

### COLORADO REVISED STATUTES

\*\*\* THIS DOCUMENT REFLECTS CHANGES RECEIVED THROUGH THE 2010 LEGISLATIVE SESSION \*\*\*

AND THE NOVEMBER 2, 2010 GENERAL ELECTION
\*\*\* ANNOTATIONS CURRENT THROUGH DECEMBER 10, 2009 \*\*\*

TITLE 18. CRIMINAL CODE
ARTICLE 4. OFFENSES AGAINST PROPERTY
PART 5. TRESPASS, TAMPERING, AND CRIMINAL MISCHIEF

### GO TO COLORADO STATUTES ARCHIVE DIRECTORY

C.R.S. 18-4-502 (2010)

18-4-502. First degree criminal trespass

A person commits the crime of first degree criminal trespass if such person knowingly and unlawfully enters or remains in a dwelling of another or if such person enters any motor vehicle with intent to commit a crime therein. First degree criminal trespass is a class 5 felony.

HISTORY: Source: L. 71: R&RE, p. 431, § 1. C.R.S. 1963: § 40-4-502.L. 77: Entire section amended, p. 963, § 26, effective July 1.L. 92: Entire section amended, p. 404, § 16, effective June 3.L. 93: Entire section amended, p. 1732, § 17, effective July 1.L. 98: Entire section amended, p. 1443, § 31, effective July 1.

## **ANNOTATION**

Am. Jur.2d. See 75 Am. Jur.2d, Trespass, § § 132-134, 151-153.

C.J.S. See 87 C.J.S., Trespass, § § 174-177, 185.

Annotator's note. Since § 18-4-502 is similar to former § 40-3-8 C.R.S. 1963, relevant cases construing that provision have been included in the annotations to this section.

For the treatment of breaking and entering under previous statute, see Howard v. People, 173 Colo. 209, 477 P.2d 378 (1970); Garcia v. People, 174 Colo. 372, 483 P.2d 1347 (1971); People v. Major, 179 Colo. 204, 499 P.2d 1200 (1972).

Under previous statute, entering motor vehicle included box part of pickup. *People v. Romero, 179 Colo.* 159, 499 P.2d 604 (1972).

Proof of dwelling crucial for first degree trespass. The crucial distinction between first degree criminal trespass and second and third degree is that the prosecution must prove the additional element that the property which was unlawfully entered is a dwelling for first degree trespass. *People v. Marshall*, 196 Colo. 381, 586 P.2d 41 (1978).

"Dwelling" encompasses the entire residential structure, including an attached garage. *People v. Hanna*, 981 P.2d 627 (Colo. App. 1998).

That the dwelling is "of another" is an essential element of first degree criminal trespass. Pattern jury instruction was incorrect because it omitted that element. *People v. Peoples*, 8 P.3d 577 (Colo. App. 2000).

"With intent to commit a crime therein" is only an element to first degree criminal trespass of a motor vehicle. It does not apply to first degree criminal trespass of a dwelling. *People v. Rodriguez, 43 P.3d 641 (Colo. App. 2001).* 

Criminal trespass charge is defective if the count failed to identify an ulterior crime. *People v. Williams*, 961 P.2d 533 (Colo. App. 1997), affd, 984 P.2d 56 (Colo. 1999).

Criminal trespass charge is defective in form but not in substance if the count fails to identify an ulterior crime. *People v. Williams*, 984 P.2d 56 (Colo. 1999).

Even the absence of a restraining order, an estranged spouse is not privileged or licensed to enter the separate residence of the other spouse so as to create a defense to a charge of first degree criminal trespass. *People v. Johnson, 906 P.2d 122 (Colo. 1995).* 

First degree trespass of motor vehicle. First degree criminal trespass embraces situations where a person knowingly and unlawfully enters a motor vehicle with the intent to steal something of value. *Barreras v. People*, 636 P.2d 686 (Colo. 1981).

Unlawful entry into semitrailer included in offense. The general assembly intended to make the crime of first degree criminal trespass encompass unlawful entry into a semitrailer for the purpose of theft. *People v. Walters*, 39 Colo. App. 119, 568 P.2d 61 (1977).

The general assembly intended to include tractor-trailer units as "motor vehicles" for the purpose of criminal trespass. *People v. Walters*, 39 Colo. App. 119, 568 P.2d 61 (1977).

By entering the open portion of a pickup truck, one "enters a motor vehicle" as that phrase is used in this section. *People v. Banuelos*, 40 Colo. App. 267, 577 P.2d 305 (1977).

It was reversible error for the prosecution to tell the jury that in order to be guilty of first degree criminal trespass of a motor vehicle, the defendant could form unlawful intent at any time, because the prosecutor's argument improperly permitted the jury to adopt a version of the law pursuant to which it could find defendant guilty, regardless of when he formed the intent to steal property from the van. *People v. Anderson, 991 P.2d 319 (Colo. App. 1999).* 

Entry into motor vehicle not required to be "knowing and unlawful", so no error in trial court's refusal to instruct the jury that defendant's entry into a van must have been "unlawful". *People v. Anderson*, 991 P.2d 319 (Colo. App. 1999).

Conviction of being accessory to first degree criminal trespass requires a showing that the accused knew that the principal had committed an unlawful trespass in acquiring the stolen property. *Barreras v. People*, 636 P.2d 686 (Colo. 1981).

First degree criminal trespass is not a lesser included offense of second degree burglary. *People v. Garcia, 920 P.2d 878 (Colo. App. 1996)*, rev'd on other grounds, *940 P.2d 357 (Colo. 1997)*.

First degree criminal trespass is not a lesser included offense of first degree burglary. However, it is a lesser non-included offense, and the trial court may instruct a jury on such offense over the objection of the defendant if the charging document provides notice that defendant might have to defend against that charge. *People v. Satre, 950 P.2d 667 (Colo. App. 1997).* 

Attempted first degree criminal trespass may be a lesser included offense to attempted second degree burglary. *People v. Austin, 799 P.2d 408 (Colo. App. 1990).* 

Third degree criminal trespass is not a lesser included offense of attempted first degree criminal trespass. While unlawful entry upon the premises is a necessary element of the completed offense of third degree criminal trespass, it is not a necessary element of attempted first degree criminal trespass. *People v. Griffith*, 58 P.3d 1111 (Colo. App. 2002).

First degree criminal trespass is distinct from misdemeanor theft. *People v. Martinez*, 640 P.2d 255 (Colo. App. 1981).

Evidence sufficient for a finding of intent under this section. *People v. Sorber*, 179 Colo. 434, 501 P.2d 121 (1972).

Conviction for residential criminal trespass is a crime of violence and thus an aggravated felony qualifying defendant for an increased sentence under the United States sentencing guidelines. *United States v. Vene-gas-Ornelas*, 348 F.3d 1273 (10th Cir. 2003).

Applied in People in Interest of D.G.P., 194 Colo. 238, 570 P.2d 1293 (1977); People v. Newman, 195 Colo. 367, 578 P.2d 1051 (1978); People v. Huston, 197 Colo. 125, 589 P.2d 1367 (1979); People v. Ortega, 198 Colo. 179, 597 P.2d 1034 (1979); People v. Horne, 619 P.2d 53 (Colo. 1980); Bollier v. People, 635 P.2d 543 (Colo. 1981); People v. Schreyer, 640 P.2d 1147 (Colo. 1982); People v. Norman, 703 P.2d 1261 (Colo. 1985).



### LEXSTAT C.R.S. 18-9-111

### COLORADO REVISED STATUTES

\*\*\* THIS DOCUMENT REFLECTS CHANGES RECEIVED THROUGH THE 2010 LEGISLATIVE SESSION \*\*\*

AND THE NOVEMBER 2, 2010 GENERAL ELECTION

\*\*\* ANNOTATIONS CURRENT THROUGH DECEMBER 10, 2009 \*\*\*

TITLE 18. CRIMINAL CODE
ARTICLE 9. OFFENSES AGAINST PUBLIC PEACE, ORDER, AND DECENCY
PART 1. PUBLIC PEACE AND ORDER

# GO TO COLORADO STATUTES ARCHIVE DIRECTORY

C.R.S. 18-9-111 (2010)

#### 18-9-111. Harassment

- (1) A person commits harassment if, with intent to harass, annoy, or alarm another person, he or she:
- (a) Strikes, shoves, kicks, or otherwise touches a person or subjects him to physical contact; or
- (b) In a public place directs obscene language or makes an obscene gesture to or at another person; or
- (c) Follows a person in or about a public place; or
- (d) Repealed.
- (e) Initiates communication with a person, anonymously or otherwise, by telephone, telephone network, data network, text message, instant message, computer, computer network, or computer system in a manner intended to harass or threaten bodily injury or property damage, or makes any comment, request, suggestion, or proposal by telephone, computer, computer network, or computer system that is obscene; or
- (f) Makes a telephone call or causes a telephone to ring repeatedly, whether or not a conversation ensues, with no purpose of legitimate conversation; or
- (g) Makes repeated communications at inconvenient hours that invade the privacy of another and interfere in the use and enjoyment of another's home or private residence or other private property; or
- (h) Repeatedly insults, taunts, challenges, or makes communications in offensively coarse language to, another in a manner likely to provoke a violent or disorderly response.
- (1.5) As used in this section, unless the context otherwise requires, "obscene" means a patently offensive description of ultimate sexual acts or solicitation to commit ultimate sexual acts, whether or not said ultimate sexual acts are normal or perverted, actual or simulated, including masturbation, cunnilingus, fellatio, anilingus, or excretory functions.
- (2) Harassment pursuant to subsection (1) of this section is a class 3 misdemeanor; except that harassment is a class 1 misdemeanor if the offender commits harassment pursuant to subsection (1) of this section

with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin.

- (3) Any act prohibited by paragraph (e) of subsection (1) of this section may be deemed to have occurred or to have been committed at the place at which the telephone call, electronic mail, or other electronic communication was either made or received.
  - (4) to (6) Repealed.

HISTORY: Source: L. 71: R&RE, p. 469, § 1. C.R.S. 1963: § 40-9-111.L. 76: (1)(e) R&RE and (1.5) added, p. 561, § § 1, 2, effective May 21.L. 81: (1)(e) amended, p. 981, § 6, effective May 13.L. 90: (1)(d) repealed, p. 926, § 11, effective March 27.L. 92: (2) amended and (4) to (6) added, p. 413, § 1, effective July 1.L. 93: (5)(a) amended and (5)(a.5) added, p. 1703, § 1, effective July 1.L. 94: IP(1), (1)(g), and (1)(h) amended, p. 1463, § 3, effective July 1; (4) and (5) amended, p. 2018, § 1, effective July 1; (5)(b) amended, p. 1719, § 14, effective July 1.L. 95: (5) amended, p. 1258, § 26, effective July 1.L. 97: (4)(b)(I) amended, p. 1540, § 4, effective July 1.L. 99: (2), (4), and (5) amended, pp. 795, 792, § § 4, 1, effective July 1.L. 2000: (1)(e) and (3) amended, p. 693, § 4, effective July 1.L. 2003: (5)(b) amended, p. 1014, § 23, effective July 1.L. 2004: (5)(a.7) added, p. 636, § 11, effective August 4.L. 2009: (1)(e) amended, (HB 09-1132), ch. 341, p. 1793, § 4, effective July 1.L. 2010: (4), (5), and (6) repealed, (HB 10-1233), ch. 88, p. 295, § 2, effective August 11.

Editor's note: (1) Amendments to subsection (5) in House Bill 94-1045 and House Bill 94-1126 were harmonized.

(2) Subsections (4), (5), and (6) were relocated to part 6 of article 3 of this title.

Cross references: For provisions concerning harassment by debt collectors or collection agencies, see  $\S$  12-14-106.

### ANNOTATION

Gravamen of this offense is the thrusting of an offensive and unwanted communication on one who is unable to ignore it. *People v. Weeks, 197 Colo. 175, 591 P.2d 91 (1979).* 

Defendant's spitting on the tenant constituted "physical contact" within the meaning of subsection (1)(a). *People v. Peay, 5 P.3d 398 (Colo. App. 2000).* 

Subsection (1)(d) held unconstitutionally vague. This subsection violates the due process clause because it contains no limiting standards to define what conduct is prohibited and, conversely, what conduct is permitted. *People v. Norman*, 703 P.2d 1261 (Colo. 1985).

Former subsection (1)(e) was facially overbroad and therefore unconstitutional. *Bolles v. People*, 189 Colo. 394, 541 P.2d 80 (1975).

Subsection (1)(e) held not to be unconstitutionally vague because the statute defined the offense with particularized standards to limit the scope of the offense and the presence in the statute of the words "annoy" and "alarm", by themselves, were not sufficient to render the statute unconstitutionally vague. *People v. McBurney*, 750 P.2d 916 (Colo. 1988).

Subsection (1)(g) is facially overbroad and unconstitutionally vague and there are no limiting constructions that will render it constitutional. *People v. Smith*, 862 P.2d 939 (Colo. 1993).

A defendant lacks standing to challenge the constitutionality of a statute as facially overbroad when the defendants alleged speech is precisely the type of activity which the telephone harassment statute was designed to regulate. *People v. McBurney*, 750 P.2d 916 (Colo. 1988).

This section and § 18-3-207, which classifies criminal extortion as a felony, address separate and distinct crimes and the classification of such offenses have a rational basis in fact and are reasonably related to legitimate government interests. *People v. Czemerynski*, 786 P.2d 1100 (Colo. 1990).

Subsection (1)(h) is not unconstitutionally vague on its face. People ex rel. VanMeveren v. County Court, 191 Colo. 201, 551 P.2d 716 (1976).

The limited scope of the statute brings it within permissible limitations on free expression. *People ex rel. VanMeveren v. County Court, 191 Colo. 201, 551 P.2d 716 (1976).* 

What subsection (1)(h) prohibits. Subsection (1)(h) prohibits (1) "fighting words", as heretofore defined, addressed to another person, (2) consisting of insults, taunts, or challenges, (3) repeatedly made, and (4) with intent to harass, annoy, or alarm another person. *People ex rel. VanMeveren v. County Court, 191 Colo. 201, 551 P.2d 716 (1976).* 

Subsection (1)(h) requires an objective determination: Whether the words when directed to an average person would tend to induce an immediate breach of the peace. *People ex rel. VanMeveren v. County Court, 191 Colo. 201, 551 P.2d 716 (1976).* 

"Annoy" in this section means "to irritate with a nettling or exasperating effect". Bolles v. People, 189 Colo. 394, 541 P.2d 80 (1975).

"Alarm" in this section means "to arouse to a sense of danger; to put on the alert; to strike with fear; fill with anxiety as to threaten danger or harm". *Bolles v. People, 189 Colo. 394, 541 P.2d 80 (1975)*.

"Repeatedly" is a word of such common understanding that its meaning is not vague. It simply means in the context of subsection (1)(h) that the defendant uses insulting, taunting, or challenging language more than one time. People ex rel. VanMeveren v. County Court, 191 Colo. 201, 551 P.2d 716 (1976).

Use of "obscene" in subsection (1)(e). Although subsection (1)(e) uses the word "obscene" to describe the speech which is prohibited, that subsection is clearly not designed to regulate the purveyance of "obscenity" as that word is used in *Miller v. California (413 U.S. 15, 93 S. Ct. 2607, 37 L.Ed.2d 419,* rehearing denied, 414 U.S. 881, 94 S. Ct. 26, 38 L.Ed.2d 128 (1973)). Whatever the requirements of Miller v. California may be in a prosecution for alleged violations of law prohibiting published obscenity, those requirements are inapposite when the question is whether the state may prohibit unwanted verbal assaults on a person within the privacy of his own home. *People v. Weeks, 197 Colo. 175, 591 P.2d 91 (1979)*.

Evidence sufficient to establish the conviction under subsection (1)(c). Although the evidence could be viewed in two ways, there was sufficient evidence to support the jury's inferences that the defendant did follow the victim in a public place. *People v. Cross*, 114 P.3d 1 (Colo. App. 2004), rev'd on other grounds, 127 P.3d 71 (Colo. 2006).

Applied in Verner v. Colo., 533 F. Supp. 1109 (D. Colo. 1982).



## COLORADO REVISED STATUTES

# \*\*\* THIS DOCUMENT REFLECTS CHANGES RECEIVED THROUGH THE 2010 LEGISLATIVE SESSION \*\*\*

AND THE NOVEMBER 2, 2010 GENERAL ELECTION
\*\*\* ANNOTATIONS CURRENT THROUGH DECEMBER 10, 2009 \*\*\*

TITLE 18. CRIMINAL CODE ARTICLE 4. OFFENSES AGAINST PROPERTY PART 5. TRESPASS, TAMPERING, AND CRIMINAL MISCHIEF

### GO TO COLORADO STATUTES ARCHIVE DIRECTORY

C.R.S. 18-4-504.5 (2010)

# 18-4-504.5. Definition of premises

As used in *sections 18-4-503* and *18-4-504*, "premises" means real property, buildings, and other improvements thereon, and the stream banks and beds of any nonnavigable fresh water streams flowing through such real property.

**HISTORY:** Source: L. 77: Entire section added, p. 977, § 1, effective June 10.

# **ANNOTATION**

Law reviews. For comment, "People v. Emmert: A Step Backward for Recreational Water Use in Colorado", see 52 U. Colo. L. Rev. 247 (1981).

Applied in People v. Emmert, 198 Colo. 137, 597 P.2d 1025 (1979); Bollier v. People, 635 P.2d 543 (Colo. 1981).



# COLORADO REVISED STATUTES

# \*\*\* THIS DOCUMENT REFLECTS CHANGES RECEIVED THROUGH THE 2010 LEGISLATIVE SESSION \*\*\*

AND THE NOVEMBER 2, 2010 GENERAL ELECTION
\*\*\* ANNOTATIONS CURRENT THROUGH DECEMBER 10, 2009 \*\*\*

TITLE 18. CRIMINAL CODE ARTICLE 4. OFFENSES AGAINST PROPERTY PART 5. TRESPASS, TAMPERING, AND CRIMINAL MISCHIEF

# GO TO COLORADO STATUTES ARCHIVE DIRECTORY

C.R.S. 18-4-504 (2010)

# 18-4-504. Third degree criminal trespass

- (1) A person commits the crime of third degree criminal trespass if such person unlawfully enters or remains in or upon premises of another.
  - (2) Third degree criminal trespass is a class 1 petty offense, but:
- (a) It is a class 3 misdemeanor if the premises have been classified by the county assessor for the county in which the land is situated as agricultural land pursuant to section 39-1-102 (1.6), C.R.S.; and
- (b) It is a class 5 felony if the person trespasses on premises so classified as agricultural land with the intent to commit a felony thereon.

HISTORY: Source:. L. 71: R&RE, p. 431, § 1. C.R.S. 1963: § 40-4-504.L. 83: Entire section amended, p. 666, § 9, effective July 1.L. 84: (2)(a) amended, p. 1119, § 15, effective June 7.L. 89: (2)(b) amended, p. 834, § 48, effective July 1.L. 93: (1) amended, p. 1732, § 19, effective July 1.

# ANNOTATION

Am. Jur.2d. See 75 Am. Jur.2d, Trespass, § § 132-134, 151-153.

C.J.S. See 87 C.J.S., Trespass, § § 174-177, 185.

Law reviews.For comment, "People v. Emmert: A Step Backward for Recreational Water Use in Colorado", see 52 U. Colo. L. Rev. 247 (1981).

Public has no right to use of water overlying private lands for recreational purposes without the consent of the owner. People v. Emmert, 198 Colo. 137, 597 P.2d 1025 (1979).

"Breaking the close" is trespass. Whoever "breaks the close" -- intrudes upon the space above the surface of the land -- without the permission of the owner, whether it be for fishing or for other recreational purposes, such as floating, commits a trespass. People v. Emmert, 198 Colo. 137, 597 P.2d 1025 (1979).

Proof of dwelling crucial for first degree trespass. The crucial distinction between first degree criminal trespass and second and third degree is that the prosecution must prove the additional element that the property which was unlawfully entered is a dwelling for first degree trespass. *People v. Marshall*, 196 Colo. 381, 586 P.2d 41 (1978).

But third degree criminal trespass is not a lesser included offense of attempted first degree criminal trespass. People v. Griffith, 58 P.3d 1111 (Colo. App. 2002).

Officers who enter under a warrant and rightfully seize certain property but wrongfully seize other property are liable as trespassers abinitio as to the property wrongfully seized. Walker v. City of Denver, 720 P.2d 619 (Colo. App. 1986).

Applied in People v. Huston, 197 Colo. 125, 589 P.2d 1367 (1979); People v. Hight, 198 Colo. 299, 599 P.2d 885 (1979).



### COLORADO REVISED STATUTES

# \*\*\* THIS DOCUMENT REFLECTS CHANGES RECEIVED THROUGH THE 2010 LEGISLATIVE SESSION \*\*\*

AND THE NOVEMBER 2, 2010 GENERAL ELECTION
\*\*\* ANNOTATIONS CURRENT THROUGH DECEMBER 10, 2009 \*\*\*

TITLE 18. CRIMINAL CODE ARTICLE 4. OFFENSES AGAINST PROPERTY PART 5. TRESPASS, TAMPERING, AND CRIMINAL MISCHIEF

### GO TO COLORADO STATUTES ARCHIVE DIRECTORY

C.R.S. 18-4-503 (2010)

## 18-4-503. Second degree criminal trespass

- (1) A person commits the crime of second degree criminal trespass if such person:
- (a) Unlawfully enters or remains in or upon the premises of another which are enclosed in a manner designed to exclude intruders or are fenced; or
- (b) Knowingly and unlawfully enters or remains in or upon the common areas of a hotel, motel, condominium, or apartment building; or
  - (c) Knowingly and unlawfully enters or remains in a motor vehicle of another.
  - (2) Second degree criminal trespass is a class 3 misdemeanor, but:
- (a) It is a class 2 misdemeanor if the premises have been classified by the county assessor for the county in which the land is situated as agricultural land pursuant to section 39-1-102 (1.6), C.R.S.; and
- (b) It is a class 4 felony if the person trespasses on premises so classified as agricultural land with the intent to commit a felony thereon.
- (3) Whenever a person is convicted of, pleads guilty or nolo contendere to, receives a deferred judgment or sentence for, or is adjudicated a juvenile delinquent for, a violation of paragraph (c) of subsection (1) of this section, the offender's driver's license shall be revoked as provided in section 42-2-125, C.R.S.

HISTORY: Source: L. 71: R&RE, p. 431, § 1. C.R.S. 1963: § 40-4-503.L. 81: Entire section amended, p. 990, § 1, effective June 4.L. 83: Entire section amended, p. 666, § 8, effective July 1.L. 84: (2)(a) amended, p. 1119, § 14, effective June 7.L. 93: (1) amended, p. 1732, § 18, effective July 1.L. 94: (1) amended, p. 1718, § 11, effective July 1.L. 2003: (3) added, p. 1846, § 4, effective July 1.

### ANNOTATION

Am. Jur.2d. See 75 Am. Jur.2d, Trespass, § § 132-134, 151-153.

C.J.S. See 87 C.J.S., Trespass, § § 174-177, 182.

Proof of dwelling crucial for first degree trespass. The crucial distinction between first degree criminal trespass and second and third degree is that the prosecution must prove the additional element that the property which was unlawfully entered is a dwelling for first degree trespass. *People v. Marshall*, 196 Colo. 381, 586 P.2d 41 (1978).

Second degree criminal trespass is a lesser included offense of second degree burglary (§ 18-4-203). Second degree criminal trespass requires the defendant to unlawfully enter or remain on the premises of another that are enclosed in a manner designed to exclude intruders. By definition, if a building or structure exists, entry of which is required for second degree burglary, the building or structure is designed to exclude intruders. Thus, all of the elements of second degree criminal trespass are included in the offense of second degree burglary. People v. MacBlane, 952 P.2d 824 (Colo. App. 1997).

Applied in People in Interest of D.G.P., 194 Colo. 238, 570 P.2d 1293 (1977); People v. Smith, 638 P.2d 1 (Colo. 1981).





"I love what I do. In my view, my job is about fighting for the rights of those who cannot otherwise fight or speak for themselves and to ensure that the law is applied evenly in every case. I find it hard to imagine a more rewarding profession."

Lara Marks is a member of the Isaacson Rosenbaum litigation practice group with a focus on criminal defense and civil rights litigation. She has a robust criminal practice—having handled a broad range of felony and misdemeanor cases.

"My colleagues and I have successfully defended and tried criminal matters, including first and second-degree murder, sexual assault, domestic violence, armed robbery, DUI and felony drug cases, among many others," she explains. "I am asked all the time how I can do the work I do and the answer for me is simple. I believe everyone—guilty or innocent—deserves a voice and an advocate, particularly when a powerful government is accusing them of crimes that jeopardize their freedom, livelihoods, and families."

Lara pairs her work in civil rights and defense law with a business background—working for a "Big 6" management consulting firm—and several years working in corporate tax and securities. In addition to criminal litigation, she has assisted clients in years past with breach of contract disputes, copyright infringement litigation, Title VII and EEOC employment disputes, and bankruptcy litigation. In the corporate arena, she has handled franchising, trademark and copyright matters, drafted and negotiated licensing, operating, nondisclosure and independent contractor agreements.

Despite the many demands of the practice area, Lara has also created a noteworthy list of accolades outside the courtroom. In 2009, the

# LARA E. MARKS

Senior Associate Imarks@ir-law.com

> Direct Dial 303.256.7054

Direct Fax 720.974.7966

Education University of Virginia School of Law, J.D., 2005

University of Colorado, B.S., Leeds School of Business, cum laude, 1999

American University in London, International Marketing Program, 1998

Admitted to Practice in Colorado

United States District Court, District of Colorado

Memberships Colorado Bar Association

Colorado Women's Bar Association Denver Business Journal nominated her for the Denver "Forty Under 40." She has also been selected to serve on various boards of young professionals identified in the community as future leaders, including the Rose Community Foundation's Roots and Branches philanthropy board, the Anti-Defamation League's Glass Partners-in-Leadership and the President's Leadership Circle of the Young Americans Bank.

"My business background provided a great springboard into the practice of law," she says. "Valuable advocacy involves constant communication, creative thought and strategic planning. Whether I'm negotiating a favorable settlement for a client's small business dispute or litigating felony criminal matters, I am passionate about my practice. Every case is a pinnacle case, simply because it's important to my client."

# Education

- University of Virginia School of Law, J.D. (2005)
- University of Colorado, B.S., Leeds School of Business, cum laude (1999)
- American University in London, International Marketing Program (1998)

# Admissions

- Colorado
- United States District Court, District of Colorado

# Memberships

- Colorado Bar Association
- Colorado Women's Bar Association
- Colorado Criminal Defense Bar

# Community Involvement

- · Anti-Defamation League Glass Partners-in-Leadership Institute
- Colorado Women's Bar Association, Judicial Committee
- Cherry Creek High School Mock Trial Team (Coach)
- Allied Jewish Federation (Committee Co-Chair)
- Young Americans Bank (Alumni Board & Young Ameritown Volunteer)
- Holocaust Awareness Institute (Speaker)
- Rose Community Foundation Roots and Branches Board