

***Colorado Commission on Criminal and Juvenile Justice
Pretrial Release Task Force***

Recommendations Review / H.B.19 1226 Working Group

Minutes

August 26, 2019, 2019 10:30AM-12:30PM
710 Kipling St., 2nd Floor Conference Room, Lakewood

ATTENDEES:

WORKING GROUP MEMBERS

Maureen Cain, WG Co-Leader, State Public Defender's Office
Steve Chin, Colorado Association of Pretrial Services, Mesa County Pretrial Services
Becca Curry, American Civil Liberties Union
Bo Zeerip, District Attorney's Office, Mesa County

ABSENT:

Greg Mauro, WG Co-Leader, Denver Division of Community Corrections
Elizabeth Epps, Freedom Fund
Tom Raynes, Colorado District Attorney's Council
Glenn Tapia, Division of Probation Services
Steve Vasconcellos, Director of Court Services
Adam Zarrin, Governor's Office

STAFF

Laurence Lucero, Division of Criminal Justice

Issue/Topic	Discussion
Welcome & Introductions	Maureen Cain welcomed the group and asked everyone to introduce themselves.

Issue/Topic	Discussion
Allocation of Funds - Methods	<p>Maureen distributed data provided by Peg Flick (Division of Criminal Justice) on arrests and summonses, county court misdemeanor filings and district court criminal filings.</p> <p>The purpose the meeting was to discuss a method to allocate funds for pretrial services and determine a set-aside amount for the Governor’s Office. Maureen will submit the dollar figure to the Governor’s Office by the end of the day.</p> <p>The group reviewed the numbers provided by Peg Flick.</p> <p>Court filings – 2016 46,004 – Felonies 60,682 – Misdemeanors 118,215 - Traffic</p> <p>Court filings – 2017 51,775 – Felonies 61,299 – Misdemeanors 115,378 -Traffic</p> <p>Court filings – 2018 54,479 – Felonies 62,589 – Misdemeanors 113,865 – Traffic</p> <p>The group agreed to use the number of filings to estimate the number of assessments. It was estimated that an average of 8 to 10 assessments per day are conducted by one person, resulting in an estimate of 100,000 total assessments/year in Colorado. The necessary FTE and administrative costs will be included in the estimate. The priority is to provide funding for assessments in all jurisdictions.</p> <p>Maureen will report this information to the Task Force.</p>

Issue/Topic	Discussion
<p>Violations of Bail Bond and Violations of Protection Order</p>	<p>The group continued previous discussions on increasing the use of summons.</p> <p>At the August 6 meeting, the group agreed that the courts should develop an Administrative Order in conjunction with a best practice model that guides the chief judges in jurisdictions regarding those detained and those released while leaving discretion within the jurisdictions. Those subject to a mandatory arrest will still be seen by the court.</p> <p>The group agreed to decriminalize bail bond violations except for probation order violations. If someone violates a bail bond condition, the judge can revoke the bond which would enable the judge to file contempt of court and sentence the person to jail for up to 48 hours.</p> <p>It was suggested that a similar procedure could be implemented for FTAs. The judge could file contempt of court and sentence an individual for up to 48 hours in jail in lieu of considering FTA as a criminal violation of bail bond conditions.</p> <p>There are categories of offenses that require arrests and others summonses:</p> <ul style="list-style-type: none"> • Offenses requiring arrest: All felony class 1 and 2 offenses, domestic violence, sex offenses, felony offenses of Crime Victims’ Rights Act (VRA), Drug offenses felony 1 and 2, escape, protection order, stalking, repeated DUIs. • Offenses requiring summons: All non-VRA misdemeanors, first time DUI, property type crimes. <p>The group discussed that the “middle” category (not requiring arrests or summonses) should be included in the Administrative Order.</p> <p>Becca, Maureen and Bo will start drafting language for a recommendation.</p>

Issue/Topic:	Discussion
<p>Next Steps & Adjourn</p>	<p>Maureen will report these discussions at next Pretrial Release Task Force meeting.</p> <p>The next Working Group meeting is scheduled on 9/12 at 8:30am at 700 Kipling St., 4th Floor Training room, Lakewood.</p>

NEXT MEETING

September 12, 2019

700 Kipling St., 4th Floor Training Room, Lakewood CO