

**CITY OF LEADVILLE, COLORADO  
RESOLUTION NO. 4  
SERIES OF 2023**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH  
LAKE COUNTY ACTING THROUGH THE LAKE COUNTY SHERIFF'S OFFICE  
FOR SERVICES BY THE VICTIM SERVICES UNIT**

**WHEREAS**, the provisions of Section 18 of Article XIV of the Colorado Constitution and Section 29-1-203 of the Colorado Revised Statutes ("C.R.S") allow Colorado governments to cooperate and to contract with one another to provide any function, service, or facility lawfully authorized to each local government; and

**WHEREAS**, Article II, Section 16A of the Colorado Constitution and Title 24, Article 4.1, Part 3, C.R.S. ("VRA") guarantee certain rights to victims of crimes, specified in C.R.S. § 24-4.1.302, and ensure that victims of such crimes receive fairness, respect, and dignity, and are free from intimidation, harassment, and abuse; and

**WHEREAS**, the Leadville Police Department ("LPD") has contact with victims of crime and is required to comply with the numerous law enforcement responsibilities set forth in the VRA; and

**WHEREAS**, the Lake County Sheriff's Office ("LCSO") has a Law Enforcement Victim Services Unit (the "VSU") that operates to ensure that the LCSO complies with the VRA and is available to assist other law enforcement agencies in complying with their obligations under the VRA; and

**WHEREAS**, LPD's use of the services and assistance provided by VSU will help ensure that all victims are afforded their rights as required by law; and

**WHEREAS**, the City Council finds it is in the best interests of the public health, safety, and welfare to approve a memorandum of understanding ("MOU") with Lake County, acting through LCSO, for LPD's use of the VSU services and to delegate authority to the Chief of Police to execute the MOU on behalf of the City when in final form.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO, AS FOLLOWS:**

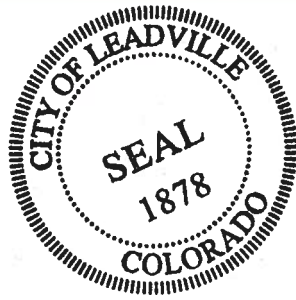
**Section 1.** The foregoing recitals are incorporated herein as findings and determinations of City Council.

**Section 2.** The City Council hereby: (a) approves the MOU concerning LPD's use of VSU's services in substantially the same form as attached hereto as **Exhibit 1**; (b) authorizes the City Attorney, in consultation with the Chief of Police, to make any non-substantive changes to the MOU as may be necessary; and (c) authorizes the Chief of Police to execute the MOU on behalf of the City once in final form.

**Section 3. Severability.** If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon approval of the City Council of the City of Leadville.

ADOPTED this 7th day of February 2022 by a vote of  
6 in favor, 0 against, 1 absent.



CITY OF LEADVILLE, COLORADO:

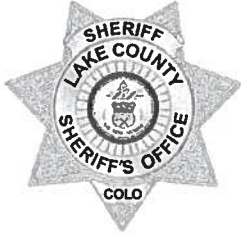
By: Greg Labbe  
Greg Labbe, Mayor

ATTEST:

Dorinda Soler  
Deputy City Clerk

**EXHIBIT 1**  
**MEMORANDUM OF UNDERSTANDING**

*(see attached document)*



# Lake County Sheriff's Office

Sheriff Heath Speckman

PO Box 255

505 Harrison Avenue

Leadville, CO 80461

719-486-1249



The Law Enforcement Victim Services Unit under the Lake County Sheriff's Office has a purpose of ensuring a common collaborative relationship between all victims of crime and law enforcement. Victims of crime are to include any victims within the County of Lake, inside or outside Leadville city limits. The Victim Services Program is to protect and ensure the understanding of rights as defined in the Victim Rights Act 18 U.S.C. § 3771 and the Constitution of the State of Colorado [Section 24-4.1-302(1) C.R.S.]. The Advocates in this Program are to work with victims, witnesses, families, and other sources/agencies to assist investigation by Deputies or Officers and the District Attorney's Office to successfully prosecute violent acts of crime or any crime that falls under the Victim Rights Act. It is the responsibility of law enforcement agencies to ensure that all victims of and witnesses to crimes are honored and protected by those agencies, prosecutors, and judges in a manner no less vigorous than the protection afforded to criminal defendants. Other responsibilities of law enforcement agencies and law enforcement advocates include but are not limited to:

- ❖ Treating all victims with fairness, dignity, and respect; victims are to be free from intimidation, harassment, or abuse throughout the criminal justice process
- ❖ Notifying victims of decision not to file charges
- ❖ Allowing victims free access to an unredacted copy of the initial incident report of the investigating law enforcement agency (with conditions based on status of the case/safety concerns) unless the investigation is pending
- ❖ Allowing the victim to have access to resources for several services related to the victimization
- ❖ Make all reasonable attempts to keep the victim and their family safe from harm that may arise from reporting, the investigation of, or prosecution of the crime
- ❖ To inform victims of any rights which they have pursuant to the constitution of the U.S. or of Colorado

The Law Enforcement Victim Services Unit shall assist law enforcement deputies and officers with the following responsibilities:

- ❖ Follow-up support for the victim and their immediate family
- ❖ Services for children, elderly, persons with disabilities or persons with special needs
- ❖ Referral to counselling facilities and community service agencies
- ❖ Transportation and household assistance to promote participation in court proceedings
  - Childcare services to enable the victim or their immediate family to testify/participate
- ❖ Interpretation services as necessary
- ❖ Notification of existence of a protection order and any modification requests that may be made
- ❖ Provide a statement of the victim's rights
- ❖ Information concerning availability of victim assistance, medical and emergency services
- ❖ Information concerning availability of compensatory benefits
- ❖ Information concerning availability of protection of the victim including protective court orders
- ❖ Contact information for the agency investigating the crime and the DA's office, the investigating Deputy/Officer, and the case number
- ❖ Notifying the victim of custody changes of the defendant
- ❖ Notifying the victim of case status/when the defendant will see the judge for bond hearing, plea hearing, sentencing hearing, or any other proceedings not required per request of the victim
- ❖ To assist child victims in understanding any proceedings that they will be requested to participate, as well as with coping with emotional impact of the crime and proceedings
- ❖ Transportation and accompaniment to Forensic Interviews and/or SANE/FNE examinations

With the high volume of responsibilities related to VRA crimes for law enforcement, as this list is not exhaustive, the Law Enforcement Victim Services Unit is available to assist law enforcement agencies in assuring these responsibilities are being met and that VRA C.R.S. is complied with. In order to make sure that ALL victims of crime are afforded these rights, it is important that the Lake County Sheriff's Office and the Leadville Police Department work together so that no victim is left behind.



## Lake County Sheriff's Office

Sheriff Heath Speckman  
PO Box 255  
505 Harrison Avenue  
Leadville, CO 80461  
719-486-1249



With this Memorandum of Understanding, the Leadville Police Department shall utilize the Lake County Sheriff's Office Victim Services Unit for VRA needs and compliance as defined in the Victim Rights Act 18 U.S.C. § 3771 and the Constitution of the State of Colorado [Section 24-4.1-302(1) C.R.S.]. There shall be a waiver of confidentiality so that information provided to the Advocate is shareable with the law enforcement agency investigating the crime. The Victim Advocate shall make reasonable efforts to ensure the confidentiality of each victim individually outside the scope of informing the law enforcement agency investigating the crime of any details that may be pertinent to the investigation itself. The Sheriff's Office Victim Services Personnel shall ensure that the law enforcement agency investigating the crime is aware of the victim's status and willingness to cooperate with and participate in the investigative process. The law enforcement agency shall ensure that the Victim Advocate has reasonable access to necessary case information to provide to the victim if requested, as well as to update the confidential tracking system utilized for the Victim Services Unit grant tracking. The Lake County Sheriff's Office and Leadville Police Department shall make reasonable efforts to ensure the Deputies and Officers inform the Victim Advocate of any crime committed that falls under VRA as soon as possible in order to pursue these responsibilities in a timely manner, including calling the Advocate to the scene once it is secure. The Victim Advocate shall make reasonable efforts to ensure that the Deputies and Officers are informed of any updates in these responsibilities or any updates to the crimes listed in order to best serve the victims and their families.

With this Memorandum of Understanding, the Lake County Sheriff's Office and Leadville Police Department shall utilize the services of the Lake County Sheriff's Office Victim Services Unit in collaboration with each other to ensure each and every victim of crime and their family is treated with fairness, dignity, and respect, and that each and every victim of crime and their family is afforded all of their rights as defined in the Victim Rights Act 18 U.S.C. § 3771 and the Constitution of the State of Colorado [Section 24-4.1-302(1) C.R.S.

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Sheriff

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Chief of Police

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Law Enforcement Victim Services Director