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**SHERIFF LOU VALLARIO**  
**GARFIELD COUNTY, COLORADO**

## NEWS RELEASE

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For Immediate Release

Date: October 3, 2016

Time: 9:35 AM

Title: October is Domestic Violence Awareness Month

**IMPORTANT:** Please direct any media requests to the contact above. Do not contact the Garfield County Emergency Communications Center or Patrol staff for media requests.

GARFIELD COUNTY, Colo. –

The best way to fight Domestic Violence is to make people aware of what it is so they can recognize it and be pro-active in combating it. Only in this way can we curtail and minimize this scourge on society. Towards that end Sheriff Lou Vallario has written a letter that not only defines domestic violence in Colorado but explains what is required of law enforcement officers when confronted with this crime.

Please feel free to share this letter in its entirety.

**SHERIFF OF GARFIELD COUNTY**  
**LOU VALLARIO**

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# JUST THE FACTS!

## Clarifying Colorado Domestic Violence Laws

In the early 1990's, I was trained by a nationally recognized victim's rights group on the dynamics of Domestic Violence laws with the requirement that I trained as many law enforcement officers in the judicial district as possible. I continued to provide that training at the Law Enforcement Academy for over 12 years, so I feel confident in addressing this topic.

"Under Colorado law, "Domestic Violence" means "an act or *threatened act* of violence upon a person with whom the actor / suspect / defendant is or has been involved in an intimate relationship". "Domestic Violence" also includes *any other crime against a person, or against property*, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, *when used as a method of coercion, control, punishment, intimidation, or revenge* directed against a person with whom the actor is or has been involved in an intimate relationship. "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time." As you can see, it does NOT require physical contact or "touching" as a minimum standard to make a mandatory arrest.

The ultimate responsibility for those who work in the judicial system, including the District Attorney, is to ensure that offenders are held responsible and victims are provided with what they need. They have rights and most among them is to feel safe and make sure that those who commit crimes against them are held accountable. What we do know is that when a lawful arrest is made, the accountability process for the victim begins. Without that, the victim is left in a potentially unsafe or unsettled state. Anyone who has ever been a victim of a crime, be it a property crime or personal crime, knows that when an arrest is made, they begin to feel whole again.

Many years ago when states were researching Domestic Violence crimes, they discovered that when an arrest was made, the violence stopped in 50% of the cases and victims felt safe. As a result, mandatory arrest laws were enacted "requiring" law enforcement to arrest when "Probable Cause" of a Domestic Violence crime occurred, or if the offender was not present, to obtain an arrest warrant based on that same "probable cause". This is mandatory!

Domestic Violence cases are very complex and are not as simple as two guys pushing each other over a game of pool in the local bar. Instead, they involve years of manipulation, coercion, destruction of self-esteem, isolation, threats and physical violence. These cases require special consideration and training to be able to successfully prosecute the offenders and provide for the victims.

Because we know that one of the dynamics of DV cases is that an extremely high percentage of victims recant their story because of fear and intimidation, getting a successful prosecution in these circumstances is very difficult for the DA, yet the law still mandates that an arrest be made. This is so the victim is provided their rights and protections under the law and the offender can enter into the process of accountability, including mandatory protection orders, counseling, etc.

If on the other hand, the District Attorney fails to recognize or believe these dynamics and the importance of Domestic Violence laws and providing for the safety of victims, but would rather concern themselves with their win percentage in court, a large majority of Domestic Violence cases will go unresolved and the victims will suffer the greatest fear of all; not being able to reach out to anyone in the criminal justice system for help. That results in hopelessness for the victim and empowering the offender.

All of us who work in the criminal justice system as well as the public we serve need to understand that Domestic Violence is a crime that requires mandatory arrest. Even though these cases are difficult to prosecute, the District Attorney must make every attempt to follow through with obtaining convictions so that the offenders are held accountable for their crimes against their loved ones and the victims can be provided the services they are allowed by law to ensure their safety.

Lou Vallario  
Sheriff of Garfield County

October 2016, Domestic Violence Awareness Month

**Additional information will be released as it becomes available.**

*The mission of the Garfield County Sheriff's Office is to provide solutions for the people through professional, ethical and compassionate conduct.*

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