrates that they are a danger to themselves or others, or are gravely disabled, over time (§ 27-65-106(2), C.R.S.)
F. The Civil Section is responsible for completing all returns of service and to invoice the County Attorney’s Office for all related costs, as required by § 30-1-104(1)(w), C.R.S.

III. Alternative Resources

A. Early Diversion, Get Engaged (EDGE) Program

1. Boulder County, in partnership with Mental Health Partners (MHP) has a mental health resource program, “Early Diversion, Get Engaged” (EDGE), that targets early intervention for individuals suffering from serious mental health issues or addiction before they are arrested or suffer an acute crisis that requires an M-1 hold placement.

2. Upon request from a deputy, during EDGE Program operating hours (7-days/week, during peak hours), a mental health clinician is available for consultation by phone or to respond to a scene, as needed, to help conduct an evaluation to determine if an immediate M-1 hold is needed, or to otherwise help stabilize or resource the individual in crisis. The goal of EDGE is to help divert individuals from jail and/or the emergency room whenever possible.

   a. Deputies can obtain the law-enforcement phone number for the EDGE Program through dispatch.

B. Walk-In and Drop-Off Crisis Intervention Services

1. MHP maintains a 24/7 walk-in mental health crisis center at the Addiction Recovery Center (ARC), 3180 Airport Road in Boulder. Services are provided for anyone, whether dropped off by law enforcement, family, or self-placement.

2. MHP provides general psychiatry and nursing walk-in services during regular business hours, providing “urgent care” for clients in need of immediate attention, but who do not reach a threshold for emergency placement.

IV. Transport Orders for Certification Hearings

A. When an individual remains in-placement in a hospital or other approved medical facility, and the District Court of the 20th Judicial District issues an Order for Transport for a hearing related to a mental health case (docketed as an “MH” case), the Civil Section is responsible for routing the transport order and arranging for its execution.
B. Deputies are not authorized to use any degree of physical force to execute an Order for Transport, or compel compliance with the order, unless specifically ordered to do so by the court. The deputy who encounters a refusal to comply with the transport order will note the date, time, and location of the refusal on the route slip, along with any other pertinent information, and advise the court of the respondent’s refusal through the return of service.

1. The Civil Section office staff shall communicate the respondent’s refusal to cooperate with the Order for Transport by completing the appropriate return document(s) to the issuing court, with a copy provided to the Mental Health Unit of the County Attorney’s Office electronically.

C. The Civil Section is authorized to engage a private-security vendor specifically contracted by the Sheriff for executing transport orders of low-risk respondents from their treatment facility to court hearings, as ordered by the court.

D. The Civil Section is responsible for completing all returns of service and to invoice the County Attorney’s Office for all related costs (§ 30-1-104(w), C.R.S).

V. Colorado’s End-of-Life Options Act

A. Colorado law allows for an individual to make an informed decision to end their life by seeking out and obtaining a prescription aid-in-dying medication from a physician (§25-48-101, C.R.S. et. seq.).

B. Actions taken by an individual in accordance with Colorado’s end-of-life laws, do not, for any purpose, constitute suicide, mercy killing, homicide, or elder abuse, under the Colorado criminal law (§25-48-121, C.R.S).

C. Deputies who encounter an individual who is in the process of self-administering, or has self-administered, an aid-in-dying medication are not to intervene unless the individual makes this request. This includes, but is not limited to, rendering any emergency medical care or initiating an emergency M-1 mental hold.

D. It shall not constitute probable cause for an emergency M-1 mental hold, as outlined in § I of this policy, if an individual indicates they are pursuing a medical aid-in-dying medication from their physician, or have received such a medication.
VI. Reports and Documentation

A. M-1 Holds: In every instance where a deputy effects an emergency M-1 mental hold based upon probable cause, a Tiburon™ incident report documenting such action shall be completed and captioned MENTAL HOLD (MENTAL HO*). Additionally, a copy of the M-1 mental hold application shall be placed into the case file.

1. In instances where an emergency M-1 mental hold is effected, but a criminal event, or criminal charges, are also present, a separate criminal report shall be taken, as appropriate.
   a. Probable cause establishing grounds for the emergency M-1 mental hold are to be recounted only in the mental hold report due to confidentiality and protected health information issues. A brief mention of the related mental health hold case report number should be made in the criminal report – generally in a single sentence – with the connecting case number for further reference.

B. Court-Ordered Mental Holds: (Order for Evaluation and Treatment) are documented and tracked through the Civil Section’s software system, with all records being noted and maintained in the SoftCode™ database and/or civil route slip. If the circumstances are at all unusual in the court ordered pick-up, the deputy should complete a Tiburon™ incident report captioned MENTAL HOLD (MENTAL HO*).

C. EDGE / Crisis Intervention Service Referrals: In every instance where a deputy makes a referral to the EDGE Program, or facilitates a voluntary placement to the MHP Walk-In Crisis Center, they shall complete a Tiburon™ incident report narrative captioned “EDGE REFERAL” (EDGE PRGR*), documenting the incident and circumstances surrounding the referral.

D. Aid-in-Dying Encounters: Deputies who come into contact with any individual who is consulting with a physician or pursuing a medical aid-in-dying prescription shall document their investigation and contact in an appropriate report other than a mental hold. Unless the specific circumstances dictate a more appropriately classified report, the report should be documented as a “WELFARE CHECK” (WEL CHECK*) incident report in Tiburon™.
E. Dissemination Levels: Supervisors, upon reviewing and approving reports, shall set the following report dissemination levels:

1. **Respondent** (ARS ‘Persons’ tab): Confidentiality field: “M” (mental health)

2. **Report Confidential Level** (ARS ‘Incident’ tab): “L” (law enforcement only)

VII. Training

A. Deputies and security deputies in the Operations Division are to receive training in mental health disorders, de-escalation, and Crisis Intervention Teams (C.I.T.).

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

2/13/2018

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**ATTACHMENTS OR ADDENDUMS:**
[None]

**HISTORY:**
[None]
SUBJECT: Court Alarm Response

NUMBER: OP1302
(formerly OP313 – Court Alarm Response)

EFFECTIVE DATE: June 28, 2016

SUPERSEDES: March 31, 2010

POLICY: The Operations Division and the Communications Center monitor all alarms at the Justice Center and the Longmont Courthouse. It is the responsibility of the responding court security staff, patrol deputies, or the on duty sergeant, to determine the appropriate response when they are made aware of an alarm activation.

RELATED PROCEDURES:
Communications Policy #6.20 – Andover® Alarm Monitoring

DEFINITIONS:

Alarm Site – Premise in which the alarm is installed, which includes building name and address.

Alarm System – The device, which transmits, emits or otherwise notifies communications or security of activation.

Andover® Continuum System – A commercial computer program that manages numerous facilities programs via the county intranet, to include the courts panic alarms.

False Alarm – An alarm that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, etc., are considered to be false alarms for the purposes of this policy. A false alarm is also deemed to have occurred when a responding deputy is unable to determine if evidence of a criminal offense or attempted criminal offense is present because an alarm site is inaccessible.

Fire Alarm – A signal that indicates the presence of a fire or fire-related signature (i.e. smoke).

Intrusion Alarm – A signal detecting and reporting unauthorized attempted or entry, or property damage to real property.

Location – A defined, specific area within or on a site.

Panic Alarm – A signal generated by manual or automatic activation, intended to signal some type of crime is in progress and/or one or more persons is in need of immediate response.
PROCEDURE:

I. Monitoring

A. During regular business hours, the Court Security deputies will monitor the Andover® system and will respond to all alarms immediately.

B. After-hours when the courts are not staffed, the data channel dispatcher is responsible to monitor the activation light located between consoles four (4) and five (5).

   1. Any alarm received becomes a priority over all other radio and phone traffic.

   2. Alarms are initiated in CAD within one minute of receiving the activation light and dispatched immediately.

II. Response

A. When Court Security is on duty:

   1. When a panic alarm is activated, the Court Security Unit receives an audible alarm and blinking light at the Court Security counter at the respective courthouse. Court Security will advise Communications of the alarm on the primary law enforcement radio channel, if the alarm has not already been dispatched.

   2. The Court Security deputy at the counter silences the audible alarm.

   3. The counter deputy airs the alarm on the Court Security radio channel to all Court Security staff with the specific location of the alarm.

   4. Court Security deputies respond to all panic alarms immediately and handle the situation as circumstances and procedures dictate.

   5. The deputies responding to the alarm update the Court Security counter as soon as possible. The deputy at the Court Security counter in turn updates the primary law channel dispatcher. The call is cleared once it has been resolved.

B. When Court Security is not on duty:

   1. Patrol deputies respond to Court Security alarms during non-business hours and weekends.

   2. The primary law channel dispatcher will send a patrol deputy if an
alarm occurs at the Justice Center or Longmont Court Annex when the buildings are closed for business.

   a. Responding deputies should be aware there are numerous events scheduled after-hours by the departments that are housed in these buildings and that false alarms are frequent and likely.

3. Communications provides the responding deputy with the type of alarm and specific location of the alarm.

   a. If the responding deputy has difficulty locating the alarm, Communications has a map with the specific alarm location.

4. Upon resolving the alarm, the responding deputy clears the call with Communications.

By Order of the Division Chief,

Robert Sullenberger, 6/28/2016
Division Chief

ATTACHMENTS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Operations Division is charged with carrying out the Sheriff’s statutory obligation to provide security at courthouses that house county and district courts in the county. In order to safeguard the courts and maintain a reasonably safe environment for court business to be carried out, the Court Security Unit maintains security screening access points at public entrances. These checkpoints serve to detect and interdict items which are or reasonably may be used as weapons, illegal items, and items that interfere with the decorum of the courts. This policy provides guidelines for screening and confiscation of prohibited items, in accordance with Colorado law and Administrative Orders of the Chief Judge of the 20th Judicial District.

RELATED POLICIES & PROCEDURES:
Administrative Order 03-108 (20th Judicial District)
Administrative Order 12-101 (20th Judicial District)
521 – Required Display of ID Tags in County Courthouses
525 – Evidence Processing & Handling

DEFINITIONS:
Law Enforcement Officer (LEO): Any person authorized by municipal, county, state, or federal law to enforce all or part of local, state, or federal criminal or civil laws, regardless of which state in which they are employed. For purposes of this policy, law enforcement officers must be authorized by their employing agency to possess deadly or intermediate weapons during the course of their duties.

Prohibited Items: Any item identified by Judicial Administrative Order, any item identified by Colorado law as illegal, or item in this policy deemed to be contrary to public safety within a courthouse environment (e.g. handcuff keys, etc.).

PROCEDURE:
I. Prohibited Items
   A. Prohibited Items by Judicial Administrative Order
      1. Firearms or other deadly weapons, concealed or not concealed, with or without a concealed weapons permit.
         a. Law enforcement officers, on-duty and in the courthouse on official business, are authorized to remain armed after the requirements in the 521 – Required Display of ID Tags in
County Courthouses policy are met.

1) Undercover law enforcement officers (e.g. a Drug Task Force, SEU, or TCT) are exempt from displaying identification in accordance with the 521 – Required Display of ID Tags in County Courthouses policy; however, undercover personnel are still required to check-in with Court Security Unit personnel by phone, upon their arrival at the courthouse complex.

b. Law enforcement officers visiting a courthouse for personal business are subject to the same regulations as all other courthouse visitors.

c. Court Security personnel may, at their discretion, allow visiting law enforcement officers who are at the courthouse on personal business, to lock their weapons in lock boxes provided at the security checkpoint.

2. Alcohol, controlled substances, drugs, and marijuana, including both medical and recreational.

   a. Prescription controlled substances are exempted provided they meet the following criteria:

      1) The controlled substance is prescribed by a physician;

      2) The controlled substance is in its original prescription container; and

      3) The prescription container label indicates the medication was dispensed to the individual in possession of the controlled substance.

B. Prohibited Items under Colorado Law

1. Illegal weapons (i.e. blackjacks, gas guns, metallic knuckles, nunchakus, throwing stars, etc.)

2. Drug paraphernalia as defined in §18-18-426, C.R.S.

   a. Marijuana-related accessories, as defined under the Colorado Constitution, are exempted.
3. Illegal drugs and controlled substances

C. Items Deemed to be Contrary to Public Safety or Decorum in a Courthouse

1. Instruments that are not expressly considered a firearm or dangerous weapon by Administrative Order or Colorado law, but could be used or fashioned as a weapon or blunt force instrument

   a. Examples include, but are not limited to: batons, martial arts weapons, pepper spray, mace, aerosol sprays, bicycle seats, large chains, knives and cutting instruments, stun guns or similar electronic control weapons, explosives, tools, sticks or clubs, ammunition, ropes, bicycle pumps, kitchen knives, skateboards, rollerblades, fireworks, non-service oriented animals

2. Items that produce audible noise that could be disruptive to decorum (i.e. stereos, boom boxes, or other similar portable device with external speakers that is intended for broadcast, not personal listening)

3. Animals that are not service-oriented and are not in alignment with the regulations of the Americans with Disability Act, 28 CFR 35.136.

4. Any item(s) that may constitute an escape hazard to in-custody inmates (e.g. handcuff keys, wire cutters, etc.).

II. Screening Process

A. All visitors to courthouse facilities are required to be screened through the public security access point. It is the responsibility of each department or office within a courthouse to ensure compliance of this security environment.

1. In rare instances, members of the public, upon articulable need or cause, may be brought into the building through an alternative entrance when coordinated with the Court Security Unit. In those instances the members of the public must still undergo security screening by a member of the Court Security Unit by handheld magnetometer and manual search and inspection of property.

   a. An individual may object to a hand-search of their property and request x-ray screening in lieu of a hand-search for
primary screening.

B. All packages and deliveries made directly to a courthouse, outside of a county or state mailroom, are required to undergo screening before delivery into the building.

C. Members of the Court Security Unit who identify prohibited items, or items not expressly prohibited in this policy but can be articulated as a hazard or nuisance that can effect courthouse operations or decorum, are authorized to refuse entry of the property into the courthouse facility.

1. Items illegal under Colorado law will be seized and are not subject to return, absent a court order directing the Sheriff of Boulder County to return the illegal items.
   a. Court Security deputies are authorized to take criminal enforcement action against visitors in possession of items that are illegal under Colorado law, as they deem appropriate.

2. Items that are not expressly illegal, but are prohibited from the courthouse building, are to be secured by the visitor prior to entering the courthouse.
   a. Items denied for entry into a courthouse that are left in a public area, unsecured – including exterior courthouse grounds and property – are considered abandoned and will be confiscated and destroyed. These items potentially pose a threat to other visitors, as well as create the potential for inmate work crews to obtain contraband items. Property seized under this paragraph will not be returned.
   b. Visitors who leave items previously denied for entry into a courthouse hidden anywhere on a courthouse complex property, or who violate a posted rule, may be criminally charged with Unlawful Conduct pursuant to §18-9-117, C.R.S.
   c. Deputies will not, as a general rule, hold prohibited property for an individual at the security access point as a courtesy while the visitor conducts their business at the courthouse.
      1) Deputies are authorized when encountering an unusual circumstance outside the intent of this policy to temporarily safeguard a legal, prohibited item for
the owner at the security access point while they conduct business within the building.

i. If a deputy, in their discretion, temporarily safeguards an item for a visitor, the visitor will be provided a claim ticket for the item. The sister claim ticket will be attached to the safeguarded item, which will be stored out of public view.

ii. The owner of the safeguarded item will be advised by the receiving deputy or staff member that the Sheriff’s Office, Boulder County, or the 20th Judicial District, is not responsible for loss or damage to held items and that temporary holding of the property is out of courtesy.

iii. Upon return to the security access point, the item’s owner should provide the claim ticket to an attending deputy or staff member.

iv. If the claim ticket has been lost, the owner must provide sufficient descriptive detail of the safeguarded item to demonstrate ownership. The attending deputy will obtain the name, date of birth, address and phone number of the individual purporting themselves as the owner of a safeguarded item prior to return. This information is subsequently recorded in the F.I. system.

v. Items temporarily held for safekeeping will be considered abandoned property, and treated as such, if not claimed by the close of the business day.

3. Should a visitor refuse to take a prohibited item back to their car, or make alternative arrangements to secure the property before entering the courthouse, they, at their discretion, may surrender the property for destruction at the Security Access Point. Property voluntarily surrendered for destruction is considered abandoned and will not be returned.
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

11/30/2017

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Operations Division is charged with carrying out the Sheriff’s statutory obligation to provide security at courthouses that house county and district courts in the county. In order to safeguard the courts and maintain a reasonably safe environment for court business to be carried out, the Court Security Unit maintains security screening access points at public entrances. These checkpoints serve to detect and interdict items which are or reasonably may be used as weapons, illegal items, and items that interfere with the decorum of the courts. Part of the screening process involves the use of x-ray machines, which allow for quicker and safer examination of visitor property at each courthouse.

This policy provides guidelines for screening of objects and proper and safe use of x-ray devices, as well as the designation of a Radiation Safety Officer for the division, who is responsible for all x-ray devices utilized by the organization (e.g., Court Security Unit, the EOD Team, etc.).

RELATED POLICIES & PROCEDURES:
Administrative Order 03-108 (20th Judicial District)
Administrative Order 12-101 (20th Judicial District)
OP1303 – Prohibited Items at Boulder County Courthouses
6 CCR 1007-1, §§ 2, 4, 5, 6, & 8 – Colorado Rules Pertaining to Radiation Control

DEFINITIONS:
Dosimeter: An instrument for measuring and monitoring exposure to doses of radiation (such as X-rays or gamma rays).

Radiation Safety Officer (RSO): A Radiation Safety Officer (RSO) refers to the person designated within an organization to train and educate others about any radioactive materials or radiation that they may encounter during a normal work day, when such organization uses x-ray emitting devices.

X-ray Machine: An apparatus which provides a source of x-rays, designed to aid in the screening of the interior of objects via the penetration of solid, external matter.

PROCEDURE:

I. X-ray Machines

A. The Boulder County Justice Center and the County Courthouse in
Longmont each use x-ray machines to scan articles brought into each courthouse.

1. The number and type of x-ray machines used at each courthouse is dependent upon the needs of each facility, the cost, and features of each machine.

   a. Each machine will be professionally installed by the manufacturer/distributor of the x-ray device.

   b. Each machine will receive an inspection by the Colorado Department of Public Health and Environment or an authorized inspector, every two years per rules put forth by the state.

2. Each courthouse will maintain a log related to the particular x-ray machine located at its Security Checkpoint.

   a. The log will include annual diagnostic reviews and biennial inspection certificates.

      1) Copies of these documents will be kept in the Security Office of the Sheriff’s Office in Boulder, and the Sheriff’s Office Holding Area Office in Longmont.

         i. Additional copies of these certifications and reviews will be kept by the unit supervisor.

   b. The log will include a copy of the manufacturer’s instruction manual.

   c. Once an x-ray machine is no longer in use and has been decommissioned, the log related to that particular machine will be kept or returned to the Sheriff’s Office Security Office in Boulder, and a new log will be kept for the new x-ray machine.

      1) Old log books will be retained for a period of 3 years, after the current calendar year has run out, required by the State Health Department, and Sheriff’s Office practices, after the decommissioning of an x-ray machine. For purposes of this policy, decommissioned means the Sheriff’s Office no longer owns or operates the machine.
3. Each deputy assigned to the Security Unit, including unit supervisor, Deputy I’s, and Security Deputies, will be trained on proper operation of each x-ray machine:

   a. Upon installation of any new x-ray machine by authorized representatives of the machine’s manufacturer/distributor; or

   b. Deputies newly assigned to the Security Unit will receive intensive training on existing units during field training.

   1) Copies of any training records/certificates received from the manufacturer/distributor will be submitted to the Sheriff’s Office Personnel and Training Section, as well as copies kept in the Sheriff’s Office Security Office in Boulder. FTO documentation will be kept with the trainee’s FTO files in the Personnel and Training Section.

4. The Sheriff’s Office will subscribe to and pay for quarterly personal radiation testing for all members of the Court Security Unit, through the use of dosimeters or whatever technologically advanced screening device may come into use when dosimeters are no longer used. These screening devices are used to determine the amount of x-ray radiation exposure each deputy within the unit has been subjected to.

   a. Records of each quarterly dosimeter screening will be kept with x-ray files kept by the Court Security Unit at their office in Boulder.

   1) Deputies will be allowed to review the screening results upon request to the unit supervisor or the assigned Radiation Safety Officer of the unit.

II. Radiation Safety Officer (RSO)

A. The Sheriff’s Office is required under Colorado Department of Public Health and Environment regulations to appoint a Radiation Safety Officer. This position is occupied by a deputy within the Security Unit, and receives training from an authorized vendor in the field of x-ray radiation safety.

   1. The Radiation Safety Officer may attend additional training and refresher trainings as needed.
2. The RSO uses their training in radiation safety to ensure departmental compliance with safety standards for x-ray machines as set forth by Colorado Department of Public Health and Environment standards, as well as industry standards.

3. The RSO ensures deputies assigned to the Court Security Unit maintain sufficient safety awareness of operating x-ray devices through periodic training, as established by the unit supervisor.
   
a. Although the RSO is responsible for ensuring deputies assigned to the Court Security Unit maintain sufficient safety awareness of operating x-ray devices through periodic training, neither the RSO nor the unit supervisor are liable for intentional or unsafe use of x-ray machines that other personnel may engage in outside of their training or this policy.

4. The RSO and the Court Security Unit supervisor have primary responsibility for maintaining unit logs and records related to x-ray devices, including but not limited to training manuals, inspection forms, training logs, dosimeter screening results, and licensing.

5. Either the unit supervisor or RSO may arrange for inspection and licensing of x-ray machines within the Sheriff’s Office.
   
a. The RSO will provide their services as needed, to the Boulder County Bomb Squad, Boulder County Jail, and any other units of the Sheriff’s Office which operate x-ray generating devices, to ensure safe operation and compliance with state rules, regulations, and statutes.
   
b. The RSO is not required, but may maintain unit logs and records related to x-ray devices, including but not limited to training manuals, inspection forms, training logs, dosimeter screening results, and licensing for x-ray devices located at the Boulder County Jail, with the Boulder County Bomb Squad, and any other units of the Sheriff’s Office which operate x-ray generating devices.

1) Should the RSO not keep records for other units of the Sheriff’s Office, for which the records are kept within the specialty unit using said x-ray devices, the RSO will be allowed unhindered access to review or maintain said x-ray records of other units—if the RSO is to be utilized to provide services to those other
units. Otherwise the Division Chief of the Operations Division may deny use of the RSO for other unit or divisional needs, should access to those records be denied.

6. The RSO will have the authority to suspend use of any x-ray device or machine the RSO provides support services for, upon determination the device or machine is unsafe to operate. The supervisors of the respective units which utilize x-ray generating devices also have the authority to suspend use of x-ray devices or machines which are under their supervision, upon determination the device or machine is unsafe to operate.

III. Responsibilities of deputies assigned to operate x-ray machines within the Court Security Unit

A. Deputies are required to train and be tested on the proper and safe operation of current or new x-ray machines utilized by the Court Security Unit upon joining the unit, or upon the addition of a new machine to the unit.

1. This training comes from attending instruction given by authorized representatives of an x-ray machine vendor or manufacturer, upon installation of a new machine; or

2. Through training provided during FTO training for new members of the unit.

3. Regardless of the training type, an annual x-ray test designed by the RSO will be completed by all members of the Court Security Unit, with a passing score of 80% or greater.

B. Deputies are to follow safe operating procedures of x-ray machines in accordance with manufacturer guidelines, state regulations, and direction given by the unit supervisor or RSO.

1. Failure to follow these guidelines, regulations, or procedures which are the result of a gross negligence or intentional safety violation of this policy, may result in departmental discipline.

IV. Disposal of old x-ray machines and equipment

A. When x-ray machines used by the Court Security Unit are decommissioned from use by the Unit, proper disposal or storage of the decommissioned machine is necessary.
1. In general, old x-ray machines are decommissioned from use within the Court Security Unit when they are beyond their usable service life. As such, these machines are removed from Sheriff’s Office inventory.

a. Generally, decommissioned x-ray machines will be removed for a fee by the vendor installing a new machine.

b. If a vendor does not offer this service, the Unit supervisor is authorized to hire an authorized x-ray machine removal company, to properly dispose of the device.

c. It is the responsibility of the Unit supervisor or RSO to ensure notification is made to the Colorado Department of Public Health and Environment about the discontinued use and removal of the machine.

2. In some instances, an x-ray machine no longer in use may be in good enough condition to warrant storage of the device for future use or as back-up should another machine malfunction.

a. Storage of the x-ray machine may occur at any Sheriff’s Office facility, where the machine can be protected from damage.

b. It is the responsibility of the Unit supervisor or RSO to ensure notification of the change in status, and place of storage of the machine, along with maintaining any required registrations, to the Colorado Department of Public Health and Environment.

By Order of the Division Chief,

[Signature]
Robert Sullenberger, Division Chief

9/17/2018 Date

[None]
SUBJECT: Electronic Immobilization Devices/Restraints for In-custody Juveniles

NUMBER: OP1306

EFFECTIVE DATE: April 16, 2019

SUPERSEDES: [New]

POLICY: All county sheriff’s offices in the State of Colorado are mandated to attend and serve the courts of record in their county by law (C.R.S. § 30-10-515). The Court Security Unit, upon agreement with the Juvenile Assessment Center, is responsible for the transport of in-custody juveniles to and from court, including those who are determined to be a high flight risk and are charged with the most serious of crimes.

It is the policy of the Sheriff’s Office to utilize electronic restraint and/or electronic immobilization devices for court proceedings which require a juvenile inmate who qualifies for the use of restraints (cf. § OP1305) without the use of mechanical shackles and/or appearance in non-inmate-issued clothing. The purpose of using an electronic restraint or immobilization device is to ensure custody of the juvenile, the safety and security of visitors, staff, deputies, and other inmates, when standard restraint devices cannot be used.

RELATED POLICIES & PROCEDURES:
502 – Use of Force
513 – Authorized Weapons, Use and Proficiency
514 – Conductive Energy Devices
OP1305 – In-Custody Juvenile Inmates (Operations Division)
J929 – Electronic Immobilization Devices (Jail Division)

DEFINITIONS:

Conductive Energy Device: This term currently refers to a device designed to disrupt a person’s central nervous system by means of conducting battery powered electrical energy from the device to the person with sufficient power to cause uncontrollable muscle contractions and override a person’s voluntary or directed motor responses.

Control Deputy: A deputy trained in the use of an electronic immobilization device (EID), and who is responsible for guarding an inmate in court or other proceeding, wherein an EID has been utilized. The control deputy has access to a remote control which, when activated, applies an electrical shock to the inmate.

Electronic Immobilization Device (EID): An electronic immobilization device that is a battery-operated piece of equipment (e.g., a “Stun Cuff,” or other similar device, etc.), which is worn discreetly by a juvenile inmate in a courtroom setting, as a means of control to prevent them from taking a hostile action or attempt at escape from custody. The device delivers an electrical shock as a means of temporarily immobilizing an inmate,
when the device is activated by a control deputy.

Hostile Action or Escape Attempt: The levels of resistance of Active Aggression, Active Resistance, or Defensive Resistance (as defined in Policy 514) by an inmate are considered hostile actions as they relate to this policy. Other hostile actions may include, but are not limited to: Assault with a weapon; any tampering with the “Stun Cuff” or similar device; aggressive movement or act against another person within a 50 foot vicinity; failure to comply with verbal commands for the inmate’s movement when the use of the restraint device to gain compliance has less risk than alternative methods to gain compliance; failure of an inmate to keep their hands visible to deputies; or an attempt to escape custody.

Juvenile Charged as an Adult: A person aged 10 to 17, who is alleged to have committed a violation of state law, that has been charged as an adult due to the severity of their crime(s). Juveniles charged as adults are subject to the same in-custody treatment as adult offenders, with the exclusion of correctional housing unless the court determines otherwise.

Juvenile Inmate: A person aged 10 to 17, alleged to have committed a violation of state law, in the custody of the Juvenile Assessment Center (JAC) or other longer-term juvenile holding facility. For purposes of this policy, the term “inmate,” refers to and is synonymous with a juvenile inmate.

Juvenile Offender: A person aged 10 to 17, who is alleged to have committed a violation of state law.

Non-Lethal Force: Force that is not inherently likely to kill or cause great bodily injury to a person (cf. Policy 514 – Conductive Energy Devices).

Non-Lethal Weapon/Device: A weapon or device that is armed and/or equipped to deliver a level of force to a person that is not intended to kill or cause serious bodily injury. Instead, the force delivered is intended to overcome resistance and aggression by causing temporary pain, discomfort, and/or incapacitation (cf. Policy 514 – Conductive Energy Devices).

Restraint Hearing/Reverse Restraint Hearing: A Restraint Hearing is held before the Juvenile Court to determine if a juvenile inmate should remain in shackles for their appearance in Juvenile Court. A Reverse Restraint Hearing is held before the District Court to determine if a juvenile inmate charged as an adult, should be released from their shackles during their appearance in District Court.

Unshackled Juvenile Inmate: The standard procedure through which juvenile inmates attending Juvenile Court are unshackled prior to their appearance in the courtroom. Under 20th Judicial District Juvenile Restraint Task Force policy, all in-custody juveniles are required to be removed from shackles during court appearances, unless the judge
has authorized the use of shackles during the hearing (cf. OP1305 – In-custody Juvenile Inmates).

PROCEDURE:

I. Training

A. Only deputies/security deputies who have been specifically trained in the use of an EID, are authorized to place and operate it on in-custody inmates.

1. A qualified instructor may use the EID during training on another deputy or peace officer, so long as the deputy or peace officer has given their consent to have the device used on them during the training, and any applicable waiver forms have been completed.

2. Deputies may not use the EID on inmates, members of the public, or civilian staff, for training purposes, regardless of the inmate, citizen, or staff member’s willingness to participate.

II. Authorization to Use an Electronic Immobilization Device

A. Unlike adult inmates who may be compelled to wear an EID, juvenile inmates are restrained in accordance with 20th Judicial District’s Juvenile Restraint policies and procedures.

1. Juvenile defendants charged as juvenile delinquents, must not be restrained in court, unless authorized by a judge after a Restraint Hearing. If restraints are authorized, the method of restraint may be recommended by the Juvenile Assessment Center or the Sheriff’s Office, however, the restraint system utilized is ultimately be determined by the presiding judge (cf. OP1305 – In-custody Juvenile Inmates).

2. If authorized by the presiding judge, prior to using any “Stun Cuff” or similar device, its application must first be approved by a Sheriff’s Office Operations Division sergeant or higher; ideally the Court Security Sergeant or Commander if available.

B. Deputies trained in the use of the EID are the only personnel authorized to apply and operate the device, and they or another deputy trained in its use, must remain with the inmate during the time the inmate wears it.

C. The deputy applying an EID to an inmate, will first obtain written approval from an authorized supervisor on the Electronic Immobilization Device Implementation Form (see Appendix A). The form shall be placed into the
case file for a corresponding report which documents all uses of the EID on juvenile inmates for the current year.

D. The deputy will then provide the inmate with an Electronic Immobilization Device Notification Form, and have the inmate read and sign the form (see Appendix B). If the inmate cannot read or write the English language, the deputy will ensure the form is read to them in its entirety in the language the inmate is most comfortable with, using a translation service or authorized court interpreter. The form must be read by the inmate/read to the inmate and the form signed, before the EID is placed on the inmate.

1. Parent/guardian consent to use the device is not required, as use of the device has been authorized by, or is an order of the court.

2. If a juvenile inmate refuses to read and/or sign the Notification Form, the reviewing deputy will write “REFUSED” in the inmate signature section. Both the reviewing deputy and another, “witness” deputy will sign the “Control Deputy” and “Witness” sections of the form to document the refusal. The form should be placed into the case file for a corresponding report which documents all uses of the EID on juvenile inmates for the current year.

A. The EID will still be applied to and worn by a juvenile inmate who refuses to sign the form.

B. The deputy providing the form to the juvenile inmate will use a department issued body camera to capture providing the form and/or the reading of it, and any signature/refusal.

C. The placement of the EID on the juvenile inmate and removal of shackles is to be captured via body camera. Likewise, a body camera should be used to record the events as the inmate is placed back into shackles and the EID removed after the hearing or proceeding.

III. Use of the Electronic Immobilization Device

A. The control deputy assigned to guard the juvenile inmate during the hearing or proceeding, will verbally review with the inmate the use of the EID, and what actions will cause the deputy to activate it. These actions are on the Notification Form, which the deputy should refer to during the review. The review shall occur after the device is applied, and before the deputy and inmate leave the area where it was attached. This review is to be documented by body camera recording.
1. Deputies will not cycle the device during the review, after it has been attached. Any display of the device capabilities must occur prior to placement on the inmate.

B. If during transport, or hearing or proceeding, the need arises to activate the EID, the deputy will immediately secure the inmate with handcuffs, or any other appropriate restraint after the device has cycled. If the juvenile inmate is still able to resist being secured after the first cycle, a second activation may be initiated.

1. Any third or subsequent activations will only be used if the inmate is still actively attempting assault or to escape.

C. For juvenile inmates under 16 years of age, for which a shock was administered, a medical clearance is mandatory. For inmates 16 years of age or older, a medical clearance will be offered to the inmate, but not required if they refuse it.

IV. Documentation and Reporting

A. The deputy applying a shock via the EID, will report the use of force as soon as practical to their supervising sergeant, but no later than the end of their shift, in accordance with the use of force and use of force reporting policies.

B. When a “Stun Cuff” or similar device is used, the device will be submitted to the designated Jail employee who is responsible for device interrogation and downloading. The information which is downloaded, will be stored on the computer designated for this use.

1. A copy of the download report will be obtained by the Court Security sergeant for inclusion in the case file for the case report. The sergeant will also complete a supplemental report detailing the download findings, if one has not been completed by the Jail employee who completed the device interrogation.

V. Policy Precedence

A. While Jail policy J929 is similar to Operations policy OP1306, policy precedence is given to OP1306 while deputies of any division of the Sheriff’s Office are assigned to work in the Court Security Unit, either permanently or on temporary assignment, while engaged in the application of an EID on a juvenile inmate.

VI. Prohibited Use of an Electronic Immobilization Device
A. Any use of an EID for deputy gratification, inmate punishment, torture, or interrogation is expressly prohibited.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

4/16/2019

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
APPENDIX A:

ELECTRONIC IMMOBILIZATION DEVICE IMPLEMENTATION FORM

CR: ____________ Date: ______________

Agency: Boulder County Sheriff’s Office
Division: Operations
Unit: Court Security
Approving Supervisor: (print name) ______________________ (signature) ______________

Method of Transportation: Vehicle ___ Walking ___ Other ___

Juvenile Inmate Name: ___________________________ DOB: ____________

Charges: ____________________________________________________________________________

Custodial Deputy: (print name) ___________________________ (badge number) __________

Receiver/Stun Pack #: __________________ Transmitter #: __________________________

Unit Test (Prior to Application, from 25 foot distance): (Y) (N)

Amount of Force Necessary to Place Device on Inmate: (none) (physically uncooperative)

Physical Restraint of Inmate Needed: (Y) (N)

Visible Display of Device Capabilities Prior to Application: (Y) (N)

Time Device Checked Out: ________ Time Device Checked In: _________

Date of Last Battery Charge on Receiver/Stun Package: ________________

Use of Belt: (Activation not Required) (Activation Required) Number of Applications: __________

Duration of Contact (in seconds): ________

If EID activation was necessary, the following must be described in your case report:

- Reason for Activating Belt
- Effects of Activation on the Inmate (successful/not successful; any injuries)
- Complaints from the Inmate After Use

Deputy Signature & Badge # (not Tib. #) Date ____________________________

BCSO Operations Division Policy & Procedures Manual OP1305.7
APPENDIX B:

ELECTRONIC IMMOBILIZATION DEVICE NOTIFICATION FORM

TO: ___________________________________________(inmate name)

YOU ARE HEREBY ADVISED THAT YOU ARE BEING REQUIRED TO WEAR AN ELECTRONIC IMMOBILIZATION DEVICE.

The device you will be wearing is:

_____ “Stun Cuff” or similar device, which transmits 50,000 volts of electricity

By means of a remote transmitter, an attending deputy has the ability to activate the stun package attached to the cuff you will be wearing, thereby causing the following results to take place:

1. Immobilization, causing pain, and you to fall to the ground
2. The possibility of self-defecation/urination

The belt could be activated under the following actions on your behalf and notification is hereby made:

1. Active Aggression, Active Resistance, or Defensive Resistance;
2. Assault with a weapon;
3. Any tampering with the “Stun Cuff” or similar device;
4. Aggressive movement or act against another person within a 50 foot vicinity;
5. Failure to comply with verbal commands for the movement of your person;
6. Failure to keep your hands visible to deputies;
7. An attempt to escape custody.

FAILURE TO COMPLY WITH DEPUTY DIRECTION, COULD LEAD TO ANY OF THE ABOVE!

I UNDERSTAND THE ABOVE INFORMATION AND ACKNOWLEDGE BEING ADVISED OF THE SAME:

____________________________________  ______________________
Inmate Name (print and sign)  Date

____________________________________  __________
Control Deputy Name (print and sign)  Badge #  Date

____________________________________  __________
Witness Deputy Name (print and sign)  Badge #  Date
SUBJECT: Wildfire Appropriate Response Strategy

EFFECTIVE DATE: April 25, 2017

POLICY: The Fire Management Program is to maintain a state of fire preparedness and response appropriate to the current fire conditions at all times. Preparedness is the result of activities that are planned and implemented prior to wildland fire ignitions. Preparedness is a continuous process that includes developing and maintaining unit, state/regional, and national level firefighting infrastructure, predicting fire activity, hiring, training, equipping, and deploying firefighters, evaluating performance, correcting deficiencies, and improving overall operations.

RELATED PROCEDURES:
OP1404 – Fire Duty Officer
OP1406 – Firefighter Readiness

DEFINITIONS:

Appropriate Response Strategy (ARS): ARS is a pre-planned staffing schedule and resource allocation based upon current and predicted fire potential.

Energy Release Component (ERC): ERC is a number related to the available energy (BTU) per unit area (square foot) within the flaming front at the head of a fire. Daily variations in ERC are due to changes in moisture content of the various fuels present, both live and dead.

Fire Duty Officer (FDO): The Fire Management Program will provide for continuity of operations through the use of an assigned Fire Duty Officer (FDO) during the absence of the Fire Management Officer (FMO) and/or during times of high-fire preparedness and response.

Response Level Break Points (High or Low): Response level break points are based on the current and potential fire danger by using the elements of the National Fire Danger Rating System (NFDRS), along with other social and political criteria.

Response Plan: The amount of Fire Management Program personnel and equipment required to respond, or be notified, during a defined fire danger condition.

Staffing Plan: The amount of Fire Management Program personnel and equipment allocated for a pre-determined bi-weekly schedule, as needed, for a defined fire danger condition.
PROCEDURE:

I. Developing an Appropriate Response Strategy (ARS)

A. The FDO will use the below chart to determining the response level break points.

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>LOW</th>
<th>HIGH/ CRITICAL FIRE WEATHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERC</td>
<td>&lt;90th percentile</td>
<td>&gt;/= 90th percentile</td>
</tr>
<tr>
<td>1000-hour fuel moisture</td>
<td>&gt;10%</td>
<td>&lt;/=10%</td>
</tr>
<tr>
<td>Local Planning level</td>
<td>1-2</td>
<td>3-5</td>
</tr>
<tr>
<td>7-10 day weather forecast</td>
<td>Wet-Normal</td>
<td>Drying- Drought</td>
</tr>
<tr>
<td>Social/political influences</td>
<td>1-3 factors</td>
<td>3+ factors</td>
</tr>
</tbody>
</table>

B. The FDO will use the below chart to determine the bi-weekly staffing plan based upon the pre-determined response break point.

<table>
<thead>
<tr>
<th>RESOURCE</th>
<th>LOW</th>
<th>HIGH/ CRITICAL FIRE WEATHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>FDO</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>ENGB&gt;</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>FF&gt;</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

C. The FDO will use the below chart to determine the Response Plan based upon the pre-determined response break point.

<table>
<thead>
<tr>
<th>RESOURCE</th>
<th>LOW</th>
<th>HIGH/ CRITICAL FIRE WEATHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Duty officer</td>
<td>Respond</td>
<td>Respond</td>
</tr>
<tr>
<td>E-6531</td>
<td>Respond</td>
<td>Respond</td>
</tr>
<tr>
<td>6551 IA Module</td>
<td>Notify</td>
<td>Respond</td>
</tr>
<tr>
<td>Helicopter</td>
<td>X</td>
<td>Request</td>
</tr>
<tr>
<td>S.E.A.T.</td>
<td>X</td>
<td>Request</td>
</tr>
<tr>
<td>Air Tanker</td>
<td>X</td>
<td>Request</td>
</tr>
<tr>
<td>Lead Plane</td>
<td>X</td>
<td>Request</td>
</tr>
<tr>
<td>E-6532</td>
<td>Respond to second fire</td>
<td>Respond to second fire</td>
</tr>
<tr>
<td>BCSO ES</td>
<td>X</td>
<td>Respond to second fire</td>
</tr>
</tbody>
</table>
By Order of the Division Chief,

Robert Sullenberger,
Division Chief

4/25/2017
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
SUBJECT: Fire Ban and Restrictions

EFFECTIVE DATE: April 25, 2017

POLICY: The Fire Management Program will coordinate and recommend the implementation of fire bans and restrictions utilizing the prescribed process in this policy.

RELATED PROCEDURES:
OP1401- Wild Fire Appropriate Response Strategy

DEFINITIONS:

Response Level Break Points (High or Low): Response level break points are based on the current and potential fire danger by using the elements of the National Fire Danger Rating System (NFDRS) along with other social and political criteria.

National Fire Danger Rating System (NFDRS): NFDRS is a measure of the relative seriousness of burning conditions and threat of fire.

Fire Ban: A legally significant term found within C.R.S. § 30-15-401, which allows the county commissioners and/or sheriff to impose fire restrictions and ban open fires. The term is used in all county resolutions and ordinances.

Fire Duty Officer (FDO): The Fire Management Program provides for the continuity of operations through the use of an assigned Fire Duty Officer (FDO) during the absence of the Fire Management Officer (FMO) and/or during times of high fire preparedness and response.

Fire Danger and Conditions Matrix: A scale for rating the current fire weather, fuels, preparedness, political and social influences on implementing a fire ban.

Fire Restrictions: Constraints of open burning activities and the use of spark causing devices. There are two stages of restrictions that can be imposed during a fire ban.
PROCEDURE:

I. Recommending Implementation

   A. Determine current fire danger situational awareness.

      1. The FDO will use the following chart to determine the current fire danger rating:

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>LOW</th>
<th>HIGH/ CRITICAL FIRE WEATHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERC</td>
<td>&lt;80th percentile</td>
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</tr>
<tr>
<td>1000-hour fuel moisture</td>
<td>&gt;15%</td>
<td>&lt;10%</td>
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<tr>
<td>Local Planning level</td>
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<td>3-5</td>
</tr>
<tr>
<td>7-10 day weather forecast</td>
<td>Wet-Normal</td>
<td>Drying- Drought</td>
</tr>
<tr>
<td>Social/political influences</td>
<td>1-3 factors</td>
<td>3+ factors</td>
</tr>
</tbody>
</table>

      2. The FDO will use the following chart to determine the level of fire restrictions:

<table>
<thead>
<tr>
<th>FIRE RESTRICTIONS</th>
<th>LOW</th>
<th>HIGH/ CRITICAL FIRE WEATHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>Consider</td>
<td>Implement</td>
</tr>
<tr>
<td>Level 2</td>
<td>-</td>
<td>Consider</td>
</tr>
<tr>
<td>Critical Fire Weather Event</td>
<td>Implement Level 2</td>
<td>Implement level 2</td>
</tr>
</tbody>
</table>

II. Restrictions

   A. Level 1 Restrictions

      1. Prohibitions

         a. Building, maintaining, attending, or using an open fire, campfire, or stove fire. This includes charcoal barbecues and grills.

         b. Fireworks sales, use, and possession, including permissible fireworks.
c. Shooting or discharge of firearms for recreational purposes except for hunting with a valid and current hunting license.

d. Smoking, except in an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

e. Operating a chainsaw without a USDA or SAE approved spark arrester properly installed and in effective working order, a chemical pressurized fire extinguisher kept with the operator and one round point shovel with an overall length of at least 35 inches readily available for use.

f. Welding or operating acetylene or other torch with open flame except in cleared areas of at least 10 feet in diameter and in possession of a chemical pressurized fire extinguisher.

g. Using an explosive.

1) Exceptions: Building, maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites (listed in subparagraph two) and on private lands along with the use of portable stoves, lanterns using gas, jellied petroleum, pressurized liquid fuel or a fully enclosed (sheepherder type) stove with a ¼” spark arrester type screen is permitted.

2) Developed Recreations Sites: The following developed recreation sites allow fire in constructed, permanent fire pits or fire grates pursuant to the Exception B in subparagraph one, in accordance with USFS policies and closures:

- Kelly Dahl Campground
- Rainbow Lakes Campground
- Camp Dick Campground
- Peaceful Valley Campground
- Meeker Park Overflow Campground
- Olive Ridge Campground
B. Level 2 Restrictions

1. Prohibitions

   a. Building, maintaining, attending, or using an open fire, campfire, or stove fire. This includes charcoal barbecues and grills.

   b. Fireworks sales, use, and possession, including permissible fireworks.

   c. Shooting or discharge of firearms for recreational purposes except for hunting with a valid and current hunting license.

   d. Smoking, except in an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

   e. Operating a chainsaw without a USDA or SAE approved spark arrester properly installed and in effective working order, a chemical pressurized fire extinguisher kept with the operator and one round point shovel with an overall length of at least 35 inches readily available for use.

   f. Welding or operating acetylene or other torch with open flame except in cleared areas of at least 10 feet in diameter and in possession of a chemical pressurized fire extinguisher.

   g. Using an explosive.

C. Determining the Area of Restrictions

1. The FDO will chose from the below listed areas to implement restrictions:

   a. All County
b. Mountain Areas

1) The mountain area includes:

- Any and all unincorporated areas of Boulder County west of Colorado Highway 93 from its intersection with the southern boundary of Boulder County until and including its intersection with Colorado Highway 119;

- West of Broadway Avenue in the City of Boulder from its intersection with Colorado Highway 119 until and including its intersection with United States Highway 36;

- West of United States Highway 36 from its intersection with Broadway Avenue until its intersection with the northern boundary of Boulder County;

- West of the western boundary of Rabbit Mountain Open Space until and including United States Highway 36; and

- All of Rabbit Mountain Open Space.

III. Implementing Restrictions

A. Prepare County Resolution

1. Contact Legal Advisor

   a. Request review of prepared resolution

   b. Request BOCC business meeting ratification agenda item

B. Notification Procedures
1. The FDO will follow the below process for notifying internal and external cooperators, partners and the public.

   a. Notify the following Operations Division personnel of the intent to recommend the implementation of fire restrictions or a fire ban:

      1) Operations Division Chief;
      2) Special Operations Commander; and
      3) Public Information Unit (#SheriffPIO)

   b. Contact the Sheriff and Undersheriff and make the recommendation for level of restrictions and completion of the following steps:

      1) Request review of Resolution.

      2) Request notification to the Boulder County Commissioners

      3) Send approved Resolution for signature in DocuSign™, with the following signatures and recipients in the process:

         Signatures
         - Sheriff’s signature
         - BOCC agenda planner initial
         - BOCC chairperson signature

         Receives a Copy:
         - Sheriff’s legal advisor
         - The Fire Management Officer (FMO)
         - The Public Information Unit (#SheriffPIO)

   c. Contact the Northern Front Range Wildfire Cooperators and notify of intent to declare restrictions. The email distribution list includes recipients in the following cooperating organizations:

      - United States Forest Service (USFS)
d. Notify the Boulder County Sheriff’s Office Public Information Unit (#SheriffPIO) and request the following notifications be made:

- Media advisory sent out through GovDelivery™
- Advisements posted to sheriff’s social media accounts
- Posting of information on the Boulder County webpages, including the Boulder County home page and the Sheriff’s Office home page.

e. Notify internal Boulder County stakeholders through email, and provide additional information, as appropriate, including:

- FAQ guide distributed to Patrol
- Boulder County Department Heads and Elected Officials
- Boulder County Communications Center
- Boulder Office of Emergency Management
- Boulder County Parks and Open Space (senior forester and the resource protection supervisor)

f. Notify external public safety cooperators

- Eldorado State Park
- Boulder County fire departments and districts
- Town of Lyons
- Town of Jamestown

g. Coordinate placing of fire danger information signs

h. Request electronic sign placement
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

- Request CDOT Boulder Canyon electronic sign
- Request Boulder County Transportation electronic signs

IV. Amending & Rescinding Restrictions

A. Amending Restrictions

1. The FDO will follow the steps and notifications in Topic III for any amendments made to an existing fire restriction resolution.

B. Rescinding Restrictions

1. The FDO will follow the steps and notifications in Topic III for the rescission of a fire restriction resolution.

V. Annual Responsibilities

A. The FMO, or his designee, is required to complete the following document reviews at least annually:

1. Review all resolution, amendment and recension template documents; update as necessary.

   a. Consultation review should include the Sheriff, Undersheriff, Legal Advisor, and the Operations Division Chief and Special Operations Commander.

2. Review all media release templates and public messaging images, documents, and maps; update as necessary.

   a. Consultation review should include members of the Public Information Unit.

3. Review all internal and external frequently asked questions (FAQs) documents; update as necessary.

4. Review all Fire Management Program and FDO checklists and documents; update as necessary.

B. Training

1. Complete a minimum of one hour of Fire Duty Officer training, including the following elements:
BOULDER COUNTY SHERIFF’S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

- Review policy and related county ordinances
- Discuss roles and responsibilities
- Review documentation
- Review electronic DocuSign™ signature process
- Review of fire-related messaging terms

2. Complete a minimum of one-half (½) hour briefing training for Patrol, including the following elements:

- Review policy and related county ordinances
- Discuss FAQs documents and maps
- Review of fire-related messaging terms

By Order of the Division Chief,

[Signature]
Robert Sullenberger,
Division Chief

4/25/2017
Date

ATTACHMENTS OR ADDENDUMS:
[None]

RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION
POLICY: The Operations Division has established an on-call Fire Duty Officer (FDO) in the Fire Management Program to provide for continuous coverage and support for any Boulder County wildland fire operations. The FDO is to support local fire protection districts, facilitate and support their needs as requested, coordinate resources, and ensure smooth transitions and delegations of authority to/from Boulder County, in the event of a wildfire.

RELATED PROCEDURES:
515 – Off-Duty Use of Sheriff’s Vehicles

DEFINITIONS:

Fire Duty Officer (FDO): A full-time member of the Operations Division Fire Management Program who serves as the rotating on-call FDO to support and provide guidance to local fire cooperators, as needed or requested.

Fire Management Officer (FMO):

Fort Collins Interagency Wildfire Dispatch Center (FTC Dispatch): The interagency dispatch center for the Northern Colorado zone.

National Interagency Coordination Center (NICC): The focal coordination center located in Boise, Idaho, that oversees all interagency coordination for wildfire activities throughout the United States.

National Weather Service (NWS): The NWS provides weather forecasts, and a variety of weather-related, including fire, watches and warnings to the local unit area.

PROCEDURE:

I. Scheduling

A. The Fire Management Officer, as the manager of the Fire Management Program, shall assign a member of their staff to serve as the on-call Fire Duty Officer (FDO) in their absence or off-duty hours, to maintain 24/7/365 coverage for continuity of operations.

1. The FMO is authorized to establish an FDO rotational schedule utilizing full-time members of the Fire Management Program, or, if supplemental staff are needed, a member of the Emergency
Services Unit.

a. The general priority for developing an on-call FDO schedule is, in order: Fire Operations Specialist; Senior Firefighter; and any coordinator, deputy, or sergeant assigned to the Emergency Services Unit.

II. FDO Responsibilities

A. Daily

1. Access and review the current NICC “Incident Management Situation Report.”

2. Access and review the FTC Dispatch website for the “Zone Preparedness Level” and the daily “Fire Danger Adjective.”

3. Access and review the current NWS “Fire Weather Planning Forecast” for zones 215 & 239.


5. Maintain availability for consultation with the Operations Division’s Special Operations commander, the Boulder County Parks & Open Space (BCPOS) fire and forestry staff, and members of the Operations Division Command Staff and the Sheriff’s Executive Staff.

6. Plan and coordinate the implantation of fire ban restrictions.

7. Be available for media inquiries and requests, in coordination with the Public Information Unit.

8. Maintain availability for initial and extended response to wildland fires.

   a. On-call personnel must maintain the availability to return a phone call or page within 15 minutes, or initiate a field response within 30 minutes.

   b. The on-call FDO is assigned a four-wheel drive response vehicle for off-duty use. The FDO must adhere to the Off-Duty Use of Sheriff’s Vehicles policy (#515).
B. Weekly

1. Issue a weekly “Fire Management Report” electronically. The contents of the report shall, at a minimum, include:
   - Contact information for the on-call FDO for the week
   - Current fire danger
   - Current planning level(s)
   - The 7-10 day weather forecast
   - The Fire Management Program staffing plan for the week

2. Coordinate the update of fire danger signs posted throughout the major county roadways.

3. Disseminate any current and significant Fire Management Program information to the Sheriff, the Operations Division Command Staff, the Fire Management Program staff, the BCPOS staff, and Boulder County fire resources.

4. Maintain communication and relationships with all Boulder County fire cooperators, agencies, and departments.

III. Equipment Requirements

A. The FDO shall maintain the following equipment and have it readily available during their on-call tour of duty:

   - All communication devices necessary to maintain communication with the Boulder County Communications Center, the Boulder County Emergency Operations Center, and the FTC Dispatch.
   - FDO field guide
   - All personally assigned PPE equipment, an Initial Attack Pack, and Red Bag carrying all personal supplies for extended shifts.
   - County-issued cell phone, pager, and tablet for data access and documentation purposes.

IV. Training Requirements

A. Prior to being assigned as an FDO, a full-time Sheriff’s Office employee assigned to the Fire Management Program or the Emergency Services Unit must complete the 40-hour FDO Training Program, as prescribed by the Fire Management Officer (FMO).
B. Each employee eligible for assignment as an FDO must complete an annual update and refresher course on the FDO Program in order to maintain their eligibility for assignment as an FDO.

1. All Fire Operations Specialists and Senior Firefighters in the Fire Management Program are required to maintain FDO eligibility as a job requirement of their positions.

By Order of the Division Chief,

[Signature]
Robert Sullenberger,
Division Chief

4/25/2017
Date

ATTACHMENTS OR ADDENDUMS:
OP1404-A FDO Checklist

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION