



D 2020 124

EXECUTIVE ORDER

Declaring a Disaster Emergency and Authorizing Employment of the Colorado National Guard to Assist with Protecting Municipal and State Buildings in Denver

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to civil unrest in Denver.

Further, pursuant to Article IV, Section 5 of the Colorado Constitution and pursuant to C.R.S. § 28-3-104, I hereby authorize employing up to one hundred (100) members of the Colorado National Guard to assist with protecting municipal and state buildings in Denver.

I. Background and Purpose

The Governor is responsible for meeting the dangers to the State and people presented by disasters. C.R.S. § 24-33.5-704(1). The Colorado Disaster Emergency Act defines a disaster as “the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin” C.R.S. § 24-33.5-703(3).

In May 2020, the killing of George Floyd sparked demonstrations in Denver and across the country. While most of the protests and demonstrations were peaceful, there were some incidents of vandalism and violence in downtown Denver. Denver law enforcement agencies requested mutual aid from neighboring cities. Those cities supplied Denver with additional support.

By May 30, 2020, the need to protect property owned by the City and County of Denver and the State of Colorado exceeded the capabilities of Denver law enforcement agencies and mutual aid provided by neighboring cities. Denver requested that the Governor authorize employment of up to one hundred (100) unarmed members of the Colorado National Guard to provide additional support to law enforcement to protect eight buildings owned by the City and County of Denver, and one building belonging to the State of Colorado.

At approximately 10:45 AM on May 30, 2020, I verbally declared a disaster emergency due to civil unrest in Denver and the need to provide additional support for protecting municipal and State buildings in Denver. I authorized activating up to one hundred (100) unarmed

members of the Colorado National Guard to provide the requested support and security in Denver. I also activated the State of Colorado Emergency Operations Plan.

II. Declarations and Directives

- A. The civil unrest in Denver constitutes a disaster emergency under C.R.S § 24-33.5-701, *et seq.* My verbal order on May 30, 2020, declaring a disaster emergency and authorizing employment and use of the Colorado National Guard is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained within this Executive Order.
- B. The State Emergency Operations Plan is hereby activated. All State departments and agencies shall take whatever actions may be required and requested by the Director or Acting Director of the Office of Emergency Management pursuant to the Emergency Support Function 5 Annex of the State Emergency Operations Plan, including provision of appropriate staff and equipment as necessary.
- C. Pursuant to Article IV, Section 5 of the Colorado Constitution and C.R.S. § 28-3-104, I have determined that it is in the best interest of the people of Colorado to employ up to one hundred (100) unarmed members of the Colorado National Guard to provide support and security for civil unrest in Denver. To ensure timely reimbursement to the Colorado National Guard, I authorize encumbering two hundred thousand dollars (\$200,000) from the Disaster Emergency Fund, established in C.R.S § 24-33.5-706(2)(a), to pay the Colorado National Guard for costs associated with personnel. This amount is currently available in the Disaster Emergency Fund. Seventy-five percent (75%) of costs incurred by the Colorado National Guard for support and security for Denver City and County buildings are to be reimbursed by Denver to the State of Colorado. The remaining twenty-five percent (25%) of costs for support and security will be paid by the State of Colorado.
- D. Pursuant to C.R.S. § 24-33.5-705.4(5), the Director of the Office of Emergency Management is hereby authorized and directed to allocate funding to the Colorado National Guard and execute awards, purchase orders, or other mechanisms to effect the allocation of the funds. The funds described in Section II(C) above shall remain available for this purpose until six (6) months from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire thirty (30) days from May 30, 2020, unless extended further by Executive Order, except that the funds described in Section II(C) above shall remain available for the described purposes for six (6) months from the date of this Executive Order.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this sixth
day of July, 2020.

A handwritten signature in blue ink that reads "Jared Polis".

Jared Polis
Governor