

DEPARTMENT OF PUBLIC SAFETY  
FY 2017-18 JOINT BUDGET COMMITTEE HEARING AGENDA

Wednesday, December 21, 2016  
1:30 pm – 4:30 pm

**1:30-1:45      INTRODUCTIONS AND OPENING COMMENTS**

**1:45-2:30      COLORADO STATE PATROL**

- 1 Please provide an overview of trooper pay levels in comparison to other law enforcement agencies. Are trooper salaries at least 99.0 percent of the actual average salary provided to the top three law enforcement agencies with more than one hundred commissioned officer and the highest average salary, as required by statute?

R2: Additional Troopers and Support Staff

- 2 Please provide an overview of the Trooper Allocation Model under development, including the expected completion date. Please included the following in the response:
  - a. What is the big picture plan for increases to trooper and support staff levels? What is the total increase/staffing level the Patrol hopes to achieve? How many troopers does the Patrol anticipate requesting each year, and for how many years?
  - b. How and when will the Patrol expect to identify these levels?
  - c. Are there national trooper allocation models that could be utilized, rather than creating a new allocation model? What will this model provide that existing models do not?
- 3 What activities, incidents, and/or preventative actions does the State Patrol estimate they are unable to accomplish due to an inadequate staffing level?
- 4 What are the negative impacts on the Division's human resources, including overtime, vacation, sick leave, morale, recruitment, etc., that result from the Division's current staffing level?
- 5 Does the level of support staff included in the request align with current trooper to staff ratios?
- 6 Please describe how the CSP works with Sheriff's Departments across the state. Please included the following in the response:
  - a. In what areas of the state is CSP responding to requests to assist Sheriff's Departments? Where are the locations in the state where Sheriff's require the most assistance? What counties have sufficient resources to cover incidents without assistance from the State Patrol?
  - b. How do CSP staffing levels impact staffing in Sheriff's Departments?
  - c. On which roads does the CSP respond and provide assistance? How does the CSP determine where to provide assistance?

- 7 Please provide an overview of the types of special events the Patrol provides services to. Please include the following:
  - a. Whether the events are hosted by private or public (i.e. local government) entities.
  - b. How the Patrol is funded for the services provided. For instance, does the Department bill for all special events services provided? Is the funding different depending on whether it is a public or private event?

#### R5: Vehicular Crimes Unit GPS Total Mapping Stations

- 8 Please provide an overview of the requested GPS Total Mapping Stations, including the following:
  - a. How do the units work?
  - b. Are these units the most cost effective per unit?
  - c. Will these units work in all locations across the state, accounting for difficult geography and potential interference?
  - d. Does the Department have a back-up plan if the GPS units will not work/have connectivity issues at a given location?

#### **2:30-3:15 COLORADO BUREAU OF INVESTIGATION**

#### R3: Increase InstaCheck Cash Fund Spending Authority

- 9 How has the number of vacant positions in the InstaCheck Unit grown over time?
- 10 Please provide a table showing the turnaround time as compared to the number of filled and vacant FTE positions.
- 11 Please provide a table showing the original salary ranges (included in H.B. 13-1229) compared to the current increased salary ranges.
- 12 How has the Department determined the appropriate skill level and a salary range for these positions?
- 13 How many background checks can each technician process per month? If the Department receives the requested funding, what will the increased capacity be per month?
- 14 Would filling the vacancies based on the busiest times of the year leave employees with too little of a workload in the slower times of the year?
- 15 Has the Department considered a floating fee for background checks in order to reflect seasonal fluctuations in the number of background checks processed?
- 16 In the past, the Department has stated that moving statewide data to the NICS database so that the FBI can run background checks would be a challenge, and a lengthy process. What is not included in the NICS database that is included in the state process? And what are the hurdles to providing that information to the FBI?

- 17 The Department has submitted previous requests to increase FTE based on turnaround time and increases in the number of background checks performed. In the past, these numbers have dropped, even if the request was not approved. Given that history, how does the Department justify the need for additional FTE, as included in this request?

R4: Funding for Expedited Process to Seal Criminal Records

- 18 Please describe how the Department participated in the fiscal note process for S.B. 16-116.
- 19 Please describe how you determined the need identified in the request. Does the Department believe that this level of funding and FTE is necessary?

**3:15-3:30 BREAK**

**3:30-3:55 DIVISION OF FIRE PREVENTION AND CONTROL**

- 20 Please provide an update on firefighting resources added to the Division in recent years, such as the Colorado Firefighting Air Corps and the Center of Excellence. Please include the following:
- Partnerships, collaborations, cross-training, and information-sharing relationships with other entities, including utilities and other states.
  - How is the Department measuring the effectiveness of these resources?
- 21 How might the Department envision the expansion of public/private partnerships related to wildfire mitigation, such as the partnership between Denver Water and the U.S. Forest Service? Are these opportunities the Department plans to pursue?

**3:55-4:20 DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT**

- 22 Please describe the process through which local and county governments declare a disaster? How does it compare to and interact with the state process?

R8: Incident Management Teams

- 23 Please provide an overview of existing funding provided to Incident Management Teams.
- 24 What will the additional funding to the Incident Management Teams provide?
- 25 Colorado Mountain College has had difficulty conducting emergency response drills due to a lack of cell phone coverage. Will this funding address issues associated with cell phone reception in remote locations?

**4:20-4:30 WRAP-UP AND CLOSING COMMENTS**

**ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED**

- 1 Provide a list of any legislation that the Department has: (a) not implemented, or (b) partially implemented. Explain why the Department has not implemented or has only partially implemented the legislation on this list. Please explain any problems the Department is having implementing any legislation and any suggestions you have to modify legislation.
- 2 If the Department receives federal funds of any type, please respond to the following:
  - a. Please provide a detailed description of any federal sanctions or potential sanctions for state activities of which the Department is already aware. In addition, please provide a detailed description of any sanctions that MAY be issued against the Department by the federal government during FFY 2016-17.
  - b. Are expecting any changes in federal funding with the passage of the FFY 2016-17 federal budget? If yes, in which programs, and what is the match requirement for each of the programs?
- 3 Does the Department have any HIGH PRIORITY OUTSTANDING recommendations as identified in the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office and dated June 30, 2016 (link below)? What is the department doing to resolve the HIGH PRIORITY OUTSTANDING recommendations?

[http://leg.colorado.gov/sites/default/files/documents/audits/1667s\\_annual\\_report\\_-\\_status\\_of\\_outstanding\\_recommendations\\_1.pdf](http://leg.colorado.gov/sites/default/files/documents/audits/1667s_annual_report_-_status_of_outstanding_recommendations_1.pdf)

- 4 Is the department spending money on public awareness campaigns? What are these campaigns, what is the goal of the messaging, what is the cost of the campaign? Please distinguish between paid media and earned media. Do you have any indications or metrics regarding effectiveness? How is the department working with other state or federal departments to coordinate the campaigns?
- 5 Based on the Department's most recent available record, what is the FTE vacancy and turnover rate by department and by division? To what does the Department attribute this turnover/vacancy?
- 6 For FY 2015-16, do any line items in your Department have reversions? If so, which line items, which programs within each line item, and for what amounts (by fund source)? What are the reasons for each reversion? Do you anticipate any reversions in FY 2016-17? If yes, in which programs and line items do you anticipate these reversions occurring? How much and in which fund sources do you anticipate the reversion being?
- 7 [Background Information: For FY 2017-18, the Department of Law has submitted a request to change the calculation of legal services appropriations as well as the monthly billing system for legal services provided to state agencies. Specifically, the proposal would: 1) calculate the number of budgeted legal services hours for each agency as the average of actual usage in the prior three years; 2) include a two-year average of "additional litigation costs" such as court reporting, travel for depositions, expert witness costs, etc., in the appropriation for legal services (these costs are

not currently included in the appropriation and are often absorbed from other personal services and operating expenses line items); and 3) convert from monthly billing based on the actual hours of service provided to monthly billing based on twelve equal installments to fully spend each client agency's appropriation.]

Please discuss your agency's position on the Department of Law's proposed changes to the legal services system, including the potential impacts of the changes on your agency budget. That is, does your department support the proposed changes? How would you expect the changes to positively or negatively impact your department? Please explain.

- 8 What is the expected impact of Amendment 70 (minimum wage increase) on Department programs? Please address impacts related to state personnel, contracts, and providers of services.
- 9 Please provide an update on the Department's status, concerns, and plans of action for increasing levels of cybersecurity, including existing programs and resources. How does the Department work with the Cybersecurity Center in the Office of Information Technology?
- 10 Is the SMART Act an effective performance management and improvement tool for your Department? What other tools are you using? Do your performance tools inform your budget requests? If so, in what way?
- 11 Please identify how many rules you have promulgated in the past two years. With respect to these rules, have you done any cost-benefit analysis pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analysis pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis? Have you conducted a cost-benefit analysis of the Department's rules as a whole? If so, please provide an overview of each analysis.
- 12 What has the department done to decrease red tape and make the department more navigable/easy to access?
- 13 What is the number one customer service complaint the department receives? What is the department doing to address it?

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- 1 Please provide an overview of trooper pay levels in comparison to other law enforcement agencies. Are trooper salaries at least 99.0 percent of the actual average salary provided to the top three law enforcement agencies with more than one hundred commissioned officer and the highest average salary, as required by statute?

*Response: Market data indicates that in FY 2016-17, all State Patrol Troopers are below the weighted market average at 99 percent. The Division of Human Resources within DPA prepares an Annual Compensation Report each year, which includes an analysis section on the State Patrol Troopers, based on the statutory requirement in 24-50-104 (1)(a)(III)(A), C.R.S. The findings within the annual compensation report, shows the overview of trooper pay levels in comparison to other law enforcement agencies. Below, please see Market Findings chart from page 17 of the FY 2017-18 Annual Compensation Report.*

**Market Findings for State Patrol Trooper Class**

Class Code	Class Title	Pay Grade	Weighted Market Average	Market Weighted Average at 99%	State Average Salary	Growth / (Decrease) to Reach Market - Weighted Average @ 99%
A4A3	STATE PATROL TROOPER	S02	\$6,911	\$6,842	\$6,018	13.69%
A4A5	STATE PATROL SUPERVISOR	S04	\$8,643	\$8,557	\$8,018	6.71%
A4A6	STATE PATROL ADMIN I	S05	\$9,946	\$9,847	\$9,086	8.38%
A4A7	STATE PATROL ADMIN II	S06	\$11,692	\$11,575	\$10,551	9.70%
A4A1	STATE PATROL CADET	S05	<i>Insufficient Data</i>			
A4A4	STATE PATROL TROOPER III	S06				

R2: Additional Troopers and Support Staff

- 2 Please provide an overview of the Trooper Allocation Model under development, including the expected completion date. Please included the following in the response:

*Response: The Colorado State Patrol (CSP) is currently contracted with a vendor to create a trooper allocation model. In speaking with the vendor the projected completion date for the final product will be mid-February 2017. Currently, one-third of the model is complete.*

*The allocation model is based on specific historical data collected from numerous sources within the Patrol. The vendor will produce a workbook that is based on specific State Patrol strategic planning needs, acceptable business practices and data driven metrics.*

*Once specific command decisions are made to allocate troopers based on committed versus non-committed time, the allocation model will then provide the number of troopers needed to best serve the State. The national standard is 30 minutes of an hour committed to reactive activities while the remaining 30 mins of the hour is non-committed time allowing troopers to engage in proactive activity (50/50 split of time).*

*As of the time of this request, the trooper allocation model is not fully developed and will not be able to provide specific details related to the number of troopers needed based on the decision of time allotment, where the troopers should be located and when the troopers should be working (shift staffing). However, the CSP is aware that the model will indicate a significant additional trooper need. That total request will be requested over several years to provide effective training and absorption of the cadets into the CSP organization. Due to 6 percent HUTF "Off-the-Top" growth limitation paired with other departmental priorities, the increase in troopers will take several years.*

- a. What is the big picture plan for increases to trooper and support staff levels? What is the total increase/staffing level the Patrol hopes to achieve? How many troopers does the Patrol anticipate requesting each year, and for how many years?
- b. How and when will the Patrol expect to identify these levels?
- c. Are there national trooper allocation models that could be utilized, rather than creating a new allocation model? What will this model provide that existing models do not?

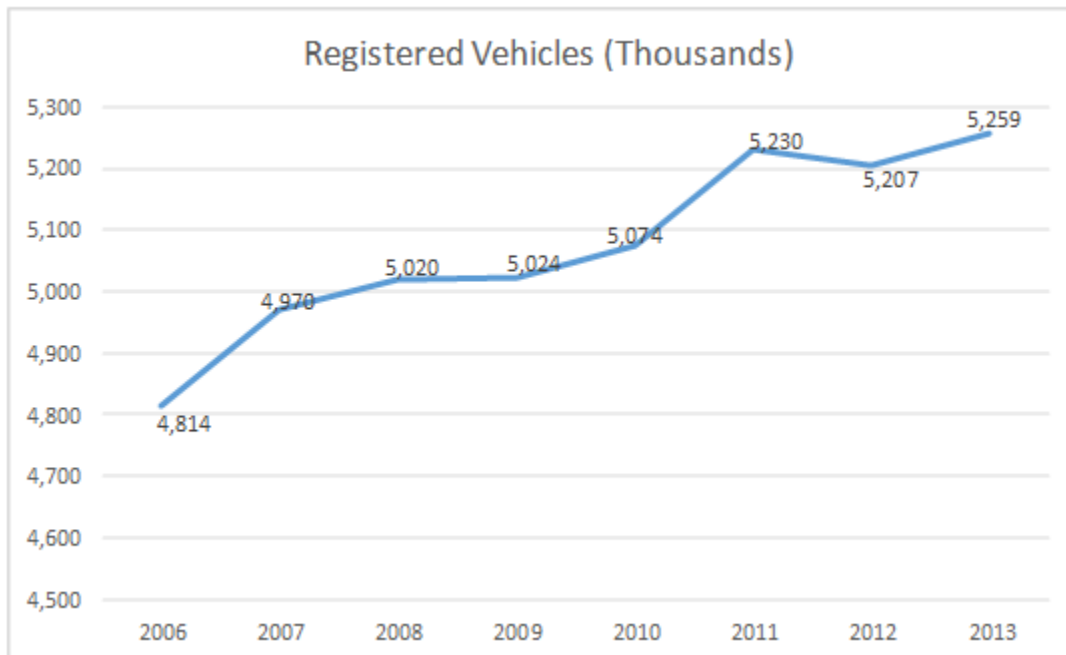
*Response: The big picture plan will be based on the outcome of the trooper allocation model and additional contributing factors in February 2017. After receiving the final trooper allocation model in February 2017, the Colorado State Patrol Executive Command Staff will make strategic, acceptable business decisions based on needs and other quantifiable data.*

*The Colorado State Patrol did not create a new allocation model. The trooper allocation model is based on the Police Allocation Model (PAM) model for State agencies, which was developed with support from the National Highway Traffic Safety Administration (NHTSA) in 1989. The trooper allocation model the CSP will receive from the vendor is a customized version of the PAM model using CSP historical data to predict future resource needs. The CSP will be able to configure the model, isolating the agency down to the troop level, and therefore allow*

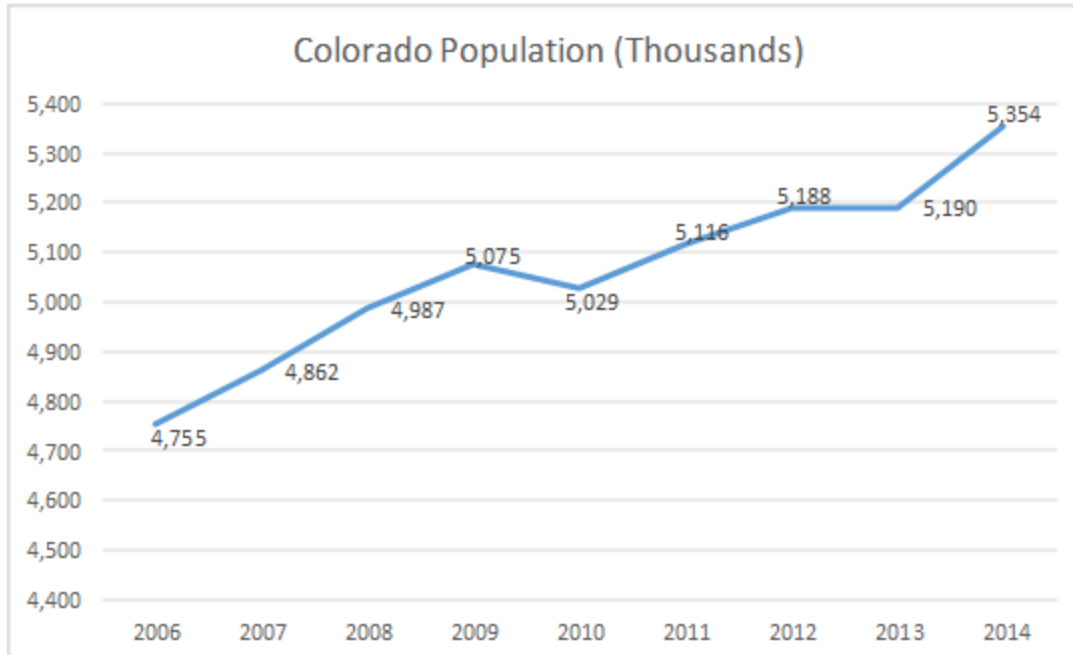
*commanders to allocate resources more efficiently and effectively. Without a customized allocation model, the data alone would drive a specific split between the needs and activities of a trooper in rural Colorado versus troopers assigned to the front-range. Simply put, if the exact same metrics are used across the state, data would drive the majority of troopers to the front-range and therefore would take the resources from rural locations where troopers play a significant role not only in law enforcement, but the communities they serve. The CSP will use other data driven strategies to acquire and deploy additional resources to positively affect the mission of reducing fatal and injury crashes.*

- 3 What activities, incidents, and/or preventative actions does the State Patrol estimate they are unable to accomplish due to an inadequate staffing level?

*Response: The Colorado State Patrol estimates that due to the lack of staffing, proactive activity has decreased because of reactive calls for service, increase in population, vehicles miles traveled and licensed drivers. The charts below illustrate the increase in variables and the decrease in Colorado State Patrol trooper proactive activity.*

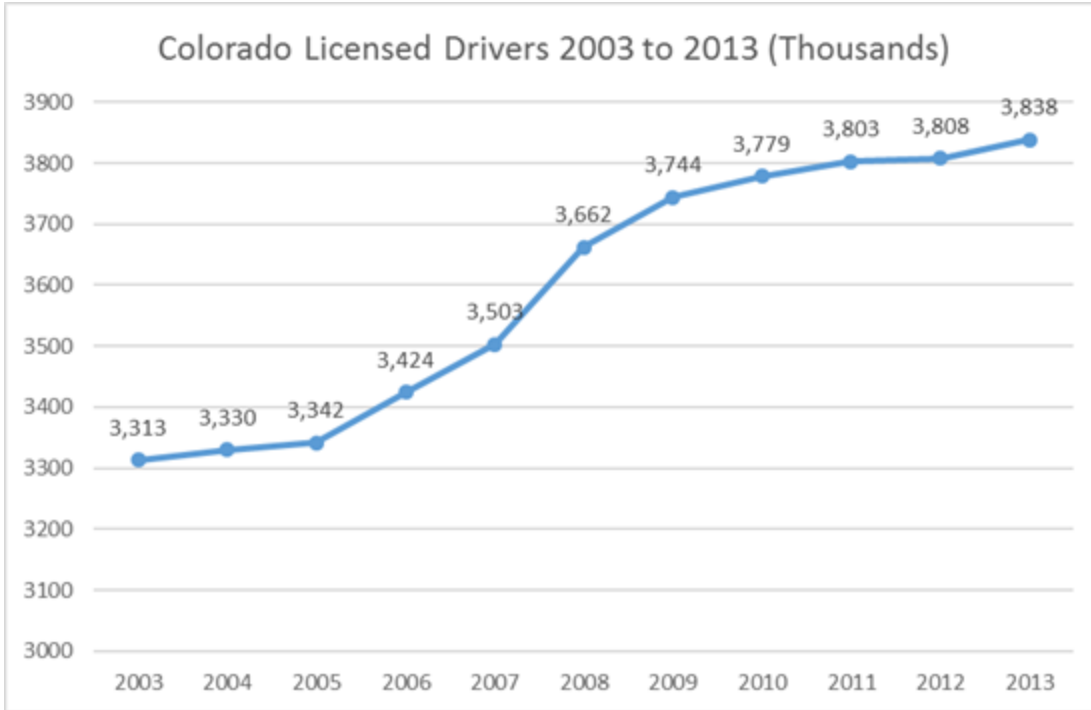




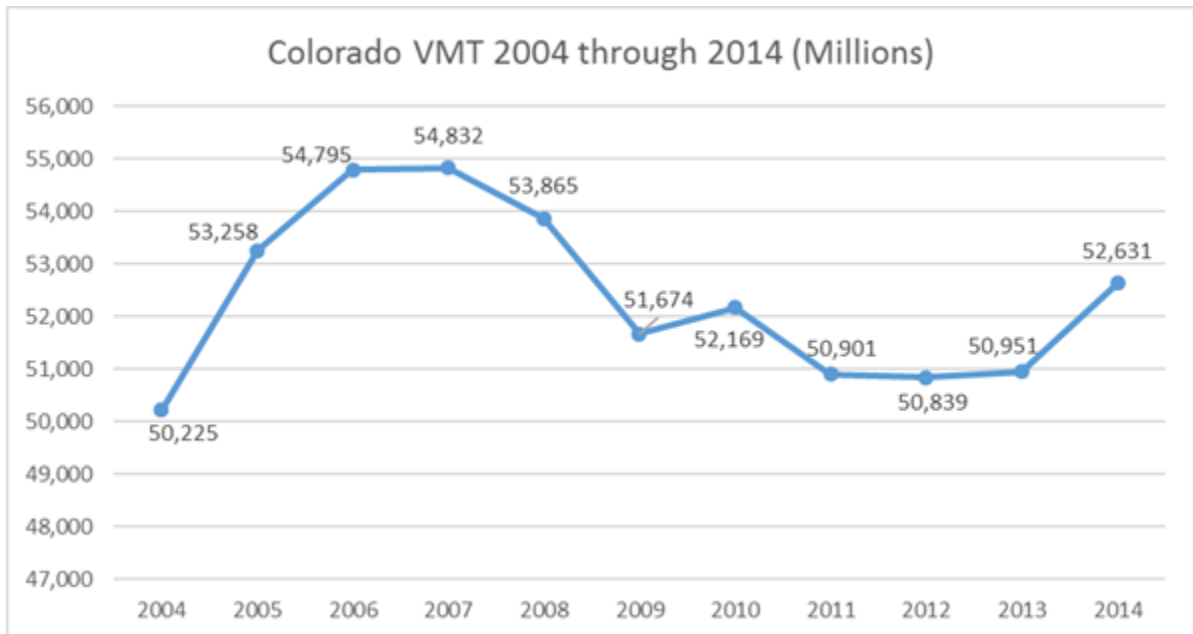


*Colorado State Patrol publishes the total number of Colorado registered vehicles each year in its annual reports. Data is provided by the Colorado Department of Revenue. Current data is only available through 2013.*

*The Patrol publishes the total number of Colorado residents in its annual reports. Data for 1996-2006 and 2010-2013 is provided by the Colorado Department of Local Affairs, and is estimated based on Census figures. 2007-2009 estimates were provided by the U.S. Census Bureau, and are based on estimates from the 2010 census.*

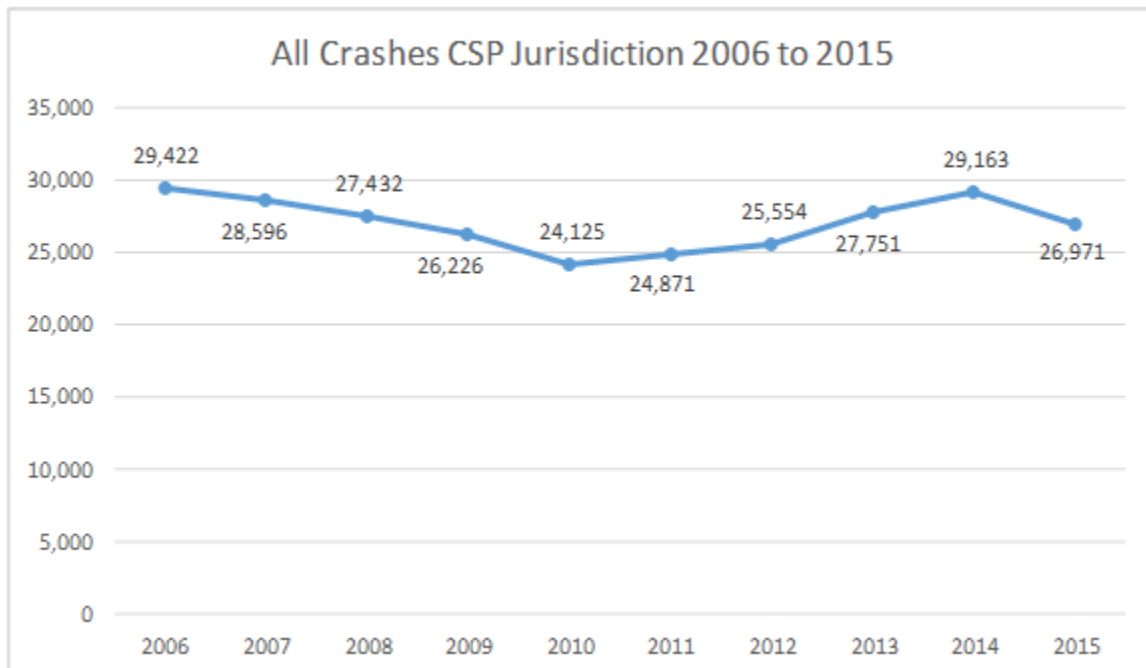
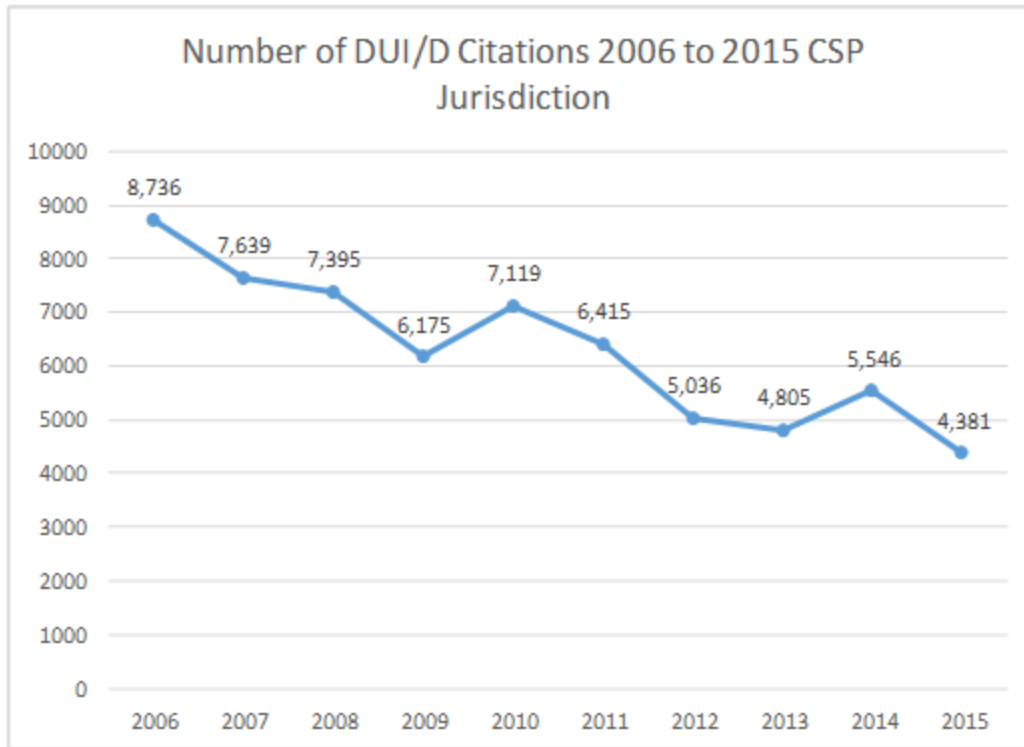


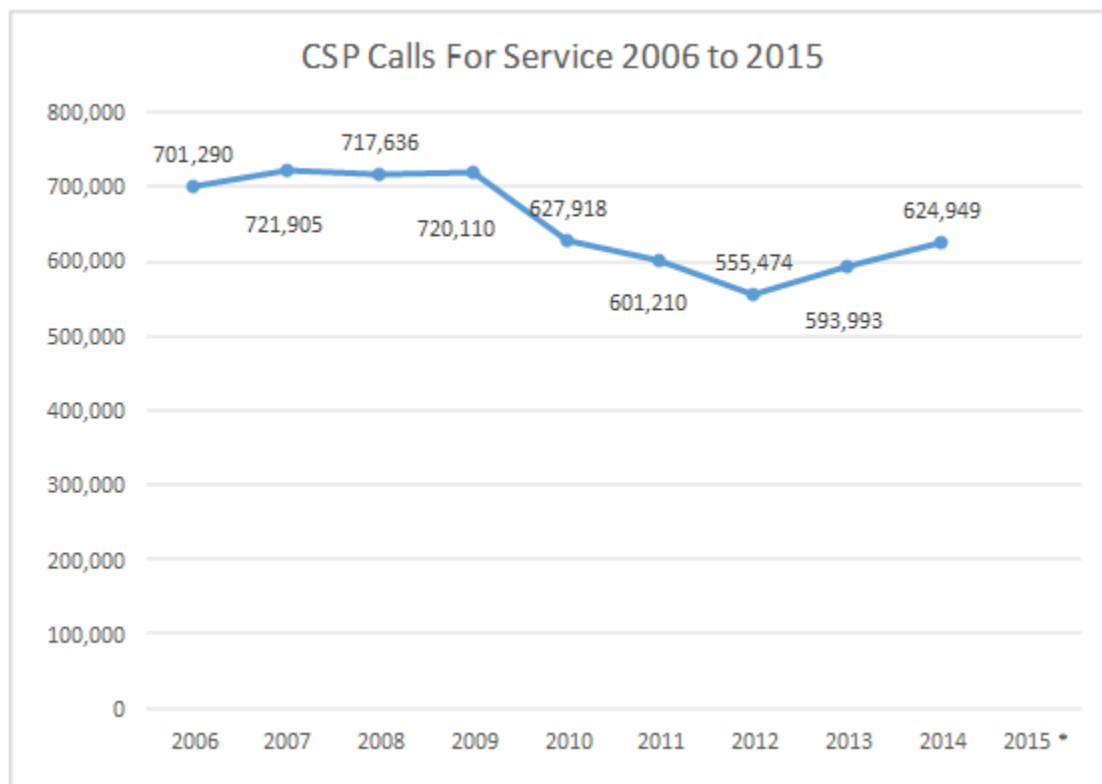
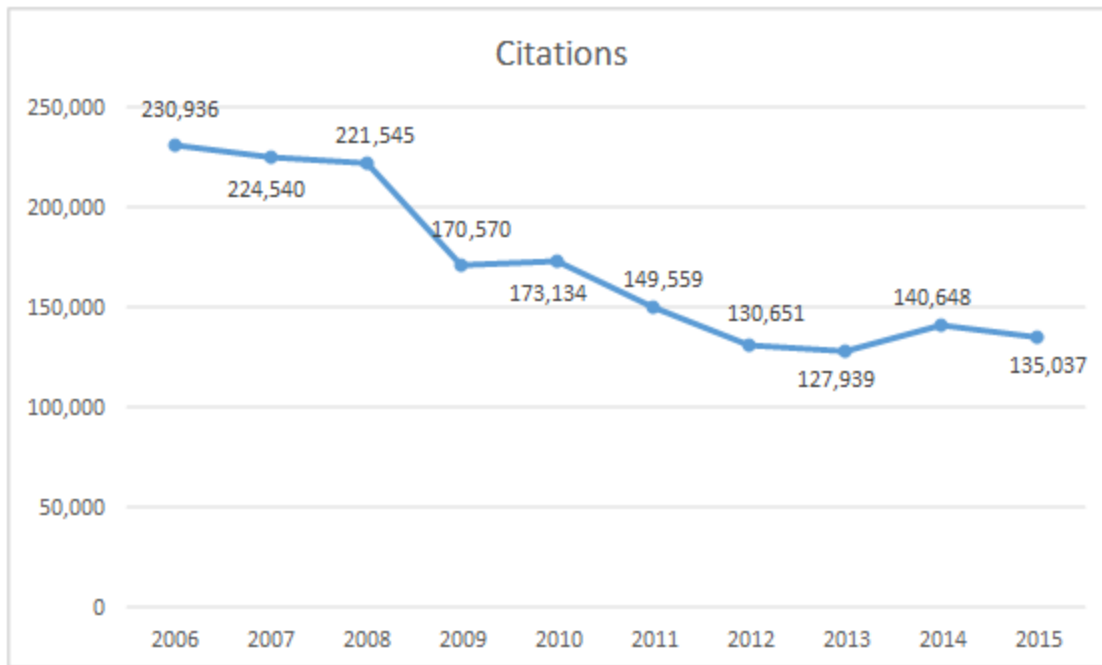
*Colorado State Patrol publishes the total number of Colorado licensed drivers each year in its annual reports. Data is provided by the Colorado Department of Revenue. Current data is only available through 2013.*



*The CSP estimates its total VMT based on the total state/ interstate highway VMT figures measured by CDOT. These figures were determined using CDOT traffic count*

*data for state and interstate highways (not including city streets or county roads) from counts published in OTIS (<http://dtdapps.coloradodot.info/otis>) on September 23, 2016.*





*\*2015 Colorado State Patrol calls for service are not available.*

- 4 What are the negative impacts on the Division’s human resources, including overtime, vacation, sick leave, morale, recruitment, etc., that result from the Division’s current staffing level?

**Response:**

**Forced Shift Filling**

*Often times the CSP does not have sufficient manpower to cover all the needs related to: county roads, special events, road construction safety, natural disaster assistance, and civil demonstrations. A one-time unfilled/involuntary shift study performed by the CSP in early 2016, determined that the CSP was unable to fill or had to reallocate troopers from the State highways to a non-primary mission (special events, road construction safety, etc.) in significant numbers. In FY 2014-15, the CSP declined approximately 497 requests for assistance with a special event or construction-zone safety service negatively impacting potential economic growth and safety throughout the State. In addition, the CSP forced troopers to take on 409 involuntary shifts.*

**Employee Morale**

*Employee morale has been measured almost every year since 2011 through an employee survey. Morale is measured by employee engagement and questions are related to feelings of job satisfaction. Some of the questions that help determine this score include: your job gives you a feeling of personal accomplishment, members are proud to say they are a member of the CSP, if members are seriously considering leaving the CSP within the next 6 months and is the CSP a good place to work. These items are scored and tallied for an overall agency member “engagement” score. Ratings are based on a favorably metric (e.g. in 2011, 75% of employees had a very favorable or favorable response to the engagement questions).*

Employee Survey Results – Engagement Favorably				
2011	2013	2014	2015	2016
75%	69%	66%	64%	Pending

- 5 Does the level of support staff included in the request align with current trooper to staff ratios?

*Response: In order to determine staff ratios as compared to national standards, the CSP would need to conduct a staffing study of support staff to accurately determine the correct number of staff to achieve the greatest efficiency in customer service. However, the CSP has determined that with the addition of troopers, support staff workload will increase. Currently, each CSP Communications Technician is responsible for approximately 8.1 uniformed personnel. Further research and study is needed to determine suitability since Communications Technicians not only dispatch for CSP but also take 911 calls and dispatch for other agencies across the state.*

*To develop CSP fleet maintenance technician ratios, the CSP referenced the Average Annual Internal Technician Labor Hours per 1,000 miles Driven table in the NAFA (National Association of Fleet Administrators) benchmark report, which was provided to*

*us by the State Fleet Manager. Using the NAFA benchmark, adding one technician for 15 vehicles is a less than an ideal ratio given the current workload per technician that currently exceeds a 52 week year. If the CSP adds 15 cars, that equates to an additional 2.1 weeks per technician to build CSP cars for a total of 24.3 weeks in build time per technician if no additional technician is added. Adding the incremental technician with the 15 cars reduces the annual per-technician workload by 10 weeks using benchmark report metrics. This additional technician will not fully bring CSP mechanic to vehicle ratio to the ideal metric from the previously referenced benchmark report but does significantly mitigate the per-technician non resourced workload increase.*

- 6 Please describe how the CSP works with Sheriff's Departments across the state. Please included the following in the response:
- a. In what areas of the state is CSP responding to requests to assist Sheriff's Departments? Where are the locations in the state where Sheriff's require the most assistance? What counties have sufficient resources to cover incidents without assistance from the State Patrol?
  - b. How do CSP staffing levels impact staffing in Sheriff's Departments?
  - c. On which roads does the CSP respond and provide assistance? How does the CSP determine where to provide assistance?

*Response: The CSP continues to develop and strengthen internal and external partnerships to improve public safety services. The CSP is dedicated to promoting, sustaining, and expanding professional relationships to address complex public safety challenges. The CSP places an emphasis on our partnerships with both county and local law enforcement and covers approximately 8,400 miles of highway and 57,000 miles of county roads. Specific requests from Sheriff's Offices are not tracked.*

*Although the following counties frequently cover accidents and incidents without the assistance of CSP, the CSP does not imply that the county is adequately staffed and would defer the answer to county leadership. Those counties that need limited CSP assistance include but are not limited to: Douglas, Denver, and Broomfield counties.*

*CSP staffing levels do not impact staffing in Sheriff's Offices. The CSP covers approximately 8,400 miles of highway and 57,000 miles of county roads and will assist county personnel as requested. The CSP endeavors to partner with all federal, state, county and local law enforcement agencies.*

*Within the Patrol Act, it states "...they are empowered to assist or aid any sheriff or other peace officer in the performance of his duties upon his request or the request of other local officials having jurisdiction, and, on such occasions while so acting, they have the powers of any sheriff or other peace officer. Furthermore, they shall not be deputized as deputy sheriffs or as other peace officers by any local or state authority,..." (24-33.5-212. Powers and duties of officers. Section 3).*

- 7 Please provide an overview of the types of special events the Patrol provides services to. Please include the following:
- Whether the events are hosted by private or public (i.e. local government) entities.
  - How the Patrol is funded for the services provided. For instance, does the Department bill for all special events services provided? Is the funding different depending on whether it is a public or private event?

***Response: The accounting and funding of special events are disaggregated based on whether the event requires road closure and whether the event is privately funded or funded by a State of Colorado agency.***

***Privately funded road closure and non-road closure events provide economic benefit to the state and require CSP work for public safety reasons. Examples of private funded road closure required events include, but are not limited to: bike races, festivals, parades, triathlons, oversize/overweight vehicle escort, filming of commercials, etc. Examples of privately funded non-road closure events include but are not limited to: NFL and non-state University/College level sporting event escorts (opponents).***

***State agency events are also split between those events requiring road closure and non-road closure events. An example of a state agency funded road closure event is CDOT construction project task orders. Examples of non-road closure events include CU/CSU Football game security and State agency requested security details.***

***Privately funded events are appropriated as cash funds, while the state agency events are appropriated as re-appropriated funds. In either case, CSP charges sufficient fees to recover the personal services and where appropriate, vehicle mileage costs and other incidental expenses.***

***CSP is occasionally requested to assist with local government events when the scope of the event is greater than the capacity of the local law enforcement agency to safely support the event.***

R5: Vehicular Crimes Unit GPS Total Mapping Stations

- 8 Please provide an overview of the requested GPS Total Mapping Stations, including the following:
- How do the units work?
  - Are these units the most cost effective per unit?
  - Will these units work in all locations across the state, accounting for difficult geography and potential interference?
  - Does the Department have a back-up plan if the GPS units will not work/have connectivity issues at a given location?

***Response: The identified GPS Total Mapping Stations system has four functional modes, all of which are single user setups. GPS standalone, line of sight***

*Bluetooth connected total station with optical target standalone, direct point line of site reflector less standalone, and then full hybrid which uses all of the prior three modes in the same project allowing the user to select which mode is best for each specific point being documented. This system as sold/used, which was in part a team collaboration between this system and the Vehicular Crimes Unit (VCU) making changes to the normal manner of setup and use, is a single point self-localizing system when used in GPS mode, a single point plus one back-site reference system when used in full hybrid mode and a single point back-site when used in the optical or reflector less modes. When used in GPS or hybrid the system is referencing the state plane coordinate system which in turn accurately locates the crash and all associated evidence to the Colorado GPS coordinate ground plane.*

*The Department believes the GPS Total Mapping Stations system is the most cost effective. During the initial research phase of the project estimated prices were researched from both locally located potential vendors. The cost of one system ranged from \$12,000 to \$15,000 more expensive per system/unit for the same basic capability. Other less robust vendor systems were excluded from extensive testing, because the equipment did not meet the same desired specifications as the two systems that were selected for testing. One system is currently attempting to generate a package that is comparable in price and functionality and will be tested in the purchasing process, if successful. Currently, there is a comparable package (\$12,000 - \$15,000 more per system) which is more cumbersome and requires two tripods and a semi complex localization process for the full hybrid setup compared to the single tripod single point localization setup using the Topcon system.*

*This type of system was selected due to the multiple modes of use which allows the system to be used effectively in all environments, even absent a GPS signal. The optical mode is a single user Bluetooth connected total station system which is nearly as fast as the GPS standalone, with the only limitation being the need for line of site between the prism and the total station. This line of site issue can be mitigated with the use of a tall prism pole which elevates the prism up to 8' above ground (with the options currently selected/ bid) and up to 15' above ground with an optional additional pole. Using the optical system alone is significantly faster and more accurate than the current LTI system, which requires two line of site shots for each item of evidence with a target elevation variance of up to 6" and a maximum system height of around 6' above ground depending on the user who needs to see through the targeting laser (taller users can get more clearance than shorter users, which is not an issue with the Topcon system). The reflector less mode can be used inside and outside allowing for the system to be used for every conceivable scenario the VCU may be called to assist with. If there is a location in the state where the current LTI system can be deployed without limitation the GPS Total Mapping Stations system can also be deployed in the same location and collect significantly more accurate data (millimeter on the X, Y and Z axis vs. centimeter on the X and Y with a significant unreliability on the Z*



*due to the 6" target variance) and more data points (nearly double in the same time frame) in less time.*

*The backup to the absence of a GPS signal is the optical Bluetooth total station, or the reflector less mode as described above. Although unlikely and least desirable, the current LTI system could be put back into use.*

2:30-3:15 COLORADO BUREAU OF INVESTIGATION

R3: Increase InstaCheck Cash Fund Spending Authority

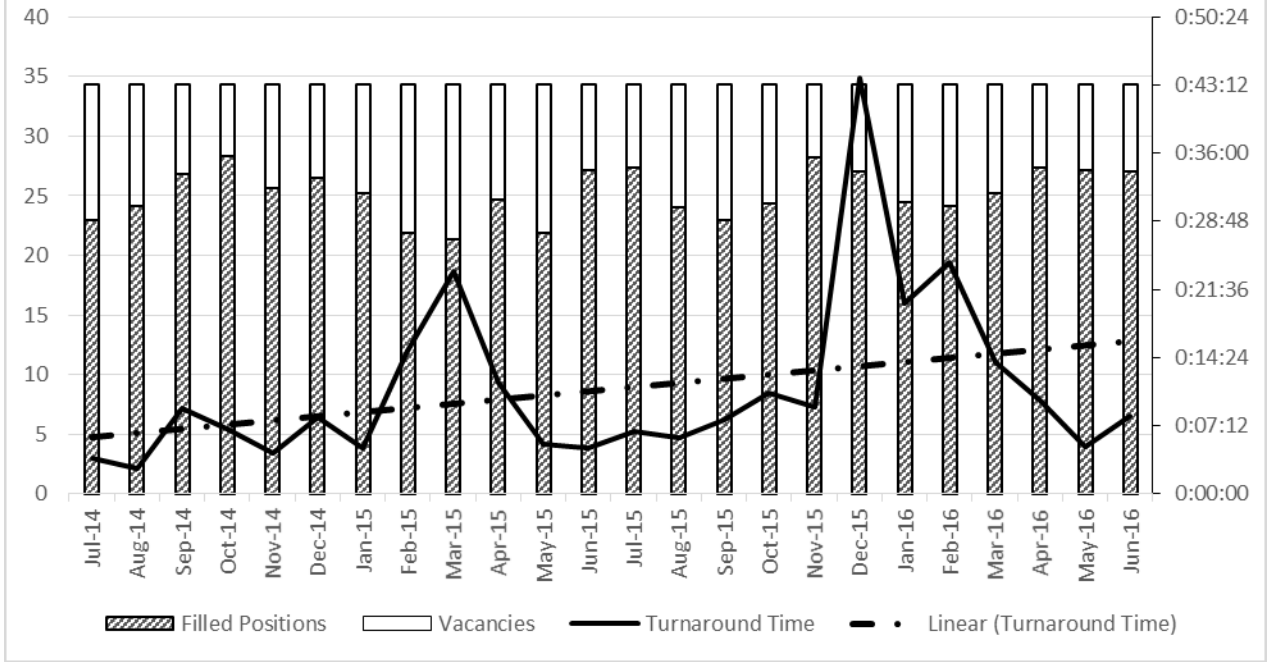
- 9 How has the number of vacant positions in the InstaCheck Unit grown over time?

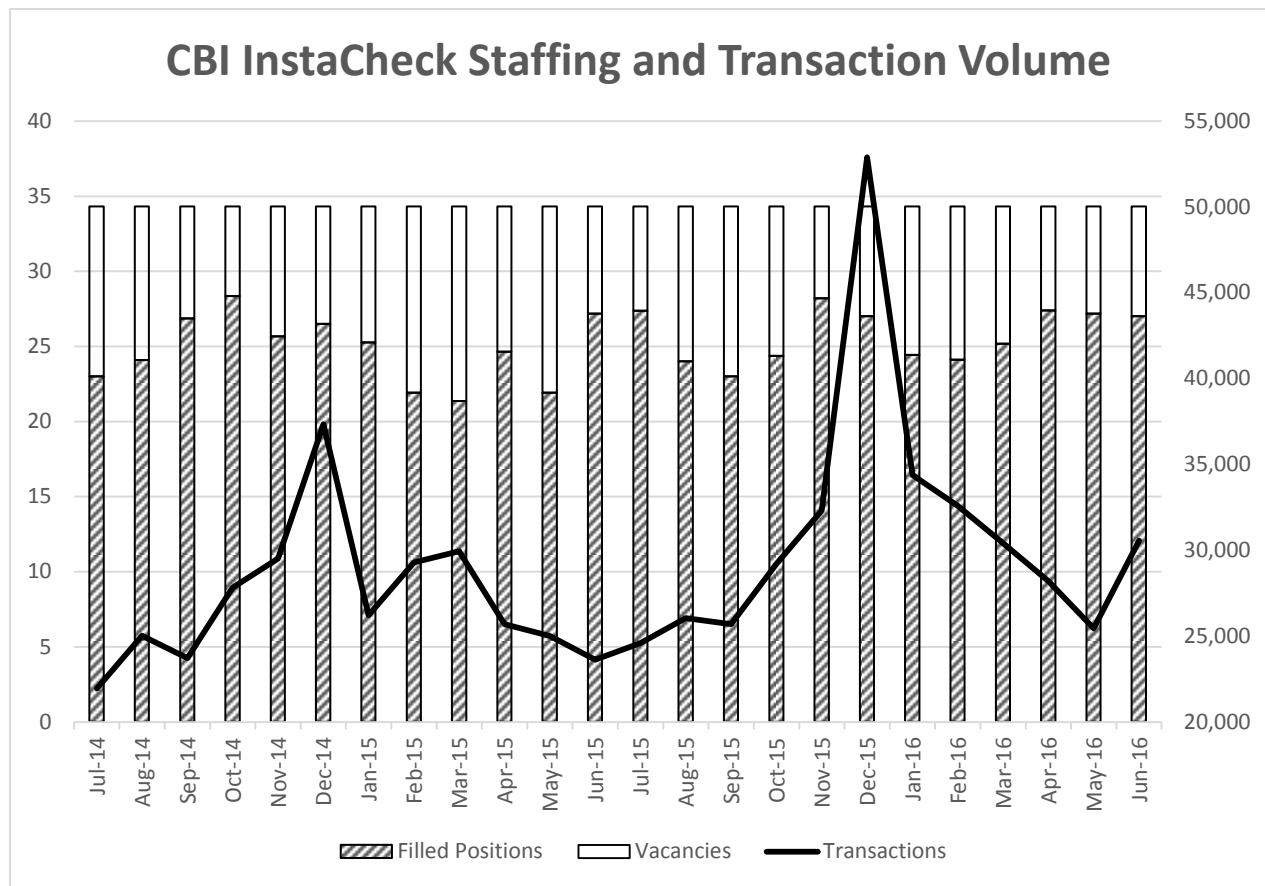
*Response: The number of vacant positions has not grown over time; it fluctuates from year-to-year based on attrition rates and the Department's ability to recruit and hire personnel to fill vacancies. As the Denver Metro economy improves, private employers are offering higher market-based wages than that offered by InstaCheck for jobs with similar requirements. When the base salary for InstaCheck positions is not adjusted according to existing market conditions, recruitment takes longer which correspondingly increases the time positions remain vacant.*

- 10 Please provide a table showing the turnaround time as compared to the number of filled and vacant FTE positions.

*Response: Because CORE does not have payroll data for FY 2013-14, the chart below shows data from FY 2014-15 and FY 2015-16. The left axis shows the number of positions filled and vacant for each month. The count includes Technicians who process firearms transfers. The right axis shows the average turnaround time for firearms transfers for each month.*

## CBI InstaCheck Staffing and Average Turnaround Time





11 Please provide a table showing the original salary ranges (included in H.B. 13-1229) compared to the current increased salary ranges.

*Response: In 2013, H.B. 13-1229 appropriated staff at a Technician II level at the minimum pay grade of \$2,776 per month. In 2016, the current entry-level salary is \$3,115 which is \$291 higher than the minimum pay rate of \$2,824 for a Technician II. The base salary for a Technician III has increased by 5.1 percent in the same time period. Due to the recruiting and retention challenges and pursuant to Section 24-50-104 (1)(f) C.R.S., the appointing authority [CBI] is permitted to authorize a higher base salary within the pay grade (see table below).*

Job Classification	Base salary in 2013	Current base salary	Percent Change
Technician II	\$2,776	\$3,115	12.2%
Technician III	\$3,339	\$3,508	5.1%

12 How has the Department determined the appropriate skill level and a salary range for these positions?

*Response: The work performed by an InstaCheck Examiner (Technician job classification) is specialized and unique such that it does not directly correspond to a specific state job classification. Prior to 2013, Examiners were hired under the Data Specialist series, but the Department determined that the decision making component of the job was outside of the Data Specialist job class description. In consultation with DPS Human Resources, the job was reclassified using the Technician job series.*

*Whether using the Data Specialist or Technician job classification, an InstaCheck Examiner must have following qualifications: a high school diploma or equivalent, possess general computing skills, a clean work history and criminal background, and no or limited drug use that is consistent with the Department's drug use policies. The employee must also pass the CBI background and polygraph examination. Critical to the position is the employee's willingness to work swing shifts, weekends, most holidays (with the exception of Thanksgiving and Christmas Days), and the ability to operate in a high volume/pressure environment while maintaining constant focus and extreme attention to detail during an 8 or 10 hour shift.*

- 13 How many background checks can each technician process per month? If the Department receives the requested funding, what will the increased capacity be per month?

*Response: Included in the fiscal note for H.B. 13-1229, the Department assumed 1.0 FTE could process on average 1,483 background checks per month. This, however, was based on personnel working 2,080 hours per year. Because every employee is permitted sick, annual leave, and state holidays, the Department took these relief factors into account and estimated that each person is available to work on average 1,780 hours per year. Taking this into account then translates to 1.0 FTE processing an average of 1,113 background checks per month.*

- 14 Would filling the vacancies based on the busiest times of the year leave employees with too little of a workload in the slower times of the year?

*Response: The Department expects reduced turnaround times for businesses and customers during slower times of the year. During these months, the Unit also provides additional training for recent hires and refresher courses for existing staff based on any changes in state or federal statutes related to firearms transfers. Because very limited annual leave is approved during the busier months, to include holiday leave, employees are encouraged to use this time period for annual and holiday leave.*

- 15 Has the Department considered a floating fee for background checks in order to reflect seasonal fluctuations in the number of background checks processed?

*Response: The Department calculates the annual fee in January of every year. If a fee change is required, the change is made effective in March of the same year. This schedule is used because large corporate customers require time to update their point-of-sale systems from headquarters that are located in California, Nebraska, and Texas.*

*Having a fee that changed throughout the year would create confusion and customer dissatisfaction.*

*However, if the idea behind the floating fee is to modify buyer behavior such that it alters seasonal trends and smooths out the workload throughout the year, then the Department does not believe the approach would work as intended. For example, prior to the passage of H.B. 13-1228 and H.B. 13-1229 when there was no fee, the InstaCheck Unit received 251,307 firearms transfers (2011). After the fee for background checks was authorized, the Unit received 314,976 firearms transfers in calendar year 2014 (a full year after the passage of both bills). The fee did not diminish demand in Colorado, nor did it alter seasonal trends.*

- 16 In the past, the Department has stated that moving statewide data to the NICS database so that the FBI can run background checks would be a challenge, and a lengthy process. What is not included in the NICS database that is included in the state process? And what are the hurdles to providing that information to the FBI?

*Response: Currently, the InstaCheck Unit researches eight separate and distinct databases, in addition to the checks conducted by FBI-NICS, to determine an applicant's eligibility to purchase, possess or receive a firearm. The databases researched by the CBI are not accessible to the FBI-NICS to include the Colorado Crime Information Center (CCIC), Colorado State Judicial database (PAS), the Colorado Department of Motor Vehicles (DMV), and Denver County Courts system.*

*Data that is available to InstaCheck Examiners but that is not available to the FBI-NICS are: court ordered restraining or protection orders, misdemeanor arrest warrants, felony warrants not entered into NCIC, qualifying criminal histories not linked to the FBI, and sealed convictions. Additionally, Section 18-12-108 C.R.S., requires the CBI InstaCheck Unit to review any felony juvenile adjudications —located only in Colorado's State Judicial database— when conducting a firearms background check. These adjudications, however, are not qualifying prohibitors under federal firearm statutes and would not be used reviewed by FBI-NICS.*

*Pursuant to Section 24-33.5-424(3)(A), C.R.S., the CBI must deny individuals whose criminal history record indicates that they have been arrested for a prohibiting crime where disposition information is not noted. This information is not used by the FBI-NICS.*

*For those individuals who are denied a firearm transfer and file an appeal, the CBI is required under H.B. 10-1411 to research, review, and render a final disposition of a denial within 30 calendar days after receiving such appeal. Under FBI-NICS, they would research appeal requests on behalf of the petitioner, but FBI-NICS has a significant backlog. Unlike Colorado's firearms appeals process whereby determinations are required to be returned within 30 days, the federal system is backlogged and at present is working on appeals submitted in June 2015.*

*For all this information to be accessible to the FBI-NICS, it would require all Colorado courts to make accurate and timely entries into NCIC and not just CCIC. Moreover, the FBI must be willing to alter their procedures, make capital investments, and hire additional personnel to access and perform the additional data queries in CCIC, PAS, DMV and Denver Courts. Such a transfer to the federal system would remove local government and community decision-making in the determination of the legal right to possess a firearm.*

*Under the CBI InstaCheck process, 26 percent of the total denial determinations made by the CBI in FY 2015-16 would have been missed by the FBI-NICS. This translates into 2,170 prohibited persons who would have been approved to possess a firearm had Colorado only relied on the FBI-NICS to conduct the background check. The InstaCheck Unit also has positive relationships with gun dealers who assisted local law enforcement in the apprehension of 260 fugitives who attempted to purchase firearms in Colorado in FY 2015-16.*

- 17 The Department has submitted previous requests to increase FTE based on turnaround time and increases in the number of background checks performed. In the past, these numbers have dropped, even if the request was not approved. Given that history, how does the Department justify the need for additional FTE, as included in this request?

*Response: The Department is not requesting an increase in the number of appropriated FTE for the InstaCheck Unit. It is requesting an increase in cash fund spending authority to fund the FTE remaining authorized in H.B. 13-1229 at competitive rates that will reduce attrition and resources dedicated to hiring and training new personnel while maintaining the Unit's level of customer service.*

*The Department's previous request from January 2013 was for additional funds to hire temporary workers to process the large increase in firearms transfers received after the school shooting in Newtown, Connecticut. The Department's FY 2017-18 decision item (R3: Increase InstaCheck Cash Fund Spending Authority) is based on an increasing annual number of firearms transfers being received and the resultant increase in turnaround times during the peak season for purchasing firearms (October to March). The InstaCheck Unit has an internal goal to return background check results to the FFL within seven minutes. The average turnaround time in FY 2015-16 was 13 minutes 49 seconds. The turnaround time in November 2016 was 19 minutes 10 seconds. During the peak season, the turnaround time can reach as high as 38 minutes per background check.*

Fiscal Year	Number of Firearms Transfers	Percent Change
FY 2012-13	436,553	
FY 2013-14	310,907	-28.78%
FY 2014-15	325,085	4.58%
FY 2015-16	372,386	14.55%
FY 2016-17 (estimated)	408,031	9.57%

R4: Funding for Expedited Process to Seal Criminal Records

18 Please describe how the Department participated in the fiscal note process for S.B. 16-116.

*Response: During the 2016 Legislative Session, the Department received the first draft of S.B. 16-116 which affected only private custodians of criminal justice records. As such, the Department responded to the legislative analyst with no fiscal impact. Thereafter, the Department received no further amendments to the bill. Nevertheless, the Department should have been more proactive in tracking the progress of the bill to ensure any amendments did not alter the Department's initial analysis. After the bill passed, the Department learned it had been amended to include all custodians of criminal justice records.*

19 Please describe how you determined the need identified in the request. Does the Department believe that this level of funding and FTE is necessary?

*Response: The Department used the Judicial Department's estimated number of records affected by the bill which was 9,736 and 11,064 in FY 2016-17 and FY 2017-18, respectively. Based on these estimates, the Department estimated the number of FTE needed using the process developed under S.B. 13-123. In that process, the Department estimated that on average 1.0 FTE could process 1,176 record seal requests per year. Using this annual rate, the Department divided the workload by the worker rate to estimate the number of FTE needed per year for S.B. 16-116.*

*Prior to the passage of S.B. 16-116, the Department received on average 253 seal requests per month. From the bill's effective date in August to December 14, 2016, the Department has received 921 additional expedited seal requests. In the same time period (September to December) and as a comparison, the Department would receive 1,012 non-expedited seal requests to process. At this point in the year, the additional expedited seal requests have produced nearly a 91 percent increase in workload. Thus far, the Department has received expedited seal requests from only four counties—Denver, Jefferson, El Paso, and Mesa. As more defendants and their legal counsel learn of the expedited process to seal criminal records, the Department anticipates additional requests to come from the remaining counties and the total number to approach the annual estimates made by the Judicial Department.*

Month	SB 16-116 Expedited seal requests processed	Average monthly volume for all other seal requests
September 2016	86	253
October 2016	79	253
November 2016	120	253
December 2016	89	253
Subtotal	374	1,012
In queue to be processed	547	0
<b>Total for four months</b>	<b>921</b>	<b>1,012</b>

3:15-3:30 BREAK

3:30-3:55 DIVISION OF FIRE PREVENTION AND CONTROL

- 20 Please provide an update on firefighting resources added to the Division in recent years, such as the Colorado Firefighting Air Corps and the Center of Excellence. Please include the following:
- a. Partnerships, collaborations, cross-training, and information-sharing relationships with other entities, including utilities and other states.
  - b. How is the Department measuring the effectiveness of these resources?

*Response:*

<b>DFPC Wildland Fire Management Operations Budget - FY 2016-17</b>				
	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Total Funds</b>
Aviation Program	8,794,161	0	0	8,794,161
Center of Excellence (CoE)	795,668	0	0	795,668
Colorado Disaster Prediction and Decision Support System (H.B. 15-1129)	600,000	0	0	600,000
Other Wildland Fire Management Programs*	706,984	60,000	3,987,119	4,754,103
<b>Total WFMS Operating Budget</b>	<b>\$10,896,813</b>	<b>\$60,000</b>	<b>\$3,987,119</b>	<b>\$14,943,932</b>

\* Funding includes General Fund, cash funds from the Wildland Fire Equipment Repair Cash Fund, and reappropriated funds from the Wildfire Preparedness Fund (2016 Wildfire Preparedness Plan) for the following programs: 1. Wildland fire management services, technical assistance, and training through the Fire Management Officers (FMOs) Program; 2. Suppression and Prescribed Fire Program including staff and engines located strategically throughout the state; 3. Veterans Fire Corps Program; 4. State Wildland Fire Team (SWIFT) Crews; 5. Vehicle Maintenance Shop; and 6. various other support staff.

*In addition, the State has available resources from other funding sources to cover expenses for state responsibility wildland fire emergencies and disasters. These funding sources include:*

- *Emergency Fire Fund (EFF) - funded by a \$1.0 million yearly voluntary contribution assessed among 42 participating counties as well as approximately \$30,000 in contributions from four non-county participants (Colorado Springs Utilities, Denver Water, City of Aurora, Denver Mountain Parks). This is the first resource the state uses when responsibility for a wildland fire is transferred to the State. Once this fund is used up, Disaster Emergency Funds are requested from the Governor.*
- *Wildfire Emergency Response Fund (WERF) – This fund provides at a minimum funding or reimbursement for:*
  - *The first aerial tanker flight or the first hour of a firefighting helicopter operating on a wildfire at the request of any county sheriff, municipal fire department, or fire protection district; and*



- *The employment of wildfire hand crews to fight a wildfire for the first two days of a wildfire at the request of any county sheriff, municipal fire department, or fire protection district, with a preference for the use of wildfire hand crews from the inmate disaster relief program created in section 17-24-124, C.R.S.*

*The Governor may increase the use of WERF funding on wildland fires in his discretion. The fund does not currently have a dedicated annual revenue source, however, the fund can be replenished through appropriations by the General Assembly either from direct General Fund dollars or insurance premium tax dollars pursuant to Section 10-3-209 (4)(a)(II), C.R.S, or from the Disaster Emergency Fund (DEF) pursuant to Section 24-33.5-706 (4.5)(b), C.R.S.*

*Within the past 5 fiscal years, WERF-funded activities have received resources twice, once through a General Fund appropriation of \$608,200 through the FY 2012-13 supplemental process (S.B. 13-101) to cover requests for reimbursement from the 2012 wildland fire season and again in FY 2013-14 through a transfer of \$500,000 in insurance premium tax dollars into the fund (S.B. 13-270).*

- *Disaster Emergency Fund (DEF) – The Disaster Emergency Fund is available to provide state funding for state disasters upon a commitment by the Governor of DEF resources through an executive order. During the 2016 wildland fire season, there were 6 wildland fires that became state responsibility fires, of those, five fires received an executive order and funding from the DEF. Of the five fires that received funding from the DEF, three fires also received a FEMA declaration and FMAG funding.*
- *Federal Emergency Management Agency (FEMA), Fire Management Assistance Grant Program (FMAG) - Fire Management Assistance is available to States, local and tribal governments, for the mitigation, management, and control of fires on publicly or privately owned forests or grasslands, which threaten such destruction as would constitute a major disaster. During the 2016 wildland fire season the Cold Springs Fire, Beulah Hill Fire, and the Junkins Fire received an FMAG declaration.*

#### *Firefighting Resources Operational Background*

*DFPC has added numerous firefighting resources in recent years, by standing up, evaluating, and improving several programs that are now fully functioning.*

- *Colorado Firefighting Air Corps (CFAC) – contracted for 3 helicopters in the 2014, 2015, and 2016 fire seasons. 2 of the helicopters are staffed with a “heli-tack” crew of 10 DFPC firefighters each.*
- *CFAC – purchased 2 Multi-Mission Aircraft, and contracted for the pilots, maintenance, and operations of those aircraft in a Government-owned, contractor operated model. 6 DFPC employees serve in Mission Sensor Operator (MSO) positions to operate the technology and provide data to incident personnel. The state-owned aircraft were in operation in Calendar Years 2015 and 2016.*
- *CFAC – continued existing program to contract for 2 Single Engine Air Tankers (SEATs). In addition, developed Call When Needed (CWN) SEAT contracts with 3*

*Colorado-based companies in 2016. SEATs from 2 of these vendors were used in the fall of 2016 on the Beulah Hill and Junkins fires after the primary SEAT contacts had ended for the season.*

- *Converted 1 of the 9 DFPC engine crews into a 5-person squad. The squad operated as a stand-alone resource for initial attack and fuels mitigation projects, and also served as the leadership for 20 person hand-crews. A primary purpose of the squad was to facilitate getting military veteran's exposure and experience in wildland fire operations. DFPC partnered with the Bureau of Land Management, Team Rubicon, and Colorado-based Veteran's Corps organizations to provide training and support, as well as providing on-the-ground hand-crew experience for Veterans on 6 different fire assignments.*

- *Great Plains Inter-state Fire Compact – the Province of Saskatchewan and the State of New Mexico became members of the Compact in recent years, joining Colorado, Nebraska, North Dakota, South Dakota, and Wyoming. The Compact is based in federal and state law, and provides a mechanism for resource sharing in prevention, pre-suppression, control of wildland fires, management of prescribed fires, training and mitigation, and recovery activities between members. In June of 2016, Colorado resources were mobilized under the Compact for the first time and partnered with the State of North Dakota to provide 2 engine strike teams and overhead leadership to the State of New Mexico.*

- *Staffing – DFPC made a concerted effort in 2015 and 2016 to fill vacant positions and approach full staffing.*

- *Engines: expanded from 4 to 9 engines in 2014. 5 of these engines are jointly staffed with local fire agencies. 18 permanent-part-time DFPC employees have been hired to staff the engines. In addition to joint-staffing, DFPC has developed agreements for staffing and mutual aid response with other local fire agencies in surrounding areas.*
- *Helicopters: added 3 contracted helicopters under CFAC, beginning in 2014. By 2016, had hired 14 permanent-part-time DFPC employees and 6 Temporary Aide firefighters as the heli-tack crews for 2 of these helicopters.*
- *SEATs: hired 2 permanent-part-time DFPC SEAT Managers to plan, coordinate, manage, and provide training for the state-wide SEAT program.*
- *MMA: hired 5 permanent-part-time DFPC Mission Sensor Operators (MSOs), 1 Temporary Aide MSO, and 1 Unit Chief to staff these aircraft.*
- *FMOs: In 2016, hired a second Regional Fire Management Officer (FMO) for the North Central Region and the East Area FMO, to reach allocated FMO capacity of 10 Regional FMOs and 2 supervisory Area FMOs.*
- *Other Staff: hired a permanent-part-time Dispatcher, full-time Intelligence Coordinator, a full-time Branch Chief of Operations, and a Deputy Section Chief in 2016.*
- *DFPC engine and helicopter crews cross-train and cross-staff to increase internal capacity and firefighter skill sets. In addition, local fire agency personnel have been provided training opportunities on DFPC engines, helicopters, and hand-crews.*

### *Firefighting Resources Research Background*

*The Center of Excellence for Advanced Technology Aerial Firefighting was created to evaluate the efficiency, effectiveness, and sustainability of Colorado's aerial firefighting resources and to research and evaluate new technologies for integration into wildland firefighting. Stakeholders identified a lack of practitioner-focused research being done by existing research entities as the main gap that the CoE could fill. For this reason, the CoE has focused on legislatively-mandated research (Night Operations, Colorado Fire Prediction System) as well as those specifically requested by Colorado's firefighting community (Air-to-Ground Datalink, Unmanned Aerial Systems). By focusing on projects that provide the most impact to Colorado's firefighting community, the Center of Excellence has ensured that the program is meeting the intent of its original proponents and current stakeholders.*

*The CoE has partnered, collaborated, cross-trained, and shared relationships with the following entities since its inception in 2014:*

- *US Forest Service*
- *BLM*
- *Air Force Research Lab*
- *CU Boulder*
- *UAS Colorado*
- *Metro State*
- *Colorado Mountain College,*
- *NASA*
- *Colorado Pilots Association*
- *Western Region Wildfire Council*
- *Rifle/County Economic Development Council*
- *Ventura County, CA*
- *Los Angeles County, CA*
- *Angeles National Forest*
- *Australian National Fire Service*
- *USFS MTDC*
- *USFS SDTC*
- *USFS Fire Lab*
- *USFS AFUE*
- *Colorado State Forest Service*
- *NCAR/UCAR*
- *Colorado Army Nat'l Guard*
- *Air Force Academy*
- *NTSB (Night Ops)*
- *Lockheed Martin*
- *Global Supertanker*
- *Helicopter Express*
- *FAA DAC (Drone Advisory Committee)*
- *Rocky Mountain UAS*
- *FirstNet Colorado/US*
- *Colorado State Fire Chiefs*
- *OAS (Office of Aircraft Services - DOI)*

- *SIPA*
- *Gotenna*
- *SNC*
- *Bode*
- *Montana State (Fire)*
- *USArmy (Mafia program)*

*Measuring the Effectiveness of Resources*

*DFPC continuously assesses the effectiveness of operational resources by:*

- *Tracking the amount of use of the resources. As awareness and understanding of these resources increases across the state, use has increased as well.*
  - *SEATS –*
    - *169 flight hours in 2016;*
    - *210,606 gallons (water and retardant) delivered;*
    - *Used Call When Needed (CWN) SEAT Contractors on Beulah Hill and Junkins Fires.*
  - *Helicopters -*
    - *457 flight hours in 2016;*
    - *208,000 gallons delivered;*
    - *59,527 pounds of cargo moved;*
    - *Increase in use in Colorado in 2016 over 2015.*
  - *Engines –*
    - *800 + incident responses in 2016.*
- *Tracking number of new fires detected by DFPC resources.*
  - *MMA –*
    - *694 flight hours in 2016;*
    - *343 missions (39 detection missions, 175 large fire support missions, 7 SAR missions);*
    - *43 new fires found and reported to jurisdictional agency.*
- *Tracking the number of assists DFPC staff provides to counties and fire departments on incident management (technical assistance, strategy and tactics, resource ordering, state-responsibility assessment, etc.).*
  - *FMOs – 225 incident assists (technical assists and on-site responses) to counties and local fire agencies.*
  - *150 + training sessions delivered to over 2,500 + students in Colorado.*

*The Department is tracking Center of Excellence research hours quarterly. To date: CoE staff have put in over 1700 research hours on the 13 projects they have undertaken. MMA Effectiveness and Air-to-Ground Datalink were recently identified by stakeholders as the most important projects the CoE is working on. Effectiveness of the products should be measured by the value they provide to stakeholders. The CoE does not spend time researching projects that would not provide a specific and identified value to its customers.*

- 21 How might the Department envision the expansion of public/private partnerships related to wildfire mitigation, such as the partnership between Denver Water and the U.S. Forest Service? Are these opportunities the Department plans to pursue?

*Response: DFPC has partnered with the Colorado State Forest Service (CSFS) and Colorado Parks and Wildlife (CPW) for 2 years on the planning and implementation of prescribed pile burns on state-owned lands. In 2016, DFPC and CPW implemented the first broadcast prescribed fire on state-owned lands since 2012. Development and technical review of prescribed fire plans for future pile and broadcast burn projects is underway, and DFPC will continue to be the lead state agency for prescribed fire planning and implementation.*

*DFPC engaged in a Strategic Planning process this fall to begin assessing the expectations of the Division by our various stakeholders. Brainstorming to identify who should be encouraged to participate was done early on to ensure inclusion of traditional and non-traditional participation. Invitations were sent to a broad range of organizations, groups, and individuals that are impacted somehow by what the Division does. These "partners" included, but were not limited to: fire agencies, Sheriff's Departments, Realtors, Chambers of Commerce, Hospitals, Utilities, National Fire Protection Association, Insurance Industry, Construction Industry, Federal and State land management agencies, etc. Individuals and organizations were asked to further distribute the information to cast as broad of a net as possible to encourage participation. To date, the Division has received 102 internal surveys, 302 external surveys, and the workshops were attended by over 100 people.*

*Currently, the Division is compiling the data and will be doing follow-up meetings and workshops to determine methods and solutions for moving forward based upon the findings and feedback received.*

**3:55-4:20 DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT**

- 22 Please describe the process through which local and county governments declare a disaster? How does it compare to and interact with the state process?

*Response: Local disaster emergencies are "declared only by the principal executive officer of a political subdivision...and allows activation of "the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans," per Section 24-33.5-709 (1) and (2), C.R.S., by activating the local plan, the jurisdiction will have access to policies, procedures, and agreements that aren't necessarily available during day-to-day operations.*

*If a jurisdiction determines the emergency or disaster is beyond its ability to effectively respond, the jurisdiction can request the Governor to declare a state of emergency. The declaration of a state of disaster emergency by the Governor serves to activate the State's emergency response and recovery plans; provide authority for the mobilization and deployment of all State, and political subdivisions of the state, resources as necessary; activate the National Guard; provide the transfer of funds to the Disaster Emergency Fund, and; suspend or modify laws necessary for emergency operations.*

R8: Incident Management Teams

23 Please provide an overview of existing funding provided to Incident Management Teams.

*Response: Colorado's Incident Management Teams (IMTs) are local resources that are vital elements in the State's emergency response capacity. Currently, the Division does not have dedicated funds for IMTs. However, the Division encourages IMTs to participate in Division sponsored training programs. The Division estimates it spends approximately \$105,000 annually, which provides a minimal level of training and exercise opportunities to support IMTs and their members.*

24 What will the additional funding to the Incident Management Teams provide?

*Response: The dedicated funding will provide maintenance and replacement costs of expendable equipment, training and exercise opportunities for team members and administrative support to the local governments that sponsor IMTs recognized by the Division.*

25 Colorado Mountain College has had difficulty conducting emergency response drills due to a lack of cell phone coverage. Will this funding address issues associated with cell phone reception in remote locations?

*Response: This funding will not address issues associated with cell phone coverage.*

**4:20-4:30 WRAP-UP AND CLOSING COMMENTS**

**ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED**

- 1 Provide a list of any legislation that the Department has: (a) not implemented, or (b) partially implemented. Explain why the Department has not implemented or has only partially implemented the legislation on this list. Please explain any problems the Department is having implementing any legislation and any suggestions you have to modify legislation.

***Response: The Department is unaware of legislation not fully implemented.***

- 2 If the Department receives federal funds of any type, please respond to the following:
  - a. Please provide a detailed description of any federal sanctions or potential sanctions for state activities of which the Department is already aware. In addition, please provide a detailed description of any sanctions that MAY be issued against the Department by the federal government during FFY 2016-17.

***Response: Currently, the Department does not have any federal sanctions for state activities nor does the Department anticipate any federal sanctions to be issued.***

- b. Are expecting any changes in federal funding with the passage of the FFY 2016-17 federal budget? If yes, in which programs, and what is the match requirement for each of the programs?

***Response: There is a projected funding reduction of 20 percent for FY 2018 funds received as a pass-through from the Colorado Department of Transportation (CDOT), U.S. Department of Transportation, National Highway Traffic Safety Administration (NHTSA). This reduction will affect Click It or Ticket, Driving under the Influence, Child Passenger Safety Program and Distracted Driving. The only impact on match is a reduction commensurate with the funding reduction.***

***As a result of the passage of the FAST act, several of the Motor Carrier Safety and Assistance Program (MCSAP) grant programs were combined. The Federal Fiscal Year (FFY) 2017 MCSAP grant will include funding for both the New Entrant and Basic grant programs. Border funds were also included; however, the state does not receive Border funds. As a result of this change, the match was reduced to 15 percent (the NE grant previously did not require a match and the Basic grant match was 20 percent). There will be an increase in funding during FFY 2017, however, it is anticipated that funding amounts will either increase and/or decrease in FFY 2018.***

***Passage of the FAST Act required that Federal Motor Carrier Safety Assistance (FMCSA) establish a new funding formula to calculate award amounts for the MCSAP Basic grant in FFY 2018. It is unknown at this time how the new formula will impact the amount Colorado receives for MCSAP.***

- 3 Does the Department have any HIGH PRIORITY OUTSTANDING recommendations as identified in the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office and dated June 30, 2016 (link below)? What is the department doing to resolve the HIGH PRIORITY OUTSTANDING recommendations?

[http://leg.colorado.gov/sites/default/files/documents/audits/1667s\\_annual\\_report\\_-\\_status\\_of\\_outstanding\\_recommendations\\_1.pdf](http://leg.colorado.gov/sites/default/files/documents/audits/1667s_annual_report_-_status_of_outstanding_recommendations_1.pdf)

*Response: Based on the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office and dated June 30, 2016, the Department has no outstanding audit recommendations.*

- 4 Is the department spending money on public awareness campaigns? What are these campaigns, what is the goal of the messaging, what is the cost of the campaign? Please distinguish between paid media and earned media. Do you have any indications or metrics regarding effectiveness? How is the department working with other state or federal departments to coordinate the campaigns?

*Response: The Colorado State Patrol (CSP) within the Department develops public awareness campaigns regarding public safety issues to include but not limited to the following: impaired driving, winter driving, chain law, moreover law, aggressive driving, texting and driving and general safe driving behaviors. Each of these campaigns have an external focus that educates the public on safe driving and public safety, however, it also assists in the guidance and interaction with the public by members of our agency. By utilizing public awareness campaigns it creates opportunities for CSP members to interact with communities across Colorado and engage in meaningful community policing efforts.*

*The overall campaign is called "Our Family Protecting Yours, Since 1935." The goal of the messaging is to influence citizens and drivers of Colorado's roadways to make safe choices regarding their driving behavior. The messaging focuses on driving behavior and safe choices. A secondary goal is to encourage members of CSP to engage with the communities they serve through participation in safety messaging, campaigns and strive for opportunities to interact with citizens in a positive and meaningful relationship.*

*The cost of the campaign for calendar year 2016 was \$122,000. These funds were provided through the criminal interdiction fund which is provided by money that is seized through the illicit drug trade seizures.*

*The CSP paid \$18,835 for radio ads, movie theater ads, and other general media for the advertisement of public safety campaigns. The CSP also partner on a regular basis with CDOT, NHTSA and other law enforcement agencies on public safety campaigns that benefit all agencies' safety messaging. A new partner this year has been the Colorado Petroleum Industry who has allowed CSP to develop winter driving tips on stickers at gas pumps across Colorado, as well as window clings on most convenience stores that provide winter driving safety messaging.*



*Media stations across Colorado regularly provide opportunities for members of the CSP to provide safety messaging and are willing to partner to assist in the distribution of messages that enhance public safety. One of the more effective messaging opportunities to engage the public and media partners is the use of social media. Currently CSP has 16,100 followers on the CSP main Twitter account and 40,000 followers on the CSP Facebook account and on average, 50,000 hits per month on the CSP website. The use of social media to provide safety messaging and to engage with a newer generation of citizens has been very successful.*

*In 2015, a public opinion survey was enabled by CSP for all citizens and any motorist or citizen that came into contact with a CSP member. The CSP produced a 30 page review of the responses; however, in summary a few key points that indicate effectiveness are:*

- *Colorado's highways received an 80 percent favorable rating from all respondents,*
- *CSP members received a 92 percent rating for acting in an honorable and professional manner,*
- *CSP members received a 90 percent rating for members treating everyone encountered in a fair and lawful manner.*

*CSP members coordinate regularly with members of CDOT and NHTSA on public safety and awareness campaigns. In particular many of the enforcement and education strategies and mission are guided by Federal campaigns that include funding for media strategies and enforcement. In 2016, several impaired driving education programs were very effective through these partnerships. The "Drive High, Get a DUI" message and enforcement program not only received heavy engagement from citizens and media partners statewide, but also on a national level as other agencies are looking for effective programs that impact marijuana impaired driving.*

*The Division of Homeland Security and Emergency Management (DHSEM) provides public awareness through sharing of national messaging campaigns such as the Federal Emergency Management Agency's (FEMA) Ready.gov and the Department of Homeland Security's, See Something Say Something. DHSEM uses these campaigns to provide social media templates for local, state and federal stakeholders to use to create a coordinated message across Colorado. The goal is to make Colorado a more prepared state at the individual level by giving them information to make informed and educated decisions to reduce individual risks.*

*DHSEM does not have specific public awareness campaigns but in its normal course of business, members responsible for communication activities, use a variety of social media platforms to promote awareness of the following:*

1. *See Something, Say Something - Submit a confidential tip concerning a suspicious incident or unusual activity and behaviors concerning Homeland Security, which does not require an immediate response by law enforcement.*

2. READYColorado

- a. *Web: www.readycolorado.com*
- b. *Twitter: @READYColorado*
- c. *Facebook: READYColorado*

3. COEmergency

- a. *Web: www.coemergency.com*
- b. *Twitter: @COEmergency*
- c. *Facebook: COEmergency*
- d. *Preparedness messaging*

- 5 Based on the Department's most recent available record, what is the FTE vacancy and turnover rate by department and by division? To what does the Department attribute this turnover/vacancy?

***Response: The Governor's Office of State Planning and Budgeting will provide a consolidated statewide response to the department turnover rate question. Listed below is the Department's FTE turnover rate by division:***

***CBI – 6.4%***

***CSP – 6.2%***

***DCJ – 8.7%***

***DFPC – 7.0%***

***DHSEM – 7.2%***

***EDO – 9.1%***

***The Department attributes the turnover rate to various reasons. For example, retirement of long time staff, limited pool of in-state applicants, the entire hiring process and in some cases (such as the Colorado Bureau of Investigation (CBI) InstaCheck Unit) salary expectations are too low compared to other jobs requiring similar skills or education.***

- 6 For FY 2015-16, do any line items in your Department have reversions? If so, which line items, which programs within each line item, and for what amounts (by fund source)? What are the reasons for each reversion? Do you anticipate any reversions in FY 2016-17? If yes, in which programs and line items do you anticipate these reversions occurring? How much and in which fund sources do you anticipate the reversion being?

***Response: Reversions were reported on the Schedule 3 and 14 documents as part of the annual budget submission. In some cases, the Department has identified some areas where the Schedule 3 reported federal and continuously appropriated spending authority from CORE that was in excess of expenditures. In these cases, this is an error. Because of the challenges with accurate expenditure reporting for the majority of FY 2015-16, program managers were much more conservative with spending which resulted in reversions that may be higher than is typical. The Department will work with the JBC to provide further clarification on any FY 2015-16 reversions that may be of concern upon request.***

***At this time, the Department does not anticipate any large reversions for FY 2016-17.***

- 7 [Background Information: For FY 2017-18, the Department of Law has submitted a request to change the calculation of legal services appropriations as well as the monthly billing system for legal services provided to state agencies. Specifically, the proposal would: 1) calculate the number of budgeted legal services hours for each agency as the average of actual usage in the prior three years; 2) include a two-year average of “additional litigation costs” such as court reporting, travel for depositions, expert witness costs, etc., in the appropriation for legal services (these costs are not currently included in the appropriation and are often absorbed from other personal services and operating expenses line items); and 3) convert from monthly billing based on the actual hours of service provided to monthly billing based on twelve equal installments to fully spend each client agency’s appropriation.]

Please discuss your agency’s position on the Department of Law’s proposed changes to the legal services system, including the potential impacts of the changes on your agency budget. That is, does your department support the proposed changes? How would you expect the changes to positively or negatively impact your department? Please explain.

***Response: The changes to the legal services billing methodology in theory would not impact the department. The Department’s Legal Services costs are included in the Department’s indirect cost plan. Therefore, as budgets change, the Department would make the changes in the indirect cost plan accordingly.***

- 8 What is the expected impact of Amendment 70 (minimum wage increase) on Department programs? Please address impacts related to state personnel, contracts, and providers of services.

***Response: Per the fiscal impact statement produced by Legislative Council Staff dated September 1, 2016, based on current job classifications and wages, most state workers, including workers in the Department, earn more than the minimum wage. At this point, the Department will not have a fiscal impact from the passage of Amendment 70.***

- 9 Please provide an update on the Department’s status, concerns, and plans of action for increasing levels of cybersecurity, including existing programs and resources. How does the Department work with the Cybersecurity Center in the Office of Information Technology?

***Response: The Office of Information Security (OIS) within the Office of Information and Technology (OIT) provides security governance, security architecture, risk management, compliance assessment support, and security operations functions for the Department of Public Safety.***

***The OIS has input into the 5-year plans for the Department, and has worked to prioritize projects benefiting the Department, such as: the Enterprise Firewall Refresh project, new quarterly security awareness training, and an enterprise security log collection and correlation engine. Additionally, OIT implemented a mandatory two-factor authentication for Google email users across the executive branch agencies, which is expected to reduce phishing attempts by 90%.***

*Further, the OIS produces a quarterly risk report card, in which risk for the Department is measured, as well as set specific goals for reducing risk.*

*In addition, the CBI hired two Cyber Crime Agents on January 5, 2015 pursuant to H.B. 14-1095. The agents are assigned to the Federal Bureau of Investigation Cyber Task Force. They were joined by two State of Colorado Office of Information Technology Cyber Security Specialists in 2016. Together, they use the Cyber Task Force's resources and access to national assets to identify, investigate, and mitigate cyber threats targeting Colorado governmental and private networks, and private citizens. The following list includes examples of cyber crimes and threats investigated by the task force:*

- Malware – Malicious software within a computer network or point of sale machine*
- Computer crime – Bullying, Harassment, Stalking, Sextortion, Ransomware, Other Threats*
- DDoS – Distributed Denial of Service attacks, Swatting*
- Skimmers – Devices placed on point-of-sale machines to capture credit card information*
- Phishing – Emails sent with malware to compromise networks*
- Business Email Compromises – Victims fooled into wired money to suspects around the globe*

*Additionally, the CBI utilizes the assistance of federal partners, such as the FBI and the United States Secret Service, and state agencies, such as the Governor's Office of Information Technology and the Department of Public Safety's Division of Homeland Security Emergency Management, Colorado Information Analysis Center (CIAC), and the DHSEM Infrastructure Protection Team, to collaborate on addressing cyber-based threats. Through combined efforts and resources, they educate numerous public and private organizations, in addition to Colorado citizens, about cybersecurity and the crime emanating therefrom.*

*Multiple avenues are merging in the threat information sharing and response efforts. The Colorado National Guard (CONG), Regis University, Governor's Office of Information and Technology, and the Division of Homeland Security and Emergency Management have conducted numerous exercises, workshops and trainings with local governments and private partners, such as the National Cybersecurity Center and Colorado Emergency Preparedness Partners to develop the relationships necessary to encourage threat information sharing and increased response capability.*

- 10 Is the SMART Act an effective performance management and improvement tool for your Department? What other tools are you using? Do your performance tools inform your budget requests? If so, in what way?

*Response: The SMART Act is one of several performance management and process improvement tools that the Colorado Department of Public Safety employs. The SMART Act requires the Department to create an annual performance plan and provide quarterly updates on the plan. As part of the SMART Act, the Department annually identifies five strategic policy initiatives (SPIs) that represent some of our highest-*

*impact, most customer-facing services. Additionally, the Department's top SPI – to reduce fatal and injury crashes – is represented in the Governor's Dashboard.*

*In 2015, the Department revised its mission and vision statements in conjunction with developing the annual SMART Act performance plan. With such a diverse department, the five SPIs in the performance plan cannot capture all of the work we do. Throughout the Department, divisions and units also use supplemental performance management tools, such as more granular strategic plans, to track progress. For example, the Division of Fire Prevention and Control is currently engaged in a strategic planning process. The Division has involved its stakeholders and customers from across the state in the process using surveys and a daylong meeting to collect feedback and input. This input will ensure that the plan includes a clear customer service focus. Several divisions in CDPS use the Four Disciplines of Execution method, or "4DX," to develop priorities and establish measures. The Department has also deployed the Lean process a handful of times in the last year, and is in the process of creating a standing Lean team of CDPS employees to facilitate additional Lean events in 2017.*

*In 2016, the Department identified and convened a group of internal "Change Champions" to assist CDPS leadership with managing change, communicating with employees, and improving outcomes. Finally, on July 1, 2016, the Department officially stood up an agency-wide Compliance and Professional Standards Office for the purpose of conducting internal risk assessments and various types of audits. This work will assist the Lean team in identifying potential process improvement events. Performance management and process improvement tools inform CDPS' budget requests as much as possible. For FY 2016-17, the Department is requesting additional CSP troopers, which directly ties to our goal of reducing fatal and injury crashes on Colorado highways.*

- 11 Please identify how many rules you have promulgated in the past two years. With respect to these rules, have you done any cost-benefit analysis pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analysis pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis? Have you conducted a cost-benefit analysis of the Department's rules as a whole? If so, please provide an overview of each analysis.

*Response: In the past two years, the Department has promulgated one new rule. Six existing were amended, while two rules were repealed. Three existing rules were reviewed with no subsequent rule-making activity. No cost-benefit analysis was conducted for these rules because one was not requested from the public. A regulatory analysis was conducted for the new, amended, repealed, and reviewed rules according to the following parameters:*

- Is the rule necessary?*
- Does the rule overlap or duplicate other rules of the agency or other federal, state, or local government rules?*
- Is the rule written in plain language that is easy to understand?*
- Does the rule achieve the desired intent and is more or less regulation necessary?*

- *Can the rule be amended to give more flexibility, reduce regulatory burdens, or reduce unnecessary paperwork or steps while maintaining the benefits?*
- *Is the rule adequate for the protection of the safety, health, and welfare of the State and its residents?*

12 What has the department done to decrease red tape and make the department more navigable/easy to access?

*Response: In the fall of 2015, the Division of Fire Prevention Control (DFPC) Professional Qualification and Training Section went live with a new cloud-based records managements system and computer-based testing program. For a firefighter to test and receive their certification (Firefighter I) our process has been streamlined from 102 days (over 3 months) to less than one day. The old process involved the outdated technology of Scantron (fill-in-the-bubble) sheets and was heavily reliant on the mail service to send tests and results back and forth. DFPC moved to a completely cloud-based system that allows for online personnel roster management, certification exam scheduling, certification renewal and computer-based testing.*

*The CSP developed a central records unit streamlining public accesses to CSP traffic/accident reports. This newly developed central records unit has made strides in efficiency and customer responses, specifically for mass record requests. The Media Center and Public Affairs unit has made it easy for the public to have access to the department. Currently, the public has access to names, number and emails on the Department's websites.*

*In the past, the Colorado State Patrol, Motor Carrier Safety Section would conduct New Entrant Safety Audits for intrastate Colorado carriers at their principle places of business. This process, combined with Interstate Safety Audits, consumed a large amount of resources, specifically trooper time and equipment usage. Due to personnel resources and an increasing amount of new carriers applying for DOT #'s, conducting New Entrant Safety Audits for intrastate Colorado carriers became untenable.*

*So as not to deprive these carriers of valuable safety information, an idea for a web-based educational program was developed. The web-based educational program consists of a series of videos outlining specific parts of the Federal Motor Carrier Safety Regulations (FMCSRs), combined with an explanation of the various safety regulations in plain-language and printable blank forms.*

*DHSEM is in the process of establishing a central repository for document retention, and developing an automated purchase authorization form.*

13 What is the number one customer service complaint the department receives? What is the department doing to address it?

*Response: The top customer service issue for the Department is the lack of sufficient law enforcement resources to meet the demands of local partners and the public. The lack of resources is particularly apparent in two areas: the capacity of CBI agents to participate in and/or lead criminal investigations upon request by local law enforcement and the capacity of CSP troopers to respond to highway safety related incidents. Colorado's growth in population and tourism contribute to an increased demand for both of these services. To address the demand for services, the CBI and CSP are*

*continually evaluating staffing patterns, identifying process efficiencies, and, when necessary, requesting resource adjustments. The Department's FY 2017-18 budget request reflects the need for more investigatory and highway patrol resources with budget requests for overtime hours for CBI and additional troopers for CSP. Additionally, the Department is requesting resources for technology to expedite accident investigations.*

# Colorado Division of Fire Prevention and Control Update

Joint Budget Committee

December 21, 2016





# Wildland Fire Management Section in Numbers

12 Fire Management Officers

1314 Staff Days on In-State Fires to 9/9/16

112 FEPP Engines\* for Local Cooperators

29 State Engines for Local Cooperators

12 Locations throughout Colorado

8 Staffed Engines (5 Joint-Staffed)

2 Multi-Mission Aircraft

2 Single Engine Air Tankers\*

3 Helicopters\*

\* Denotes resource owned by another entity and managed through DFPC





# Prescribed Fire Program

Technical Review and Assistance (78)

Pile Burning (133 piles)

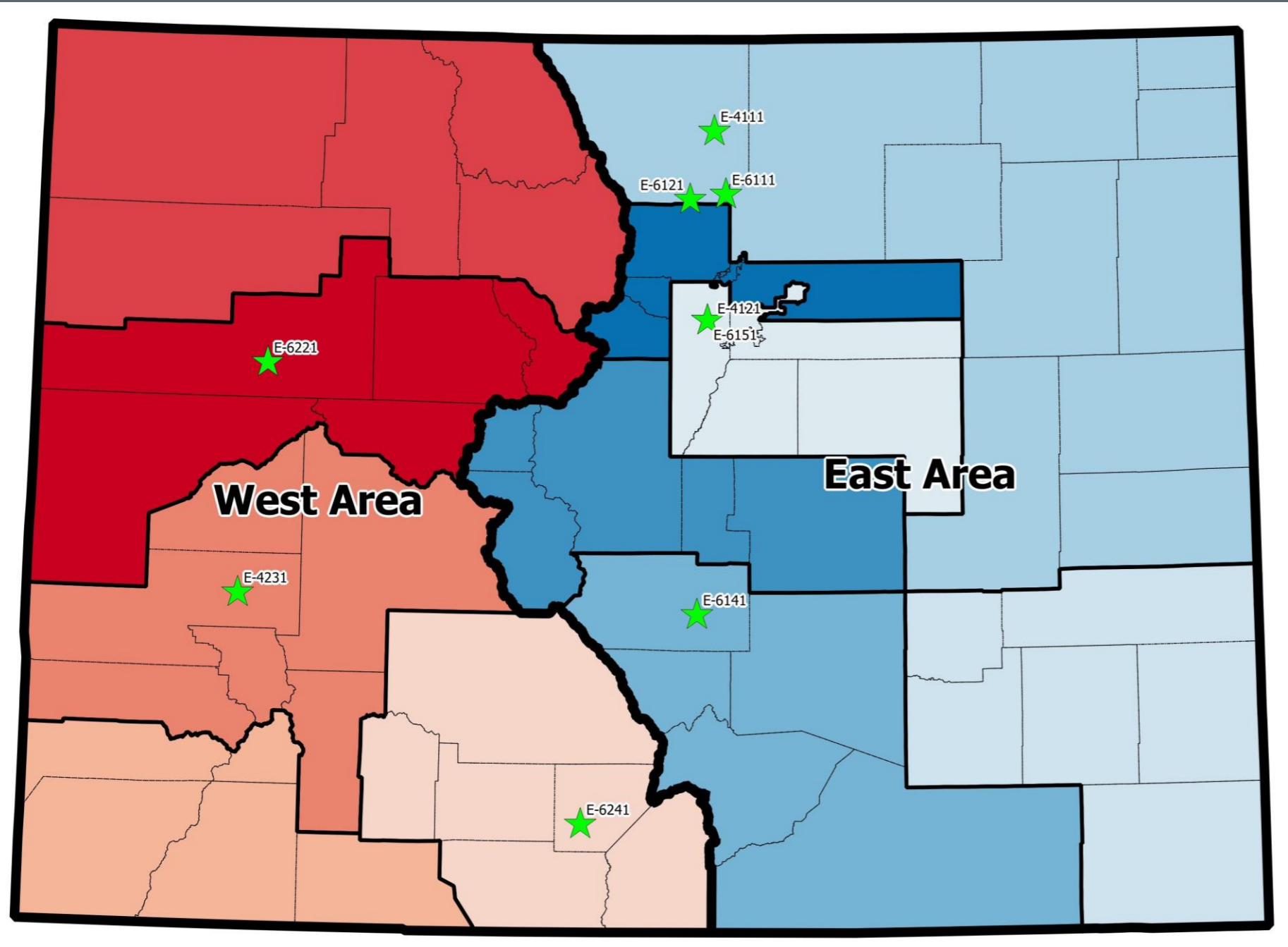
Broadcast Burning (1 broadcast burn over 3 days)

Continued Growth of Certified Burner Program





# Fire Management Officers and Engines

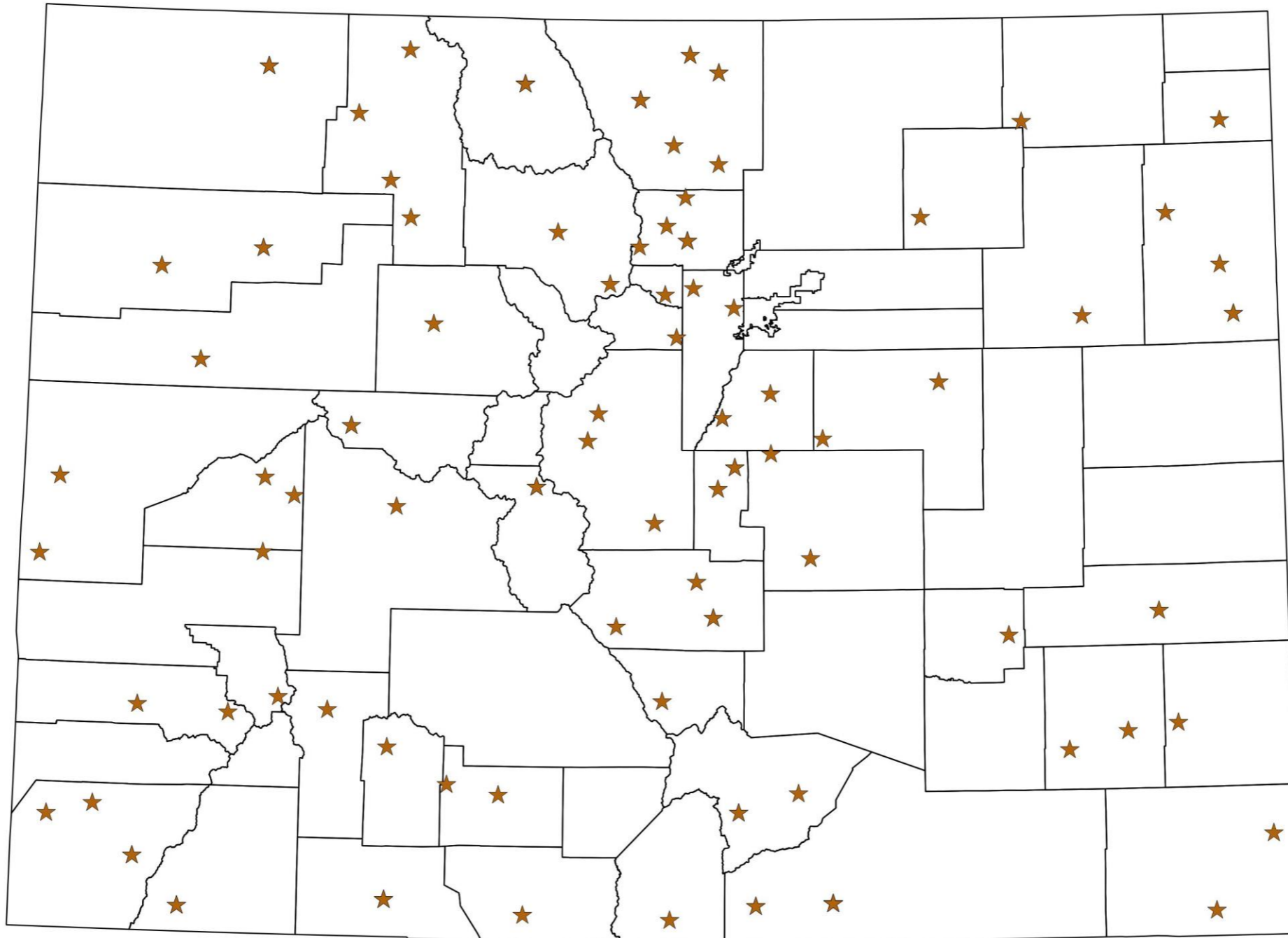


DFPC Engines  
responded to  
over 800  
Incidents in 2016

\* Technical Assistance \* Funding Support Evaluation \*

\* Qualification Entry and Verification \* Training \* Annual Operating Plans \*

# Logistics Branch



112 FEPP Engines assigned to 84 agencies across Colorado

# Aviation Branch: Single Engine Air Tankers

	2016
Flight Hours	270
Gallons of Retardant or Water Dropped	210,000

820 Gallon Capacity  
Rapid Attack  
Agility





# Aviation Branch: Helicopters



Type 2	Type 3
300 Gallons	100 Gallons
2500 lbs cargo	1200 lbs cargo
Restricted	3 Firefighters



	<b>2016</b>
<b>Flight Hours</b>	<b>457</b>
<b>Missions</b>	<b>334</b>
<b>Gallons of Water Dropped</b>	<b>208,000</b>
<b>Pounds of Cargo</b>	<b>59,527</b>



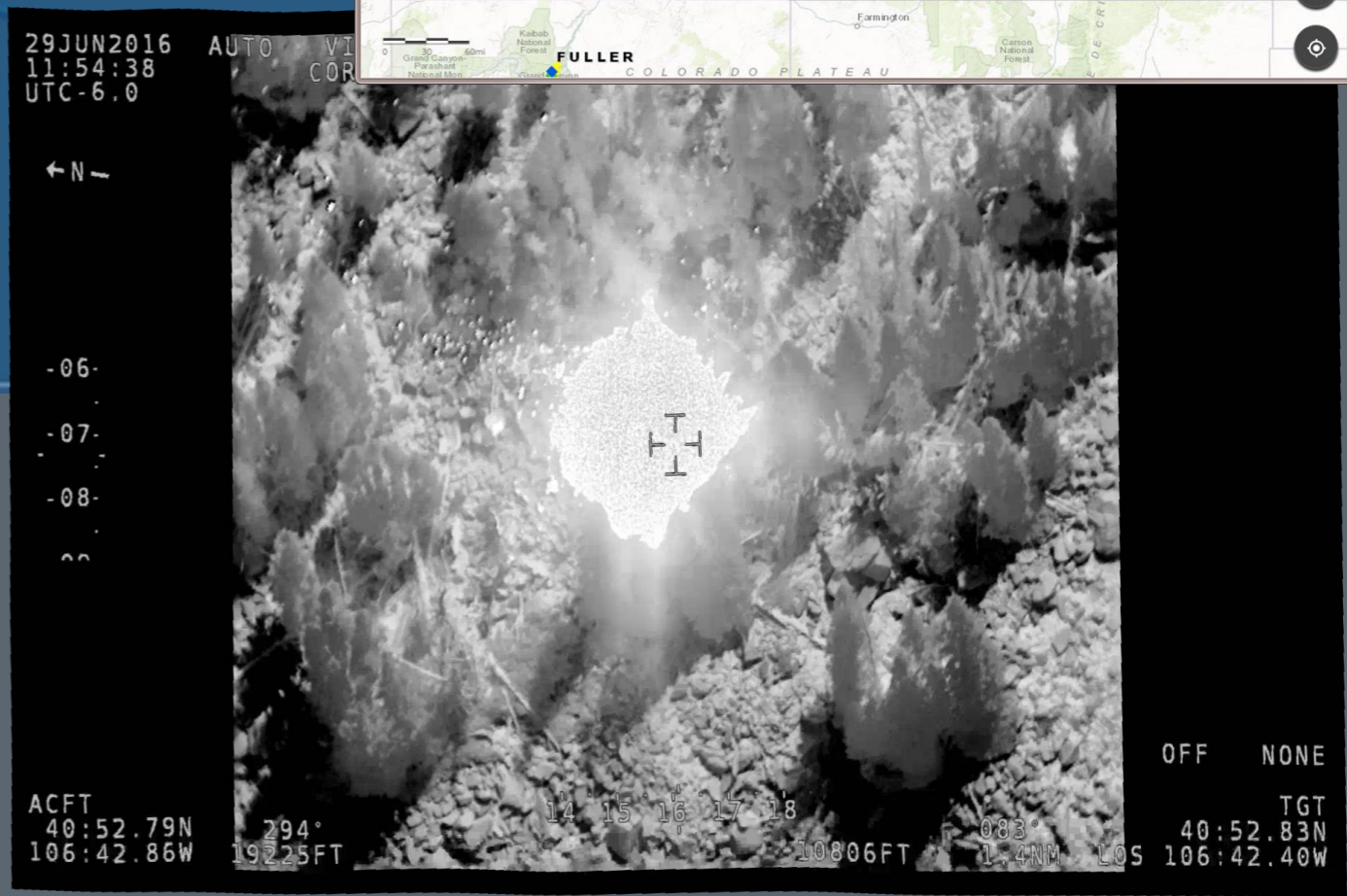
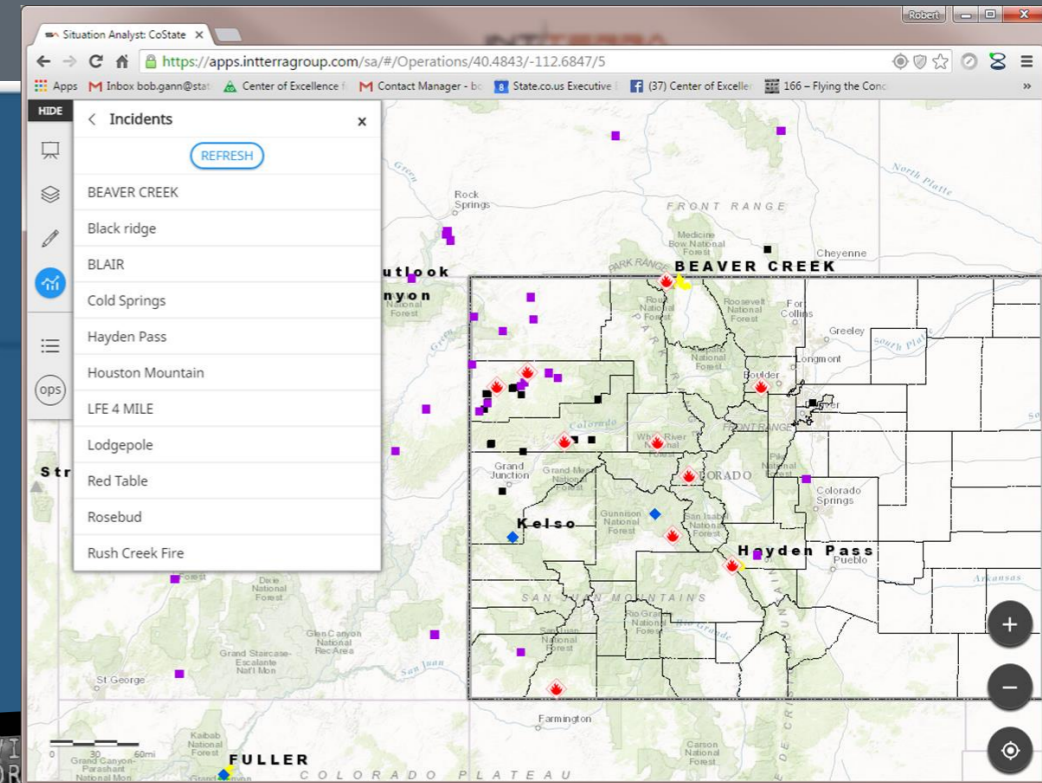
# Multi-Mission Aircraft

	1/1/16 to 9/1/16
Missions	343
Hours	694
Detection Flights	39
Large Fire Support	175
Search and Rescue	7
New Fires Detected	43





# Multi-Mission Aircraft





# Center of Excellence for Advanced Technology Aerial Firefighting

- May 2014: Governor Hickenlooper signs SB 14-164
- August 2014: Interim Director appointed to stand up CoE
- May 2015: Permanent director hired; HB 15-1129 signed
- July 1, 2015: CoE moves to Rifle
- July-December 2015: Hiring, outreach, and project identification
- December 2015: HB 15-1129 contract signed with NCAR
- January 2016: Night Aerial Firefighting Operations Summit
- Today: 8 FTE, 13 Official Projects, Over 1700 research hours since January 1, 2016



# Night Operations

Night Aerial Firefighting Operations Summit, January 2016



Goal: Determine whether or not direct attack on fire at night is feasible in part or all of Colorado



# Satellite Messenger Devices

Testing 3 types of devices for tracking of wildland firefighters in remote areas

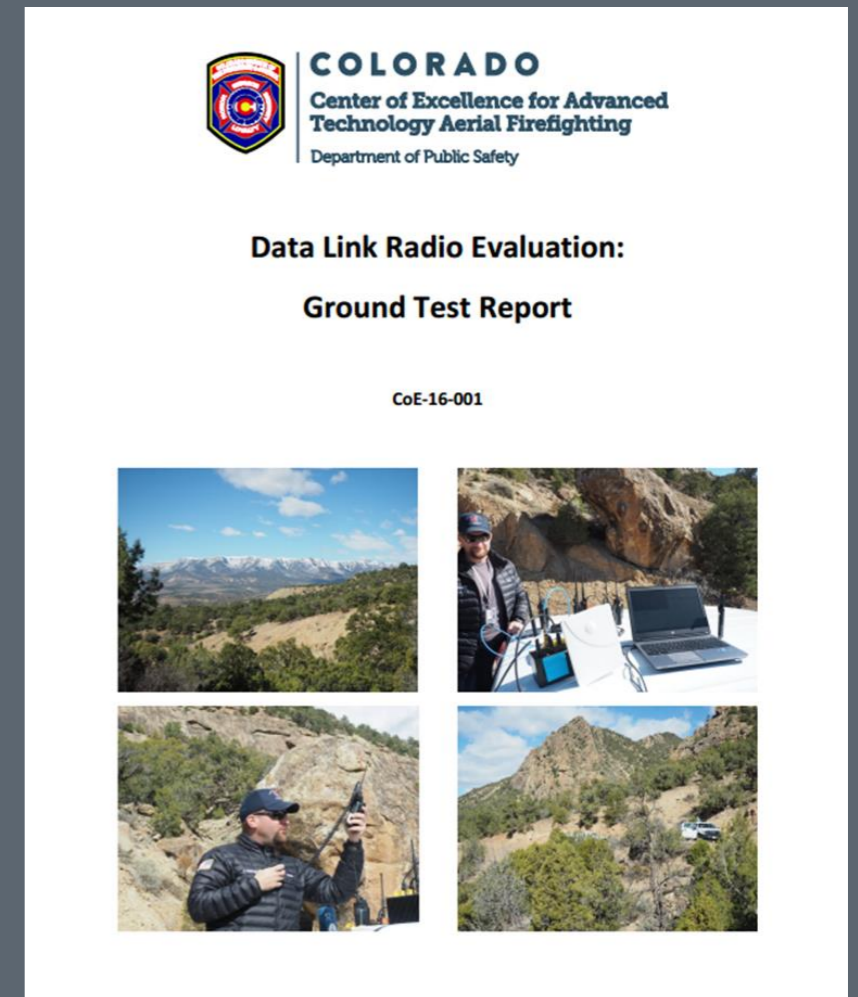


Goal: Compare devices and identify grant funding to assist local agencies in obtaining the appropriate technology



# Air-to-Ground Datalink

Evaluating means by which firefighters can communicate with the MMA and each other in data disadvantaged areas



Goal: Improve the effectiveness of the MMA by ensuring data reaches firefighters regardless of the location of the fire.



# Unmanned Aerial Systems

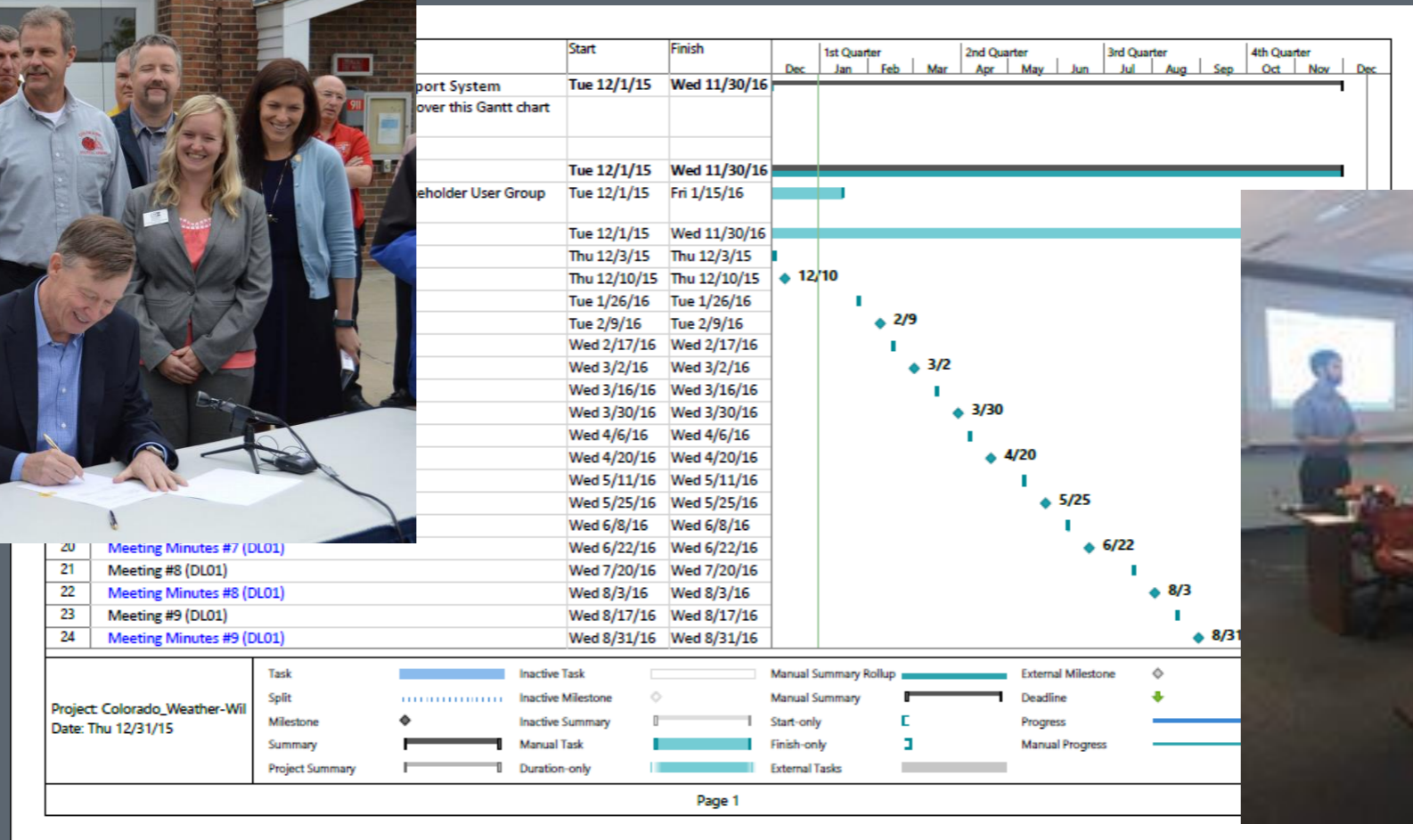
Identifying ways that UAS can improve the efficiency and effectiveness of aerial firefighting through research, training, education, and outreach.



Goal: Obtain a Certificate of Authorization and establish a pilot UAS program for public safety applications

# Colorado Fire Prediction System

House Bill 15-1129 directed the CoE to work with NCAR to establish and support a Colorado wildland fire prediction and decision support system using the latest localized forecast technology and accounting for fire-influenced weather.

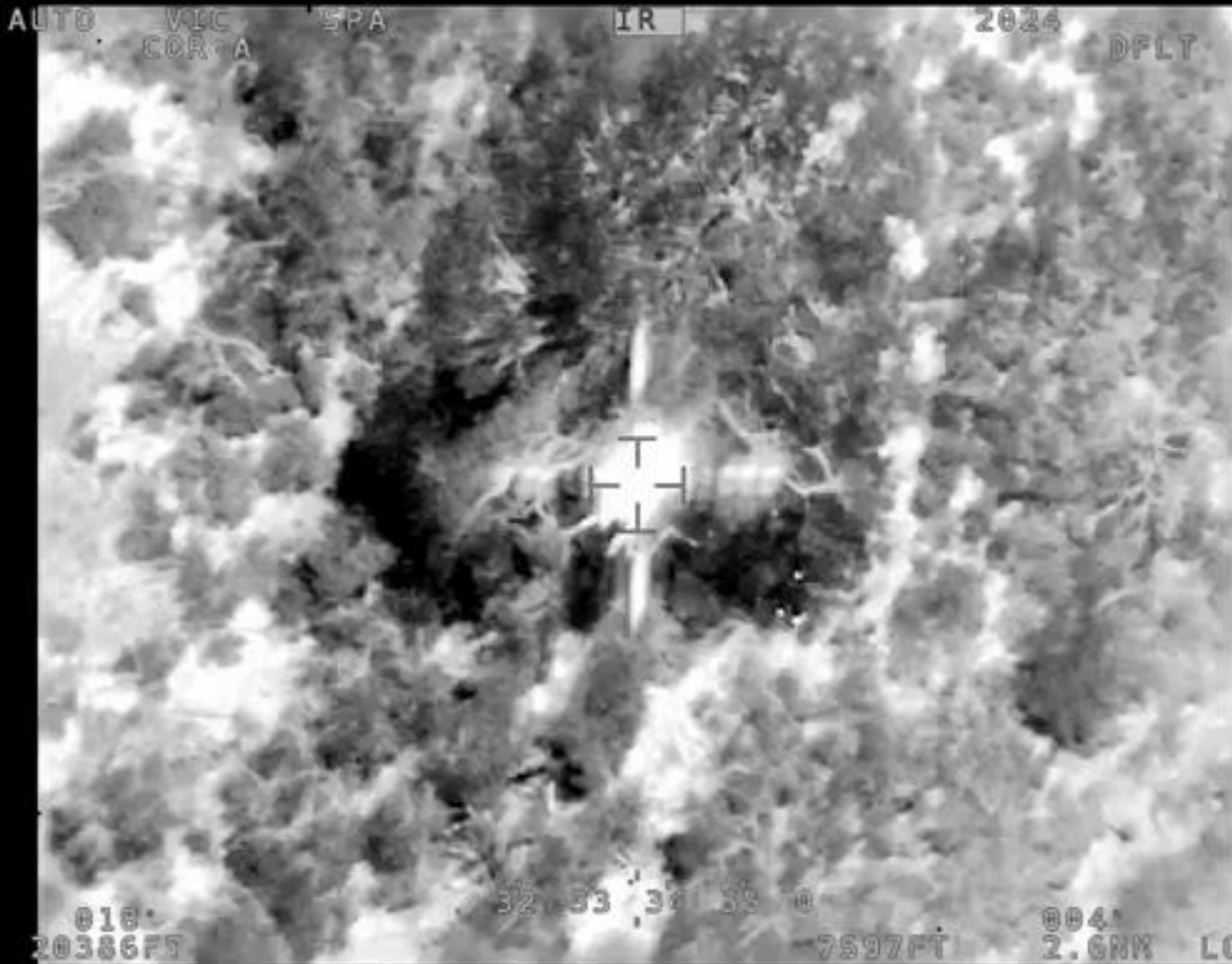


Goal: Work with NCAR to develop a system that is more accurate and more user-friendly than current fire prediction systems to aid in decision making about how fire response might be managed.



# Do You Know the Name of this Fire?

20 JUL 2016  
13:14:52  
UTC-6.0



AUTO AUTO  
AUTO AUTO

↑ N ↓  
-02-  
-03-  
-04-  
-05-

OFF NONE  
TGT  
37:13.75N  
107:29.34W

ACFT  
37:12.24N  
107:29.47W

018  
20386FT

32 33 34 35 @

7597FT

004  
2.6MW

LOS