



February 7, 2024

2024 EXECUTIVE BOARD

**PRESIDENT**  
Sheriff Sam Zordel  
Prowers County

**1<sup>st</sup> VICE PRESIDENT**  
Sheriff Tyler Brown  
Arapahoe County

**2<sup>nd</sup> VICE PRESIDENT**  
Sheriff KC Hume  
Moffat County

**SECRETARY/TREASURER**  
Sheriff Todd Rowell  
Mesa County

**PAST PRESIDENT**  
Sheriff James Van Beek  
Eagle County

2024 BOARD  
OF DIRECTORS

Sheriff Jaime FitzSimons  
Summit County

Sheriff Gene Lillard  
Montrose County

Sheriff Kevin Armstrong  
Gilpin County

Sheriff Tim Norton  
Elbert County

Sheriff John Feyen  
Larimer County

Director  
Law Enforcement and Investigations Staff  
Mail Stop 1140  
1400 Independence Ave SW  
Washington, DC 20250-1140

RE: RIN 0596-AD57: United States Forest Service Law Enforcement;  
Criminal Prohibitions

Dear Director:

County Sheriffs of Colorado, (CSOC) is a non-profit organization representing all 64 county sheriffs in Colorado. Our mission is to serve and advocate for the Office of Sheriff in Colorado. We provide educational and professional development, promote public safety initiatives and programs, and support law enforcement and public safety personnel in times of stress and need.

Thank you for the opportunity to provide comments on the proposed rule change regarding the United States Forest Service (“USFS”) Law Enforcement and Criminal Prohibitions as noticed in Vol. 88, No. 190 of the Federal Register on Wednesday, October 3, 2023. County Sheriffs of Colorado recognize and value the partnerships many Colorado Sheriffs have with the dedicated staff of the US Forest Service (“USFS”) in the management of the eleven national forests within the State of Colorado.

Colorado is comprised of more than 24 million acres of federal public lands, including more than 13 million acres of national forests. Management and policy decisions made for federal lands in Colorado exert a profound and direct influence on the well-being and interests of Colorado County Governments, Colorado Sheriffs and Colorado Residents. There are a number of Colorado Sheriffs who have long-standing histories of working collaboratively with the USFS to ensure citizens remain safe and are protected under Colorado law while visiting our national forests. While Colorado Sheriff’s recognize visitors to our national forests can come from literally anywhere, Colorado Sheriff’s also know from experience, a great many of the visitors to our national forest are Coloradans or more specifically are residents from the immediate areas of the national forests – many reside in the county, or adjacent county, in which the national forest is located.

Without the USFS assimilating Colorado laws, over lands for which it has only a proprietary interest, Colorado Revised Statute 16-3-110, already provides a functional mechanism for Federal Law Enforcement Officers to make arrests when witnessing the commission of a misdemeanor or felony:

C.R.S. 16-3-110

(1) For the purposes of this section, “peace officer” means:

(a) A peace officer as described in section 16-2.5-101; or

(b) A federal law enforcement officer who, pursuant to federal statutes and the policy of the agency by which the officer is employed, is authorized to use deadly physical force in the performance of his or her duties.

(2) A peace officer shall have the authority to act in any situation in which a felony or misdemeanor has been or is being committed in such officer’s presence, and such authority shall exist regardless of whether such officer is in the jurisdiction of the law enforcement agency that employs such officer or in some other jurisdiction within the state of Colorado or whether such officer was acting within the scope of such officer’s duties when he or she observed the commission of the crime, when such officer has been authorized by such agency to so act. The local law enforcement agency having jurisdiction shall be immediately notified of the arrest and any person arrested shall be released to the custody of the local law enforcement agency.

Additional reasons why CSOC opposes the USFS assimilating Colorado laws, as proposed, include the following:

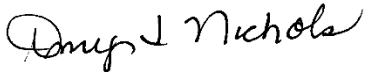
- CSOC believes many if not all of the USFS Law Enforcement Districts in Colorado are understaffed, which is part of the underlying reason for the existing agreements between the USFS and Counties/County Sheriffs to provide law enforcement services.
- Through our membership’s individual relationships with federal law enforcement agencies, CSOC believes neither the federal courts nor the United States Attorney’s Offices in Colorado are appropriately staffed for the additional workload that may result from the USFS assimilation of Colorado laws.
- There are more Colorado Counties who contain USFS lands, but do not have a federal courthouse than there are Colorado Counties with USFS lands and a federal courthouse. CSOC recognizes a summons to federal court for Coloradans who live in counties without federal courthouses may create an unnecessarily undue burden.
- CSOC has concerns about the lack of initial and on-going training on the enforcement of Colorado laws that USFS Law Enforcement Officers would have, should the USFS assimilate the Colorado laws, as proposed.
- CSOC is concerned that this rule is not authorized under federal law. USFS has only proprietary jurisdiction over the majority of the National Forest Lands within the State of Colorado. Under the Assimilative Crimes Act (“ACA”) in 18 U.S.C. § 13, the USFS may only assimilate state law in areas of exclusive or concurrent federal jurisdiction.

CSOC believes Colorado Sheriffs wish to continue be good partners with the USFS and ensure that visitors to our national forests are protected under state law. CSOC believes Colorado Sheriffs remain committed to continuing to work with the USFS to provide state law enforcement services within USFS lands in Colorado.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Zordel". The signature is fluid and cursive, with the first letter being a large, stylized 'S'.

Prowers County Sheriff and CSOC Board President  
Sam Zordel

A handwritten signature in black ink, appearing to read "Amy Nichols". The signature is cursive and clearly legible.

CSOC Executive Director  
Amy Nichols