

“No Contact” Orders in Bail Bonds

When a person has been arrested with a crime involving domestic violence (DV) under Colorado Statute 18-6-800.3 (1), the court issues a protection order, commonly referred to as a criminal protection order (CPO), which a defendant must be acknowledged prior to being released from custody. This order prohibits the defendant (the person charged) from harassing, molesting, intimidating, retaliating against, or tampering with the alleged victim or anyone who was a witness to the criminal incident. In DV cases, the judge may add special conditions to the CPO prohibiting the defendant from contacting the victim, going to the residence of the victim or wherever the victim may be found. The court can also order the defendant to not consume alcohol or possess weapons. The condition of no contact includes phone calls, e-mail, messages, or attempts to contact the victim through a third party. The CPO will stay in place until the court proceedings are complete or sentence is finished, including any period of probation or incarceration. The court can modify the conditions of the protection order at any point during the case. This modification can be initiated by the District Attorney or the defendant.

In all DV cases, a defendant must also post a bond which can be just the defendant's promise to come to court but it might also require the defendant to pay money to get out of custody. The court will order conditions of the bond which may include similar conditions as the CPO require.

The victim has the right to request that the “no contact” bond condition be modified or lifted. To do this, he or she needs to contact the Victim/Witness Unit of the District Attorney's Office and attend a workshop to complete a formal request. Once the victim makes this formal, written request, the prosecuting attorney will review it. The District Attorney does not support all requests as it depends on the facts of the case and other factors such as the seriousness of the offense or prior history. The District Attorney will then forward the request to the court. The judge makes the final decision as to any modification or lifting of the no contact condition of bond or protection order. The Victim/Witness staff is available to explain victims' options in more detail.

If the defendant violates this protection order, you should contact the local law enforcement agency. In addition to a CPO which expires when the case is completed, a victim can also obtain a permanent civil protection order, as outlined inside this brochure.

Important Phone Numbers

EMERGENCY: 9-1-1

Law Enforcement Agencies

(Non-emergency phone numbers)

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| Boulder Police | 303.441.3333 |
| Boulder Co Sheriff Office | 303.441.4444 |
| <small>(Boulder County Sheriff for all non-emergency dispatch for all other municipalities in the county including Erie, Lafayette, Louisville, Nederland)</small> | |
| University of Colorado (CU Boulder) | 303.492.6666 |
| Erie Police | 303.926.2800 |
| Lafayette Police | 303.665.5571 |
| Longmont Police | 303.651.8555 |
| Louisville Police | 303.666.6531 |
| Nederland Marshall | 303.258.3250 |
| Weld County Sheriff Office | 970.356.4015 |

Battered Victim's Services

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| Safe Shelter of St. Vrain Valley* | 303.772.4422 |
| Safehouse Progressive Alliance for Nonviolence* | 303.444.2424 |
| Lafayette Office | 303.673.9000 |

Other Agencies

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|--|--------------|
| Court Clerks Office | |
| Boulder* | 303.441.3750 |
| Longmont* | 720.564.2522 |
| Community Justice Services* | 303.441.3690 |
| Department of Social Services | |
| Boulder* | 303.441.1000 |
| Longmont* | 303.678.6000 |
| Louisville* | 303.413.7000 |
| District Attorney's Office and Victim Witness* | 303.441.3700 |
| Domestic Abuse Prevention Project* | 303.441.4725 |
| Intervention, Inc. | 303.442.0042 |
| LEVI (Longmont Ending Violence Initiative) | 303.774.4534 |
| Boulder County Probation* | 303.441.3780 |
| Rocky Mountain Offender Management Services | 720.304.6126 |

* Se Habla Espanol




Domestic Violence Protection Order Information



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This publication is designed to aid victims of domestic violence in obtaining protection orders.

What is a protection order?



There are several types of protection orders: some are automatically included in a court action (such as the protection order included in a bail bond or in a dissolution action - see reverse), and others are issued upon proof that the "protected party" is in danger from the "party to be restrained".

Under Colorado Statutes, a civil domestic violence temporary protection order (TPO) can be issued to restrain:

- (a) someone who is now or was in the past a relative,
- (b) someone who lives or has lived in your house or apartment,
- (c) someone with whom you are or were intimately involved.

With this order you can ask a county judge to protect you and your children (unless it is violated, a TPO will not affect anyone's criminal record). You must tell the judge how the children have been hurt or are in danger. The county judge can award you "Temporary Care and Control" of the children for a maximum of 120 days from the date the temporary protection order is granted. It then becomes a custody issue and a matter for District Court. You can also ask the judge about forcing the defendant to pay support with this order.

Do I need a lawyer to obtain a temporary protection order (TPO)?

It is not necessary to retain the services of an attorney to get a TPO. In fact, the overwhelming majority of persons who get protection orders do not have a lawyer for that purpose.

Where do I go to get a protection order?

You should go to the court in the county where you reside. If the restrained party will be served with the order in Boulder County, then you can obtain a protection order in Boulder County Courts. Hearings are held in Boulder at the Boulder County Justice Center, 1777 6th Street, Monday-Friday and at the Longmont Courts Annex, 1035 Kimbark in Longmont, Monday-Friday.

How do I get a protection order?

Go to the county court clerk's office (Mon-Fri from 8 a.m. - 4 p.m.) to obtain a protection order packet. Arrive as early in the day as you can and complete the required forms. During your visit, you will appear before a county judge or magistrate to state why you are requesting the protection order. In an emergency, the county courts in Boulder or Longmont may be available to grant a temporary protection order (TPO) anytime during the workday.

If the county judge or magistrate approves the temporary protection order, the order must be served on the party to be restrained. The server must be 18 years old or older and not involved in the dispute. The safest way to have the order served is through the Civil Division of the Sheriff's Office. They are located in the Boulder County Criminal Justice Center at 1777 6th Street in Boulder. In Longmont, ask the court clerk how to arrange service.

When you get a temporary protection order (TPO), you will also be given a court date for consideration of a permanent protection order (PPO). When served with the order, the restrained party will be notified of the permanent hearing and may attend to argue his or her case. Once granted, the permanent protection order (PPO) is permanent and there is no expiration date.

How much does it cost to do this?

If the county court determines the case involves "persons who are, or have been, involved in an intimate relationship," the filing fees will be waived. However, you may still be required to pay a county court packet fee (currently \$3.00). You may print this packet, free of charge, at www.courts.state.co.us (click on the "Self-Help Center" on the left, then select "Protection Orders")

The Boulder County Sheriff's Office will also waive fees to serve a protection order in the cases where persons are, or have been, involved in an intimate relationship. Present the protection order information sheet to the county court clerk.

What happens if the protection order is violated?

If there is a violation of the protection order, you should call police immediately (9-1-1 or your local law enforcement phone # - see back), whether or not you feel you are in immediate danger. You should have a copy of the temporary or permanent order and proof that the temporary order was served on the restrained party. It is advisable to make several copies of the protection order and proof of service to keep with you at all times. There is no proof of service for criminal cases. You may also file a written motion for contempt with the county court and ask for a hearing date.

Where can I go for assistance?

Help with protection orders can be obtained from the Safe Shelter of St. Vrain Valley 303.772.4422 or from the Safehouse Progressive Alliance for Nonviolence (303) 444-2424. The Safe Shelter and the Safehouse Alliance conduct protection order clinics at both courts. Please call them for more information.

