

# 2021

## COLORADO

### JUSTICE ASSISTANCE GRANT (JAG)

### ANNUAL REPORT



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Department of Public Safety

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In 2020, Colorado experienced the COVID-19 pandemic and the Black Lives Matter movement. The first wave of change was with COVID-19 and the need for the criminal justice system to rethink our decision-making process around incarceration, criminal court processes, alternatives to incarceration and community supervision. The state of Colorado received funding through the CARES ACT, Coronavirus Emergency Supplemental Funding Grant at the amount of \$9 million. The Colorado Division of Criminal Justice (DCJ) quickly awarded those funds out to our local law enforcement agencies, community corrections, district attorneys, and state departments to prevent, prepare, and respond to COVID-19. These projects included efforts to utilize virtual options for court proceedings, medical/mental health appointments for the incarcerated, and community supervision. The funding also assisted agencies in acquiring protective/safety equipment in jails/prisons, court rooms, probation, and diversion offices. The state of Colorado was able to expand their capacity to supervise individuals in the community as an alternative to incarceration. All of these efforts assisted the criminal justice system in “Restoring Justice”.

After the nationwide movement of Black Lives Matter and a focus on the need for Law Enforcement Reform, the state of Colorado passed Senate Bill 20-217 Law Enforcement Reform Bill. Within the bill, it requires all Colorado Law Enforcement agencies to utilize body worn camera’s and to make recorded data available to the public when requested. Below is a brief summary of the Body Worn Camera requirement.

*Beginning July 1, 2023, the act requires all local law enforcement agencies and the Colorado state patrol to issue body-worn cameras to their officers, except for those working in jails, working as administrative or civilian staff, the executive detail of the state patrol, and those working in court rooms. A peace officer shall wear and activate a body-worn camera when responding to a call for service or during any interaction with the public initiated by the peace officer when enforcing the law*

*or investigating possible violations of the law. A peace officer may turn off a body-worn camera to avoid recording personal information that is not case related; when working on an unrelated assignment; when there is a long break in the incident or contact that is not related to the initial incident; and during administrative, tactical, and management discussions. A peace officer does not need to wear or activate a body-worn camera if the peace officer is working undercover. The act creates inferences, presumptions, and sanctions for failing to activate or tampering with a body-worn camera. The act requires all recordings of an incident be released to the public within 21 days after the local law enforcement agency or Colorado state patrol receives a complaint of misconduct. The act allows for redaction or nonrelease of the recording to the public if there is a specified privacy interest at stake. (<https://leg.colorado.gov/bills/sb20-217>)*

The Colorado Senate Judiciary Committee requested information from the DCJ regarding funding available for law enforcement to purchase body worn cameras. The question was presented to the Colorado JAG Advisory Board and it was decided to set aside \$1.9 million in the next funding conference for Body Worn Camera applications. During the 2021 Legislative Session, the General Assembly appropriated an additional \$4 million to the State Body Worn Camera Fund, and in HB21-1250 Measures to Address Law Enforcement Accountability an additional \$2 million was appropriated to the state Body Worn Camera Fund. This new legislation also moved up the date of compliance to July 1, 2022. With state appropriation total at \$6 million and the JAG Funds at \$1.9 million, the State of Colorado will have available \$7.9 million to ensure the compliance with SB20-217 and HB21-1250.

On March 22, 2021, the state of Colorado experienced a mass shooting tragedy at a King Soopers in Boulder, Colorado which resulted in the loss of 10 lives including one police officer. The Boulder Police Department requested emergency funding from the Colorado JAG Advisory Board in the amount of \$135,025 to assist in covering overtime, psychological services for staff, traffic control, towing and equipment and supplies needed to host numerous agencies in responding to the event and

building a case against the suspect. The JAG Advisory Board was able to grant the award and aid one of our local communities and law enforcement agencies. The Colorado JAG Advisory Board will analysis the data and discuss the increase of gun violence in the state of Colorado this past year. They will share information with the Juvenile Justice and Delinquency Prevention Council as they have chosen to focus on juvenile violent crime/handgun crimes in their upcoming 3-Year Plan. The board will explore community violence interventions (CVI) and identify strategies for the state of Colorado. The Colorado JAG Advisory Board continues to recognize the need to balance state needs as well as local needs and will use this lens when making funding decisions within the JAG Program Areas. The Colorado JAG Advisory Board continues to support the philosophy of funding programs/applications within all JAG purpose areas and prioritizing those projects that adhere to their overarching goal of:

*To support implementation of sustainable programs or provide resources that prevent or reduce or address crime, delinquency, recidivism, or improve outcomes for those affected by crime, using innovative, multidisciplinary, evidence-based, promising or best practices.*

The Colorado JAG Advisory Board continues to explore ways to target areas of need that are identified through crime data and analysis in addition to their current practices. The board is in the process of developing a new survey for criminal justice stakeholders to identify possible new areas of need. The board members will review the results of the Stakeholder Survey at their fall retreat in October 2021 and will utilize those results to guide their funding decisions in the upcoming solicitation.

Over the last couple of years, the state of Colorado experienced a delay in receiving their FY18 and FY20 JAG Awards due to ongoing litigation. Once those funds were released in the spring of 2020, awards were given based on the last funding conferences in 2018 and 2019. The funds that were not awarded were added to the new 2020 and 2021 funding cycle and new applications. With the delays in funding,

the FY2020 Funding Conference and Solicitation was the first cycle to apply the goals in the 2019-2024 Strategic Plan.

**Goal 1:** Establish and maintain a quality JAG Subgrant Application, Review and Award Process that supports projects in alignment with the established JAG Board goal:

**Objective 1.1:** Maintain JAG Board membership to assure state and local representation of the diverse systems which assist in the administration of adult and juvenile justice.

- **Update:** The Colorado Governor, Jared Polis, has made a commitment to ensure diversity within the Governor Appointed Boards and Commissions. The DCJ management team worked on creating a supplemental application to give perspective board members an opportunity to share their lived experiences as well as their professional experiences and they may offer a unique or diverse perspective to the board. The DCJ management team are also exploring new recruitment techniques and identifying community organizations to partner with to make new connections.

**Objective 1.2:** Schedule annual training with JAG Board members to include a “State of the State in Adult and Juvenile Justice” to inform members about critical adult and juvenile justice issues being discussed.

- **Update:** The JAG Board engaged in the “State of State” presentation at their fall retreat in October 2020.

**Goal 2:** To ensure JAG subgrant projects are successful in meeting their established goals and objectives and that such successes or challenges, when they occur, are communicated to the Bureau of Justice Assistance.

**Objective 2.1:** Provide clear instructions and technical assistance about how to develop a quality application and how to structure proposed projects that align with Implementation Science.

- **Update:** The DCJ is working on developing a new technical assistance curriculum and training for grant applicants and awardees. This new training will provide resources and examples of how to structure their projects to be in line with evidence-based practice.

**Goal 3:** Assure that JAG subgrant funds are managed and spent in alignment with approved application and that mandatory subgrantee financial and programmatic reporting is completed timely to DCJ and to BJA.

**Objective 3.1:** Provide grant management training to all JAG subgrantees to include information regarding special conditions attached to their subgrant and mandatory reporting requirements.

- **Update:** The DCJ is developing new training and curriculum to assist subgrantees in following special conditions and reporting requirements.

In the Fall of 2020 the Colorado JAG Advisory Board reviewed the current Strategic Plan and agreed that their current direction of funding all JAG Purpose Areas met the needs of the criminal justice community and state of Colorado. This continued philosophy provided the structure for the development of the FY20 and FY21 funding solicitation. The unique circumstances we have experienced in 2020 and 2021 have influenced the JAG Board to make decisions to fund Body Worn Cameras and Emergency funding for the City of Boulder Police. These two areas were not

specifically identified in the FY19-24 Strategic Plan but were evident needs of the community we serve.

As our state continues to move past the pandemic and we begin initiating our law enforcement reform initiatives, the Colorado JAG Advisory Board will continue to assess the states criminal justice needs and adapt accordingly.