



Administration Building
West Hearing Room
5334 S. Prince St.
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Kathleen Conti, District 1
Nancy Sharpe, District 2
Jeff Baker, Chair, District 3
Nancy Jackson, Chair Pro Tem, District 4
Bill Holen, District 5

Study Session

April 15, 2019

The Arapahoe County Board of County Commissioners typically holds weekly Study Sessions on Monday and Tuesday. Study Sessions (except for Executive Sessions) are open to the public and items for discussion are included on this agenda. Agendas (except for Executive Sessions agendas) are available through the Commissioners' Office or through the County's web site at www.arapahoegov.com. Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noticed on this agenda. In particular, the Board typically schedules time each Monday under "Committee Updates" to discuss a wide range of topics. In addition, the Board may alter the times of the meetings throughout the day, or cancel or reschedule noticed meetings. Questions about this agenda? Contact the Commissioners' Office at 303-795-4630 or by e-mail at commissioners@arapahoegov.com

Study Session Topics

9:00 A.M. Calendar Updates (WHR)
BoCC Administration Manager

9:45 A.M. BOCC Updates (WHR)
Board of County Commissioners

Break

11:30 A.M. *Detention Center Program Presentation (WHR)
Discussion of a request to brief the Board of County Commissioners on the programs planned as part of the Detention Center redevelopment project

Request: Information/Direction

Dick Hawes, Director, Facilities and Fleet Management
Vince Line, Bureau Chief, Arapahoe County Sheriff's Office
John Christofferson, Deputy County Attorney

Documents:

[BSR - DETENTION CENTER PROGRAM PRESENTATION 4-15-2019 - REV.DOC](#)
[ACSODF PROGRAMMING ACTIVITY-LINE.DOCX](#)
[DETENTION CENTER ANALYSIS.DOCX](#)

1:00 P.M. *Align Arapahoe - Service First (WHR)

Align Arapahoe - Service First

Request: Information/Direction

*Manisha Singh, Director, Department of Strategy & Performance
Elected Officials and Department Directors*

2:00 P.M. *Drop In (WHR)

Board of County Commissioners

1. 2019 Child Exploitation Human Trafficking Task Force IGA
Discussion of the Child Exploitation Human Trafficking Task Force (CEHTTF) Intergovernmental Agreement (IGA) between the FBI and the Arapahoe County Sheriff's office to establish the procedures and responsibilities of both the Sheriff's Office and the FBI to respond to the sexual victimization of children

Request: Information/Direction

*Olga Fujaros, Sheriff's Finance Manager, Sheriff's Office
Glenn Thompson, Public Safety Bureau Chief, Sheriff's Office
Tyler S. Brown, Sheriff
Todd Weaver, Budget Manager, Finance
Tiffanie Bleau, Senior Assistant County Attorney*

Documents:

[BSR - CHILD EXPLOITATION HUMAN TRAFFICKING.DOCX](#)
[2019 CEHTTF MOU.PDF](#)

2. Canine Transfer Agreement
Discussion of a request to authorize entering into the Canine Transfer Agreement for canine "Sonka" between Arapahoe County, acting on behalf of the Arapahoe County Sheriff's Office, and Dustin Wade, a deputy sheriff and canine handler for the Arapahoe County Sheriff's Office

Request: Information/Direction

*Olga Fujaros, Sheriff's Finance Manager, Sheriff's Office
Tyler S. Brown, Sheriff
Todd Weaver, Budget Manager, Finance
Tiffanie Bleau, Senior Assistant County Attorney*

Documents:

[DROP-IN_BSR - SONKA 4-15-2019 - REV.DOC](#)
[RETIREMENT CONTRACT SONKA - LUEDTKE.DOC](#)

3. Fixed Asset Number - Telecom Vehicle
Discussion of a request to replace Unit #9880 2018 F-150 Truck which was involved in a single car accident on the evening of March 25, 2019

Request: Information/Direction

*Olga Fujaros, Sheriff's Finance Manager, Sheriff's Office
Kevin Heaton, Lieutenant, Sheriff's Office
Tyler S. Brown, Sheriff
Todd Weaver, Budget Manager, Finance*

Tiffanie Bleau, Senior Assistant County Attorney

Documents:

[BSR FA-UNIT 9880.DOCX](#)

2:30 P.M. *Executive Session (WHR)

Executive Study Session and County Attorney Administrative Meeting [Section 24-6-402 (4)C.R.S.](As required by law, specific agenda topics will be announced in open meeting prior to the commencement of the closed and confidential portion of this session) (WHR)

Ron Carl, County Attorney

*** To Be Recorded As Required By Law**

WHR - West Hearing Room

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Please contact our office at least 3 days in advance to make arrangements.



Board Summary Report

Date: April 5, 2019
To: Board of County Commissioners
From: Dick Hawes, Department Director, Facilities and Fleet Management (FFM)
Subject: Arapahoe County Detention Center Program Presentation

Purpose

This study session was scheduled to brief the Board of County Commissioners (BOCC) on the programs planned as part of the Detention Center (DC) redevelopment project.

Background/Discussion

At a January 29, 2019 study session Facilities and Sheriff Office (SO) staff presented the proposed master plan for the Arapahoe County Justice Center (ACJC) campus redevelopment to the BOCC. At the conclusion of the presentation and discussion BOCC members asked for a follow up briefing on the programs planned for the new DC along with information on county programs that are in place to help reduce average daily jail population. This study session has been scheduled to provide Board members with the requested follow up information.

Chief Line from the SO will begin the presentation with a review of the schematic plans for the new facility. His briefing will include an overview of the current programs available at the DC compared to what will be provided at the new facility. Attached for a pre-read is a matrix comparing current versus future programs planned as part of the redevelopment project.

Chief Line will be followed by our Criminal Justice Planning Coordinators, Todd Spanier and Kally Enright, who will be presenting their analysis of the new facility which will include county efforts to mitigate jail overcrowding, current DC behavioral health programming, and a comparison of behavioral health programming by other jurisdictions. Attached is the paper that the coordinators prepared for BOCC review prior to the study session.

The study session is scheduled for 90 minutes. We are planning to cover the presentation materials within 45 – 60 minutes. The remaining time will be used for Board member questions and input.

Reviewed By

John Christofferson, Deputy County Attoreney

Arapahoe County Sheriff’s Office Detention Facility (ACSODF)

Programmatic Activity

Current vs. Proposed Phase 1 and 2 of the Campus Master Plan

Current	Phase 1	Phase 2
<p>Substance Abuse Programs The ACSODF do not have a wide variety of drug and alcohol programs available at the jail due to limited space and scheduling availability. See below for current substance abuse programs offered.</p>	<p>Substance Abuse Programs After expansion, additional programs can be established to help inmates struggling with drug & alcohol issues. Although ACSODF has a dedicated substance abuse program through the Jail Based Behavioral Services (JBBS) Program (see below for more specific JBBS information), there are many circumstances where inmates are not able to attend classes due to the length of their sentence or sentence type. Ultimately, providing additional resources and programs related to substance abuse would be available to all inmates within the jail will help reduce recidivism and relapse upon release.</p> <p>Additional Drug/Alcohol related Programs that could be added, e.g.:</p> <ul style="list-style-type: none"> • Drug Abuse & Addiction Education Classes • Driving Under the Influence (DUI) & Driving While Ability Impaired (DWAI) Classes, which could link with components of existing Multiple Offender Program, such as counseling and resources available via Aurora Mental Health. • Narcotics Anonymous Meetings • Alcoholics Anonymous additional material - offers a program of recovery for inmates who are the families and friends of alcoholics • Other Substance Abuse counseling programs 	
<p>Alcoholics Anonymous Meetings: 224-336 participants/month</p> <ul style="list-style-type: none"> • Alcoholics Anonymous (AA) is an international fellowship of individuals who once had a drinking problem. • 7 meetings are provided by local volunteers on a weekly basis <p>Due to housing restrictions, meetings are often only offered to one of six of the housing sections within the pod unit on a rotating schedule. Therefore, even though meetings are offered weekly to each pod, an inmate inside a specific housing area may only be able to attend meetings once every six weeks.</p>	<p>Alcoholics Anonymous Meetings After expansion, additional space could be used for meetings with an AA Sponsor. Establishing this relationship prior to release could provide a better support system to reduce recidivism and relapse, as well as other problem behaviors. These areas could also be used for individual counseling sessions of other drug/alcohol related programs mentioned above.</p>	
<p>JBBS screening: 48 participants/month This identifies those that have substance abuse and mental health, and motivation for treatment. If the minimum requirements are met, will be referred for full</p>	<p>JBBS screening: 96 participants/month</p> <ul style="list-style-type: none"> • Screening identifies clients at high risk of being victimized due to their vulnerabilities, thereby increasing inmate safety • Staff can provide basic, simple techniques that they can practice that will assist them with coping in general 	

<p>JBBS assessment; if minimum requirements for JBBS are not met, issues will be addressed or referred to re-entry.</p>	<p>population</p>
<p>JBBS group therapy: 768 participants/month</p>	<p>JBBS group therapy: 1152 participants/month</p> <ul style="list-style-type: none"> • Group therapy helps foster social skills to work with others in a more productive manner; inmates are taught life skills that help reduce impulsivity and stress mediation • Group setting allows clients to learn through other clients' experiences and use that as motivation to address their mental health and substance abuse issues; foster an environment to help prevent relapse
<p>JBBS individual session (case mgmt.): 384 participants/month</p>	<p>JBBS individual session: 576 participants/month</p> <ul style="list-style-type: none"> • During individual sessions, clients increase their stake in societal norms thereby decreasing safety issues • Staff can develop treatment plans that focus on the underlying reasons that they abuse substances and identify their mental health symptoms
<p>Mental Health Programs</p> <p>Mental Health Programming is currently limited to what is offered to JBBS clients (see above) and mental health services offered via the facility's contract with the medical vendor. This is an area of opportunity to expand mental health programs offered. Future offerings could include group sessions for general population, special populations, "step down", and individual mental health sessions for those who are participating in groups.</p>	<p>Mental Health Programs</p> <ul style="list-style-type: none"> • Safety can be better maintained by identifying those that are at higher risk of harming themselves or others, clients are less likely to be impulsive when their concerns have been validated and a treatment plan has been established, and clients engaged in mental health treatment are less of a safety risk to themselves and others • Increased mental health programming can help identify those inmates that need more intensive treatment while at the facility, thereby impacting the overall mental health needs in the facility. Meeting with a client allows for the development of individualized treatment plans and allows the clinician to provide crisis intervention services, when needed. This can also reduce time spent in isolation, which is a dangerous area for staff and inmates. • By providing education regarding mental health diagnoses and providing tools to the client, they are able to better understand and appropriately respond to their symptoms. Group settings allow for the realization that they are not alone, encourages emotional development, personal responsibility and leadership skills.
<p>Religious Services</p> <p>These services are scheduled weekly for each pod. Due to housing restrictions, services are often only offered to one of six of the housing sections (dayrooms) within the pod unit on a rotating schedule. Therefore, even though services are offered weekly to each pod, an inmate inside a specific housing area may only be able to attend service once every six weeks. This makes it difficult to estimate how many more inmates could be served, but each of these services has an ongoing list of inmates waiting to attend. See list of religious services available below.</p>	<p>Religious Services</p> <p>Increasing the number of religious services in jail can be an effective tool for reducing criminal behavior outside of jail and reducing recidivism. Additionally, in the Journal of Offender Rehabilitation, a study showed that religious involvement in jail decreases the total number of inmates with infractions while in jail, which translates into a safer environment for both inmates and staff. This will also provide additional opportunity to provide a more equal opportunity for religious services for all inmates. According to a study published in Psychiatric Quarterly, when religion and spirituality is used as a coping resource for facing stressful life situations, it is associated with lower frequency and severity of depressive episodes. After expansion, additional space could be used to increase the number of religious services offered and increase the total amount of inmates that are able to attend services.</p> <p>Additional religious services from other world religions could also be added, e.g.:</p> <ul style="list-style-type: none"> • Jewish Services • Islamic Services • Hindu Services • Buddhist Services • Other Minority Faith Groups
<p>Chaplain Services: 200-280 participants/month</p> <ul style="list-style-type: none"> • 7 religious services provided weekly by the full-time Chaplain • Communion services provided by Chaplain on 	<p>Additional religious programs that could be added:</p>

<p>monthly basis</p> <ul style="list-style-type: none"> • The Chaplain provides one-on-one religious counseling to inmates by request 	<ul style="list-style-type: none"> • Religious Mentorships could be offered to assist with inmate reentry back into society. With additional space and resources, Volunteer Mentors could meet with inmates prior to release and provide continuity of religious guidance when an inmate reenters society. • A Religious Library could provide additional reading materials outside of the materials offered through the facility Library and the religious texts offered to inmates. This could provide a wider range of religious self-help/education books available to the inmates and digital religious resources. • Streaming of Religious Services. The “Multi-Purpose Rooms” available inside each one of the housing sections would have the capability of streaming religious services from various organizations. This is beneficial because it lessens the need for volunteers to go down to each pod and overall creates a safer environment. Not only could religious sermons be streamed from outside organizations, but current volunteers could record and stream their services from a central location within the jail so that their service is offered simultaneously to all pods and housing areas. This would help serve minority faith groups in particular, where numbers of available volunteers impact the level of service we can provide. • Prayer or Meditation areas can be established within the Jail. These rooms would provide safe areas within the jail for individual inmate religious practices without hindering other services or Programs. Having these areas available would help support better mental health for inmates. 	
<p>Catholic Services: 140-280 participants/month</p> <ul style="list-style-type: none"> • 7 Catholic services provided by local volunteers on a weekly basis • Catholic communion services are provided on monthly basis • Catholic confession offered monthly by a priest 		
<p>Gideon's Services: 40 participants/month</p> <ul style="list-style-type: none"> • 2 Evangelical services provided by local volunteers on a weekly basis 		
<p>House of Joy Services: 24-40 participants/month</p> <ul style="list-style-type: none"> • 3 Pentecostal services provided by local volunteers on a weekly basis 		
<p>Jehovah's Witness Services: 120-196 participants/month</p> <ul style="list-style-type: none"> • 6 Jehovah's Witness services provided by local volunteers on a weekly basis 		
<p>Open Bible Study: 60 participants/month</p> <ul style="list-style-type: none"> • 3 Christian services provided by local volunteers on a weekly basis 		
<p>Prison Fellowship: 120-168 participants/month</p> <ul style="list-style-type: none"> • 6 Christian services provided by local Prison Fellowship volunteers on a weekly basis 		
<p>Professional Clergy Visitation An inmate may request to visit with his or her own clergy member for religious counseling. Professional clergy members usually meet with inmates in the attorney visitation area (if available), however if the attorney visitation area is in use, there is limited space for these private meetings to take place.</p>		<p>Professional Clergy Visitation After an expansion, there will be a number of added professional visitation areas added for each pod unit. This will ensure that the inmates will be able to visit with their Professional clergy members.</p>
<p>Education & Life Skills Classes See below for current education classes</p>	<p>Education & Life Skills Classes After expansion, increased classroom areas could be utilized to offer additional classes. Preparation for life outside of the jail is essential to reduce recidivism and provide a better quality of life for the inmate upon release, and has a positive impact on mental health.</p> <p>Additional education & life skill related programs that could be added, e.g.:</p> <ul style="list-style-type: none"> • Pre-Release & Reintegration Program • Life Skills Classes, such as Parenting classes • Cognitive Behavioral Therapy (CBT) - a therapeutic treatment to improve mental health by establishing effective coping skills, understanding how an individual's feelings influence their behaviors, and changing obstructive behaviors/thoughts. 	

	<ul style="list-style-type: none"> • Empathy Classes- leading research is showing that teaching the concept of empathy has significant impact on recidivism as well as behavior in custody. • Establishing recreational & leisure-time activities - Inmates that have specific interests and hobbies upon leaving the facility are less likely to reoffend. Helping inmates find productive leisure-time activities can help reduce stress and improve their mental health. Examples may include yoga, meditation, and writing. This can also link with wellness in Health Education classes. • Career Related Classes - Helping inmates gain employment upon release can reduce recidivism and provide better mental health. Examples may include resume writing, job search & retention classes, mock job fairs, and practice interview skills. • Financial Classes - Helping inmates have a better understanding of financing will reduce future offending behaviors and reduce recidivism. Examples may include budgeting/money management, and credit recovery.
<p>GED Classes: 192 participants/month</p> <ul style="list-style-type: none"> • GED Education is provided by Arapahoe County’s full-time Inmate Educator. When the inmates are appropriately prepared for testing, Arapahoe County provides a certificate for off-site GED testing, with no cost to the inmate. • Inmates work on reading, writing, and math skills using a 10-station computer lab. Inmates may also receive individual tutoring from volunteers who assist inmates during education class. Learning materials are also available to those who do not speak English as a first language. • 8 GED classes are scheduled per week in a centralized GED Classroom. Inmates must be escorted by a deputy to and from their housing area to the classroom. There have been circumstances where deputies are not easily available to do this, and a delay is created. Classes are held where inmates from multiple pods will have to attend a single class. Staff must review inmates to ensure that there are no housing restrictions and no enemies within the same class. There is an ongoing waiting list for this service. 	<p>GED Classes</p> <p>After expansion, increased classroom areas could be utilized to offer additional education classes. Additional classrooms will increase availability and eliminate the need for inmates from differing housing areas to attend the same class. This will increase safety/security of the facility with less inmate movement, lessen issues with housing restrictions or enemies within the same class, and decrease the need for deputies to escort inmates.</p> <p>A specific classroom could be established for “English as a Second Language” classes where non-English speaking inmates can receive a more personalized education experience, using technology as needed to assist. Conversely, inmates could learn other languages that may be a benefit to them as they search for employment and reintegrate into the community.</p> <p>Additional Education related Programs that could be added, e.g.:</p> <ul style="list-style-type: none"> • Adult continuing education • Computer skills • College Readiness Workshops
<p>Health Education Classes: 40-60 participants/month</p> <ul style="list-style-type: none"> • Sexual Health information classes (taught by a registered public health nurse) are provided to the female inmates to offer comprehensive education on birth control, sexually transmitted infections and prevention, availability of resources, and access to care upon their release. • These classes are scheduled every 3 weeks for the female housing unit. Classes are offered to all dayrooms as long as there are no housing 	<p>Health Education Classes</p> <p>After expansion, increased classroom areas could be utilized to offer additional Sexual Health Education classes. Classes could also be offered to the male population.</p> <p>Additional Health related Programs that could be added, e.g.:</p> <ul style="list-style-type: none"> • Chronic Care Education- HIV/AIDS, Hepatitis, Diabetes, etc. • Men’s Health Education - learning about important health topics for men, like prostate awareness and testicular cancer • Women’s Health Education – learning about important health topics for women like breast health and menstrual hygiene

<p>restrictions or enemy conflicts.</p>	<ul style="list-style-type: none"> • Healthy Eating Education • Other general health & wellness education, including timely information about regional disease outbreaks
<p>Domestic Violence Education: 300 participants/month</p> <ul style="list-style-type: none"> • Domestic violence classes help inmates understand the cycle of violence, cognitive distortions, and surface triggers that lead to violence. Additionally, inmates learn the role that alcohol and drugs play in domestic violence. • These classes are scheduled once a week to all male housing areas, and are 8 weeks long. Inmates must be escorted by a deputy to and from their housing area to the classroom. There have been circumstances where deputies are not easily available to do this and a delay is created. Staff must review inmates to ensure that there are no housing restrictions and no enemies within the same class. • There is a substantial waiting list of 40-60 inmates at any time for this class. 	<p>Domestic Violence Education</p> <p>After expansion, increased classroom areas could be utilized to offer additional domestic violence education classes. Furthermore, with the option to record classes and stream videos directly to the Multi-Purpose Rooms inside each one of the housing areas, classes would be more readily available to all inmates with fewer constraints due to housing restrictions or enemies from other Pods. This will make the class more available to inmates, decrease the need for deputies to escort inmates, and substantially reduce the waiting list.</p> <p>Additional related Programs that could be added, e.g.:</p> <ul style="list-style-type: none"> • Domestic Violence Classes for Female Offenders • Victim Assistance & Education - For Victims of Domestic Violence or Related Crimes. Classes to help inmates recognize what trauma and abuse is, and how they can help themselves get out of abusive situations • Healthy Relationships Classes • Victim Impact Classes • Anger Management Classes • Other Educational Classes meant to reduce violence, such as Empathy
<p>Re-entry Programs</p> <p>Re-entry services: 224 participants/month</p> <p>These services link with community resources to include housing, employment, mental health, substance abuse. This service provides group and individual sessions.</p>	<p>Re-entry Programs</p> <p>Re-entry: 1446 participants/month</p> <p>We could offer 24/7 staffing in Phase 1 which allow the clients to meet with the re-entry staff member during the book in or release process; additionally classes will be offered to the client on a daily basis for more general questions.</p> <ul style="list-style-type: none"> • Safety increases due to the client being focused on resources that benefit them as opposed to being distracted by stereotypical jailhouse politics. • Mental health/ substance abuse: links the clients with community resources upon release. Studies have shown that this leads to decrease recidivism; helps to ease their transition back into the community since resources are already in place with the goal being that the client has appointments scheduled upon release.
<p>Veteran specific services and housing</p> <p>There is currently no veteran specific housing. If an arrestee identifies as current or former military on booking documents, they are referred to the Veterans' Affairs representative for further resources. Current programming allows the VA rep to meet with some inmates on an individual basis but is limited by space and schedule constraints; future programming would include group and individual sessions.</p>	<p>Veteran specific services and housing</p> <ul style="list-style-type: none"> • Veterans housing will allow the VA rep to be more efficient, decrease movement in the facility, and will allow for enhanced services in the housing unit. • By having mental health/ substance abuse classes in jail, many of the barriers that veterans experience in the community will be greatly diminished, i.e. wait time to receive services, personal embarrassment/ stigma associated with mental illness, etc.



“We shape our buildings, and afterwards our buildings shape us.”
Winston Churchill, October 1943

Justice Planning Analysis – Detention Facility Construction Phases I and II

Todd Spanier and Kally Enright

Arapahoe County Criminal Justice Planning Coordinators

Background of Planned Construction

Reilly Johnson Architecture Firm has drafted a plan to build a new detention facility, while continuing to operate the old facility until construction is complete. The first phase involves the construction of a booking and release center with a new medical and behavioral housing unit, a medical outpatient clinic, an advisement courtroom, and new facilities to serve the housing units of the old facility with kitchen, laundry, and a central plant. Additionally, Phase I includes 592 new jail beds. The construction for Phase I will occur immediately adjacent, southwest of the existing jail facility. It will also include a new driveway from Broncos Parkway (between the Sheriff’s Office Headquarters and the Denver Broncos property.)

The second phase involves the demolition of pods 4 and 5 on the western side of the existing facility to make room for the construction of new housing units north of the Phase I construction and west of the remainder of the existing facility. During Phase II construction, existing pods 1, 2, 3, and 6 will continue to house inmates. Phase II construction will add 3 new housing pods, 4 stories each, organized into housing units capable of holding up to 64 inmates, for a total of 1,020 beds. There will be one multi-purpose room, one professional visit room, and one treatment room for each housing unit. Phase II concludes with the demolition of the remainder of the old facility.

The maximum total bed capacity of the Phase I and II construction projects will be 1,612. (an increase from the current beds of 1,458). Included in this total is 52 medical, behavioral control, and suicide watch units (an increase of 44). Also included is 168 intake and classification beds (an increase of 72). In addition to inmate beds, Phases I and II include an additional 11 multipurpose rooms for programming and an additional 11 professional visitation rooms, as well as an additional 16 medical or behavioral treatment rooms. Based on this analysis, these additions are necessary for the Sheriff’s Office to provide a high level of rehabilitative services and behavioral health programming, as well as promote deputy safety.

Deputy and Inmate Safety

The question for this section is how does a physical, brick-and-mortar structure, detract from or promote the safety of officers working within it and inmates under county care?

The nominal bed capacity of the jail is currently 1,458. When the facility was built in 1986, it was originally designed to house 360 inmates. Over the last two years, the actual average

population has been just over 1,000; however, that capacity is only available because cells have been renovated for triple bunking. On any given day, as many as 200 inmates are housed in triple-bunked cells.

Academic literature examining the correlation between jail crowding and inmate-inmate or inmate-staff violence are generally inconclusive.¹ However, there are findings which do show a positive correlation between crowding (particularly cell crowding, like triple bunking, as opposed to facility crowding) and violent incidents among younger inmates² (Arapahoe County had 59% in the 18-34 age category for 2018), and also for those with behavioral health disorders.³ Reducing cell crowding, therefore, is likely to promote officer safety in the jail.

In addition to the direct link between officer safety and crowding based on conflicts arising and tempers flaring due to the stress of close-quarters confinement alone, another line of academic research shows that the availability of jail programs positively correlates to reduced inmate violence while in custody. Programming has been shown to reduce inmate violence by providing daily structure and an opportunity for self-improvement while confined.⁴

The current facility layout is not conducive to providing a wide-array of inmate programs without significant staff involvement. The facility only has five rooms to hold programming, one in each pod. This means that in order to make a particular program available to all inmates housed throughout the facility, a significant amount of transport is necessary, which requires deputies to escort inmates to and from the program room. Often, staff is not available for this purpose. The facility has no space for program providers to office, nor to establish permanent centers out-of-which individualized inmate assistance could be rendered. This hinders the provision of programs to Arapahoe County Detention Facility inmates to ameliorate conditions which require long-term case management, such as employment and training services, homeless amelioration, and a host of self-improvement programs.

Given that the availability of and inmate participation in programming is a consistently-found positive correlate to reduced inmate delinquency and violence, and given the low ongoing operational cost of providing a space in which vendors can provide programs, it is imperative to explore options for expanding the scope of programs offered. At this point, the only realistic way to make more programs available is to provide space for that. Outside of an astronomical reduction in jail population, which is not probable, the only way to realize this is to build a new space in which programming can be held.

Phases I and II include a multipurpose room (classroom) in each of 16 housing units. In other words, for every 64 inmates there will be space to hold a program. In the current facility, there is

¹ This may be due in large part because jails are not sufficiently distinguished from prisons in the literature and an inability to control for a number of other variables which pertain to the likelihood of in-jail incidents occurring. See footnote 2, generally.

² Travis Franklin, Cortney Franklin, and Travis Pratt. 2006. Examining the empirical relationship between prison crowding and inmate misconduct: A meta-analysis of conflicting research results. *Journal of Criminal Justice*, 34 at 408.

³ Terry Kupers. 2008. Report on Mental Health Issues at Los Angeles County Jail, at 5.

⁴ Richard McCorkle, Terance Miethe, and Kriss Drass. 1995. Roots of Prison Violence: A Test of the Deprivation, Management, and 'Not-So-Total' Institution Models. *Crime and Delinquency*, 41(3):317-331.

one multipurpose room for every 200 inmates, and those rooms are located in pods which are located relatively far away from each other. Phases I and II also have room for vendors to establish long-term program space, like a center, which inmates can visit and receive service from outside of the normal program schedule. The new construction is instrumental if Arapahoe County is ever going to offer self-improvement programs like parenting education or employment and training services.

Behavioral Health Programming

The current jail facility is woefully inadequate in its ability to provide care to inmates experiencing behavioral health conditions. To wit: there are only 16 medical or behavioral control beds in the facility; there are a handful of spaces that can be used to provide adequate suicide watch. The booking facility is too small to accommodate booking staff and arresting agencies to complete requisite paperwork and house inmates awaiting booking, to say nothing of conducting medical and mental health assessments privately or efficiently. The jail books in an average of 1,464 inmates each month. This is too much volume to do even perfunctory medical or mental health needs assessments in the current space. These are done, but only after a few days have elapsed. The jail has medical staff, and an active and successful Jail Based Behavioral Services (JBBS) program which primarily serves inmates with substance abuse problems. However, space is lacking to provide necessary individual therapy and group therapy. There is very little opportunity for providers to hold behavioral health programming, or any programming other than religion, GED, domestic violence, and the occasional AA meeting. Additionally, given the facility space issues, there is currently a waitlist for numerous classes and programs, to include GED.

Moreover, cell crowding is a major concern for those experiencing mental health symptoms. Living in a crowded cell has been shown to exacerbate mental health symptoms, causing those suffering from underlying conditions which may have been manageable on the outside to decompensate while in jail.⁵ In fact, there are numerous occasions in which a person might be booked who presents as medically stable, but who decompensates after several days in the jail and to such an extent that they become incompetent to aid in their own legal defense. These inmates, for whom competency is adjudicated to be a concern, must be restored to competency by the State Office of Behavioral Health, a process which typically takes several months, with transfers to and from the Colorado Mental Hospital at Pueblo. Many inmates who are successfully restored at Pueblo decompensate again upon their return, due to poor conditions and lack of services, and must be restored again. These inmates might spend up to a year in jail, in and out of the mental hospital, and not even be tried in court. Competency inmates present an enormous strain on Sheriff's Office resources.

With some 40% of the jail population at any given point with behavioral health needs, approximately 400-450 people, the behavioral health population of the jail is larger than the entire population the facility was originally built to house (360). With medical facilities built to serve dozens, the hundreds that present each day with high-level behavioral health needs, despite the valiant efforts of those who work there, are simply not able to keep up.

⁵ See note 3 above.

Reentry services are an important factor in the rehabilitation of all inmates, but particularly for those with behavioral health disorders. Generally, reentry services help inmates plan for their release from jail in terms of securing work, a place to live, and other immediate necessities. Behavioral health inmates benefit additionally from reentry planning as it facilitates their continuity of in-jail treatment once they reenter society, particularly in terms of medication and ongoing therapy. A study conducted on Connecticut inmates showed that for those suffering from a mental health disorder, the six-month recidivism rate for those participating in reentry services was half of those who did not.⁶

In Arapahoe County, we know that recidivism rates, defined here as return to the Arapahoe County Detention Facility, are significantly higher for three high-needs populations: substance use disorder (53%), mental health (46%), and homeless (58%), when compared to the general population (40%) over five years. Reentry services, and particularly those that coordinate in-jail and out-of-jail care, would reduce the recidivism rates of these populations substantially. Currently, reentry case management services are only offered to JBBS program participants. Due to limited resources and space constraints, JBBS is only able to serve 60 inmates at a time. Therefore, only a fraction of the inmates who need reentry services – and behavioral health programming generally – are able to obtain them. A reduction in recidivism is the most important measure of jail programming because it tells us exactly how effective a program is at improving individuals while they are confined. This is the goal of rehabilitation in the justice system.

The construction of a new jail facility would permit the Sheriff's Office to establish several more programs for treating the behavioral health population. The new construction anticipates having more multipurpose space for group therapy, having more therapy and professional visit space, and having space for the establishment of standing problem-solving centers, like a homelessness center, for instance. Establishing in-jail centers is essential for the consistent treatment of prevalent and perennial social maladies, such as homelessness or joblessness. In 2015 the Department of Labor sponsored a grant program designed to establish job centers in jails, and the programs funded showed positive outcomes, as expected.⁷

Another proposal is for the establishment of separate housing units for those with similar conditions. Given that most correctional institutions are not designed as therapeutic spaces, some jails, like Monroe County, Washington, have established special housing units to house and treat those with the highest acuity mental health needs. The Monroe County Jail special housing unit resembles a hospital, more than a jail, even though it exists entirely within the jail. Having therapeutically-minded spaces is good for the inmates who are not subject to the kind of environmental stress endemic in general population housing, and the staff assigned to those areas can be specially trained in trauma-informed care. Moreover, special housing is conducive to deploying crisis response with greater alacrity to immediate crises, as the highest acuity inmates are located in the same space. Similarly, separate housing units could be established to house specialty court clients (Veterans, Wellness Court, Sobriety Court, and Recovery Court), such that

⁶ Karen Kesten, et. al. 2011. Recidivism Rates Among Mentally Ill Inmates: Impact of the Connecticut Offender Reentry Program. *Journal of Correctional Health Care*, 18:20.

⁷ Jeanne Bellotti, et. al. 2018. *LEAP Final Report*. US Department of Labor.

those held in jail for sanctions are not placed in the general population, and thus more likely to have their behavioral health condition exacerbated and treatment set back as a result.

In-jail programming is unlikely to help an inmate whose length of stay is too short. There is some question about what proportion of inmates could avail themselves of these programs, centers, and special housing units given such a high proportion of the jail population is unsentenced (approximately 50%) and therefore has a short length of stay (an average of 10 days in 2018). The average daily population of sentenced inmates in 2018 was 443, with an average length of stay of 72 days. This is certainly long enough for the benefits of programming to be realized. Moreover, it would be straightforward to identify those pretrial inmates who are not likely to make bond, but who are also likely to be sentenced to the Arapahoe County Jail, and so those individuals should be eligible for programming as well.

Given the programming, booking and release, and health facilities available in the current facility, in order for the Arapahoe County Sheriff's Office (ACSO) to provide a high level of service to its inmates, the population should be around 400 inmates⁸ (1,073 average daily population in 2018). This size population would enable ACSO to provide a multitude of self-improvement and other behavioral health programming. The maximum number of bookings that should be processed in order to complete a behavioral health screen upon booking, given the current facility and resources available, should be closer to 9,000⁹ (17,562 bookings in 2018).

Given that rehabilitation programs (67%) outpaced punishment (28%) as a favorable approach to crime prevention by the Arapahoe County respondents to the Ciruli and Associates survey, erecting a facility that accommodates rehabilitative programs, particularly for those with behavioral health disorders, and the homeless, must be the front face of any effort to ask citizens for supporting these initiatives.

Comparison to Other Jurisdictions: Larimer, Davidson, Bexar, Douglas

Certain jurisdictions in Colorado and around the country provide some examples of behavioral health models. The purpose here is not to try replicate what other counties do, but to situate the current and future status of behavioral health in the Arapahoe County justice system with those of other places. Some aspects of these systems are replicable here; others are unrealistic.

Larimer County, Colorado

Larimer County is often touted as a model of behavioral healthcare for the criminal justice-involved. However, the ballot initiative passed in 2016, establishing a comprehensive behavioral healthcare system, has a mere tangential connection to the criminal justice system. For instance, it is an alternative receiving location for individuals transported by law enforcement who are in crisis. It is not an alternative to jail for those who are arrested on probable cause for having committed a crime. Larimer County already offers an alternative facility for housing those sentenced to jail alternative programs, such as weekenders and work release inmates. It also co-locates the Alternative Sentencing facility on the same campus as the jail and the county's

⁸ Estimate.

⁹ Estimate.

community corrections facility. This allows Larimer County flexibility in sharing resources and programming among the three facilities.

Larimer County is most distinctive for its in-jail programming offerings. In particular, Larimer has two structured behavioral modification programs. One is called the Citizens Improvement Program which allows inmates to earn extra good time for participation specific programs such as: AA, NA, church service, life skills classes, and GED. The second program is called Transformation and Choices which is a 40-hour structured program designed to analyze how personality types affect behavior, attitudes, and conflict resolution styles, with a deep emphasis on building healthy behavioral change. Additionally, Larimer County offers a litany of behavioral health and self-improvement programming: Seeking Safety, Smarter Everyday, Celebrate Recovery, How to Have a Decent Relationship, creative writing, blues song writing, Authentic Manhood, Road to Freedom for Women, Yoga, Mindfulness, CSU Speakout writing, The Mankind Project, Anger Management, Transformations, AA, and NA. Finally, Larimer County incentivizes good behavior by offering better housing options, such as one-room dormitory-style cells for those who demonstrate consistent good behavior. Arapahoe County does provide some programs and services similar to Larimer County, however, the capacity to expand beyond what is currently offered is significantly limited due to facility constraints. If increased facilities were made available to address this issue, an increase in staffing would also be necessary to facilitate the programs.

Davidson County, Tennessee

Davidson County, which is comprised of Nashville and the surrounding areas, is on the verge of establishing an innovative behavioral health diversion program wherein a nurse works with jail booking and the arresting officer to determine whether the individual being transported is appropriate (based on legal and medical criteria) to be diverted to the Behavioral Care Center (BCC) or the jail. The BCC is a voluntary diversion program wherein the individual agrees to undergo an inpatient treatment program for a specified timeframe. At the end of the treatment, if the person was compliant and successful, no charges are ever filed. If the person fails the program, is disruptive, or chooses to quit, that person will be booked in the jail and charges will be filed. The facility housing the BCC is still under construction; it is slated to open this year. Nashville Police Department also has a robust co-responder program which will work closely with the BCC for appropriate clients.

Bexar County, Texas

The Behavioral Health Diversion program in Bexar County is one program in a continuum of services offered by the county government for those suffering from a whole host of social maladies, including homelessness, domestic violence, mental health, and substance abuse. Bexar County developed an entire campus replete with step-up housing for the homeless, a crisis center, long-term supportive housing, and a range of services provided by the county human services department and other providers, all collocated on the campus. The crisis center in particular is built as an alternative receiving site (alternative to the jail) for law enforcement to drop-off those in crisis who might be a danger to themselves or others.

Douglas County, Colorado

Douglas County has a series of interconnected and robust services for those with behavioral health problems. It is called the Douglas County Mental Health Initiative. It includes a co-responder model for law enforcement, a collaborative care system to provide wraparound case management for adults and juveniles who need behavioral health treatment, and a top-notch reentry program. The jail reentry program is most instructive for Arapahoe County. Virtually every inmate leaving the Douglas County jail, who volunteers to receive it, is given a comprehensive reentry plan, complete with case management and resources, so that they can reenter society with many of their material needs met, at least for a short period of time. The Douglas County jail coordinates with the other aspects of the Mental Health Initiative, including human services and private charitable providers, so that housing, transportation, nutrition, work, and treatment is planned for upon release. For those leaving the jail with a remaining probation sentence, and who have a qualifying behavioral health disorder, they are connected with the 18th Judicial District Probation mental health program so that important in-jail treatment progress can be continued through probation sponsored out-of-custody treatment. Given more space and resources, this program could be replicated in the Arapahoe County Jail.

Arapahoe County Efforts to Mitigate Jail Overpopulation

The behavioral health needs and population crush in general of Arapahoe County inmates continue to increase despite extensive efforts undertaken by ACSO, Judicial Services, and the 18th Judicial District. Many of the reforms implemented in Arapahoe County are commensurate with similar efforts of Larimer County.

In 2014, the Arapahoe County Justice Coordinating Committee undertook a strategic planning effort resulting in the creation of an Efficiency Subcommittee and a Behavioral Health Subcommittee which have identified and planned for many necessary reforms listed here with the general goal of reducing the impact of defendants and offenders on the Arapahoe County justice system.

Arapahoe County Sheriff's Office

Court Date Notification Program – ACSO implemented a court date notification program in 2008 to call out-of-custody county court defendants to inform them of upcoming court dates. Until 2018, this program occupied a full FTE; since then, the program has operated via text messaging, and the automation inherent in that process reduced the FTE cost to .25. The Criminal Justice Planning Office (CJPO) has evaluated this program since the inception, and it is consistently successful at reducing defendant failures to appear for those defendants who are able to be reached. The program is equally successful as a texting platform as it was a telephone-based program.

Crisis Intervention Training (CIT) – For several years ACSO has endeavored to train every certified deputy in CIT. Since 2018, ACSO has trained every non-certified deputy in Mental

Health First Aid. These reforms enable the deputies in the Sheriff's Office to recognize when a suspect or defendant may be experiencing symptoms of a behavioral health disorder and to respond in a more clinically-minded manner. Although it hasn't been studied, these efforts likely reduce the number of incidents where a behavioral health symptom results in behaviors which, if unrecognized, would result in an arrest or a new charge.

Limiting Parole Holds – Arapahoe County Detention Facility (ACDF) watch commanders monitor the number of parole holds, and overflow holds are transported to Washington County.

Work Release/Weekenders – ACDF has 88 male beds and 22 female beds available for this purpose. The beds are rarely full. Although multiple efforts have been made and continue to be made to communicate the availability of this program to the judges, an impactful rise in court authorizations has not been realized.

Medicaid – In 2015, ACDF coordinated with the Arapahoe County Department of Human Services to enroll inmates in Medicaid, which takes effect upon being released.

Narcan – In 2016, ACSO partnered with the Colorado Office of Behavioral Health to provide intranasal Narcan to high-risk opioid inmates upon release, who are also trained in the use of this life-saving drug. Moreover, this program supplies this drug to jail and Court Services personnel.

Prescriptions – In 2018, ACDF in coordination with WellPath, the jail's medical vendor, provides a prescription for 30 days' worth of essential medications for individuals released from custody. This gives releasees a window to secure out-of-custody medications.

Medication-Assisted Treatment (MAT) – In 2018, ACDF implemented a MAT program to treat inmates suffering from opioid addiction while in custody.

Judicial Services

Pretrial Risk Assessment – Pretrial Release Services conducts bond reports and risk assessments on more than 5,000 defendants each year. The risk assessment is an actuarial tool which predicts a given defendant's risk of failing to appear or committing a new offense while on bond. The bond report information aids judges in setting bond with a goal of reducing pretrial incarceration for those who have low risk of pretrial failure.

Pretrial Navigator Program – In 2017, the Judicial Services Division implemented the Pretrial Navigator Program to release defendants with behavioral health disorders from custody and to connect them with treatment and other resources to stabilize them in their recovery (sober living, transportation, nutrition assistance, employment and training services, and supporting their reconnection with family). By agreement between the public defender, the court, and the district attorney, those who remain compliant with the program requirements are sentenced non-custodially, such that recovery progress obtained through the program is not lost with additional jail or prison confinement. Since its inception in May 2017, this program has avoided 6,793 jail days among all its clients served.

Pretrial Supervision – Since 2014, Pretrial Release Services has increased its caseload capacity by an additional 250 clients to accommodate the growing need for alternatives to pretrial confinement. Pretrial supervision is often ordered for defendants whose risk of failing to appear and committing a new crime are too high for unsupervised release during pretrial. The out-of-custody supervision conducted by Pretrial Release Services saves the county tens of millions per year in jail costs avoided for those awaiting trial.

Bridges Program – In 2019, the CJPO facilitated a day-long planning meeting to implement locally the Bridges Program. This state-funded judicial department program intends to reduce the impact on the justice system and local jails of defendants who need to be restored to competency and to generally coordinate the provision of behavioral healthcare to defendants who need them. This program is anticipated to reduce case processing time for those with complicated behavioral health conditions and to reduce recidivism among its client population.

18th Judicial District

Specialty Courts – ACSO works closely to help the 18th Judicial District operate four specialty courts to provide treatment-based alternative sentencing for appropriate offenders. These programs dramatically reduce recidivism among the clients served by them, as well as effectively rehabilitate clients.

Bond Guidelines – In 2017, the Chief Judge of the 18th Judicial District promulgated a new set of bond guidelines with a goal of decreasing bond for defendants charged with a variety of lower-level crime types.



Board Summary Report

Date: March 29, 2019

To: Board of County Commissioners

Through: Tyler Brown, Sheriff

From: Olga Fajaros, Sheriff's Finance Manager

Subject: 2019 Inter-Governmental Agreement (IGA) between Arapahoe County and the Federal Bureau of Investigations. (FBI)

Request and Recommendation

The purpose of this report is to inform the Board of County Commissioners of the Child Exploitation Human Trafficking Task Force (CEHTTF) Inter-Governmental Agreement (IGA) between the FBI and the Arapahoe County Sheriff's Office. The IGA establishes the procedures and responsibilities of both the Arapahoe County Sheriff's Office and the FBI to respond to the sexual victimization of children.

Background

The mission of CEHTTF is to provide a rapid, proactive and intelligence-driven investigative response to the sexual victimization of children within the GBI's jurisdiction; to identify and rescue child victims; to reduce the vulnerability of children to sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state local and international law enforcement through training, intelligence sharing, technical support and investigative assistance.

Links to Align Arapahoe

Service First, Quality of Life – Community Safety and Fiscal Responsibility

Discussion

The defined priority threats that are aligned with the mission of the CEHTTFs are:

- Child Abductions
- Sexual Exploitation of Children Enterprises
- Contract Offenses Against Children
- Trafficking of Child Pornography
- International Parental Kidnapping
- Other Crimes Against Children
- Human Trafficking Enterprises

Alternatives

The alternative is to not participate in the Task Force.

Fiscal Impact

None

Concurrence

The Sheriff's Office Administration and Public Safety Bureau are in concurrence with this decision.

Attorney Comments

Reviewed By

Olga Fujaros, Sheriff's Finance Manager

Glenn Thompson, Public Safety Bureau Chief

Tyler S. Brown, Sheriff

Mark R. Nicastle, Undersheriff

Finance Department

County Attorney

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FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM OF UNDERSTANDING

PARTIES

1. This Memorandum of Understanding (MOU) is entered into by and between the **Federal Bureau of Investigation (FBI)** and _____ (participating agency(ies)) (collectively: the Parties). Nothing in this MOU should be construed as limiting or impeding the basic spirit of cooperation which exists between these agencies.

AUTHORITIES

2. Authority for the FBI to enter into this agreement can be found at Title 28, United States Code (U.S.C.), Section (§) 533; 42 U.S.C. § 3771; Title 28, Code of Federal Regulations (C.F.R.), § 0.85; and applicable United States Attorney General's Guidelines.

PURPOSE

3. The purpose of this MOU is to delineate the responsibilities of the _____ Child Exploitation Human Trafficking Task Force (CEHTTF) personnel; formalize relationships between participating agencies for policy guidance, planning, training, public and media relations; and maximize inter-agency cooperation. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, the United States, or the officers, employees, agents, or other associated personnel thereof.

MISSION

4. The mission of the Child Exploitation Human Trafficking Task Force (CEHTTF) is to provide a rapid, proactive, and intelligence-driven investigative response to the sexual victimization of children and other crimes against children within the FBI's jurisdiction; to identify and rescue child victims; to reduce the vulnerability of children to sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state, local, and international law enforcement through training, intelligence-sharing, technical support, and investigative assistance.
5. The defined priority threats that are aligned with the mission of the CEHTTFs are:
 - a. **Child Abductions**
 - Non-ransom child abductions

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- Domestic parental kidnapping
- b. Sexual Exploitation of Children Enterprises**
 - Domestic Child Sex Trafficking
 - Online Networks and Enterprises
- c. Contact Offenses Against Children**
 - Domestic travel with intent to engage in illegal sexual activity with a minor
 - Child Sex Tourism – travel abroad to engage in commercial sexual exploitation of a child under the age of 18.
 - Production of Child Pornography
 - Coercion/enticement of a minor
- d. Trafficking of Child Pornography**
 - Mass Distribution of Child Pornography
 - Possession of Child Pornography
- e. International Parental Kidnapping**
- f. Other Crimes Against Children**
 - All other crimes against children violations within the FBI's jurisdiction should be investigated in accordance with available resources.
- g. Human Trafficking Enterprises**
 - Sex Trafficking
 - Labor Trafficking
 - Domestic Servitude

SUPERVISION AND CONTROL

A. Supervision

6. Overall management of the CEHTTF shall be the shared responsibility of the FBI and participating agency heads and/or their designees.
7. The Special Agent in Charge (SAC) of the FBI _____ Division shall designate one Supervisory Special Agent (CEHTTF Supervisor) to supervise the CEHTTF. The CEHTTF Supervisor may designate a Special Agent to serve as the CEHTTF Coordinator. Either the CEHTTF Supervisor or the CEHTTF Coordinator shall oversee day-to-day operational and investigative matters pertaining to the CEHTTF.
8. Conduct undertaken outside the scope of an individual's CEHTTF duties and assignments under this MOU shall not fall within the oversight responsibility of the CEHTTF Supervisor or CEHTTF Coordinator. As stated in paragraph 77, below, neither the United States nor the FBI shall be responsible for such conduct.
9. CEHTTF personnel will report to his or her respective agency for personnel and administrative matters. Each participating agency shall be responsible for the pay, overtime, leave, performance appraisals, and other personnel matters relating to its employees detailed to the CEHTTF. The FBI and the participating agency may provide for overtime reimbursement by the FBI by separate written agreement.

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10. All FBI personnel will adhere to the FBI's ethical standards, including Department of Justice (DOJ)/FBI regulations relating to outside employment and prepublication review matters, and will remain subject to the Supplemental Standards of Ethical conduct for employees of the DOJ.
11. All CEHTTF personnel, which includes Task Force Officers, Task Force Members, and Task Force Participants, must adhere to the applicable U.S. Attorney General's Guidelines and Domestic Operations Investigative Guidelines (DIOG).
12. CEHTTF personnel will continue to report to their respective agency heads for non-investigative administrative matters not detailed in this MOU.
13. Continued assignment of personnel to the CEHTTF will be based on performance and at the discretion of appropriate management. The FBI SAC and CEHTTF Supervisor will also retain discretion to remove any individual from the CEHTTF.

B. Case Assignments

14. The FBI CEHTTF Supervisor will be responsible for opening, monitoring, directing, and closing CEHTTF investigations in accordance with existing FBI policy and the applicable U.S. Attorney General's Guidelines.
15. Assignments of cases to personnel will be based on, but not limited to, experience, training, and performance, in addition to the discretion of the CEHTTF Supervisor.
16. For FBI administrative purposes, CEHTTF cases will be entered into the relevant FBI computer system.
17. CEHTTF personnel will have equal responsibility for each case assigned. CEHTTF personnel will be responsible for complete investigation from predication to resolution.

C. Resource Control

18. The head of each participating agency shall determine the resources to be dedicated by that agency to the CEHTTF, including personnel, as well as the continued dedication of those resources. The participating agency head or designee shall be kept apprised of investigative developments by his or her subordinates.

OPERATIONS

A. Investigative Exclusivity

19. It is agreed that matters designated to be handled by the CEHTTF will not knowingly be subject to non-CEHTTF law enforcement efforts by any of the participating agencies. It is incumbent on each agency to make proper internal notification

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regarding the CEHTTF's existence and areas of concern.

20. It is agreed that there is to be no unilateral action taken on the part of the FBI or any participating agency relating to CEHTTF investigations or areas of concern as described in paragraph 3. All law enforcement actions will be coordinated and cooperatively carried out.
21. CEHTTF investigative leads outside of the geographic areas of responsibility for the FBI will
be communicated to other FBI offices for appropriate investigation.

B. Confidential Human Sources

22. The disclosure of FBI informants, or Confidential Human Sources (CHSs), to non-CEHTTF personnel will be limited to those situations where it is essential to the effective performance of the CEHTTF. These disclosures will be consistent with applicable FBI guidelines.
23. Non-FBI CEHTTF personnel may not make any further disclosure of the identity of an FBI CHS, including to other individuals assigned to the CEHTTF. No documents which identify, tend to identify, or may indirectly identify an FBI CHS may be released without prior FBI approval.
24. In those instances where a participating agency provides a CHS, the FBI may become solely responsible for the CHS's continued development, operation, and compliance with necessary administrative procedures regarding operation and payment as set forth by the FBI.
25. The U.S. Attorney General's Guidelines and FBI policy and procedure for operating FBI CHSs shall apply to all FBI CHSs opened and operated in furtherance of CETF investigations. Documentation of, and any payments made to, FBI CHSs shall be in accordance with FBI policy and procedure.
26. Operation, documentation, and payment of any CHS opened and operated in furtherance of an CEHTTF investigation must be in accordance with the U.S. Attorney General's Guidelines, regardless of whether the handling agency is an FBI CEHTTF participating agency. Documentation of state, county, or local CHSs opened and operated in furtherance of CEHTTF investigations shall be maintained at an agreed upon location.

C. Reports and Records

27. All investigative reporting will be prepared in compliance with existing FBI policy. Subject to pertinent legal and/or policy restrictions, copies of pertinent documents created by CEHTTF personnel will be made available for inclusion in the respective investigative agencies' files as appropriate.
28. CEHTTF reports prepared in cases assigned to CEHTTF personnel will be maintained at an FBI approved location; original documents will be maintained by the FBI.

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29. Records and reports generated in CEHTTF cases which are opened and assigned by the CEHTTF Supervisor with designated oversight for investigative and personnel matters will be maintained in the FBI investigative file for CEHTTF.
30. CEHTTF investigative records maintained at the _____ Field Office of the FBI will be available to all CEHTTF personnel, as well as their supervisory and command staff subject to pertinent legal, administrative and/or policy restrictions.
31. All evidence and original tape recordings (audio and video) acquired by the FBI during the course of the CEHTTF investigations will be maintained by the FBI. The FBI's rules and policies governing the submission, retrieval, and chain of custody will be adhered to by CEHTTF personnel.
32. All CEHTTF investigative records will be maintained at an approved FBI location. Placement of all or part of said information into participating agency files rests with the discretion of supervisory personnel of the concerned agencies, subject to CEHTTF Supervisor approval.
33. Classified information and/or documents containing information that identifies or tends to identify an FBI CHS shall not be placed in the files of participating agencies unless appropriate FBI policy has been satisfied.
34. The Parties acknowledge that this MOU may provide CEHTTF personnel with access to information about U.S. persons which is protected by the Privacy Act of 1974 and/or Executive Order 12333. The Parties expressly agree that all such information will be handled lawfully pursuant to the provisions thereof. The Parties further agree that if this access to information by CEHTTF personnel requires a change in privacy compliance documents, those changes will be accomplished prior to access being granted.

INFORMATION SHARING

35. No information possessed by the FBI, to include information derived from informal communications between CEHTTF personnel and FBI employees not assigned to the CEHTTF, may be disseminated by CEHTTF personnel to non-CEHTTF personnel without the approval of the CEHTTF Supervisor and in accordance with the applicable laws and internal regulations, procedures or agreements between the FBI and the participating agencies that would permit the participating agencies to receive that information directly. Likewise, CEHTTF personnel will not provide any participating agency information to the FBI that is not otherwise available to it unless authorized by appropriate participating agency officials.
36. Each Party that discloses PII is responsible for making reasonable efforts to ensure that the information disclosed is accurate, complete, timely, and relevant.

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37. The FBI is providing access to information from its records with the understanding that in the event the recipient becomes aware of any inaccuracies in the data, the recipient will promptly notify the FBI so that corrective action can be taken. Similarly, if the FBI becomes aware that information it has received pursuant to this MOU is inaccurate, it will notify the contributing Party so that corrective action can be taken.
38. Each Party is responsible for ensuring that information it discloses was not knowingly obtained or maintained in violation of any law or policy applicable to the disclosing Party, and that information is only made available to the receiving Party as may be permitted by laws, regulations, policies, or procedures applicable to the disclosing Party.
39. Each Party will immediately report to the other Party each instance in which data received from the other Party is used, disclosed, or accessed in an unauthorized manner (including any data losses or breaches).
40. The Parties agree that either or both may audit the handling and maintenance of data in electronic and paper recordkeeping systems to ensure that appropriate security and privacy protections are in place.

PROSECUTIONS

41. CEHTTF investigative procedures, whenever practicable, are to conform to the requirements which would allow for either federal or state prosecution.
42. A determination will be made on a case-by-case basis whether the prosecution of CEHTTF cases will be at the state or federal level. This determination will be based on the evidence obtained and a consideration of which level of prosecution would be of the greatest benefit to the overall objectives of the CEHTTF.
43. In the event that a state or local matter is developed that is outside the jurisdiction of the FBI or it is decided to prosecute a CEHTTF case at the state or local level, the FBI agrees to provide all relevant information to state and local authorities in accordance with all applicable legal limitations.

A. Investigative Methods/Evidence

44. For cases assigned to an FBI Special Agent or in which FBI CHSs are utilized, the Parties agree to conform to federal standards concerning evidence collection, processing, storage, and electronic surveillance. However, in situations where the investigation will be prosecuted in the State Court where statutory or common law of the state is more restrictive than the comparable federal law, the investigative methods employed by FBI case agents shall conform to the requirements of such statutory or common law pending a decision as to venue for prosecution.

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45. In all cases assigned to state, county, or local law enforcement participants, the Parties agree to utilize federal standards pertaining to evidence handling and electronic surveillance activities as outlined in the DIOG to the greatest extent possible. However, in situations where the statutory or common law of the state is more restrictive than the comparable federal law, the investigative methods employed by state and local law enforcement agencies shall conform to the requirements of such statutory or common law pending a decision as to venue for prosecution.
46. The use of other investigative methods (search warrants, interceptions of oral communications, etc.) and reporting procedures in connection therewith will be consistent with the policies and procedures of the FBI.

B. Undercover Operations

47. All CEHTTF undercover operations will be conducted and reviewed in accordance with FBI guidelines and the U.S. Attorney General's Guidelines on FBI Undercover Operations. All participating agencies may be requested to enter into an additional agreement if an employee of the participating agency is assigned duties which require the officer to act in an undercover capacity.

USE OF LESS-THAN-LETHAL-DEVICES¹

48. The parent agency of each individual assigned to the CEHTTF will ensure that while the individual is participating in FBI-led task force operations in the capacity of a task force officer, task force member, or task force participant, the individual will carry only less-lethal devices that the parent agency has issued to the individual, and that the individual has been trained in accordance with the agency's policies and procedures.
49. The parent agency of each individual assigned to the CEHTTF will ensure that the agency's policies and procedures for use of any less-lethal device that will be carried by the task force officer, task force member, or task force participant are consistent with the DOJ policy statement on the Use of Less-Than-Lethal Devices.²

¹ Pursuant to Section VIII of the DOJ Less-Than-Lethal Devices Policy dated May 16, 2011, all state/local officers participating in joint task force operations must be made aware of and adhere to the policy and its limits on DOJ officers.

² Less-lethal – When use of force is required, but deadly force may not be appropriate, law enforcement officers may employ less-lethal weapons to gain control of a subject. Less-lethal weapons are designed to induce a subject to submit or comply with directions. These weapons give law enforcement officers the ability to protect the safety of officers, subjects, and the public by temporarily incapacitating subjects. While less-lethal weapons are intended to avoid causing any serious harm or injury to a subject, significant injuries and death can occur from their use.

The term "less-than-lethal" is synonymous with "less-lethal", "non-lethal", "non-deadly", and other terms referring to devices used in situations covered by the DOJ Policy on the Use of Less-Than-

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DEADLY FORCE AND SHOOTING INCIDENT POLICIES

50. CEHTTF personnel will follow their own agencies' policies concerning firearms discharge and use of deadly force.

DEPUTATIONS

51. Local and state law enforcement personnel designated to the CEHTTF, subject to a limited background inquiry, shall be sworn as federal task force officers by acquiring Title 18 authority (via the United States Marshals), with the FBI securing the required deputation authorization. These deputations should remain in effect throughout the tenure of each investigator's assignment to the CEHTTF or until the termination of the CEHTTF, whichever comes first.
52. Deputized CEHTTF personnel will be subject to the rules and regulations pertaining to such deputation. Administrative and personnel policies imposed by the participating agencies will not be voided by deputation of their respective personnel.

VEHICLES

53. In furtherance of this MOU, employees of participating agencies may be permitted to drive FBI owned or leased vehicles for official CEHTTF business and only in accordance with applicable FBI rules and regulations, including those outlined in the FBI Government Vehicle Policy Directive (0430D) and the Government Vehicle Policy Implementation Guide (0430PG). The assignment of an FBI owned or leased vehicle to participating agency CEHTTF personnel will require the execution of a separate Vehicle Use Agreement.
54. The participating agencies agree that FBI vehicles will not be used to transport passengers unrelated to CEHTTF business.
55. The FBI and the United States will not be responsible for any tortious act or omission on the part of each participating agency and/or its employees or for any liability resulting from the use of an FBI owned or leased vehicle utilized by participating agency CEHTTF personnel, except where liability may fall under the provisions of the Federal Tort Claims Act (FTCA), as discussed in the Liability Section herein below.
56. The FBI and the United States shall not be responsible for any civil liability arising from the use of an FBI owned or leased vehicle by participating agency CEHTTF personnel while engaged in any conduct other than their official duties and assignments under this MOU.

Lethal Devices. "Less-lethal" is the industry standard and the terminology the FBI has elected to utilize in reference to this policy.

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57. To the extent permitted by applicable law, the participating agencies agree to hold harmless the FBI and the United States, for any claim for property damage or personal injury arising from any use of an FBI owned or leased vehicle by participating agency CEHTTF personnel which is outside the scope of their official duties and assignments under this MOU.

SALARY/OVERTIME COMPENSATION

58. The FBI and each participating agency remain responsible for all personnel costs for their CEHTTF representatives, including salaries, overtime payments, and fringe benefits consistent with their respective agency, except as described in paragraph 59 below.
59. Subject to funding availability and legislative authorization, the FBI will reimburse to participating agencies the cost of overtime worked by non-federal CEHTTF personnel assigned full-time to CEHTTF, provided overtime expenses were incurred as a result of CEHTTF-related duties, and subject to the provisions and limitations set forth in a separate Cost Reimbursement Agreement to be executed in conjunction with this MOU. A separate Cost Reimbursement Agreement must be executed between the FBI and participating agencies for full-time employee(s) assigned to CEHTTF, consistent with regulations and policy, prior to any reimbursement by the FBI. Otherwise, overtime shall be compensated in accordance with applicable participating agency overtime provisions and shall be subject to the prior approval of appropriate personnel.

PROPERTY AND EQUIPMENT

60. Property utilized by the CEHTTF in connection with authorized investigations and/or operations and in the custody and control and used at the direction of the CEHTTF, will be maintained in accordance with the policies and procedures of the agency supplying the equipment. Property damaged or destroyed which was utilized by CEHTTF in connection with authorized investigations and/or operations and is in the custody and control and used at the direction of CEHTTF, will be the financial responsibility of the agency supplying said property.

FUNDING

61. This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds, but rather is a basic statement of the understanding between the Parties hereto of the tasks and methods for performing the tasks described herein. Unless otherwise agreed in writing, each Party shall bear its own costs in relation to this MOU. Expenditures by each Party will be subject to its budgetary processes and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The Parties expressly acknowledge that the above language in no way implies that Congress will appropriate funds for such expenditures.

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FORFEITURES

62. The FBI shall be responsible for processing assets seized for federal forfeiture in conjunction with CEHTTF operations.
63. Asset forfeitures will be conducted in accordance with federal law and the rules and regulations set forth by the FBI and DOJ. Forfeitures attributable to CEHTTF investigations may be equitably shared with the agencies participating in the CEHTTF.

DISPUTE RESOLUTION

64. In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the CEHTTF's objectives.
65. The participating agencies agree to attempt to resolve any disputes regarding jurisdiction, case assignments, workload, etc., at the field level first before referring the matter to supervisory personnel for resolution.

MEDIA RELEASES

66. All media releases and statements will be mutually agreed upon and jointly handled according to FBI and participating agency guidelines.
67. Press releases will conform to DOJ Guidelines regarding press releases. No release will be issued without FBI final approval.

SELECTION TO CEHTTF AND SECURITY CLEARANCES

68. If a participating agency candidate for the CEHTTF will require a security clearance, he or she will be contacted by FBI security personnel to begin the background investigation process prior to the assigned start date.
69. If, for any reason, the FBI determines that a participating agency candidate is not qualified or eligible to serve on the CEHTTF, the participating agency will be so advised and a request will be made for another candidate.
70. Upon being selected, each candidate will receive a comprehensive briefing on FBI field office security policies and procedures. During the briefing, each candidate will execute non-disclosure agreements (SF-312 and FD-868), as may be necessary or required by the FBI.
71. Before receiving unescorted access to FBI space identified as an open storage facility, CEHTTF personnel will be required to obtain and maintain a "Top Secret" security

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clearance. CEHTTF personnel will not be allowed unescorted access to FBI space unless they have received a Top Secret security clearance.

72. Upon departure from the CEHTTF, each individual whose assignment to the CEHTTF is completed will be given a security debriefing and reminded of the provisions contained in the non-disclosure agreement to which he or she previously agreed.

LIABILITY

73. The Parties acknowledge that this MOU does not alter the applicable law governing civil liability, if any, arising from the conduct of personnel assigned to the CEHTTF.
74. Each participating agency shall immediately notify the FBI of any civil, administrative, or criminal claim, complaint, discovery request, or other request for information of which the agency receives notice, concerning or arising from the conduct of personnel assigned to the CEHTTF or otherwise relating to the CEHTTF. Each participating agency acknowledges that financial and civil liability, if any and in accordance with applicable law, for the acts and omissions of each employee detailed to the CEHTTF remains vested with his or her employing agency. In the event that a civil claim or complaint is brought against a state or local officer assigned to the CEHTTF, the officer may request legal representation and/or defense by DOJ, under the circumstances and pursuant to the statutes and regulations identified below.
75. For the limited purpose of defending against a civil claim arising from alleged negligent or wrongful conduct under common law under the FTCA, 28 U.S.C. § 1346(b) and §§ 2671-2680: an individual assigned to the CEHTTF who is named as a defendant in a civil action as a result of or in connection with the performance of his or her official duties and assignments pursuant to this MOU may request to be certified by the U.S. Attorney General or his designee as having acted within the scope of federal employment at the time of the incident giving rise to the suit. 28 U.S.C. § 2679(d)(2). Upon such certification, the individual will be considered an "employee" of the United States government for the limited purpose of defending the civil claim under the FTCA, and the claim will proceed against the United States as sole defendant. 28 U.S.C. § 2679(d)(2). Once an individual is certified as an employee of the United States for purposes of the FTCA, the United States is substituted for the employee as the sole defendant with respect to any tort claims. Decisions regarding certification of employment under the FTCA are made on a case-by-case basis, and the FBI cannot guarantee such certification to any CEHTTF personnel.
76. For the limited purpose of defending against a civil claim arising from an alleged violation of the U.S. Constitution pursuant to 42 U.S.C. § 1983 or Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971): an individual assigned to the CEHTTF who is named as a defendant in a civil action as a result of or in connection with the performance of his or her official duties and assignments pursuant to this MOU may request individual-capacity representation by DOJ to defend against the claims. 28

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C.F.R. §§ 50.15, 50.16. Any such request for individual-capacity representation must be made in the form of a letter from the individual defendant to the U.S. Attorney General. The letter should be provided to Chief Division Counsel for the FBI _____ Division, who will then coordinate the request with the FBI Office of the General Counsel. In the event of an adverse judgment against the individual, he or she may request indemnification from DOJ. 28 C.F.R. § 50.15(c)(4). Requests for DOJ representation and indemnification are determined by DOJ on a case-by-case basis. The FBI cannot guarantee the United States will provide legal representation or indemnification to any CEHTTF personnel.

77. Liability for any conduct by CEHTTF personnel undertaken outside of the scope of their assigned duties and responsibilities under this MOU shall not be the responsibility of the FBI or the United States and shall be the sole responsibility of the respective employee and/or agency involved.

DURATION

78. The term of this MOU is for the duration of the CEHTTF's operations, contingent upon approval of necessary funding, but may be terminated at any time upon written mutual consent of the agency involved.
79. Any participating agency may withdraw from the CEHTTF at any time by written notification to the CEHTTF Supervisor with designated oversight for investigative and personnel matters or program manager of the CEHTTF at least 30 days prior to withdrawal.
80. Upon termination of this MOU, all equipment provided to the CEHTTF will be returned to the supplying agency/agencies. In addition, when an entity withdraws from the MOU, the entity will return equipment to the supplying agency/agencies. Similarly, remaining agencies will return to a withdrawing agency any unexpended equipment supplied by the withdrawing agency during any CEHTTF participation.

MODIFICATIONS

81. This agreement may be modified at any time by written consent of all involved agencies.

Modifications to this MOU shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

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SIGNATORIES

Special Agent in Charge
Federal Bureau of Investigation

Date

Department Head

Date

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BOARD SUMMARY REPORT

Date: April 2, 2019

To: Board of County Commissioners

Through: Tyler Brown, Sheriff

From: Olga Fajaros, Sheriff's Finance Manager

Subject: Canine Transfer Agreement between Arapahoe County, acting on behalf of the Arapahoe County Sheriff's Office and Dustin Wade, a deputy sheriff and canine handler for the Arapahoe County Sheriff's office.

Request and Recommendation

The Sheriff's Office requests the Board of County Commissioners approve entering into the Canine Transfer Agreement between Arapahoe County, acting on behalf of the Arapahoe County Sheriff's and Dustin Wade (Handler) a deputy sheriff and canine handler for the Arapahoe County Sheriff's office. The ACSO has made the determination to retire "Sonka" from service as a law enforcement canine after "Sonka" was diagnosed with a serious heart condition. Request moving this item to consent agenda for formal approval and authorization of signature.

Background

Canine "Sonka" has been with the ACSO since March 2015. "Sonka" has served the citizens of Arapahoe County for over three (3) years. In February 2019, "Sonka" was diagnosed with Dilated Cardiomyopathy, which is a serious heart condition. The ACSO made the determination to medically retire "Sonka" from service as a law enforcement canine.

Links to Align Arapahoe

Service First and Quality of Life. This issue directly relates to the ACSO's ability to provide Sheriff's Office services to the community in the most efficient manner possible while addressing life safety issues.

Discussion

The Handler desires to assume ownership and take possession of "Sonka" and previously served as the handler for "Sonka." Handler wishes to maintain ownership of canine "Sonka," and the County wishes to divest itself of both ownership and vicarious or direct liability for the subject canine.

Alternatives

The alternative is for the County to not transfer ownership of canine “Sonka” and have the County maintain ownership and vicarious or direct liability for the subject canine.

Fiscal Impact

Handler will purchase “Sonka” for the sum of one dollar to the County of Arapahoe.

Concurrence

The Sheriff’s Office Administration and the Public Safety Bureau are in concurrence with this recommendation.

Reviewed By

Olga Fajaros, Sheriff’s Finance Manager

Glenn Thompson, Public Safety Bureau Chief

Mark Nicastle, Undersheriff

Tyler Brown, Sheriff

Finance Department

Tiffanie Bleau, Senior Assistant County Attorney

ARAPAHOE COUNTY CANINE TRANSFER AGREEMENT

This AGREEMENT is made and entered into this __ day of April 2019, by and between the BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, STATE OF COLORADO (the “County”), acting on behalf of the ARAPAHOE COUNTY SHERIFF’S OFFICE (“ACSO”) (collectively “County”) and Dustin Wade, a deputy sheriff and canine handler for the ACSO (hereinafter “Handler”).

RECITALS

A. Canine “Sonka” has been with the ACSO since March 2015. “Sonka” has served the citizens of Arapahoe County for over three (3) years.

B. Following several years of dedicated service, the ACSO has made the determination to medically retire Sonka from service as a law enforcement canine due to a heart condition.

C. Handler desires to assume ownership and take possession of canine “Sonka” and previously served as the handler for “Sonka.”

D. Handler wishes to maintain ownership of the canine “Sonka,” and the County wishes to divest itself of both ownership and vicarious or direct liability for the subject canine.

COVENANTS AND AGREEMENTS

NOW THEREFORE, in consideration of the foregoing recitals and the mutual terms, promises and undertakings set forth herein, the signatories to this Agreement voluntarily agree as follows:

1. The County does hereby agree to relinquish all of its right, title and ownership interest in ACSO canine named “Sonka” whatsoever, effective upon Handler’s execution and return of this Agreement and payment of the sum of one and no/100ths dollars (\$1.00) to the County of Arapahoe.

2. Handler does hereby agree to assume ownership of the ACSO canine named “Sonka”, and to assume any and all risks, including, but not limited to, risk of injury or death to third persons, and to hold County, and its elected officials, employees, agents or volunteers harmless from any and all liability, claims, administrative proceedings or other responsibility whatsoever arising from any injuries or damages that may occur on or after the date ownership of the canine is transferred pursuant to this Agreement. That date is hereby fixed by agreement by and among the parties hereto as being _____, **2019**.

3. Handler further agrees to assume all liability for risks and dangers relating to his ownership of the subject law enforcement canine on and after the aforementioned date, and to indemnify and hold County harmless in the event that any legal or administrative action, whether by claim, demand or otherwise, is made by any person or entity as a consequence of or arising out of any event, act or disturbance involving the subject police dog on or after the date ownership is transferred. These hold harmless provisions shall extend to any direct or vicarious liability arising from any and all losses, liabilities, charges (including reasonable attorney fees and court costs), and any other expenses whatsoever which may arise in any manner after the new owners assumption of ownership on the date identified herein.

4. Handler must retain ownership of “Sonka” for at least eighteen (18) months prior to any sale of the aforementioned retired law enforcement canine.

5. The retired ACSO canine “Sonka” shall revert to the County should the purchaser Handler determine he/she can no longer care for the aforementioned dog within the period of time commencing on the date of this Agreement and ending eighteen (18) months from the date fixed by this Agreement.

6. Handler acknowledges that he has read and understood the foregoing Agreement and

understands that it is contractual in nature and understands and agrees to each of its provisions.

NEW OWNER,

Dustin Wade, Handler

COUNTY OF ARAPAHOE, COLORADO

Jeff Baker, Chair,
Board of County Commissioners

Tyler Brown, Sheriff
Arapahoe County Sheriff's Office

ATTEST:

County Clerk or Deputy



BOARD SUMMARY REPORT

Date: April 15, 2019
To: Board of County Commissioners
Through: Tyler Brown, Sheriff
From: Kevin Heaton, Lieutenant
Subject: Replacement of Unit #9880 2018 F-150 Truck

Information

Unit #9880 a 2018 Ford F-150 pickup truck assigned to the Sheriff's Office Telecom Unit was involved in a single car accident on the evening of March 25, 2019. Damage to the vehicle was extensive and considered totaled by Arapahoe County Fleet Department after receiving insurance estimates.

Request and Recommendation

A fixed asset number is requested to replace Telecom Unit 9880. Unit #9880, a Ford F-150 pickup truck assigned to the Telecom Unit, is a resource for afterhours response should the radio communications infrastructure stop working. Telecom Technicians are on call 24-hours a day to ensure public safety and operational readiness of first responders throughout Arapahoe County. Replacement of the vehicle is critical to guarantee a timely response by the Telecom Unit.

Background

On March 25, 2019 at approximately 6:30 p.m. Telecom Technician Gary Wilton was driving home when losing consciousness. Unit #9880 went over a curb and was launched through the air clearing a two and half foot retention wall. The rear tires of the truck were moving at such a speed, upon touching the ground the truck was again propelled forward going through a fence and cluster of pine trees. The front end of the truck cut a 30-foot pine tree in half. The truck landed in the backyard of a residence where it struck a cement patio and brushed up against the residence before coming to rest.

Links to Align Arapahoe

Replacement of this resource directly affects Quality of Life for residents and businesses within Arapahoe County who rely upon emergency services.

Discussion

Unit #9880 a 2018 Ford F-150 pickup truck is a resource used by the Telecom Unit for response when critical communications infrastructure within Arapahoe County is not working. First responders from multiple law enforcement and fire/rescue agencies use the communications

network maintained by the Sheriff's Office on a daily basis. The systems operational readiness is therefore critical to public safety. Absent a replacement vehicle response times will be lengthened potentially affecting safety and security of our residents.

Alternatives

The Telecom Unit has two rotating on call technicians that provide 24-hour a day response should the communications infrastructure cease to work. While this is not a frequent issue, their inability to respond in a timely manner could jeopardize public and first responder safety. Therefore not replacing Unit #9880 is not a viable option that should be considered.

Fiscal Impact

Fiscal Impact is limited to cost of replacement vehicle which is approximately \$36,000.

Concurrence

Sheriff Tyler Brown, Finance Manager Olga Fajaros, and Fleet Manager Randy Campbell all support the replacement of Unit #9880.

Attorney Comments

N/A

Reviewed By

Kevin Heaton, SSB Administrative Lieutenant
Olga Fajaros, Finance Manager
Robert Stef, Support Services Bureau Chief
Tyler Brown, Sheriff