



COLORADO

Department of Public Safety

Division of Homeland Security and Emergency Management

Preventing Identity-Based

Violence Grant Program

8 CCR 1507-48

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

In House Bill 2022-1234, the General Assembly added section 24-33.5-1620, C.R.S., creating a new grant program called the Preventing Identity-Based Violence Grant Program. Section 24-33.5-1620(3)(a), C.R.S. directs the Department of Public Safety to promulgate rules as necessary for the administration of the grant program. Upon delegation from the Executive Director, the DHSEM Director led the rulemaking hearing that took place on Jan. 20, 2023. These rules are intended to be consistent with the requirements of the State Administrative Procedures Act, section 24-4-101 et seq., C.R.S. (the “APA”).

The amendments to these rules specifically set forth the dates for applying to the grant program beyond the first year of its implementation. The amendments further clarify that applicants must indicate in their application that the grant funds will be used to further at least one of the three goals set forth by 24-33.5-1620(2)(b)(I) to prevent identity-based violence. The implementation of these rules is necessary to ensure compliance with the statute governing the grant program.



Stan Hilkey, Executive Director,
Colorado Department of Public Safety

1/24/2023
Date of
Adoption

1. Authority

This regulation is adopted pursuant to the authority in section 24-33.5-1620, C.R.S. and is intended to be consistent with the requirements of the State Administrative Procedures Act, section 24-4-101 et seq., C.R.S. (the “APA”).

2. Scope and Purpose

This regulation shall govern the implementation of the Colorado Preventing Identity-Based Violence Grant Program, which includes the time frames for applying for these grants, the form of the grant program application, and the time frames for distributing grant funds.

3. Applicability

The provisions of these rules shall be applicable to all eligible applicants and recipients of grant funds as provided by law.

4. Definitions

“Grant program” means the Colorado Preventing Identity-based Violence Grant Program as set forth in section 24-33.5-1620, C.R.S.

“Office” means the Office of Prevention and Security (Colorado Information Analysis Center) created in Section 24-33.5-1606, C.R.S., within the Colorado Division of Homeland Security and Emergency Management.

“Recipient” means an eligible applicant receiving an award.

“Educational Entity” means a school district; a board of cooperative services; a district charter school or an institute charter school operating pursuant to Article 30.5 of Title 22; a state institution of higher education, as defined in section 23-18-102 (10)(a), C.R.S.; a local district college, created pursuant to Article 71 of Title 23; an area technical college, as defined in section 23-60-103, C.R.S.; or a private institution of higher education, as defined in section 23-18-102 (9), C.R.S.

“Prevention project(s)” means projects proposed and outlined within the application related to preventing identity-based violence.

“Award” means a financial assistance grant that provides support to accomplish a public purpose given by the state to an eligible recipient.

“Period of Performance” means the period of time during which the recipient is required to complete the grant activities and to receive and expend approved funds.

“Project Implementation and Measurement Plan” means a written form or other document determined by the Office to outline the steps necessary to achieve grant objectives and required measurements for the grant objectives.

“Quarterly Progress Report” means a written form or other document determined by the Office to indicate and report the operational and financial activity of the recipient during the time period specified.

“Summary Report” means a written form or other document determined by the Office to indicate and report the final operational and financial activity of the recipient during the time period specified.

5. Program Requirements

5.1 Eligibility

- A. Applicants must be from a county, municipality, or city and county, and any agency thereof; an American Indian Tribe; a law enforcement agency; a district attorney’s office; an educational entity; and a nonprofit organization that is exempt from taxation under Section 501 (c)(3) of the federal “Internal Revenue Code of 1986”, as amended, which may be a community-based nonprofit organization that has experience working with those affected by identity-based violence.
 - 1. Eligible applicants that are not a community-based nonprofit organization that have experience working with those affected by identity-based violence must partner with a community-based nonprofit organization with that experience to carry out the project funded by the grant program.
- B. Eligible applicants must submit an application developed by the Office in conformance with the application and the terms of the program guidance described below.
- C. Eligible applicants must indicate in the application that the grant funds will be used to further at least one of the following preventing identity-based violence-related goals:
 - 1. Building awareness for the prevention and intervention of identity-based violence within Colorado communities;
 - 2. Strengthening local collaboration and capabilities for prevention and intervention of identity-based violence; and/or

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- 3. Building sustainable support for the prevention and intervention of identity-based violence.
 - D. Eligible applicants must demonstrate they have sufficient authority and capacity to implement the prevention project outlined in their application, including the capability to engage the participants that the eligible applicants propose to include in their projects.
 - E. Proposed prevention projects shall not infringe on individual privacy, civil rights, and civil liberties. Prevention projects shall describe any potential impacts to privacy, civil rights, and civil liberties and ways in which the eligible applicants will prevent or mitigate those impacts and administer their prevention projects in a nondiscriminatory manner.
 - F. Eligible applicants who are a law enforcement agency shall comply with the requirements set forth in 28 CFR Part 23 with regard to the collection, maintenance, and use of intelligence information learned by the agency through a project funded with an award from this grant program, regardless of whether the agency is a direct recipient or is acting in partnership with a recipient.
 - G. The grant agreement between the State and the recipient(s) of the grant program will specify additional requirements, including but not limited to: performance measures, reporting requirements, and monitoring of the recipient's activities and expenditures.
 - 1. The Office shall annually evaluate environmental factors that lead to identity-based violence and challenges to reducing identity-based violence. The Office may establish annual priorities for the program that address the identified factors and challenges.

5.2 Award Details

- A. Period of Performance: 12 months
- B. Funding Instrument: Discretionary Grant

5.3 Time Frames for Application

- A. Time Frames

Application Submission Deadline:	First Friday in May; 5:00 PM MDT
Grant Awarded to Applicants Deadline:	Last Friday in May
Grant Award Notification on Website Deadline:	First Friday in June
Period of Performance – 12 months:	July 01 – June 30

B. Restrictions

1. Applications that are not submitted by the stated Application Submission Deadline will not be reviewed or considered for funding;
2. All applications must include the required elements for all applications, as well as specific requirements of the projects they are proposing, including but not limited to: performance measures for each project type. Failure to provide a complete application or significant deviation from the requirements can cause an application to be ineligible or not reviewed or considered for funding;
3. Applications that describe programs, projects, or activities that do not appropriately protect privacy, civil rights, or civil liberties will be deemed ineligible for funding;
4. Recipient(s) that are not a law enforcement agency shall not collect or maintain intelligence information about the political, religious, or social views, associations, corporation, business partnership, or other organization;
5. Applications that only consist of research are not eligible under this grant program. Research is an allowable expense; however, eligible applicants must propose to implement one or more prevention capabilities during the Period of Performance and must demonstrate how any proposed research will support that implementation;
6. Equipment costs are not allowed under this program. Equipment is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level for financial statement purposes. Additionally, this grant program does not allow costs for supplies or equipment related to emergency communications, tactical response, or related costs;
7. Pre-Award Costs are NOT allowed under this grant program (costs incurred or work completed prior to the award date);
8. Extensions to the Period of Performance are not allowed;
9. A Cost Share or Cost Match is not required;
10. Up to 5% of the award may be used for management and administration of the grant funds; and

11. Recipient(s) shall not use any part of an award as matching funds for other grants or cooperative agreements, or for lobbying efforts, litigation costs, or intervention in regulatory or adjudicatory proceedings.

5.4 Application Submissions

Eligible applicants must submit their acceptable signed application via email or other delivery methods as listed and allowed in the grant application and accompanying guidance.

5.5 Grant Guidance

The Office is responsible for the implementation of this grant program and will develop and publish a grant application and guidance. Grant guidance will include the following reporting requirements:

1. A Project Implementation and Measurement Plan;
2. Quarterly Progress Reports;
3. A final Summary Report; and
4. Any other documents required by the application, terms and conditions of the award, or other guidance provided by the Office.

The amount of each award will be determined by the quality and completeness of the application in accordance with the criteria outlined in these rules, as well as the proposed use of funding as it relates to the goals and priorities outlined in the application.

Editor's Notes

History

New Rules

Updated Rules 12/12/2022