

EAGLE COUNTY LAW ENFORCEMENT IMMIGRANT ADVISORY COMMITTEE

Law Enforcement

Sheriff Joseph Hoy - Eagle County Sheriff's Office
970-328-8509

Chief Dwight Henninger - Vail Police Department
970-479-2210

Chief Greg Knott - Basalt Police Department
970-927-4316

Chief Brad Lamb - Minturn Police Department
970-827-4272

Chief Robert Ticer - Avon Police Department
970-748-4040

Chief Rodger McLaughlin - Eagle Police
Department
970-328-6351

Community Members

Megan McGee Bonta - Catholic Charities
970-949-0405

Rosario Medina - Mental Health Counselor
720-544-7413

Edgar Arroyo - Eagle County School District
970-328-3956

Kendra Cowles - The Youth Foundation
970-777-2015

Patricia Pierce - Salvation Army
970-748-0704

Deena Ezzell - Victim Services Coordinator,
Eagle County Sheriff's Office
970-328-8539

Olga Wilkins - Community Volunteer
olguish27@gmail.com

Jen Richert - Bright Future Foundation
970-763-7204

Cecilia Holguin - Eagle County Public Health
970-328-9817

Reggie O'Brien - Polar Star Properties
970-949-9417

Frequently Asked Questions for Law Enforcement



EAGLE COUNTY LAW ENFORCEMENT IMMIGRANT ADVISORY COMMITTEE

The Law Enforcement Immigrant Advisory Committee consists of representatives of the immigrant community in Eagle County who meet on a regular basis with representatives from the seven law enforcement agencies located in the County. This group works together to provide resources and information through education and outreach to build trust and collaboration with the immigrant community. This brochure is intended to serve as an informational guide to our immigrant population. The information provided is consistent from all the law enforcement agencies, although there may be some variation depending on the situation.

Brochure adapted from "Frequently Asked Questions for Law Enforcement" by the Summit County Law Enforcement Latino Advisory Committee, 2009

Frequently Asked Questions for Law Enforcement

QUESTIONS RELATED TO FAMILY AND CHILDREN

Colorado law does not specify a specific age when children can be left without proper supervision. As a general rule, the police will use the age of 12 as a guideline. Children under 12 are generally not mature enough to know what to do in an emergency. The police will consider how long they are being left alone, how far away the parents are, and if they are taking care of younger children.

There are several curfew laws in Eagle County. In Avon, it is unlawful for anyone under 16 to be out without a parent or guardian between 11pm and 6am unless it is for work. In Basalt, it is unlawful for anyone under 18 to be out without a parent or guardian between midnight and 6am unless it is for work. In Vail, there are only curfews on New Years Eve and on the 4th of July. In Eagle, there is a general curfew at 11pm. In Minturn, it is unlawful for anyone under 18 to be out without a parent or guardian between 10pm and 6am on Sunday-Thursdays and for anyone under 16 to be out without a parent or guardian between 11pm and 6am on Fridays and Saturdays, unless it is for work or other reasonable necessity.

It is illegal for a person under the age of 15 to have sex with someone who is at least 4 years older than them.

The law related to disciplining your child is called "child abuse". This has to do with using unnecessary force or putting your child in a dangerous situation. If the police are called to investigate possible child abuse they are going to look for any signs of injuries, red marks, and bruising. People have different values about discipline and some think you should never strike a child, not even a slap on the bottom. The police will talk to everyone involved and look for any injuries.

If you have not done anything wrong, then the police will not be concerned with your legal status. Their concern is checking the welfare of the children.



Frequently Asked Questions for Law Enforcement

WHAT HAPPENS IF YOU WITNESS AND/OR ARE THE VICTIM OF A CRIME?

When you see a crime occur or witness someone getting hurt, you should always call the police dispatcher immediately. If it is an emergency call 911, otherwise call (970) 479-2201, or in Basalt call (970) 920-5310. The police are not concerned with immigration status if you reported or witnessed a crime. If you do not want to get involved, you can still call 911 and you do not have to give the dispatcher your name. If you cannot speak English, you can still call the police and they will make arrangements to get an interpreter on the phone.

If you do witness a crime, try to get as many specific details as possible to help the police. For example, details like license plate numbers, car descriptions and the distinctive characteristics of a person (such as facial hair and what they are wearing) can help the police identify the person that committed the crime.



INFORMATION RELATED TO TRAFFIC AND DRIVING

Anyone driving a car is required to have a valid driver's license, registration and proof of insurance for the car. If you do not have a valid driver's license the officer will write you a ticket and you may have to go to court. The police are not required to notify Immigration for traffic offenses where someone is given a ticket. When you go to court for that ticket, the court is not required to notify Immigration either. Immigration is not going to get involved on minor traffic violations. If you do not have insurance and/or a valid driver's license, the police officer may tow your car.

U.S. citizen children of undocumented parents are eligible to receive a Colorado Driver's License through a two-step process. After the child is turned down initially due to a lack of an affidavit showing the parent or guardian is lawfully present, the U.S. citizen can file an appeal. Information for the appeal is located on the "Notice of Incomplete Application" they should receive after being initially denied.

If you fail to pay a traffic ticket or go to court for the ticket, the judge will issue a warrant for "Failure to Appear" and then you may be arrested for the warrant. You should always go to court or pay a ticket. Once you are arrested and put in jail, Immigration is then notified if you are in the country illegally.

The police will not usually take someone's driver's license unless it is being used improperly. The police are required to notify Immigration if someone is arrested and they believe that person is in the country illegally. They are not required to notify Immigration on minor traffic violations like speeding or failure to stop at a stop sign.

If you are driving a vehicle under the influence of alcohol you will be arrested and possibly be taken to the Eagle County Jail. Even if the car is not moving, if you have been drinking

and the keys are in the ignition, you can be arrested for driving under the influence. If they believe you are in the country illegally, the jail will notify Immigration and they will place an immigration hold on you. If you are physically arrested you may be deported back to your country.

If you are involved in an accident you are required to report that accident to the police immediately. Even if the accident was your fault because you ran a red light, you might get a ticket but the police are not required to notify Immigration on traffic accidents or minor traffic violations.

INFORMATION RELATED TO POLICE ACTIVITY

If you feel you have been mistreated by a police officer you should contact the Law Enforcement agency the individual works for and file a complaint with a supervisor, the Chief of Police or Sheriff directly. The Police departments and Sheriff's Office in Eagle County are committed to providing the same level of service to all people regardless of their immigration status. The police are not required to notify Immigration on these types of complaints.

Police Officers in Colorado are sworn to enforce the laws of the State of Colorado and the laws of the Town in which they work. They do not make up their own rules. Police officers are not allowed to use race, religion, national origin, gender, sexual orientation or economic status as the sole basis for deciding who to stop and who to search. Whenever a driver is stopped but not given a written warning, citation, summons or is arrested, the police officer must provide a business card

with their name, number and a telephone number.

It is a violation for someone to discriminate against you based on your race, although this is not a criminal matter involving the police. The remedies for discrimination are often civil in nature. To report discrimination in housing, in the workplace, or in public accommodations, a charge can be filed through the Colorado Civil Rights Division, found at www.dora.state.co.us.

QUESTIONS RELATED TO DOMESTIC VIOLENCE

Domestic violence is serious and if nothing is done to stop this it will usually get worse. In the State of Colorado, once the police receive a report of domestic violence, and probable cause is established to substantiate that this has occurred, then the State of Colorado pursues the criminal charges and the aggressor is arrested. If the only charge is a domestic violence related crime, then under Senate Bill 90 the Police do not report this to Immigration and Customs Enforcement because there is an exemption in the law that requires that they do not report.

Often the immigrant population is afraid to report domestic violence because of the fear of deportation if they are in the country illegally. State law does not require the police to notify Immigration on either the victim or the suspect of domestic violence. If you are the victim of domestic violence or you witness domestic violence, you should contact the police dispatcher immediately.

BRIGHT FUTURE FOUNDATION

If you are the victim of domestic violence, call the Bright Future Foundation 24 hour crisis line at (970) 949-7086 or 1-800-799-SAFE