



Legal Notice

Date: 12/21/2023

Subject: An ordinance of the City of Littleton, Colorado, establishing requirements for the handling of domestic violence cases in municipal court

Passed/Failed: Passed on second reading and public hearing

CITY OF LITTLETON, COLORADO

**ORDINANCE 37
SERIES 2023**

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 37

Series, 2023

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, ESTABLISHING REQUIREMENTS FOR THE
HANDLING OF DOMESTIC VIOLENCE CASES IN
MUNICIPAL COURT**

WHEREAS, the City of Littleton through its Municipal Code has criminalized acts of domestic violence and therefore may file such cases into its Municipal Court; and

WHEREAS, pursuant to House Bill 23-1222 and Colorado Revised Statute (C.R.S.) Section 13-10-104.5, as of January 1, 2024, any municipality criminalizing an act of domestic violence must adopt an ordinance establishing it will comply with state mandates related to such acts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The city council establishes the following:

- (1) That victims, victims’ families, and witnesses of an act of domestic violence shall receive protections and rights equivalent to those afforded to victims, victims’ families, and witnesses pursuant to the “Victim Rights Act”, Part 3 of Article 4.1 of Title 24, as it relates to an act of domestic violence by establishing that:
 - a. The Littleton Police Department is responsible for providing the equivalent rights afforded to victims pursuant to C.R.S. 24-4.1-303(2), (5), (7), (9), (10), and (14.9);
 - b. The City Attorney is responsible for providing the equivalent rights afforded to victims pursuant to C.R.S. 24-4.1-303 (3), (3.5), (4), (5), (6), (7), (9), (11), (12), and (13);
 - c. The Municipal Court is responsible for providing the equivalent rights afforded to victims pursuant to C.R.S. 24-4.1-303 (3.5), (6), (14.4), (14.5), and (14.7);
 - d. The Municipal Court Probation Office is responsible for providing the equivalent rights afforded to victims pursuant to C.R.S. 24-4.1-303 (13.5); and
 - e. The Littleton Police Department, City Attorney, Municipal Court, and Municipal Court Probation Office are responsible for ensuring victims are afforded equivalent rights to those described in C.R.S. 24-4.1-302.5.
- (2) Sentencing for violations that are equivalent to the domestic violence sentences described in C.R.S. 18-6-801(1), (3), (4), (5), (6), and (8), to the extent consistent with the jurisdiction of the Municipal Court;
- (3) Conditions of probation that the court may impose shall be consistent with the conditions

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47 described in C.R.S. 18-1.3-204 (2);

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49 (4) Conditions of release on bond shall be consistent with the conditions described in C.R.S.
50 16-4-105 (4) and (4.1);

51

52 (5) Guidelines and standards shall be consistent with the guidelines and standards adopted by
53 the Domestic Violence Offender Management Board pursuant to C.R.S. 16-11.8-103 (4);
54 and

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56 (6) The prosecuting attorney who initially meets with the victim after the charges are filed
57 shall make a reasonable effort to remain as the prosecuting attorney throughout the
58 proceeding.

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60 **Section 2:** The city council further establishes that in a case involving an alleged
61 violation of a municipal ordinance that criminalizes an act of domestic violence, as
62 defined in C.R.S. 18-6-800.3, the Municipal Court shall:

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64 (1) Issue a protection order that meets the minimum standards required pursuant to C.R.S. 18-
65 1-1001 (3) and (5), to the extent consistent with the jurisdiction of the Municipal Court;

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67 (2) Report or cause to be reported the alleged violation to the Colorado Bureau of Investigation
68 (CBI) created in C.R.S. 24-33.5-401, and enter the information into the Colorado Crime
69 Information Center (CCIC) database and the National Crime Information Center (NCIC)
70 database; and

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72 (3) Search the CBI, CCIC, and NCIC databases to determine if the defendant has a history of
73 domestic violence.

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75 **Section 3:** Severability. If any part, section, subsection, sentence, clause or
76 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
77 validity of the remaining sections of this ordinance. The city council hereby declares that it would
78 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase
79 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or
80 phrases may be declared invalid.

81

82 **Section 4:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
83 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
84 clauses of such ordinance nor revive any ordinance thereby.

85

86

87 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council

88 of the City of Littleton on the 5th day of December, 2023, passed on first reading by a vote of 7

89 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,

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90 the Municipal Courthouse and on the City of Littleton Website.

91 PUBLIC HEARING on the Ordinance to take place on the 19th day of December,
92 2023, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at
93 the hour of 6:30 p.m., or as soon thereafter as it may be heard.

94 PASSED on second and final reading, following public hearing, by a vote of 7
95 FOR and 0 AGAINST on the 19th day of December, 2023 and ordered published by posting at
96 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

97 ATTEST:

DocuSigned by:

Callen A. Norton

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CALLEN L. NORTON
CITY CLERK

DocuSigned by:

Ryan Schachter

523C318589A149B...
RYAN SCHACHTER
MAYOR

102 APPROVED AS TO FORM:

DocuSigned by:

Reid Betzing

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CITY ATTORNEY

