

# State Rep. Tim Leonard hit with a 14-day jail sentence on contempt charge

Marianne Goodland

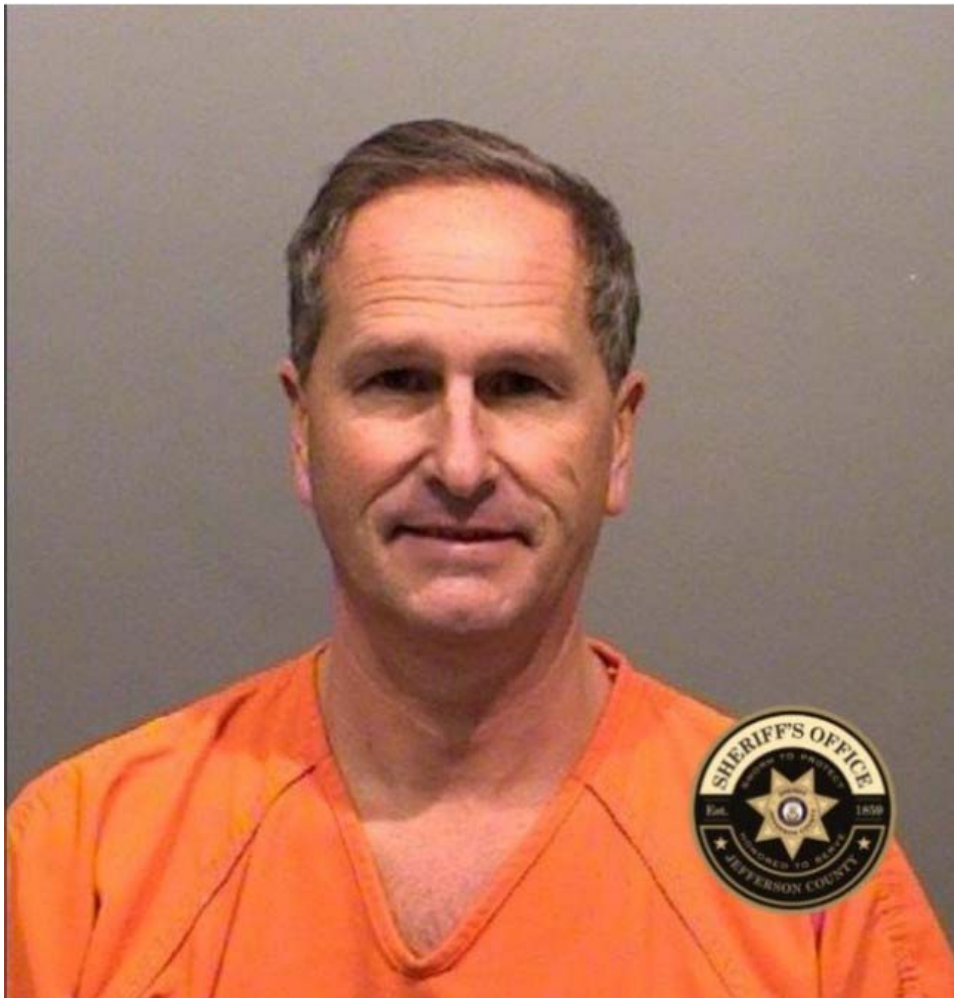
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**Updated 6:38 p.m.** A Jefferson County magistrate sentenced state Rep. Tim Leonard of Evergreen to 14 days in jail on contempt of court charges related to his 2013 divorce. A sheriff's deputy handcuffed Leonard and led him from the courtroom Friday afternoon just after 2 p.m.

His attorney, Sharon Liko, pleaded for a weekend stay so that Leonard could talk to his children and get his affairs in order. But Magistrate Marianne Marshall Tims said Leonard had had nine weeks to prepare. She initially found the Republican state legislator in contempt of court on Sept. 29, and said at the time that if the sheriff had been available, he would have been taken into custody that day.

Leonard declined an opportunity to talk directly to the court. His attorney argued that he had a legislative session for which to prepare. The magistrate responded: "I could not care less when the legislature starts. He is in this position because he chose to be in this position."

Leonard ran afoul of Magistrate Tims in September over what the court said were multiple attempts to interfere with his ex-wife's sole authority to make educational decisions for their four minor children.

Leonard becomes the first sitting lawmaker in at least 40 years to serve time while in office, according to longtime Capitol observers.

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Magistrate Tims found Leonard in contempt of court on Sept. 29 on two charges related to educational decision-making. One charge concerned his attempt to opt a child out of a federal standardized test. He had previously been found in contempt for attempting to opt another child out of another test in 2014. The magistrate said she found it "mind-blowing" that Leonard would think he could try again because it was a different child and a different test. Tims ordered the legislator to pay for his ex-wife's attorney fees of about \$5,500 in 2014 as a punishment for that contempt charge.

The second charge was related to his refusal to allow one of his children to use an iPad at school, though all students in that class were issued tablets. Leonard said he was concerned about the amount of screen time his kids experienced.

Leonard, a Republican, was appointed to his House District 25 seat last January to finish out the term of then-Rep. Jon Keyser of Morrison, who stepped down to run for the GOP nod for U.S. Senate. Last month, Leonard won a full term in the state House.

He told *The Colorado Independent* via email in October that if Tims decides on jail time for the contempt charge, "she would be clearly overreaching as this is not a 'contempt'-worthy cause." He has hired well-known men's rights attorney Sharon Liko to represent him.

Leonard and his wife, Monica Leonard, divorced in 2013 after 20 years of marriage. Since their divorce, Monica Leonard has complained that Leonard repeatedly has disregarded the court order giving her decision-making authority over their children's education.

In addressing the court Friday afternoon, Monica Leonard referred to her ex-husband as a "sociopath." Since their divorce in 2013, it's been "perpetual harassment," she told the magistrate. "I've been working to cooperate with him for the sake of our children but he continues to be



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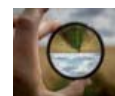
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nothing but combative...I will never have peace of mind while he is in my life," and as long as four of their six children are under the age of 19.

She asked Tims to give the lawmaker a sanction strong enough that would send him a message "to please stop this insanity."

While both Leonards have usually represented themselves in the hearings, for Friday's hearing, Tim Leonard hired Liko, a renowned men's rights attorney, who spoke on his behalf. She noted there have been more than 500 filings in the case from both parties. He should not be sentenced to jail for exercising his legal rights, Liko told the magistrate.

Liko blamed a previous attorney's advice for Tim Leonard's continued refusal to obey the court order. She explained that the attorney, whom she did not name, differentiated between major and minor decisions, and said the attorney told Tim Leonard the court's order was limited to "major decisions."

She has since advised him that the law does not make that distinction. If a school requires parental consent, that is Ms. Leonard's decision to make, no matter how big or little the issue is. "I believe he now understands" the court order, Liko said.

Liko pleaded with the judge not to send the lawmaker to jail, stating it would embarrass his children and impede his ability to earn a living. One child lives with him, she pointed out, and will be without adult supervision if he goes to jail.

Liko suggested several options: Tims could instead postpone his jail sentence until after the session adjourns on May 11, 2017; he could be sentenced to home detention or "useful public service," or serve his jail time on weekends or during the lunch hour. In addition, he's willing to go to classes on conflict or divorce. "He doesn't want to be here....if there's something that the court feels would benefit him he's more than happy to do that."

Tims quickly responded that she has only two options: jail or a fine. She then rendered her decision, but not before a ten-minute scolding of the lawmaker.

The magistrate read off a list of about 10 court appearances in which Tim Leonard was advised that his ex-wife had sole decision-making authority regarding their children's education.

"Leonard has continuously pushed the envelope, or violated those orders without regard to her and without regard to court orders...Part of the court's responsibility is to vindicate the dignity of the court," she said. Tims also noted statements made by the lawmaker, which were reported in The Colorado Independent in October, where he said "If the magistrate decides on jail time for this, she would be clearly overreaching as this is not a 'contempt' worthy cause,"

"If this isn't a contempt worthy issue," there isn't one, she said.

Tims decided on jail rather than a fine, noting that two years ago he was ordered to pay his ex-wife's attorneys' fees. "Clearly that was insufficient to get his attention," she said.

"He does deserve to be in jail."

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Shortly thereafter, Leonard, dressed in a light brown suit, was handcuffed and taken away by sheriff's deputies.

Republican Rep. Justin Everett of Littleton attended Friday's hearing, and told *The Colorado Independent* that "this is a private family matter and an overreach by the magistrate" to send him to jail over not signing off on an iPad or opting his kids out of standardized testing. "On top of that it's clear he got some very bad legal advice," Everett said. He also faulted the magistrate for focusing on the filings made by the lawmaker and not on the ones by his ex-wife. "It's been on both sides," Everett said. "For [Tims] to focus on one party and not the other is pretty egregious."

Reaction from the state Capitol was mixed.

Republican Rep. Patrick Neville of Castle Rock, who will serve as minority leader of the House in the 2017-18 sessions, said in a statement that this "must be a very difficult time for Representative Leonard and his family. I know he cares deeply for his children and my thoughts and prayers are with the Leonard family."

Neville was among eight of the House's most conservative members to **formally back Leonard** to succeed Rep. Jon Keyser of Morrison, who stepped down last January to vie for the GOP nod for the U.S. Senate.

Speaker of the House Dickey Lee Hullinghorst said in a statement that "It is my duty to protect the integrity of the House of Representatives, and it is troubling when a member does not uphold the law. It is absurd to imagine Rep. Leonard taking a seat on the House Education Committee, to which he was appointed just last week by Minority Leader Neville, and making important decisions for Colorado's students when a judge has prohibited Rep. Leonard from making educational decisions regarding his own children."

Monica Leonard told *The Independent* that during their 20-year marriage, her husband would sometimes be asked about homeschooling. (The Leonard children were homeschooled for 19 years.) His stock response was that he would rather see his kids at home playing Monopoly than attending public school. Monica Leonard said that even included the charter school, Golden View Classical Academy, of which her ex-husband is a co-founder.

Tim Leonard is due to be released on Dec. 23, according to the Jefferson County Sheriff's Department.

*Photo courtesy of Jefferson County's Sheriff's Office.*



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## About the Author



### MARIANNE GOODLAND

has been a political journalist since 1998. She covered the state capitol for the Silver & Gold Record from 1998 to 2009 and for The Colorado Statesman in 2010-11 and 2013-14. Since 2010 she also has covered the General Assembly for newspapers in northeastern Colorado. She was recognized with awards from the Colorado Press Association for feature writing and informational graphics for her work with the Statesman in 2012.

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**Bob McGrath** · North Central College

Thank you for educating us about some of the lesser known legislators, and their follies, Marianne.

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**Andrea Mérida Cuéllar** · National Co-Chair at Green Party (United States)

As a person on the ideological other side of the world from this legislator, I favorably regard his attempts to opt out his children from standardized tests and from computer-based learning that is supplanting interaction with teachers. It would be interesting to hear about his rationale for doing so, however.

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