



FY2008 RECOMMENDATION/FY08-BP40 ESTABLISH BOND COMMISSIONERS

Status: Cannot Implement

Actions/Updates

2012 UPDATE

Upon further study the Bail Subcommittee decided to pursue a different plan of action. See the FY13 Bail recommendations for further information.

2012 UPDATE

The CCJJ Bail Subcommittee has been created to address this issue.

2011 OVERSIGHT COMMITTEE ACTION STEPS

Sheriff Grayson Robinson the lead the redevelopment and redesign of this recommendation and bundle it with recommendations L-7, L-8 and L-9.

2010 UPDATE

Partial Implementation. Officials from the Judicial Department report that there is partial implementation of this recommendation by individual district and county courts. This recommendation will be returned to the Commission for further discussion.

2009 ACTION/IMPLEMENTATION

Subsequent to issuing this recommendation, the Commission recommended that the Division of Criminal Justice (DCJ) of the Colorado Department of Public Safety analyze the performance of the bond commission project currently operating in Larimer County, Colorado. DCJ worked with Larimer County bond commission project staff. Please see Appendix U in the 2009 CCJJ Annual Report for the complete study findings.

The study found that an extremely low proportion of individuals on bond and under pretrial supervision failed to appear for their scheduled court hearings:

In 2008, 58,132 court appearances were scheduled for defendants in Larimer County. Of these:

- 19,593 were court appearances by defendants under pretrial supervision.
 - 1.93% did not appear in court (FTA)
- 38,539 were court appearances by defendants NOT under pretrial supervision.
 - 11.5% of these did not appear in court (FTA)

In 2008, 7305 defendants were a part of the Pretrial Supervision Program. Of these:

- 5,692 terminated from the Pretrial Supervision Program.
 - Identify current structure
 - 91.9% were terminated successfully, either sentenced or dismissed.
 - 1.4% were terminated for bond revocation
 - 6.7% were terminated for failure to appear (FTA).

This recommendation will return to the Commission for discussion and action.

Description

Each judicial district should be encouraged to establish a bond commissioner and process that give authority to the specially trained commissioner or their designee to undertake an individual assessment of the accused and set bonds and/or summonses as appropriate.

Agencies Responsible

District and county courts

Discussion

This recommendation has been partially implemented. The Commission requested a study which was completed, highlighting the success of the Larimer County bond and pretrial supervision program. This recommendation furthers the Commission's mandates to "...ensure justice..." and enhance "the cost-effective use of public resources" [C.R.S. 16-11.3-103(1)].