



D 2021 019

EXECUTIVE ORDER

Declaring a Disaster Emergency and Authorizing Employment of the Colorado National Guard to Assist with Potential Civil Unrest in Colorado

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

Further, pursuant to Article IV, Section 5 of the Colorado Constitution and C.R.S. §§ 16-2.5-144 and 28-3-104, I hereby activate the Colorado National Guard for the purposes of protecting life, property, and public health and safety and authorize employing armed and unarmed members of the Colorado National Guard to assist with potential civil unrest in Colorado.

I. Background and Purpose

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

During a joint session of the United States Senate and United States House of Representatives held on January 6, 2021, to formally count Electoral College votes and certify the results of the presidential election, rioters supporting President Trump overwhelmed security at the United States Capitol in Washington, D.C. The rioters occupied the building for several hours and five people died, including a Capitol Police officer.

Following the attack on the United States Capitol, insurrectionists have called for armed protests in the capitals of all fifty states leading up to, and on, January 20, 2021, the date of the 59th Presidential Inauguration. Over twenty thousand National Guard troops from across the nation have been called to provide security in Washington, D.C. I authorized the activation of members of the Colorado National Guard to assist with the inauguration in Washington, D.C. in Executive Order D 2021 015. Federal and State officials are closely monitoring the security situation in Washington, D.C. and in all state capitals, and the Federal Bureau of Investigation

alerted all states to the risk of additional violence in the next few days, particularly at their capitol buildings.

II. Declarations and Directives

- A. The potential civil unrest in Colorado constitutes a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* I hereby declare a disaster emergency due to potential civil unrest in Colorado.
- B. The State Emergency Operations Plan is hereby activated. All State departments and agencies shall take whatever actions may be required and requested by the Director or Acting Director of the Office of Emergency Management pursuant to the Emergency Support Function 5 Annex of the State Emergency Operations Plan, including provision of appropriate staff and equipment as necessary.
- C. Pursuant to Article IV, Section 5 of the Colorado Constitution and C.R.S. §§ 16-2.5-144 and 28-3-104, I have determined that it is in the best interest of the people of Colorado to activate and employ armed and unarmed members of the Colorado National Guard to protect life, property, and public health and safety, and to assist with law enforcement during potential civil unrest in Colorado leading up to, and on, January 20, 2021. To ensure timely reimbursement to the Colorado National Guard, I authorize encumbering one hundred fifty thousand dollars (\$150,000) from the Disaster Emergency Fund, established in C.R.S. § 24-33.5-706(2)(a), to pay the Colorado National Guard for costs associated with personnel. Pursuant to C.R.S. § 24-33.5-706(4)(b), funds in the Disaster Emergency Fund are hereby found insufficient to pay for the Colorado National Guard authorized in this Executive Order. I therefore transfer one hundred fifty thousand dollars (\$150,000) into the Disaster Emergency Fund from the Major Medical Insurance Fund.
- D. Pursuant to C.R.S. § 24-33.5-705.4(5), the Director of the Office of Emergency Management is hereby authorized and directed to allocate funding to the Colorado National Guard and execute awards, purchase orders, or other mechanisms to effect the allocation of the funds. The funds described in Section II(C) above shall remain available for this purpose until six (6) months from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire on January 23, 2021, unless extended further by Executive Order, except that the funds described in Section II.C above shall remain available for the described purposes for six (6) months from the date of this Executive Order.



GIVEN under my hand and
the Executive Seal of the State
of Colorado, this nineteenth
day of January, 2021.

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

Jared Polis
Governor