

Proposed Amendment of City Code:
Solicitation, Medians & Harassment

City Council Work Session
January 25, 2016

No Threat To Public Safety

Browne v. City of Grand Junction (D. Colo. 9/30/15):

- ▶ Continuing to solicit after “no”
- ▶ Soliciting after dark
- ▶ Soliciting near an ATM
- ▶ Soliciting on public transportation
- ▶ Soliciting in parking garage or lot
- ▶ Soliciting from anyone at sidewalk café
- ▶ Waiting in line to enter building, theater, etc.

9.2.111(C)(1)(e)

“Approaching or following a person for solicitation in a manner and with conduct, words, or gestures intended or likely to cause a reasonable person to fear imminent bodily harm or damage to or loss of property or otherwise to be intimidated into giving money or other thing of value.”

- ▶ Following silently
- ▶ Repeated requests
- ▶ Groups of two or more

Following & Solicitation

Solicitation Prohibited 9.2.111(C)(1)(e)

- ▶ Approach or follow
- ▶ For solicitation
- ▶ With conduct, words or gestures
- ▶ Intended or likely to cause
- ▶ A reasonable person to fear
- ▶ Imminent bodily harm, damage/loss to property, or otherwise to be intimidated into giving money or value

Harassment 9.2.106(A)(3)

- ▶ Follows a person in or about a public place
- ▶ Intent to harass, annoy or alarm another person

Menacing

“A person commits the crime of menacing if, by any threat or physical action, he or she knowingly places or attempts to place another person in fear of imminent serious bodily injury.”

C.R.S. § 18-3-206

Other potential charges

- ▶ Harassment
- ▶ Hindering transportation
- ▶ Obstructing passage
- ▶ Interference with traffic
- ▶ Disorderly conduct / Incitement
- ▶ Menacing
- ▶ Criminal extortion
- ▶ Trespass