

Crested Butte Marshal's Department



2019

Annual Report

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1. Mission Statement

It is our mission in partnership with our community, to provide an exemplary level of service and protection to the residents and businesses of Crested Butte and to all those who may visit, work in, or travel through our community. We will serve the community through integrity, honesty, dedication, loyalty, and professionalism to enforce the law without prejudice or bias. We vow to vigorously pursue those who commit serious crimes against these people. We will respect the rights of those accused of committing crime, as well as being sensitive to those victimized by crime.

2. Administration and Logistics

200 Code of Conduct

Deputies are sworn to uphold the U.S. and Colorado Constitutions and to enforce federal, state and local laws. All personnel, prior to assuming sworn officer status, shall take and subsequently abide by an oath of office to enforce the laws of the Town of Crested Butte, the State of Colorado and the United States of America, and to uphold the Constitution of the United States and the State of Colorado.

Sworn personnel of the Crested Butte Marshal's Department, by virtue of their oath to office, Colorado Revised Statute 31-15-401 and the United States Constitution reserving police powers to the States, shall have the power and authority, and it shall be their duty, to enforce the ordinances of the Town of Crested Butte, and the laws of the state of Colorado and the United States.

Prior to assuming the duties of a peace officer, all certified employees shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Colorado Constitution Article XII Section 8).

201 Standard Operating Philosophy

Our doctrine does not consist of procedures to be applied in specific situations so much as it establishes general guidance that requires judgment in application¹. Not only must we not stifle boldness or initiative, we must continue to encourage both traits in spite of mistakes¹. Officers are hired and trained for their judgment and initiative; we expect they will use both.

Errors by junior officers stemming from over-boldness are a necessary part of learning. We should deal with such errors leniently: there must be no "zero defects" mentality.² With the admonishment that we are all accountable for our actions and, respecting that errors in officer safety can prove particularly costly, we must learn from errors and correct them before they become mistakes. Critical self-analysis, even after success, is essential to improvement.¹

⁽¹⁾ "Warfighting". US Marine Corps.

⁽²⁾ On War. Clausewitz cited by "Warfighting: US Marine Corps."

202 Legal Nicotine ordinance



Ordinance No. 8 Series 2019 adding code section 10-6-60 Prohibiting Possession of Tobacco Nicotine Products by Persons Under Age 18 to General Offenses and Providing Penalties for Violation.

Snow Shed ordinance

Ordinance No. 27 Series 2019 amending Chapter 11 of the Municipal Code to Include New Regulations Requiring Removal of Snow-Ice From Roofs.

203 Demographics (2018)

Elevation	8,885
CB population	1,565
CB housing units	1,182
CB blocks	100
N valley CBFPD area	220 sq mi.
CBCS	773+Staff
CB liquor licenses	54
CB MJ dispensaries	4
Mt CB population	850
Total N valley population	6,000+/-
Gunnison County population	16,871

3. Organizational Structure and Responsibility

300 Jurisdiction

Officers are authorized full police powers within the Town Limits of the Town of Crested Butte. After the new Gunnison County Sheriff, John Gallowich, was placed into office in 2019 our officers were sworn in as Special Deputies on January 16th.

Officers commissioned in another jurisdiction may exercise full police powers under the commissioning agency’s authority (i.e. Gunnison County).

301 Structure and Personnel

The rank structure of the Marshal’s Office is specifically addressed toward recognizing the special knowledge, experience, training, time in-service and ability of the officers of this department. Officers with more experience mentor junior officers. Mentorship and training of an officer’s “replacement” is necessary to an orderly succession within the Marshal’s Department.





Administration

Office Manager **Kayce Barnett** 610: Started her career with CBMO in 2014. Kayce is responsible for overseeing the management and organization of the office and records. Kayce manages a myriad of electronic and paper records and accounts for NIBRS (FBI statistical reporting), sex offender registration, data collection, and the submission of BustedintheButte articles. Kayce works routinely with the general public to legally release records and with other agencies, such as the District Attorney, to properly submit discovery for criminal cases.

The Chief Marshal – The Chief Marshal is the Commanding Officer in charge of the Marshal's Office. The Chief works under the supervision of the Town Manager. The Chief Marshal has the responsibility for directing the performance of all subordinates.

Michael Reily 601: Mike started his career in 1991 with the New Orleans Police Department before moving to Colorado and being hired by Crested Butte in 1997. Mike is a graduate of the IACP's Leadership in Police Organizations; and a former IPMBA Mountain Bike Patrol, Firearms, Defensive Tactics, Less Lethal, Taser, and Active Aggressor instructor. Mike is currently a Nationally Registered EMR and former EMT-B/IV. Mike is also a volunteer Lieutenant with CB Fire/EMS.

The Assistant Chief Marshal – The Assistant Chief Marshal is second in command and Executive Officer of the Marshal's Office. The Assistant Chief works under the supervision of the Chief Marshal. The Assistant Chief maintains general supervision



over the operation of the personnel under their command to ensure all policies, rules, regulations, orders and directives of the department are communicated to, implemented by, and followed by their subordinates.

Joseph Dukeman 602: Joe started his career with CBMO in 2006. Joe is a current Police Training Officer, Firearms instructor and the Department's Training coordinator. Joe is a former Less-Lethal instructor, EMT-B and professional Ski Patroller.

Supervisors

Deputy Marshal IV (Supervisor) **Sean Besecker** 603. Sean started his career with CBMO in 2011. Sean is the Department's Police Training Officer (PTO) Coordinator as well as an FBI defensive tactics and Taser Instructor. Sean is a graduate of the FBI LEEDA Supervisor Leadership Institute

Deputy Marshal IV (Supervisor) **James Beda** 604. James started with CBMO in 2013 having served as a federal police officer for one year prior to his service here. James is a US Army veteran with combat experience in Iraq. James is one of the Department's Police Training Officers, Less-Lethal and Standardized Field Sobriety Testing instructor. James is Precision Rifle certified and a Crisis Intervention Trained officer. James is also one of the Department's armorers.

Deputies

Deputy Marshal II **Peter Daniels** 605: Peter started his career with CBMO in 2004. As the second longest serving member of the Marshal's Office, Peter enjoys a wide breadth of knowledge and experience. Peter has been certified as an arrest control instructor in two disciplines and is currently a Tactical Patrol Rifle, shotgun, and handgun instructor. Peter a graduate of an FBI Hostage/Crisis Negotiations course, as well as Series II Hostage Crisis Negotiations. Peter is also the Department's Evidence Technician and is the go-to officer for bicycle safety rodeos.

Deputy Marshal II **John Chandler** 606: John started his career with CBMO in 2016. John is the Department's Intoxilyzer Instructor and responsible for maintaining the Intoxilyzer 9000. John is the department's shotgun armorer. John is Precision Rifle certified and a Crisis Intervention Trained officer.

Deputy Marshal I **Cynthea Gunderson** 607: Cynthea started her career with CBMO in 2018. Cynthea is a former Army Medic and current volunteer EMT-B/IV with CB Fire/EMS.

Deputy Marshal I **Ryan Dawes** 608: Ryan started his career with CBMO in 2019. Ryan is a former Navy Seabee with two combat tours in Afghanistan. He is working on a bachelor's degree at Western Colorado University in Sociology and Psychology.

302 Shifts

The Officer Manager typically works 8a-5p shifts from Monday through Friday. Officers typically work 16 10-hour shifts in a 28 day cycle. Shifts are divided into



day and night shifts with shift coverage in the off-hours by callout. Shifts span the week from Sunday to Wednesday and Wednesday to Saturday. The overlapping Wednesdays are assigned as training days. Care is taken to place staffing when and where it is needed; especially during special events.

303 Training

All members of the department undergo regular training. Colorado POST mandates 24 hours of training annually and the Department exceeds that by many hours. Officers conduct regular training in the high liability areas of Firearms, Defensive Tactics, Driving, legal issues and policy.

The Department's Police Training Officer (PTO) Program is designed after Reno, Nevada's adult learning model training program. Our intensive PTO training lasts about 3 months and is supplemental to the Academy training an officer receives. In addition to reiterating all of the lessons learned at the Academy, PTO trainees learn skills from 15 Core Competency areas with emphasis on Problem Based Learning for community-oriented policing and problem solving in Crested Butte. The course of study pairs new officers with experienced veteran officer who have shown a strong aptitude for training.

At the beginning of 2019 Deputy Marshal Cynthea Gunderson started the Police Training Officer program with our PTO trainers Sean Besecker and James Beda. Along with Chief Reily and Assistant Chief Dukeman, Deputy Gunderson completed the PTO program in May of 2019 and started patrolling on her own.

In March James Beda graduated from the Reno Model Police Training Officer program. A rigorous, week-long, adult-learning based model for training police officers.

In March James also attended an instructor level training for Standardized Field Sobriety Tests so we can conduct our required annual in-house training

In June Sean Besecker graduated from the FBI LEEDA Supervisor Leadership Institute in Golden, CO.

On August 26-27 the Marshal's Office and Mt Crested Butte Police hosted region-wide training with the Force Science Institute where attendees received training in human performance and behavior in high-stress encounters. The training provided attendees with the most advanced, professionally-relevant understanding of the complex scientific principles and human factors impacting performance. Force Science training is designed to enhance accuracy in the investigative process, help protect career, agency, and community integrity, as well as lives.

9/15-20/2019 Pete, Cynthea and Ryan completed the MesaTac basic SWAT school in Grand Junction.

In September Cynthea graduated from the 4-day Reid Interview School in Greenwood Village.



James attended the Colorado Drug Investigator Association's training summit in Breckenridge.

On September 28th Ryan completed our in-house Police Training Officer training and started patrolling on his own.

304 Awards

On April 1 Deputy Marshal John Chandler met all of the requirements and successfully tested for promotion to Deputy Marshal II.

On December 4 Deputy Marshal James Beda met all of the requirements and successfully tested for promotion to Deputy Marshal IV. After this promotion James is one of the Department's supervisors.

4. Department Equipment

400 Standard Equipment

Officers typically wear between 25 and 30 pounds of gear when they are working uniformed patrol. While working uniformed patrol, officers are required to wear protective body armor which is contained in an outer carrier designed to better distribute the heavy load they carry. Officers are authorized departmental or personal Taser X2, handgun, shotgun and patrol rifle. Officers are issued a DTRS handheld radios and vehicles with additional DTRS and VHF radios for communication with other public safety users and Dispatch.

401 Patrol Vehicle Use

The Department assigns vehicles to full-time deputies for patrol use. The take-home vehicle program has demonstrated long-term fiscal and service benefits to the Town. Vehicles get better care during operation and storage, and accumulate fewer annual service miles and hours of operation than pool vehicles which results in an extended vehicle service life. Vehicles subsequently require less frequent replacement and a reduced frequency of transfer and replacement of support equipment (radios, emergency, safety equipment, etc.). Ultimately, per mile operational costs are reduced.

The take-home vehicle program reduces the risk of fleet damage due to acts of nature or disaster (e.g., hail damage, tornado, floods, snowstorms) as well as planned or opportunity based intentional damage and vandalism, domestic destruction and/or terrorism which might render the entire fleet unavailable for deployment.

Deputies are responsible for the care and maintenance of their vehicles and have the vehicle ready in the event they are called to duty.

Assigned vehicles - 8

2007 Chevrolet Tahoe, #55, Dawes, 82,800 miles
2008 Nissan Pathfinder, #54, Daniels, 49,000 miles
2013 Chevrolet Tahoe, #60, Dukeman, 45,430 miles
2014 Chevrolet Tahoe, #59, Besecker, 35,860 miles



2015 Chevrolet Tahoe, #58, Reily, 31,500 miles
 2016 Chevrolet Tahoe, #57, Gunderson, 34,000 miles
 2017 Chevrolet Tahoe, #51, Chandler, 14,500 miles
 2018 Chevrolet Tahoe, #62, Beda, 23,445 miles

Department vehicles - 3

2018 Zero FXP, electric motorcycles (2), E5, 1,197 miles and E6, 1,046 miles
 2004 Chevrolet Incident Support Vehicle, 228,031 miles

402 Other Significant Department Property

The department is monitored by a camera system and DVR recorder.

Each officer has a computer work station with which to conduct investigations and complete the extensive reporting to document their activities.

The Marshal's Office has three Getac tablet computers obtained on a grant for CAD and report use in the field.

5. 2019 Budget Overview

501 General (select)

	Annual Budget	Expense	Variance
Overtime	10,000	8757.51	+1242.49
Office	6,000	4914.50	1085.50
Equipment	15,000	21601.92	-6601.92
Uniforms	8,255	7753.68	+501.22
Vehicles	17,000	17624.36	-624.36
Victim Advocate	6,364	6,364	0
Language line	200	0	+200
Dispatch	65,460	65,460	0
Travel/Education	8,000	4,230.09	3,769.91
Dues/Subscriptions	1,500	1329.07	170.93
Medical	250	1,087.50	-837.50
8 th Officer	0	10,541.73	-10,541.73

502 Capital

	Annual Budget	Expense	Variance
Vehicle	0	0	0

6. Activity

CBMO routinely conducts mutual aid with CBFPD and MtCBPD and works well with other area agencies such as Colorado Parks and Wildlife, Colorado State Patrol, Gunnison Sheriff's Office and the Gunnison Police Department.

600 Special Events

4 January 12th Night Bonfire



27 January Fat Bike World Championship-Downtown Winter Crit

1-2 February Alley Loop Marathon and Pub Crawl

5 March Mardi Gras

Security and escort provided as usual.

6 April Flauschink Parade

Summer Crested Butte Farmer's Market

The markets are well run and able to self-police.

Summer Alpenglow

CFTA security doing a good job of keeping the crowds safe.

7-15 June Ride the Rockies

The event did not particularly effect the Marshal's Office operations but there were far greater demands placed on the Chamber of Commerce and a limited extent the Town.

14 June Friday Night Fish Fry

15-16 WESA Adult Soccer Tournament

28-30 June CB Bike Week IR19-117

The chainless race went well and ran smoothly this year. Some consideration is needed in future events with extending the safety barrier in the 10 block of Elk Av on the north side of the street.

Bridges of the Butte is a good fundraiser for Adaptive Sports and as long as the town supports the 24-hour nature of the event (and all of the sideshows that go along with it) the event will likely stay in that format. CBMO officers were scheduled for full 24 hour coverage with a regular night officer and two overnight officers; one early morning power shift and a regular day officer providing the coverage.

30 June Black and White Ball

4 July Independence Day IR19-129

The Gothic to Crested Butte 1/3 Marathon and Independence Day went off without much of a hitch. 8,000-10,000 people in town and enough small issues to keep all of the Marshals busy and the town safe with no major issues we couldn't handle. The Chamber did a great job in keeping the 60 plus parade groups moving, the crowds were plentiful, and later that evening officers were able to clear the fireworks traffic off of the Mountain in about 45 minutes.

2-4 August Arts Festival

Rotary Rubber Ducky Race

2-3 September People's Fair

Flower boxes were not removed from the south side of Elk and Third which created a restriction should emergency vehicles need to access Elk Av.

21 September Vinotok IR19-190

Crowds were estimated in the 3,000-4,000 range. Overall the event went off without many issues. The stage for the trial was placed in line with the south parking strip on Third St at Elk Av which seemed to work well from a crowd management and movement standpoint and met the theatrical requirements of the show.

Fall

Hunting seasons.

Winter



Ski season special event and large group weekends.

601 Statistics

	2017	2018	2019
Agency Assists	251	320	391
Alcohol offense Cites	9	7	5
Business Checks	1683	1572	1856
Case Follow Up	379	456	490
Courtesy Transports	77	93	99
Fingerprinting	24	20	22
Pedestrian Contacts	452	412	412
Reports/Supplemental	262	262	242
Residence Checks	219	307	503
VIN checks	71	65	45

602 Major Incidents, Mutual Aid and Emergency Management

3/1/19 The MO assisted CBFDP with an urban avalanche partial burial in the 200 block of Teocalli Avenue. The victim was pinned to a fence where crews dug him out safely and without injury.

3/8/19 Deputies responded with MtCBPD and CBFDP to an urban avalanche in Mt Crested Butte which completely buried the victim. Once crews arrived on scene they were able to remove and transport him to GVH

3/9/19 Deputies responded with MtCBPD and CBFDP to an urban avalanche in Crested Butte South which partially buried one victim and completely buried another. Crews arrived on scene and removed both victims who were transported to GVH. Responders attempted advanced lifesaving interventions but one victim, who had been completely buried, was unable to be revived.

As a result of the urban avalanche the Marshal's Office made a \$500 purchase from our equipment budget to equip all of our vehicles with avalanche probes and shovels. Assistant Chief Joe Dukeman, a former ski patrolman and avalanche safety professional, conducted training for our officers.

603 Community Relations and Social Media

The Department maintains a Facebook page at <https://www.facebook.com/Crested-Butte-Marshals-Office-154111302848321/?ref=bookmarks>

In February Deputy Peter Daniels was invited as the Marshal's Office "trusted adult" representative for the Sources of Strength program at the Crested Butte Community School. He attended trainings for the evidence-based youth suicide and bullying prevention program.



On September 28th Pete put on a kid's bicycle rodeo in the CBCS parking lot where they went over the fundamentals of safely riding on the road, in groups and in avoiding obstacles.

On October 23 Ryan hosted a tour of the Marshal's Office for the Paradise Preschool.

On October 25 the Marshal's Office hosted a drug take back where people could bring used medications for proper disposal.

7. Patrol Operations

701 Communications

CBMO utilizes the dispatch services of Gunnison Regional Communications in Gunnison, CO. Our officers predominately utilize the State's DTRS radio system but often need to utilize the County's VHF radio system when they provide mutual aid assistance

702 Arrests

Monthly

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
F	3	1	0	1	1	1	4	0	1	0	1	2
M	7	2	4	1	2	11	2	4	0	0	3	5

15 Felonies

41 Misdemeanors

703 Crimes

Type of Crime

	Assault	Domestic	DUI/DUID	Harassment
2018	7	8	16	9
2019	8	11	17	11

704 Emotionally Disturbed Persons

CBMO works with Gunnison Mental Health. The June 2019 addition of a mental health office in the Ore Bucket building immediately began paying dividends.

6 significant mental health crisis cases requiring documentation. Additional mental health assistance is provided by CBMO and CBEMS to members of the community on a weekly basis.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
M1/M.5	1	0	1	0	2	0	0	0	1	0	0	0

705 Deaths

4 Deaths were reported in the Town of Crested Butte over the course of 2019.

706 Response to Resistance (Use of Force)



There were 2 uses of force in 2019 based on 4653 enforcement contacts

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Contact	327	243	358	290	292	443	452	525	469	288	450	516
Resist	0	0	0	0	0	1	0	1	0	0	0	0

707 Tactical Operations

CBMO performed 0 tactical operations in 2019. All officers are trained in SWAT tactics and procedures and complete regular training.

708 Ride-Along Program

CBMO offers ride-alongs to qualified candidates. People who do not have disqualifying conditions are encouraged to ride-along with officers to develop a better understanding of what police officers do in the course of protecting the town.

709 Animal Control

CBMO utilizes the services of Paradise Animal Welfare Society and their shelter.

709.1 Dogs

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Warn	2	1	4	2	2	13	11	18	6	3	9	13
Cite	0	0	0	2	1	0	0	1	0	0	0	0

709.2 Bears

In August at least two bears started working their way through town. At least one caused a good bit of damage. The 350-400 pound light colored bear was getting into unsecured garbage containers, which is always a problem. The larger bear also mastered the art of popping open bear resistant cans by jumping on them.

8. Traffic Operations

All CBMO vehicles are fully marked and equipped with either Radar or Lidar speed monitoring devices. Additionally the Town utilized both fixed and mobile radar speed monitoring in problem locations.

800 Reportable Accidents Investigated

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Crash	5	5	6	1	0	0	2	6	6	2	0	5
H&Run	3	0	2	1	0	1	0	1	1	0	1	3

38 Crash Reports
13 Hit and Run

801 Moving Violations

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Warnings	25	32	41	45	24	63	68	57	22	40	56	57
Tickets	5	2	5	8	7	14	21	12	8	8	6	10

530 Traffic warnings



106 Moving violations

802 Parking

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Warnings	9	15	10	5	6	27	125	55	41	21	345	86
Tickets	207	207	172	2	8	19	37	29	13	18	27	141

745 Warnings

880 Tickets

803 Towing and Winter Parking

Winter Parking

From November 1 to April 30 of each year, the core travel routes in town are eligible to be cleared of accumulated snow and ice. CBMO assists Public Works in keeping these routes clear by ticketing and towing vehicles in areas of concern.

The winter of 2018-2019 utilized a new set of Winter Parking rules which seemed to be more user friendly. The record winter saw extensive snowfall and the new parking rules seemed to keep both tickets and tows down.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Tows	69	46	74	0	0	0	1	0	2	0	13	44



9. Investigations

900 Evidence and Property

Deputy Daniels continued working on removing court released or statutorily cleared evidence from the storage safe.

901 Domestic Violence

There were 11 reported Domestic Violence incidents in 2019.

902 Identity Theft

In February Deputy Sean Besecker completed an incredibly involved theft/identity theft case which utilized an estimated 80 man-hours of investigation and follow-up time. As a result of Sean's lengthy investigation the Marshal's Office served search and arrest warrants at a Gunnison address on Wednesday the 13th. A 45-year-old Gunnison resident was arrested for a total of one misdemeanor and 94 felony charges. Evidence of the crimes was recovered at the scene.

6 fraud cases

903 Victim's Rights

The Gunnison Victim's Advocate assisted with 21 CBMO cases in 2019.

904 Juveniles

No secure holding incidents were reported to the Colorado Division of Criminal Justice, Juvenile Justice Compliance Monitor in 2019.

905 Asset Forfeiture

CBMO case 19-124 resulted in assets forfeiture in the amount of \$1811.81. The Civil Asset Forfeiture report was PUBLISHED by the Division of Local Government:

Reporting Agency: Crested Butte, Town of

Report Period: Jul 01, 2019 through Dec 31, 2019

Report ID: 4110

Filed By: Chief Marshal Michael Reily

Date Filed: Jan 30, 2020 13:58:39

Date Published: Jan 30, 2020 13:58:39

