



# COURT SECURITY CASH FUND COMMISSION

## GRANTS

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FISCAL YEAR 2024/25 GRANT RULES

GRANT APPLICATIONS DEADLINE: 5 p.m., April 12, 2024

PLEASE CONTACT THE OFFICE OF THE STATE COURT ADMINISTRATOR WITH QUESTIONS

[COURTSECURITYGRANTS@JUDICIAL.STATE.CO.US](mailto:COURTSECURITYGRANTS@JUDICIAL.STATE.CO.US)

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## 1-1 Definitions

- A. Annual grants: Grants awarded for supplemental security in a facility containing a state court or probation office. Funds can be used for court security staffing, security equipment or related structural improvements, training on issues of court security, or miscellaneous funding needs associated with issues of court security or security equipment.
- B. Commission: The Court Security Cash Fund Commission created in Section 13-1-203, C.R.S. Each member of the Commission serves a three-year term. Vacancies must be filled by the appointing authority no later than 30 days after the vacating member's last day for the unexpired term. Commission members include:
  - 1. Two representatives of an association that represents county commissioners who are recommended by the association and who are appointed by the governor,
  - 2. Two representatives of an association that represents county sheriffs who are recommended by the association and who are appointed by the governor,
  - 3. Two members of the judicial branch who are appointed by the chief justice, and
  - 4. One member of the general public who is appointed by the chief justice.
- C. Eligible counties: Counties meeting at least two of the four criteria as set forth in Section 13-1-205(3) and (4), C.R.S., and listed in Section 2-1 below. Data for determining eligible counties are provided by the Department of Local Affairs and are revised on an annual basis.
- D. Emergency grants: Grants awarded for supplemental security in a facility containing a state court or probation office. Funds are specifically awarded for emergency needs related to court security.
- E. Fund: The Court Security Cash Fund created in Section 13-1-204, C.R.S.
- F. Local security team: A group of individuals from a county that oversees issues of court security and that includes, at a minimum, the chief judge of the district court in the county or their designee, the sheriff or their designee, and a county commissioner or county manager or their designee.
- G. Official act or official action: Any vote, decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority.

## 1-2 Authority and Basis

- A. The Court Security Cash Fund Commission was established by Senate Bill 07-118 and is codified in Section 13-1-201, *et. seq.*, C.R.S. The Commission and the Fund are intended to provide counties with supplemental security funding at a facility containing a state court or probation office. Grants from the fund will be given to counties based on the criteria specified in 2-1 of these Rules for:
  - 1. The provision of ongoing security staffing to the counties with the most limited resources,
  - 2. The purchase of security equipment or related structural improvements,
  - 3. The provision of training for the local security teams on issues of court security,
  - 4. Miscellaneous funding needs associated with issues of court security or security equipment, or
  - 5. Emergency needs related to issues of court security or court equipment.

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- B. Per Section 13-1-201(1)(b), C.R.S., the responsibility for providing adequate security for state court facilities rests with county governments. However, the level of funding and services that each county can provide for security varies throughout the State.

### 1-3 Purpose and Scope

- A. The purpose of these Rules is to define who may apply for grants from the Court Security Cash Fund Commission, how awarded funds may be used, the basic application procedures, and the use of the Fund by the State Court Administrator.
- B. These Rules prescribe the procedures to be followed in making, filing, and evaluating grant applications, the criteria for evaluation, the compliance review process used to ensure that counties are using each grant award as specified, and guidelines necessary for administering the program.

### 1-4 Funding

- A. The Fund consists of any moneys appropriated by the General Assembly.
- B. Surcharges assessed and collected on specific court fees as defined in Section 13-1-204(1)(b), C.R.S., are credited to the Fund.
- C. The State Court Administrator may accept gifts, grants, or donations from any private or public source for the purpose of implementing the Fund or Commission.
- D. All moneys credited to the Fund shall be available for grants awarded by the State Court Administrator, based on recommendations of the Commission, to counties for the purposes described in these Rules.
- E. The State Court Administrator may use a portion of the moneys for administrative costs incurred through the implementation of the Court Security Cash Fund and the Court Security Cash Fund Commission.
- F. Any unexpended or unencumbered moneys remaining in the Fund at the end of any fiscal year, along with any investment earnings derived from the deposit and investment of moneys in the Fund, shall remain in the Fund and shall not be credited or transferred to the general fund at the end of the year.
- G. The grant fiscal year is July 1, 2024, through June 30, 2025.

### 2-1 Who May Apply

- A. Only Colorado county governments are eligible to apply and must do so via their local security team as defined in 1-1 of these Rules.
- B. Grant awards will be distributed based on the following priority schedule:
  1. Requests from counties that meet the criteria below shall have the highest priority, and
  2. Requests for moneys for personnel costs shall be given subsequent priority.
- C. Counties that meet at least two of the four criteria below shall be given the highest priority for need-based grants for supplemental court security personnel services:
  1. Counties in which the total population is below the state median, as determined by the most recent data published by the Department of Local Affairs.
  2. Counties in which the per capita income is below the state median, as determined by the most recent data published by the Department of Local Affairs.

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3. Counties in which property tax revenues are below the state median, as determined by the most recent data published by the Department of Local Affairs.
  4. Counties in which the total county population living below the federal poverty line is greater than the state median, as determined by the most recent census published by the United States Bureau of the Census.
- D. Attachment A lists the priority level of counties as determined by data provided by the Department of Local Affairs. Attachment B illustrates the same information on a map. This list will be utilized by the Commission in determining priorities for grant funds when reviewing and selecting grant applications.

## 2-2 Use of Grant Funds

- A. Funds shall only be used to supplement existing county funding for:
  1. Security staffing at a facility containing a state court or probation office,
  2. Security equipment or related structural improvements for a facility containing a state court or probation office,
  3. Training on issues of court security, or
  4. Miscellaneous funding needs associated with issues of court security or security equipment.
- B. Funds shall not be used for:
  1. Architectural services,
  2. Non-security related construction,
  3. Firearms,
  4. POST certification training,
  5. Computers and computer servers unless they are an integral part of a security system (e.g., surveillance system or access control system),
  6. Law enforcement equipment that could not clearly be identified as having a court security purpose,
  7. Vehicles,
  8. ADA compliance issues that do not concern security, or
  9. Emergency lighting already required by a Fire Marshal.
- C. Grants from the Fund shall not be used to supplant moneys already allocated by a county for court security purposes or any county funding in counties with the means to support their court security needs.
- D. Grant recipient employees and agents are not employees or agents of the Judicial Department. Recipients shall have no authorization, express or implied, to bind the Judicial Department to any agreements, liability, or understandings except as expressly stated in the grant conditions. The county shall pay, when due, all required employment taxes and income tax withholding on any funds paid to it pursuant to this grant award.
- E. Grant funds shall not be used to reimburse expenses associated with the project that were incurred or contracted for prior to the effective date of the grant contract.
- F. Counties must ensure that open procurement procedures will be followed for purchases for goods and services made as part of the project for which grant funds were awarded.

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1. The county shall provide documentation of the procurement procedure followed for any purchase under this award to the Judicial Department upon request.
  2. The county will comply with their own procurement policies and procedures for purchases made using grant funds.
  3. If the county does not have procurement policies and procedures, they shall comply with the Judicial Department’s Procurement Rules.
- G. No indirect costs associated with the grant or the project shall be allowed from grant funds.
- H. Pursuant to Section 1-45-117, C.R.S., grant funds shall not be used for any advocacy-related services. For purposes of these Rules, “advocacy-related services” means actions to urge electors to vote in favor of or against a current or future ballot issue or referred measure.
- I. Pursuant to Section 24-80.1-104, C.R.S., construction or capital improvement plans for use of grant funds on a courthouse listed on the State Register of Historic Properties shall be provided to the State Historical Society for review of the proposed project.
- J. The Commission may consider granting funds on a contingency basis as matching funds for a county applying for State Historical Fund or Department of Local Affairs’ grant funds. If the State Historical Fund or Department of Local Affairs grant is not awarded to the county, the Commission shall withdraw the grant of contingent funds or, in the Commission’s discretion, modify the purpose and amount of the grant.

### 2-3 Regular Grant Application Procedures

- A. Applications for grants from the Fund shall be submitted in the manner adopted by the Commission, in accordance with the timelines and guidelines as set forth in these Rules.
- B. Applications shall be made to the Commission through the Office of the State Court Administrator.
- C. Applications must be entered and submitted by the deadline using the Office of the State Court Administrator’s online grant management system.
  1. All sections of the application must be completed and contain all required approvals from each member of the local security team, which includes the chief judge, board of county commissioners, and sheriff, or a duly authorized representative of any one of the aforementioned members, prior to submission.
  2. Incomplete applications will not be considered for grant award.
  3. Applications will not be accepted by any method other than the online grant management system, including email, fax, post, or in person.
  4. Complete applications received on or before the deadline will be considered for award.
  5. Applications completed after the deadline will not be considered for grant award.
- D. Potential applicants may contact the Office of the State Court Administrator during the application process if they have questions about or need clarification related to the Rules or the grant application process.
- E. The Office of the State Court Administrator may contact and obtain clarifying information and materials after the application due date from an applicant that has submitted an application by the due date to aid in reviewing and scoring the application. This may result in an applicant submitting a revised application with additional information.

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## 2-4 Emergency Grant Application Procedures


- A. On an annual basis, the Commission may set aside a specific amount of appropriated funds to allow for emergency awards.
- B. Applications for grants from the Fund shall be submitted in the manner adopted by the Commission, in accordance with the timelines and guidelines as set forth in these Rules.
- C. Applications shall be made to the Commission through the Office of the State Court Administrator.
- D. Emergency funding applications may be submitted at any time during the year. Applications requesting emergency grant funds will be given immediate priority and consideration for approval, depending on the availability of grant funds at the time of application.
- E. Applications must be entered and submitted using the Office of the State Court Administrator's online grant management system.
  1. All sections of the application must be completed and contain all required approvals from each member of the local security team, which includes the chief judge, board of county commissioners, and sheriff, or a duly authorized representative of any of the aforementioned members, prior to submission.
  2. Incomplete applications will not be considered for grant award.
  3. Applications will not be accepted by any method other than the online grant management system, including email, fax, post, or in person.
- F. Potential applicants may contact the Office of the State Court Administrator during the application process if they have questions about or need clarification related to the Rules or the grant application process.
- G. The Office of the State Court Administrator may contact and obtain clarifying information and materials after the application due date from an applicant that has submitted an application by the due date to aid in reviewing and scoring the application. This may result in an applicant submitting a revised application with additional information.

## 3-1 Selection Criteria

- A. Applications to the Court Security Cash Fund will be reviewed and selected in a manner that supports the intent of the Fund to ensure the safety of employees and users of state court facilities.
- B. The Commission shall review the applications to ensure that they meet the intent of the Fund to provide supplemental court security in counties with the most limited financial resources.
- C. Applications requesting funds for any use other than those approved under Section 2-2 A are ineligible for a grant award and will not be considered.
- D. There is no minimum amount for either annual or emergency grant applications or awards.

## 3-2 Consideration of Grant Applications

- A. The Commission will consider all valid applications for possible funding based upon the criteria contained within these Rules and including, but not limited to, the legislative declaration in Section 13-1-201, C.R.S.
- B. The Commission may also consider the following aspects in reviewing grant applications:

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1. The county has agreed to disclose pertinent financial statements to the Commission or the State Court Administrator for review.
2. The county has demonstrated good faith in providing security before seeking a grant from the Fund.
3. The State Court Administrator is satisfied that the county does not have significant uncommitted reserves.
4. The State Court Administrator is satisfied that the organization does not have deficiencies related to the services to be provided or financial obligations to be undertaken through this grant.
5. Where applicable, the county's ability to meet all grant conditions and rules in the prior award period, including, but not limited to, timely grant reporting and reimbursement requirements.
6. Where applicable, the results of any programmatic and/or financial review or audit of the county's performance in the prior grant award period.

### 3-3 Grant Selection

- A. The Commission shall document its final recommendations to the State Court Administrator.
- B. The Commission may recommend multiple grants be awarded during any grant cycle.
- C. The Commission may expand the criteria used for evaluating grant applications beyond those explicitly stated in these Rules if such additional criteria are necessary for selection of a grant award recipient.
- D. The Commission is not obligated to award grants from the Fund during any grant cycle.
- E. A prior grant award is not a guarantee of future or continued grant awards from the Fund.

### 3-4 Grant Approval

- A. An affirmative vote of the majority of the Commission members attending the annual award meeting shall be required to recommend a grant application to the State Court Administrator for award. If subsequent emergency awards are requested, an affirmative vote of the majority of the Commission members shall be required to recommend a grant application to the State Court Administrator for award.
- B. A Commissioner shall recuse themselves from the deliberation and vote on a specific application if there is an appearance of impropriety or conflict of interest as it relates to the application.
- C. The Commission will submit a list of recommended grant applications to the State Court Administrator for final approval.
- D. The State Court Administrator will issue a final approval of grant applications.
- E. The decision of the State Court Administrator shall be final and shall not be subject to any appeal.
- F. Upon final approval, the State Court Administrator will notify the grant recipients.

### 3-5 Conflicts of Interest

- A. It is the policy of the Judicial Department and the Court Security Cash Fund Commission that Commission members engaged in the process of awarding grant funds shall conduct themselves in a manner to avoid (i) actual or apparent conflicts of interest, (ii) the appearance of



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impropriety, or (iii) an adverse effect on the confidence of the public in the integrity of the judicial system, consistent with Section 24-18-101, *et seq.*, C.R.S., and Chief Justice Directive 08-06.

1. Commission members shall not perform an official act which may have a direct economic benefit on a business or other undertaking in which such member has a direct or substantial financial interest. "Financial interest" means a substantial interest held by an individual which is: (i) an ownership interest in a business, (ii) a creditor interest in an insolvent business, (iii) an employment or a prospective employment for which negotiations have begun, (iv) an ownership interest in real or personal property, (v) a loan or any other debtor interest, or (vi) a directorship or officership in a business.
  2. Commission members who are elected government officials shall refrain from taking any official action on specific grant applications submitted by the jurisdiction they serve in an elected capacity.
  3. Commission members who are judicial officers shall refrain from taking any official action on specific grant applications submitted by a county within the judicial district they serve.
- B. In situations where official action will be taken on a matter for which committee members have such a conflict or in which there may be the appearance of such a conflict, such members shall absent themselves from the hearing room or other venue prior to any discussion of the action and until such action has been taken.


### 3-6 Chair

- A. The Commission members shall, by majority vote, elect a chair for purposes of conducting Commission business and meetings in a more orderly and efficient manner. The chair shall serve terms as set by the Commission members.

### 4-1 Award and Disbursement Process

- A. The Office of the State Court Administrator will provide notification of grant award to the counties awarded.
- B. The Office of the State Court Administrator will provide a grant contract via the Department's online contract management system. The county must complete the grant contract process using this system.
- C. The Office of the State Court Administrator will coordinate the disbursement of grant funds to the county. Such disbursements will be made solely for the reimbursement of actual expenses incurred by the county and in accordance with the grant contract.
- D. Payment requests must include detailed supporting documentation. The State Court Administrator shall review the sufficiency and appropriateness of all payment requests and supporting documentation.
  1. Recipients must include a spreadsheet showing the calculations used to determine the expenses claimed for reimbursement.
  2. Personnel expenses must include official payroll documentation, including timesheets and a payroll report or paystub, showing the hours worked and pay rate for each county staff member claimed for reimbursement. If the staff member works in multiple areas,



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timesheets must clearly identify total hours and the hours spent on court security funded by this grant. Requests can include only the actual time worked providing security at a state court facility or probation office.

3. Non-personnel expenses must include backup that consists of the applicable invoices, receipts, payment applications, and/or other documents itemizing payment details.
4. The State Court Administrator reserves the right to require additional supporting documentation prior to disbursement.

#### 4-2 Grant Recipient Obligations

- A. The county is responsible for preparing and submitting all programmatic reports, financial reports, and payment requests required by the State Court Administrator, including additional supporting documentation.
- B. The county is responsible for all costs incurred in excess of the grant award that are associated with the grant.
- C. Once a county has been awarded a grant, the county shall use the grant funds as designated and described in the grant application and contract.
- D. The county shall immediately notify the State Court Administrator in writing if the county becomes aware that the grant funds awarded will exceed total project costs.

#### 4-3 Project Review and Compliance

- A. The purpose of the compliance review process is to determine if the county is using grant funds as specified in the grant award and in accordance with generally accepted accounting principles.
- B. Depending on the timeframe established in the grant contract or upon request by the State Court Administrator, the grant recipient shall submit a narrative report to the State Court Administrator detailing specifically how funds have been used.

#### 4-4 Denial or Termination of Funding

- A. The State Court Administrator and the Commission may, in whole or in part, deny or terminate funding for, or impose another sanction on, a Recipient for any of the following reasons:
  1. Failure to comply substantially with the requirements and objectives of the Court Security Cash Fund, Rules issued thereunder, or other provisions of federal, state, or local law.
  2. Failure to adhere to the requirements, standard conditions, or special conditions of the State Court Administrator or the Commission.
  3. Failure to adhere to the requirements or guidelines of the grant contract.
  4. Submitting a request for payment for goods or services not included in the scope of the original application and the purpose of the Fund.
  5. Proposing or implementing substantial project changes to the extent that, if originally submitted, the application would not have been approved for funding.
  6. Failure to submit documents as required by these Rules and the grant contract.
  7. Filing a false certification or request for payment in the application or other report or document.
  8. Other good cause shown.

### Attachment A: County Priority List

Fiscal Year 2025 Priority Level\* for Court Security Cash Fund grants by county, based on 2022 data.

Range: 0 (lowest) to 4 (highest)

County	Priority Level	Highest Priority	County	Priority Level	Highest Priority
Adams	1		Kit Carson	3	Yes
Alamosa	3	Yes	La Plata	1	
Arapahoe	0		Lake	2	
Archuleta	2		Larimer	1	
Baca	4	Yes	Las Animas	4	Yes
Bent	4	Yes	Lincoln	4	Yes
Boulder	1		Logan	2	
Broomfield	0		Mesa	2	
Chaffee	2		Mineral	3	Yes
Cheyenne	4	Yes	Moffat	3	Yes
Clear Creek	1		Montezuma	2	
Conejos	4	Yes	Montrose	2	
Costilla	4	Yes	Morgan	2	
Crowley	4	Yes	Otero	3	Yes
Custer	3	Yes	Ouray	2	
Delta	3	Yes	Park	0	
Denver	1		Phillips	4	Yes
Dolores	4	Yes	Pitkin	0	
Douglas	0		Prowers	4	Yes
Eagle	0		Pueblo	2	
El Paso	0		Rio Blanco	4	Yes
Elbert	0		Rio Grande	4	Yes
Fremont	3	Yes	Routt	0	
Garfield	0		Saguache	4	Yes
Gilpin	2		San Juan	4	Yes
Grand	0		San Miguel	1	
Gunnison	0		Sedgwick	4	Yes
Hinsdale	2		Summit	0	
Huerfano	4	Yes	Teller	0	
Jackson	4	Yes	Washington	4	Yes
Jefferson	0		Weld	0	
Kiowa	4	Yes	Yuma	4	Yes

\*Per Section 13-1-205(3) & (4), C.R.S.

Criteria – One priority point per criteria met by county.

Counties that meet at least two of four criteria listed below are given the highest priority for need based grants for court security personnel services:

- (a) Counties in which the total population is below the state median;
- (b) Counties in which the per capita income is below the state median;
- (c) Counties in which the property tax revenues are below the state median; or
- (d) Counties in which the county population below the federal poverty line is above state median.

Attachment B: County Priority Level Map

