

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2026

COUNCIL BILL NO. 26-0328
COMMITTEE OF REFERENCE:
4 Health and Safety

5 A BILL

6
7 **For an ordinance updating the classifications and penalties for municipal criminal**
8 **offenses.**
9

10 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** That section 1-13(b) of the Denver Revised Municipal Code is hereby amended by
12 removing the struck through language and adding the language underlined, to read as follows:

13 (b) *General penalty.* If no definite fine or penalty is provided for a violation and except as
14 otherwise provided in section 1-14, any person who shall be convicted of a violation of any such
15 section may, for each offense, be fined in a sum not more than nine hundred ninety-nine dollars
16 (\$999.00) or jailed not to exceed three hundred (300) days, or both so fined and jailed. However, any
17 municipal offense that prohibits the same or identical conduct as an offense under state law shall not
18 be subject to any penalty greater than the penalty allowed under state law.

19 (1) Nothing in this section shall be construed to limit sentencing options that are otherwise
20 available to the court.

21 (2) Nothing in this section shall be construed to limit the length of probation provided in
22 section 14-61 of this Code.
23

24 **Section 2.** That section 1-14 of the Denver Revised Municipal Code is amended by removing
25 the struck through language and adding the language underlined, to read as follows:

26 **Sec. 1-14. - Offenses classified.**

27 (a) *Class 1 offenses.*

28 (1) Certain offenses present an increased risk of harm to the community and therefore, in
29 the interest of public safety, any person convicted of a class 1 offense may, for each offense, be fined
30 in a sum not more than nine hundred ninety-nine dollars (\$999.00) or jailed not to exceed three
31 hundred sixty-four (364) days, or both so fined and jailed.

32 (2) Class 1 offenses shall include the following:

33 a. Bias-motivated offenses, as defined in section 14-71(a)(2).

34 b. Sexually-motivated offenses, as defined in section 14-71-(a)(9).

- c. Offenses against at-risk persons, as defined in section 14-71(a)(1).
- d. Assault on a law enforcement officer, as defined in section 14-71(a)(5).
- e. Assault with serious bodily harm, as defined in section 14-71 (a)(7).
- f. Assault with strangulation, as defined in section 14-71(a)(10).
- g. Habitual domestic violence offender, as set forth in section 14-68(e).

~~(b) Class 2 offenses.~~

~~(1) Any person convicted of a class 2 offense may, for each offense, be jailed not to exceed sixty (60) days. Nothing in this section shall be construed to limit sentencing options that are otherwise available to the court, except that no person convicted of a class 2 offense shall be subject to any fine.~~

~~(2) Class 2 offenses shall include the following:~~

- ~~a. Sec. 38-86.1. Sitting or lying in the public right-of-way.~~
- ~~b. Sec. 38-86.2. Unauthorized camping on public or private property prohibited.~~
- ~~c. Sec. 38-99. Urinating or defecating in public.~~
- ~~d. Sec. 38-100. Panhandling.~~
- ~~e. Sec. 39-3. Curfews and closures.~~
- ~~f. Sec. 49-254. Storage and loading.~~
- ~~g. Sec. 49-532. Prohibitions.~~
- ~~h. Sec. 54-548. Solicitation on or near street or highway.~~

(b) Class 2 offenses.

(1) Certain offenses present an increased risk of harm to the community and therefore, in the interest of public safety, any person convicted of a class 2 offense may, for each offense, be fined in a sum not more than nine hundred ninety-nine dollars (\$999.00) or jailed not to exceed three hundred (300) days, or both so fined and jailed. However, if the maximum sentence allowed under state law for a class 1 misdemeanor committed on the charged date of offense is lower than the sentence allowed by this subsection, then the maximum sentence for a class 2 offense is the maximum sentence allowed under state law for a class 1 misdemeanor committed on the charged date of offense.

(2) Class 2 offenses shall include, but are not limited to, the following:

- a. Recruitment of strikebreakers, as defined in section 38-4.
- b. Removal of manufacturer's serial numbers, as defined in section 38-6.
- c. Threats, as defined in section 38-92(b).
- d. Assault, as defined in section 38-93.
- e. Unlawful possession of dangerous weapons, as defined in section 38-117.
- f. Unlawful carrying of weapons, as defined in section 38-118.

- 1 g. Unlawful use or discharge of certain weapons, as defined in section 38-120.
- 2 h. Assault weapons, as defined in section 38-121.
- 3 i. Unlawful sale of certain weapons, as defined in section 38-124.
- 4 j. Unlawful purchase of weapons, as defined in section 38-126.
- 5 k. Non-licensed marijuana cultivation, as defined in section 38-178.
- 6 l. Placing obstructions or explosives on railroad tracks, as defined in section 38-192.
- 7 m. Interfering with railroad tracks, as defined in section 38-193.
- 8 n. Interfering with railroad or bus system equipment, as defined in section 38-194.
- 9 o. Any other municipal offense that prohibits the same or identical conduct as a
- 10 class 1 misdemeanor offense under state law, unless designated as a lower-level offense in this Code.

11 (c) Class 3 offenses.

12 (1) Any person convicted of a class 3 offense may, for each offense, be fined in a sum not
13 more than seven hundred fifty dollars (\$750.00) or jailed not to exceed one hundred twenty (120)
14 days, or both so fined and jailed. However, if the maximum sentence allowed under state law for a
15 class 2 misdemeanor committed on the charged date of offense is lower than the sentence allowed by
16 this subsection, then the maximum sentence for a class 3 offense is the maximum sentence allowed
17 under state law for a class 2 misdemeanor committed on the charged date of offense.

18 (2) Class 3 offenses shall include, but are not limited to, the following:

- 19 a. Interference with Denver animal protection employees, as defined in section 8-7.
- 20 b. Interference with duties, as defined in section 24-22.
- 21 c. False information during investigations, as defined in section 38-40.
- 22 d. Trespass to motor vehicles, as defined in section 38-51.12.
- 23 e. Any other municipal offense that prohibits the same or identical conduct as a
- 24 class 2 misdemeanor offense under state law, unless designated as a lower-level offense in this Code.

25 (d) Class 4 offenses.

26 (1) Any person convicted of a class 4 offense may, for each offense, be fined in a sum not
27 more than three hundred dollars (\$300.00) or jailed not to exceed ten (10) days, or both so fined and
28 jailed. However, if the maximum sentence allowed under state law for a petty offense committed on
29 the charged date of offense is lower than the sentence allowed by this subsection, then the maximum
30 sentence for a class 4 offense is the maximum sentence allowed under state law for a petty offense
31 committed on the charged date of offense.

32 (2) Class 4 offenses shall include, but are not limited to, the following:

- 33 a. Unlawful to give false information, as defined in section 8-6.
- 34 b. Leash law, as defined in section 8-16.

- 1 c. Barking dog, as defined in section 8-17.
- 2 d. Barking dog nuisance, as defined in section 8-18.
- 3 e. Rabies vaccination required, as defined in section 8-31.
- 4 f. Imported dogs or cats, as defined in section 8-32.
- 5 g. Tag to be attached to collar and certificate retained by owner, as defined in
- 6 section 8-35.
- 7 h. License required, as defined in section 8-46.
- 8 i. Spaying and neutering, as defined in section 8-55.
- 9 j. Pit bulls prohibited without breed-restricted permit, as defined in section 8-67.
- 10 k. Disposition of excrement, as defined in section 8-73.
- 11 l. Damaging property, as defined in section 8-74.
- 12 m. Livestock or fowl permit required, as defined in section 8-91.
- 13 n. Misuse unlawful, as defined in section 16-32.
- 14 o. Unlawful to spit in public places, as defined in section 24-7.
- 15 p. Smoking in indoor areas, as defined in section 24-304.
- 16 q. Curfew, as defined in section 34-61.
- 17 r. Obstruction of streets or other public passageways, as defined in section 38-86.
- 18 s. Sitting or lying in the public right-of-way, as defined in section 38-86.1.
- 19 t. Unauthorized camping on public or private property, as defined in section 38-86.2.
- 20 u. Public fighting, as defined in section 38-93.1.
- 21 v. Urinating or defecating in public, as defined in section 38-99.
- 22 w. Panhandling, as defined in section 38-100.
- 23 x. Trespass, as defined in section 38-115.
- 24 y. Curfews and closures, as defined in section 39-3.
- 25 z. Destruction of or unauthorized changes to park property, as defined in section 39-
- 26 6.
- 27 aa. Overnight residing; camping and campgrounds; climbing, Red Rocks and Summit
- 28 Lake Parks, as defined in section 39-7.
- 29 bb. Alcohol beverages; marijuana; and smoking, as defined in section 39-10(a), (b),
- 30 and (e).
- 31 cc. Disturbance of the peace, as defined in section 39-12.
- 32 dd. Bicycles and other human-powered devices; pedestrians; dogs; trails, as defined
- 33 in section 39-18.
- 34 ee. Motorized vehicles; snowmobiles; vehicle repair; overnight parking, as defined in

- 1 section 39-19.
- 2 ff. Prohibited activities, as defined in section 47-18.
- 3 gg. Required, as defined in section 47-26.
- 4 hh. Littering or depositing refuse from a motor vehicle; presumption, as defined in
- 5 section 48-95.
- 6 ii. Storage and loading, as defined in section 49-254.
- 7 jj. Prohibitions, as defined in section 49-532.
- 8 kk. Solicitation on or near street or highway, as defined in section 54-548.
- 9 ll. Any other municipal offense that prohibits the same or identical conduct as a petty
- 10 offense under state law, unless designated as a lower-level offense in this Code.
- 11 mm. Any other municipal offense listed in Chapter 38 of this Code for which there is no
- 12 state offense that prohibits the same or identical conduct, unless designated as a different level
- 13 offense in this Code.
- 14 (e) Class 5 offenses.
- 15 (1) Any person convicted of a class 5 offense may, for each offense, be fined in a sum not
- 16 more than one hundred dollars (\$100.00). However, if the maximum sentence allowed under state law
- 17 for a civil infraction committed on the charged date of offense is lower than the sentence allowed by
- 18 this subsection, then the maximum sentence for a class 5 offense is the maximum sentence allowed
- 19 under state law for a civil infraction committed on the charged date of offense. Nothing in this section
- 20 shall be construed to limit sentencing options that are otherwise available to the court, except that no
- 21 person convicted of a class 5 offense shall be subject to any jail time.
- 22 (2) Class 5 offenses shall include, but are not limited to any municipal offense that prohibits
- 23 the same or identical conduct as a civil infraction under state law, as defined in section 16-2.3-101,
- 24 C.R.S.

25

26 **Section 3.** That section 34-46 of the Denver Revised Municipal Code is hereby amended by

27 removing the struck through language and adding the language underlined, to read as follows:

28 **Sec. 34-46. - ~~Other~~Wrongs to minors.**

29 ~~(a) It shall be unlawful for any person knowingly, intentionally or negligently and without~~

30 ~~justifiable excuse, to cause:~~

31 ~~(1) The life of a minor to be endangered;~~

32 ~~(2) The health or physical well-being of a minor to be injured or endangered;~~

33 ~~(3) The punishment or tormenting of any minor not in the legal care, custody or control of~~

34 ~~such person; or~~

1 ~~(4) The endangerment or impairment of the morals of any minor.~~

2 ~~(b) It shall be unlawful for any person having the legal care, custody or control of any minor~~
3 ~~knowingly, intentionally or negligently, and without justifiable excuse to:~~

4 ~~(1) Abandon any such minor;~~

5 ~~(2) Torture, torment or cruelly punish any such minor;~~

6 ~~(3) Deprive any such minor of food, clothing or shelter;~~

7 ~~(4) Injure such minor unnecessarily in any other manner; or~~

8 ~~(5) Allow any such minor to be so abandoned; tortured; tormented; cruelly punished;~~
9 ~~deprived of food, clothing or shelter; or injured unnecessarily in any other manner.~~

10 (a) A person commits wrongs to minors if such person knowingly, recklessly, or with criminal
11 negligence:

12 (1) Causes an injury to a child's life or health;

13 (2) Permits a child to be unreasonably placed in a situation that poses a threat of injury to
14 the child's life or health; or

15 (3) Engages in a continued pattern of conduct that results in malnourishment, cruel
16 punishment, or mistreatment that ultimately results in injury to a minor.

17 (b) In this section, "child" means a person under the age of sixteen years.

18 (c)(1) If a parent is charged with permitting a child to be unreasonably placed in a situation that
19 poses a threat of injury to the child's life or health, pursuant to subsection (a) of this section, and the
20 child was seventy-two hours old or younger at the time of the alleged offense, it is an affirmative
21 defense to the charge that the parent safely, reasonably, and knowingly handed the child over to a
22 firefighter, as defined under section 18-3-201(1.5), C.R.S., or to a staff member who engages in the
23 admission, care, or treatment of patients at a hospital or community clinic emergency center, as
24 defined in subsection (c)(2) of this section.

25 (2) "Community clinic emergency center" means a community clinic licensed by the
26 department of public health and environment pursuant to section 25-3-101(2)(a)(I)(B) , C.R.S., that:

27 a. Delivers emergency services; and

28 b. Provides emergency care twenty-four hours per day and seven days a week
29 throughout the year, except if located in a rural or frontier area that does not have the demand to
30 support twenty-four-hour service or only operates each year during a specified time period due to
31 seasonal population influx.

32 ~~(ed)~~ It shall be unlawful for any person to intentionally or knowingly provide a weapon to any
33 minor.

34 ~~(de)~~ It shall be unlawful for any parent or legal guardian of any minor, who knows such minor

1 possesses or has been provided a weapon, to fail to remove the weapon from the minor's possession
2 or control, unless removing this weapon cannot be accomplished without jeopardizing the safety of the
3 parent or legal guardian.

4 (ef) In the event that the weapon in the possession of a minor cannot be removed from the
5 possession of the minor by the parent or legal guardian without jeopardizing the safety of the parent or
6 legal guardian, it shall be unlawful for the parent or legal guardian to fail to notify the Denver Police
7 Department that the minor possesses the weapon.

8 (fg) The term "weapon," for purposes of this section, shall have the same meaning as set
9 forth in D.R.M.C. section 38-116, as amended.

10 (gh) The term "firearm," for the purposes of this section, shall have the same meaning as set
11 forth in D.R.M.C. section 38-116, as amended.

12 (hi) It shall be an affirmative defense to charges brought under subsections 34-46~~(e)~~,-(d), (e)
13 or (f) that the parent or legal guardian of the minor provided a weapon to the minor or allowed the
14 minor to remain in possession or control of a weapon in the following situations:

15 (1) The minor possesses a current and authentic written permit to carry a weapon, issued by
16 the chief of police of a Colorado city, mayor of a Colorado town, or sheriff of a Colorado county; and
17 the carrying of such weapon is within the terms of such permit; or

18 (2) The weapon is a household knife, and there are reasonable grounds for the minor
19 having and carrying the knife; or

20 (3) The minor possesses or controls the weapon in the course of a lawful act of self-defense
21 or defense of the minor's home or property; or

22 (4) The minor possesses or controls the weapon during the course of, or incidental to, being
23 legally summoned to the aid of a Colorado peace officer or a member of the United States armed
24 forces or the Colorado National Guard in the performance of their duties; or

25 (5) The minor possesses or controls the firearm, while accompanied by the minor's parent or
26 legal guardian, in the course of a bona fide hunting trip; in the sporting use of such firearms at
27 licensed shooting galleries or any other business licensed for the use of firearms; in cleaning or caring
28 for such firearm; or for transportation to or from any of the aforementioned activities, provided that all
29 firearms being transported shall be unloaded when transported to or from such place of use; or

30 (6) The minor possesses or controls the firearm, while accompanied by the minor's parent or
31 legal guardian or an instructor certified by the Colorado Division of Wildlife, while receiving instruction
32 in the safe use of such firearms.

33 (j) A violation of subsection (a) of this section where a person knowingly or recklessly
34 causes an injury to a child, is a class 2 offense.

1 (k) A violation of subsection (a) of this section where a person acts with criminal negligence
2 and causes an injury to a child a class 3 offense.

3 (l) A violation of subsection (a) of this section where a person does not cause an injury to a
4 child is a class 3 offense.

5 (m) A violation of subsection (g), (h), or (i) of this section is a class 3 offense.

6
7 **Section 4.** That section 38-2 of the Denver Revised Municipal Code is hereby amended by
8 removing the struck through language and adding the language underlined, to read as follows:

9 **Sec. 38-2. - Conspiracy.**

10 ~~It shall be unlawful for any person to conspire with any other person to commit any act which is~~
11 ~~a violation of a provision of this Code.~~

12 (a) A person commits conspiracy to commit a crime if, with the intent to promote or facilitate
13 its commission, such person agrees with another person or persons that they, or one or more of them,
14 will engage in conduct which constitutes a crime under a provision of this Code, or such person agrees
15 to aid the other person or persons in the planning or commission of a crime under a provision of this
16 Code.

17 (b) No person may be convicted of conspiracy to commit a crime, unless an overt act in
18 pursuance of that conspiracy is proved to have been done by such person or by a person with whom
19 such person conspired.

20 (c) If a person knows that one with whom the original person conspires to commit a crime
21 has conspired with another person or persons to commit the same crime, such person is guilty of
22 conspiring to commit a crime with the other person or persons, whether or not the person knows their
23 identity.

24 (d) If a person conspires to commit a number of crimes, such person is guilty of only one
25 conspiracy so long as such multiple crimes are part of a single criminal episode.

26 (e) Violation of this section is a class 4 offense.

27
28 **Section 5.** That section 38-31 of the Denver Revised Municipal Code is hereby amended by
29 removing the struck through language and adding the language underlined, to read as follows:

30 **Sec. 38-31. – ~~Interference with police authority~~Obstructing a peace officer.**

31 ~~(a) It shall be unlawful for any person, in any way, to interfere with or hinder any police~~
32 ~~officer, any member of the police department, or any person duly empowered with police authority,~~
33 ~~while such officer, member, or person duly empowered with police authority is discharging or~~

1 ~~apparently discharging their duties.~~

2 ~~(b) It shall be unlawful for any person, in any way, to interfere with or hinder any deputy~~
3 ~~sheriff, prison steward or deputy warden while any such officials are discharging or apparently~~
4 ~~discharging their duties.~~

5 (a) A person commits obstructing a peace officer when, by using or threatening to use
6 violence, force, physical interference, or an obstacle, such person knowingly obstructs, impairs, or
7 hinders the enforcement of the penal law or the preservation of the peace by a peace officer, acting
8 under color of the peace officer's official authority.

9 ~~(eb) It shall be unlawful for any person to fail to obey a lawful order of a police officer if such~~
10 ~~failure interferes with or hinders such police officer in the discharge of his~~the peace officer's official
11 duties. It is an affirmative defense to this subsection that the failure to obey did not interfere with or
12 hinder the police officers.

13 (c) A person shall not be charged with the offense described in this section because the
14 person remained silent or because the person stated a verbal opposition to an order by a government
15 official.

16 (d) It is not a defense to a prosecution under this section that the peace officer was acting in
17 an illegal manner, if the officer was acting under color of the officer's official authority. A peace officer
18 acts "under color of the officer's official authority" if, in the regular course of assigned duties, the peace
19 officer makes a judgment in good faith based on surrounding facts and circumstances that the officer
20 must act to enforce the law or preserve the peace.

21 (e) If a person is alleged to have committed the offense described in subsection (a) of this
22 section by using or threatening to use an unmanned aircraft system as an obstacle, the offense does
23 not apply if the person who operates the unmanned aircraft system:

24 (1) Obtains permission to operate the unmanned aircraft system from a law enforcement
25 agency or other entity that is coordinating the response of peace officers, firefighters, emergency
26 medical service providers, rescue specialists, or volunteers to an emergency or accident;

27 (2) Continues to communicate with such entity during the operation of the unmanned aircraft
28 system; and

29 (3) Complies immediately with any instructions from the entity concerning the operation of
30 the unmanned aircraft system.

31 (f) "Peace officer" has the same meaning as described in section 16-2.5-101, C.R.S., and
32 section 16-2.5-103, C.R.S., and includes a peace officer in uniform or, if out of uniform, one who has
33 identified themselves by exhibiting their credentials as a peace officer.

34 (g) Violation of subsection (a) of this section is a class 3 offense.

1 (h) Violation of subsection (b) of this section is a class 4 offense.

2
3 **Section 6.** That section 38-32 of the Denver Revised Municipal Code is hereby amended by
4 removing the struck through language and adding the language underlined, to read as follows:

5 **Sec. 38-32. - Resisting any police authority**~~arrest.~~

6 ~~(a) It shall be unlawful for any person to resist any police officer, any member of the police~~
7 ~~department, or any person duly empowered with police authority, while such officer, member or person~~
8 ~~duly empowered with police authority is discharging or apparently discharging their duties.~~

9 ~~(b) It shall be unlawful for any person to resist any deputy sheriff, prison steward or deputy~~
10 ~~warden while any such officials are discharging or apparently discharging their duties.~~

11 (a) A person resists arrest if such person knowingly prevents or attempts to prevent a peace
12 officer, acting under color of the peace officer's official authority, from effecting an arrest of the actor
13 or another, by:

14 (1) Using or threatening to use physical force or violence against the peace officer or
15 another; or

16 (2) Using any other means which creates a substantial risk of causing bodily injury to the
17 peace officer or another.

18 (b) It is no defense to prosecution under this section that the peace officer was attempting to
19 make an arrest which in fact was unlawful, if the officer was acting under color of the officer's official
20 authority, and in attempting to make the arrest the officer was not resorting to unreasonable or
21 excessive force giving rise to the right of self-defense. A peace officer acts "under color of the officer's
22 official authority" when, in the regular course of assigned duties, the peace officer is called upon to
23 make, and does make, a judgment in good faith based upon surrounding facts and circumstances that
24 an arrest should be made by the officer.

25 make, and does make, a judgment in good faith based upon surrounding facts and circumstances
26 that an arrest should be made by the officer.

27 (c) "Peace officer" has the same meaning as described in section 16-2.5-101, C.R.S., and
28 section 16-2.5-103, C.R.S., and means a peace officer in uniform or, if out of uniform, one who has
29 identified themselves by exhibiting their credentials as a peace officer to the person whose arrest is
30 attempted.

31 (d) Violation of this section is a class 3 offense.

32
33 **Section 7.** That section 38-43 of the Denver Revised Municipal Code is amended by removing
34 the struck through language and adding the language underlined, to read as follows:

1 **Sec. 38-43. - Violation of court orders.**

2 (a) It shall be unlawful for any person to violate any provision of a court order issued by any
3 court of record within the United States of America, including Indian tribal courts, or for such person to
4 fail to perform any act unrelated to child custody or parenting time mandated by such an order, after
5 such person has been personally served with any such order or otherwise acquired from the court
6 actual knowledge of the contents of any such order.

7 ~~(b) Any sentence imposed for violation of subsection (a) shall run consecutively and not~~
8 ~~concurrently with any sentence imposed for any other violation.~~

9 (be) Nothing in this section shall be construed to alter or diminish the inherent authority of the
10 court to enforce its orders through civil or criminal contempt proceedings.

11 (ce) No person charged with violation of an order pursuant to this section shall be permitted,
12 in the criminal action resulting from such charges, to collaterally attack the validity of the order which
13 such person is accused of violating.

14 (d) Violation of this section is a class 4 offense.

15

16 **Section 8.** That section 38-44 of the Denver Revised Municipal Code is amended by adding
17 the language underlined, to read as follows:

18 **Sec. 38-44. - Violation of a protection order.**

19 (a) A person commits the crime of violation of a protection order if, after the person has
20 been personally served with a protection order that identifies the person as a restrained person or
21 otherwise has acquired from the court or law enforcement personnel actual knowledge of the contents
22 of a protection order that identifies the person as a restrained person, the person:

23 (1) Contacts, harasses, injures, intimidates, molests, threatens, or touches the protected
24 person or protected property, including an animal identified in the protection order;

25 (2) Enters or remains on premises or comes within a specified distance of the protected
26 person, protected property, including animal, or premises;

27 (3) Possesses or consumes alcohol or controlled substances if prohibited by the protection
28 order;

29 (4) Violates any other provision of the protection order to protect the protected person from
30 imminent danger to life or health, and the conduct is prohibited by the protection order;

31 (5) Violates a civil protection order issued pursuant to section 13-14-105.5, C.R.S. by:

32 a. Possessing a firearm or ammunition while the protection order is in effect; or

33 b. Failing to timely file a signed affidavit or written statement with the court as

34 described in section 13-14-105.5, C.R.S.; or

1 (6) Violates a mandatory protection order issued pursuant to section 18-1-1001, C.R.S.,
2 that includes terms required by section 18-1-1001(9) , C.R.S., by:

3 a. Possessing a firearm or ammunition while the protection order is in effect.; or

4 b. Failing to timely file a signed affidavit or written statement with the court as
5 described in sections 18-1-1001(9)(i) or 18-6-801(8)(i), C.R.S.

6 (b) As used in this section:

7 (1) “Protected person” means the person or persons identified in the protection order as the
8 person or persons for whose benefit the protection order was issued. “Protected person” does not
9 include the defendant.

10 (2) “Protection order” means any order that prohibits the restrained person from contacting,
11 harassing, injuring, intimidating, molesting, threatening, or touching any protected person or protected
12 animal, or from entering or remaining on premises, or from coming within a specified distance of a
13 protected person or protected animal or premises or any other provision to protect the protected
14 person or protected animal from imminent danger to life or death, that is issued by any court of record
15 within the United States of America, including Indian tribal courts.

16 (3) “Restrained person” means the person identified in the order as the person prohibited
17 from doing the specified act or acts.

18 (c) Nothing in this section shall be construed to alter or diminish the inherent authority of
19 the court to enforce its orders through civil or criminal contempt proceedings.

20 (d) No person charged with violation of an order pursuant to this section shall be permitted,
21 in the criminal action resulting from such charges, to collaterally attack the validity of the order which
22 such person is accused of violating.

23 (e) Violation of this section is a class 3 offense; except that, if the protection order is issued
24 pursuant to section 18-1-1001, C.R.S. or the parties were in an intimate relationship, the violation is a
25 class 2 offense.

26
27 **Section 9.** That section 38-51.5 of the Denver Revised Municipal Code is hereby amended by
28 removing the struck through language and adding the language underlined, to read as follows:

29 **Sec. 38-51.5. - Shoplifting unlawful; retail theft.**

30 (a) It shall be unlawful for any person to take or conceal or exercise control over any goods,
31 wares or merchandise (property) of another which is displayed or in any other manner offered for sale
32 and which has an aggregate value of less than one thousand dollars (\$1,000.00), when the person
33 intends to avoid payment for the merchandise or knowingly deprives the person entitled to possession
34 of the property of the use and benefit of the property.

1 (b) Violation of this section is a class 4 offense if the aggregate value of the property
2 involved is less than three hundred dollars (\$300.00).

3 (c) Violation of this section is a class 3 offense if the aggregate value of the property
4 involved is three hundred dollars (\$300.00) or more but less than one thousand dollars (\$1,000.00).
5

6 **Section 10.** That section 38-51.8 of the Denver Revised Municipal Code is hereby amended by
7 removing the struck through language and adding the language underlined, to read as follows:

8 **Sec. 38-51.8. Petty ~~t~~Theft unlawful.**

9 (a) It shall be unlawful for any person to commit theft.

10 (b) A person commits theft when ~~he~~the person knowingly obtains or exercises control over
11 anything of value of another without authorization, or by threat or deception, and:

12 (1) Intends to deprive the other person permanently of the use or benefit of the thing of
13 value; or

14 (2) Knowingly uses, conceals or abandons the thing of value in such manner as to
15 permanently deprive the person entitled to possession of the thing of value's use or benefit; or

16 (3) Uses, conceals or abandons the thing of value intending that such use, concealment or
17 abandonment will permanently deprive the person entitled to possession of the thing of value's use
18 and benefit; or

19 (4) Demands any consideration to which ~~he~~the person is not legally entitled as a condition of
20 restoring the thing of value to the person entitled to possession.

21 (c) This section shall apply only where the value of the thing involved is less than ~~two~~ one
22 thousand dollars (\$21,000.00).

23 (d) As used in this section the terms "thing of value" and "anything of value" mean any
24 property, tangible or intangible, including, but not limited to, personal property, services, and wages for
25 labor.

26 (e) Violation of this section is a class 4 offense if the value of the thing involved is less than
27 three hundred dollars (\$300.00).

28 (f) Violation of this section is a class 3 offense if the value of the thing involved is three
29 hundred dollars (\$300.00) or more but less than one thousand dollars (\$1,000.00).
30

31 **Section 11.** That section 38-61 of the Denver Revised Municipal Code is hereby amended by
32 adding the language underlined, to read as follows:

33 **Sec. 38-61. - Damaging, defacing or destruction of public property.**

34 (a) It shall be unlawful for any person knowingly to damage, deface, destroy or injure the

1 real or personal property of the city in the course of a single episode where the aggregate damage to
2 the real or personal property is less than one thousand dollars (\$1,000.00).

3 (b) Deface as used in subsection (a) shall include, but not be limited to, the writing, painting,
4 inscribing, drawing, scratching or scribbling upon any public wall or public surface owned, operated or
5 maintained by the city, unless the city grants written permission for said writing, painting, inscribing,
6 drawing, scratching or scribbling.

7 (c) Violation of this section is a class 4 offense if the aggregate damage to the real or
8 personal property is less than three hundred dollars (\$300.00).

9 (d) Violation of this section is a class 3 offense if the aggregate damage to the real or
10 personal property is three hundred dollars (\$300.00) or more but less than one thousand dollars
11 (\$1,000.00).

12
13 **Section 12.** That section 38-63 of the Denver Revised Municipal Code is hereby amended by
14 adding the language underlined, to read as follows:

15 **Sec. 38-63. - Protection of public library property.**

16 (a) It shall be unlawful for any person to write in, injure, deface, tear or destroy any book,
17 plate, picture, engraving, map, newspaper, magazine, pamphlet, periodical, manuscript, film or
18 phonograph record belonging to the public library.

19 (b) It shall be unlawful for any person to damage or deface the grounds, building, furniture,
20 fixtures or other property of the public library.

21 (c) It shall be unlawful for any person to fail to return any books or other items borrowed
22 from and belonging to the public library in accordance with the requirements of the bylaws or other
23 rules and regulations of the library commission.

24 (d) It shall be unlawful for any person to remove or to assist in the removal from the
25 public library or any of its regional libraries, branch libraries, or neighborhood libraries, deposit
26 stations, collections or bookmobiles, any book, plate, picture, engraving, map, newspaper, magazine,
27 pamphlet, periodical, manuscript, film, phonograph record, or other item belonging to the
28 public library without first having the same charged or checked out by the proper agent or employee of
29 the public library in accordance with the requirements of the bylaws or other rules and regulations of
30 the library commission.

31 (e) Violation of this section is a class 4 offense if the aggregate damage to the library
32 property or the aggregate value of the library property taken is less than three hundred dollars
33 (\$300.00).

34 (f) Violation of this section is a class 3 offense if the aggregate damage to the library

1 property or the aggregate value of the library property taken is three hundred dollars (\$300.00) or
2 more but less than one thousand dollars (\$1,000.00).

3
4 **Section 13.** That section 38-64 of the Denver Revised Municipal Code is hereby amended by
5 adding the language underlined, to read as follows:

6 **Sec. 38-64. - Injuring sidewalks.**

7 (a) It shall be unlawful for any person to break or otherwise injure any sidewalk.

8 (b) Violation of this section is a class 4 offense if the aggregate damage to the sidewalk is
9 less than three hundred dollars (\$300.00).

10 (c) Violation of this section is a class 3 offense if the aggregate damage to the sidewalk is
11 three hundred dollars (\$300.00) or more but less than one thousand dollars (\$1,000.00).

12
13 **Section 14.** That section 38-65 of the Denver Revised Municipal Code is hereby amended by
14 adding the language underlined, to read as follows:

15 **Sec. 38-65. - Painting or decorating public buildings.**

16 (a) It shall be unlawful for any person to paint or decorate any building, fence or other
17 structure or property owned, leased or used by the city without the written permission of the
18 department head responsible for such building, fence or other structure or property.

19 (b) In the case of a building, fence or other structure or property managed or in any other
20 way controlled by the parks and recreation department, such permission shall consist of the approval
21 of the subject or type of decoration by a majority of the parks and recreation advisory board, in
22 addition to the approval of the manager of parks and recreation, before actual decoration may lawfully
23 begin.

24 (c) Violation of this section is a class 4 offense if the aggregate damage to the building,
25 fence or other structure is less than three hundred dollars (\$300.00).

26 (d) Violation of this section is a class 3 offense if the aggregate damage to the building,
27 fence or other structure is three hundred dollars (\$300.00) or more but less than one thousand dollars
28 (\$1,000.00).

29
30 **Section 15.** That section 38-71 of the Denver Revised Municipal Code is hereby amended by
31 adding the language underlined, to read as follows:

32 **Sec. 38-71. - Damaging, defacing or destruction of private property.**

33 (a) It shall be unlawful for any person knowingly to damage, deface, destroy or injure the

1 real or personal property of one (1) or more other persons in the course of a single episode where the
2 aggregate damage to the real or personal property is less than one thousand dollars (\$1,000.00).

3 (b) Deface as used in subsection (a) shall include, but not be limited to, the writing, painting,
4 inscribing, drawing, scratching or scribbling upon any wall or surface owned, operated or maintained
5 by any person, unless there is written permission for said writing, painting, inscribing, drawing,
6 scratching or scribbling.

7 (c) Violation of this section is a class 4 offense if the aggregate damage to the real or
8 personal property is less than three hundred dollars (\$300.00).

9 (d) Violation of this section is a class 3 offense if the aggregate damage to the real or
10 personal property is three hundred dollars (\$300.00) or more but less than one thousand dollars
11 (\$1,000.00).

12

13 **Section 16.** That section 38-74 of the Denver Revised Municipal Code is hereby amended by
14 adding the language underlined, to read as follows:

15 **Sec. 38-74. – Trespass to a dwelling.**

16 (a) It shall be unlawful for any person to knowingly and unlawfully enter or remain in the
17 dwelling of another.

18 (b) Violation of this section is a class 2 offense.

19

20 **Secs. 38-745—38-85. - Reserved.**

21

22 **Section 17.** That section 38-89 of the Denver Revised Municipal Code is hereby amended by
23 removing the struck through language and adding the language underlined, to read as follows:

24 **Sec. 38-89. - Disturbanceing of the peace.**

25 (a) ~~Generally. It shall be unlawful for any person to disturb or tend to disturb the peace of~~
26 ~~another person or persons by violent, tumultuous, offensive or obstreperous conduct or by loud or~~
27 ~~unusual noises or by unseemly, profane, obscene or offensive language calculated to provoke a~~
28 ~~breach of the peace or for any person to permit any such conduct in any house or upon any premises~~
29 ~~owned or possessed by such person or under their management or control, when within such person's~~
30 ~~power to prevent, so that another person or persons in the vicinity are or may be disturbed thereby.~~

31 (a) It shall be unlawful for a person to intentionally, knowingly, or recklessly:

32 (1) Make a coarse and obviously offensive utterance, gesture, or display in a public place
33 and the utterance, gesture, or display tends to incite an immediate breach of the peace; or

1 (2) Make unreasonable noise in a public place or near a private residence that such person
2 has no right to occupy.

3 (b) *Sound-amplifying equipment.* No person shall use or operate or allow to be used or
4 operated any loudspeaker, public address system, radio, tape player, disc player or other sound-
5 amplifying equipment in or on a motor vehicle in such a manner as to be plainly audible at twenty-five
6 (25) feet from the motor vehicle unless a permit has been issued by the manager of excise and
7 licenses pursuant to subsection (e) herein which allows such amplification. If such a permit has been
8 issued, the intensity and loudness of any amplified sound which is transmitted shall comply with the
9 provisions of chapter 36.

10 (c) *Exception.* The provisions of subsection (b) above shall not apply to sound made or
11 controlled by the city, the federal government or to any branch, subdivision, institution or agency of the
12 government of this state or any political subdivision within it or when such sound is made by an activity
13 of the governmental body or sponsored by it or by others pursuant to the terms of a contract, lease or
14 permit granted by such governmental body.

15 (d) *Definition.* For the purposes of this section, *plainly audible* means that the information
16 content of sound is unambiguously transferred to the auditor, such as but not limited to understanding
17 of spoken speech, comprehension of raised or normal voices or comprehension of musical rhythms.

18 (e) *Permit.* Any person, partnership, association or corporation desiring to use or operate
19 any loudspeaker, public address system or other sound-amplifying equipment in or from a motor
20 vehicle for either commercial or noncommercial purposes which is plainly audible at twenty-five (25)
21 feet must first obtain a permit from the manager of excise and licenses. The permit may authorize the
22 use or operation of such sound-amplifying equipment between the hours of 7:00 a.m. and 10:00 p.m.
23 for one (1) day. The application for the permit shall be filed with the manager of excise and licenses
24 and shall provide the following information:

25 (1) The name, address and telephone number of both the owner and the user of the sound-
26 amplifying equipment;

27 (2) The license number of the motor vehicle which is to be used;

28 (3) The general description of the sound-amplifying equipment which is to be used;

29 (4) Whether the sound-amplifying equipment will be used for commercial or noncommercial
30 purposes; and

31 (5) The date upon which and the streets over which the equipment is proposed to be
32 operated.

33 ~~(f) *Penalty.* Any person, firm, or corporation who pleads guilty or nolo contendere, or is~~
34 ~~convicted of violating subsection (b) of this section shall be punished by a fine of at least fifty dollars~~

1 (~~\$50.00~~) for the first offense; at least two hundred fifty dollars (~~\$250.00~~) for a second offense within
2 five (~~5~~) years; and, at least five hundred dollars (~~\$500.00~~) for a third offense within five (~~5~~) years. For
3 fourth and subsequent offenses within five (~~5~~) years the fine shall not be less than five hundred dollars
4 (~~\$500.00~~), nor more than nine hundred ninety-nine dollars (~~\$999.00~~). No part of the minimum fine may
5 be suspended or discharged, except upon proof and a finding of indigence by the court. Indigent
6 defendants may pay fines imposed under this section by participation in the Denver County Court work
7 program, crediting the dollar amount earned through such public service toward payment of the
8 minimum fine owed. A term of incarceration not to exceed one (~~1~~) year in the Denver County Jail may
9 be imposed in place of, or in addition to, any fine assessed under this subsection.

10 (f) Violation of this section is a class 4 offense.

11

12 **Section 18.** That section 38-91 of the Denver Revised Municipal Code is hereby amended by
13 removing the struck through language and adding the language underlined, to read as follows:

14 **Sec. 38-91. – Disturbance by use of telephone**Harassment.

15 ~~It shall be unlawful for any person by means or use of the telephone to disturb, or tend to~~
16 ~~disturb, the peace, quiet or right of privacy of any other person or family by repeated and continued~~
17 ~~anonymous or identified telephone messages intended to harass or disturb such other person or~~
18 ~~family to whom such message is directed; or by a single telephone call or repeated telephone calls to~~
19 ~~use obscene, profane, indecent or offensive language, or suggest any lewd or lascivious act over or~~
20 ~~through a telephone in the city; or to attempt to extort money or other thing of value from any other~~
21 ~~person or family by means of use of the telephone; or to threaten any physical violence or harm to any~~
22 ~~other person or family by means or use of the telephone; or repeatedly and continuously to ring the~~
23 ~~telephone of any other person or family with intent to disturb such person or family, provided, however,~~
24 ~~that the normal use of the telephone for the purpose of requesting payment of debts or obligations or~~
25 ~~for other legitimate business purposes shall not constitute a violation hereof.~~

26 (a) It shall be unlawful for a person, with intent to harass, annoy, or alarm another person to:

27 (1) Strike, shove, kick, or otherwise touch a person or subject the person to physical contact;

28 (2) In a public place direct obscene language or make an obscene gesture to or at another
29 person;

30 (3) Directly or indirectly initiate communication with a person or direct language toward
31 another person, anonymously or otherwise, by telephone in a manner intended to threaten bodily
32 injury or property damage, or make any comment, request, suggestion, or proposal by telephone that
33 is obscene; or

34 (4) Make a telephone call or cause a telephone to ring repeatedly, whether or not a

1 conversation ensues, with no purpose of legitimate conversation; or

2 (5) Make repeated communications at inconvenient hours that invade the privacy of another
3 and interfere in the use and enjoyment of another's home or private residence or other private
4 property.

5 (b) As used in this section, "obscene" means a patently offensive description of ultimate
6 sexual acts or solicitation to commit ultimate sexual acts, whether or not said ultimate sexual acts are
7 normal or perverted, actual or simulated, including masturbation, cunnilingus, fellatio, anilingus, or
8 excretory functions.

9 (c) Violation of subsection (a)(1) of this section is a class 2 offense.

10 (d) Violation of subsection (a)(2) of this section is a class 4 offense.

11 (e) Violation of subsection (a)(3), (a)(4), or (a)(5) of this section is a class 3 offense.

12

13 **Section 19.** That section 38-92 of the Denver Revised Municipal Code is hereby amended by
14 removing the struck through language and adding the language underlined, to read as follows:

15 **Sec. 38-92. - Threats.**

16 ~~(a) It shall be unlawful for any person knowingly to make, convey or cause to be imparted or~~
17 ~~conveyed, in any manner or by any means, to any other person, any threat concerning an attempt or~~
18 ~~alleged attempt being made, or to be made, to injure or to kill any person, or to damage or to destroy~~
19 ~~any property.~~

20 ~~(b) It shall be unlawful for any person knowingly to convey, or cause to be imparted or~~
21 ~~conveyed, in any manner or by any means, to any other person, any false information with knowledge~~
22 ~~of the falsity thereof, concerning an attempt or alleged attempt being made, or to be made, to injure or~~
23 ~~to kill any person, or to damage or to destroy any property.~~

24 (a) It shall be unlawful for any person knowingly to make a threat to damage or to destroy
25 the property of another person.

26 (b) It shall be unlawful for any person, by any threat or physical action, to knowingly place or
27 attempt to place another person in fear of imminent serious bodily injury.

28 (c) As used in this section, "serious bodily injury" means bodily injury that, either at the time
29 of the actual injury or at a later time, involves a substantial risk of death; a substantial risk of serious
30 permanent disfigurement; a substantial risk of protracted loss or impairment of the function of any part
31 or organ of the body; or breaks, fractures, a penetrating knife or penetrating gunshot wound, or burns
32 of the second or third degree.

33 (d) Violation of subsection (a) of this section is a class 4 offense.

34 (e) Violation of subsection (b) of this section is a class 2 offense.

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Section 20. That section 38-93 of the Denver Revised Municipal Code is hereby amended by removing the struck through language and adding the language underlined, to read as follows:

Sec. 38-93. - Assault.

~~It shall be unlawful for any person to intentionally or recklessly assault, beat, strike, fight or inflict violence on any other person.~~

(a) It shall be unlawful for any person to knowingly or recklessly cause bodily injury to another person.

(b) "Bodily injury" means physical pain, illness, or any impairment of physical or mental condition.

(c) Violation of this section is a class 2 offense.

Section 21. That section 38-93 of the Denver Revised Municipal Code is hereby amended by removing the struck through language and adding the language underlined, to read as follows:

Sec. 38-157. - Public indecency.

(a) It shall be unlawful for any person to perform an act of public indecency.

(b) Any person commits public indecency who performs any of the following in a public place or where the conduct may reasonably be expected to be viewed by members of the public:

(1) An act of sexual intercourse;

(2) An act of deviate sexual intercourse;

(3) Insertion of one (1) or more fingers or other object into the vagina or anus;

~~(4) Masturbation;~~

~~(5)~~ (4) Caressing or fondling of the genitals of another person;

~~(6)~~ (5) Patently offensive representations or imitations of sexual intercourse, masturbation or excretory functions accompanied by exhibition of the genitals;

~~(7)~~ (6) Lewd fondling or caressing of the body of another person.

(c) Violation of this section is a class 4 offense.

Section 22. That section 38-93 of the Denver Revised Municipal Code is hereby amended by adding the language underlined, to read as follows:

Sec. 38-157.1. - Indecent exposure.

(a) It shall be unlawful for a person to commit an act of indecent exposure.

(b) A person commits an act of indecent exposure if they knowingly expose their genitals or

1 buttocks to the view of any person under circumstances which are likely to cause a reasonable person
2 affront or alarm.

3 (c) A person commits an act of indecent exposure if they knowingly perform an act of
4 masturbation in a manner which exposes the act to the view of any person under circumstances in
5 which such conduct is likely to cause affront or alarm to the other person.

6 (d) Violation of subsection (b) of this section is a class 4 offense.

7 (e) Violation of subsection (c) of this section is a class 2 offense.

8

9 **Section 23.** That section 38-158 of the Denver Revised Municipal Code is hereby amended by
10 removing the struck through language and adding the language underlined, to read as follows:

11 **Sec. 38-158. - Prostitution.**

12 (A~~a~~) It shall be unlawful for any person:

13 (1) Knowingly to solicit, induce, entice, or otherwise engage another person for the purpose
14 of obtaining an offer or an agreement for any act of prostitution. Evidence of such illegal conduct
15 includes, but is not limited to, the following:

16 In the context of discussing sexual acts, money, or other things of value:

- 17 a. Inquiring about whether a person is a police officer;
- 18 b. Searching for articles that would identify a person as a police officer;
- 19 c. Requesting a person to perform acts to prove that the person is not a police
20 officer, including, but not limited to:

21 (i) The touching or exposure of genitals or female breasts; or

22 (ii) The consumption or use of alcohol, marijuana, or illegal controlled substances;

23 (2) To arrange or offer to arrange a meeting of or to procure persons for the purpose
24 of prostitution;

25 (3) To direct another person to a place knowing such direction is for the purpose
26 of prostitution;

27 (4) Knowingly to arrange or offer to arrange a situation in which a person may
28 practice prostitution;

29 (5) To perform, offer or agree to any act of prostitution;

30 (6) To enter or remain in a house of prostitution with the intent to engage in an act
31 of prostitution.

32 (b~~5~~) It shall be unlawful for any person tTo have or exercise or control the use of any facility,
33 and:

34 (1)~~a~~. Knowingly to grant or permit the use of such facility for the purpose of prostitution; or

1 (2)~~b~~. Knowingly to permit the continued use of such facility for the purpose of prostitution,
2 after becoming aware of facts or circumstances from which such person should reasonably
3 know that such facility is being used for purposes of prostitution;~~;~~

4 ~~(6) To perform, offer or agree to any act of prostitution;~~

5 ~~(7) To enter or remain in a house of prostitution with the intent to engage in an act~~
6 ~~of prostitution.~~

7 ~~(B) Persons convicted of violating and persons pleading guilty or nolo contendere to violation~~
8 ~~of subsection (A) shall, in addition to any sentence of jail time, pay a fine of five hundred dollars~~
9 ~~(\$500.00) for the first offense; seven hundred fifty dollars (\$750.00) for the second offense within five~~
10 ~~(5) years; and nine hundred ninety-nine dollars (\$999.00) for the third and subsequent offenses. No~~
11 ~~part of the minimum fine may be suspended, however, the court may order a person convicted of~~
12 ~~violating subsection (A) to perform useful public service, and credit the dollar amount earned through~~
13 ~~such public service toward payment of the minimum fine owed. The person shall be paid at the~~
14 ~~standard hourly rate for such public service as established by the rules and regulations of the court.~~
15 ~~Useful public service shall be considered work which is beneficial to the public and which involves a~~
16 ~~minimum of public cost.~~

17 ~~(C)~~ The police shall immediately notify the manager of public health and environment of
18 persons charged with violations of this section, and the manager may, pursuant to state law, order a
19 medical examination pursuant to section 24-131 of the Revised Municipal Code.

20 (d) Violation of subsection (a) of this section is a class 4 offense.

21 (e) Violation of subsection (b) of this section is a class 3 offense.

22
23 **Section 24.** Upon final passage of this ordinance, the City shall evaluate the Code and all
24 crimes and penalties contained therein. City council and the mayor shall convene a working group of:

25 (a) The Mayor or his designee;

26 (b) Three City Council members;

27 (c) Representatives for:

28 (1) The City Attorney;

29 (2) Municipal Public Defender;

30 (3) Denver Police;

31 (4) Denver Sheriff;

32 (5) Denver Fire Department;

33 (6) Department of Public Health and Environment;

34 (7) Department of Licensing and Consumer Protection;

- 1 (8) Denver County Court’s peer forensic specialists;
- 2 (9) A community-based, survivor-driven organization that advocates for crime victims;
- 3 (10) A non-profit group with expertise in municipal court sentencing practices and
4 criminal justice reform;
- 5 (11) A Business Improvement District;
- 6 (12) An organization that represents people experiencing homelessness or living in
7 poverty;
- 8 (13) An organization that advocates for immigrant rights;
- 9 (14) An organization that advocates for racial justice reform;
- 10 (15) A statewide association of criminal defense lawyers;
- 11 (16) An instructor at an institution of higher education and has expert knowledge about
12 criminal prosecution in municipal courts and the impact of incarceration on individual defendants and
13 public safety; and
- 14 (17) Any other member mutually agreed upon by the Mayor and the City Council
15 members of the working group.

16
17 The working group shall convene for its first meeting no later than July 31, 2026. The working group
18 shall review the the Code to determine what the best penalties are for acts prohibited by these
19 sections to gain compliance while also using city resources thoughtfully and avoiding overuse of the
20 criminal legal system, including, but not limited to:

- 21 (a) Where fines are appropriate and at what amount;
- 22 (b) How fines accrue;
- 23 (c) Where jail time is appropriate and at what level;
- 24 (d) Whether certain misconduct that currently can be criminally prosecuted should be
25 decriminalized or repealed; and
- 26 (e) How best to address and deter misconduct by corporate actors.

27
28 The working group shall further review Chapter 38 of the Code to determine:

- 29 (a) Whether any misconduct should be decriminalized or repealed because a crime is
30 outdated or because the code criminalizes low-level misconduct that should not be criminally
31 prosecuted;
- 32 (b) Identify and attempt to prevent disparate impacts of Denver’s criminal prosecutions and
33 penalties based on race, ethnicity, nationality, gender identity, sexual orientation, disability, religion,
34 income, and other protected status;

1 (c) Identify and attempt to prevent disparate impacts of Denver’s criminal prosecutions and
2 penalties based on race, ethnicity, nationality, gender identity, sexual orientation, disability, religion,
3 income, and other protected status.

4
5 No later than January 31, 2027, the working group shall produce and submit to city council a written
6 report that reviews criminal penalties contained in the Denver Revised Municipal Code.

7
8 **Section 25. Effective date.** This ordinance shall become effective sixty (60) days after final
9 publication.

10
11
12 COMMITTEE APPROVAL DATE: May 13, 2026

13 MAYOR-COUNCIL DATE: May 19, 2026

14 PASSED BY THE COUNCIL _____
15 _____ - PRESIDENT

16 APPROVED: _____ - MAYOR _____

17 ATTEST: _____ - CLERK AND RECORDER,
18 EX-OFFICIO CLERK OF THE
19 CITY AND COUNTY OF DENVER
20

21 NOTICE PUBLISHED IN THE DENVER POST _____; _____

22
23 PREPARED BY: Brylan B. Droddy, Assistant City Attorney DATE: _____

24
25 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
26 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
28 3.2.6 of the Charter.
29

30 Miko Ando Brown, Denver City Attorney

31
32 BY: _____, Assistant City Attorney DATE: _____