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EXECUTIVE ORDER

Declaring a Disaster Emergency Due to an Extremely Dangerous Fugitive At-Large in Garfield County and Ordering to State Active Duty Certain Elements of the Colorado National Guard

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, and in particular vested in the Governor as commander in chief of state military forces under § 28-3-104, C.R.S., and pursuant to the relevant portions of the Colorado Disaster Emergency Act, §24-32-2100 *et seq.*, C.R.S., I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order declaring that a state of disaster emergency has occurred whereby I ordered to active duty part of the Colorado National Guard, and now order reimbursement for this action from the disaster emergency fund.

1. Background and Need.

On October 24, 2006, State Trooper Brain Koch was shot while on a routine traffic stop on a rural Garfield County road about two miles east of Rifle. The suspect fled the scene in his car, later abandoning the car and fleeing on foot. Deputies in Garfield County set up two roadblocks, including one on Interstate 70 near Rifle, and were reviewing a flood of tips from the public on the whereabouts of the suspect. Schools were also locked down during this manhunt.

At 9:00 a.m. on October 25, 2006, I issued a verbal order authorizing the use of National Guard personnel and helicopters to assist in the fugitive manhunt. The day after the shooting, the fugitive killed himself in a vehicle that was stopped at a police checkpoint south of Silt. The Colorado National Guard supplied a team and a helicopter with infrared capabilities from the High Altitude Training Center in Eagle, Colorado to provide airborne search assistance for up to 24 hours.

The lives of people in the Garfield County area were in danger after one officer had been shot by a fugitive that was still at large. Under Colorado Revised Statute §24-32-2103, a state disaster emergency may be called when there is an “imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or

cause of human origin.” Accordingly, on October 25, 2006 I issued a verbal order declaring that the fugitive manhunt constituted a disaster for the purposes of the Colorado Disaster Emergency Act.

2. Mission and Scope.

- A. I hereby declare that the fugitive manhunt constituted a disaster for purposes of §24-32-2103, C.R.S.
- B. Pursuant to C.R.S. § 24-32-2106, I order the encumbrance of \$6,900 from the State Disaster Emergency Fund to the Department of Military Affairs to finance the operation and assistance of the Colorado National Guard.
- C. All verbal orders I issued in regard to this disaster emergency, including my disaster emergency declaration on October 25, 2006, are hereby memorialized by this Executive Order and shall have the full force and effect of law as if they were contained within this Executive Order.

3. Duration

This Executive Order shall expire thirty (30) days from its date of signature unless extended by Executive Order.

GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 28th
day of November, 2006.

Bill Owens
Governor