



2013 Bond Reform: A Commission Initiative

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House Bill 2013-1236, signed by the governor on May 11, 2013, incorporated three Commission recommendations:

1. Implement evidence-based decision making practices and standardized bail release decision making guidelines (including the use of empirically developed risk assessment instruments)
2. Discourage the use of financial bond for pretrial detainees and reduce the use of bonding schedules
3. Expand and improve pretrial approaches and opportunities in Colorado

C.R.S. 16-4-103—setting and selection of bond criteria

- Presumption of release under least-restrictive conditions unless the defendant is unbailable
- Individualization of release conditions
- Mandatory consideration of a defendant's financial condition
- Consideration of ways to avoid unnecessary pretrial detention



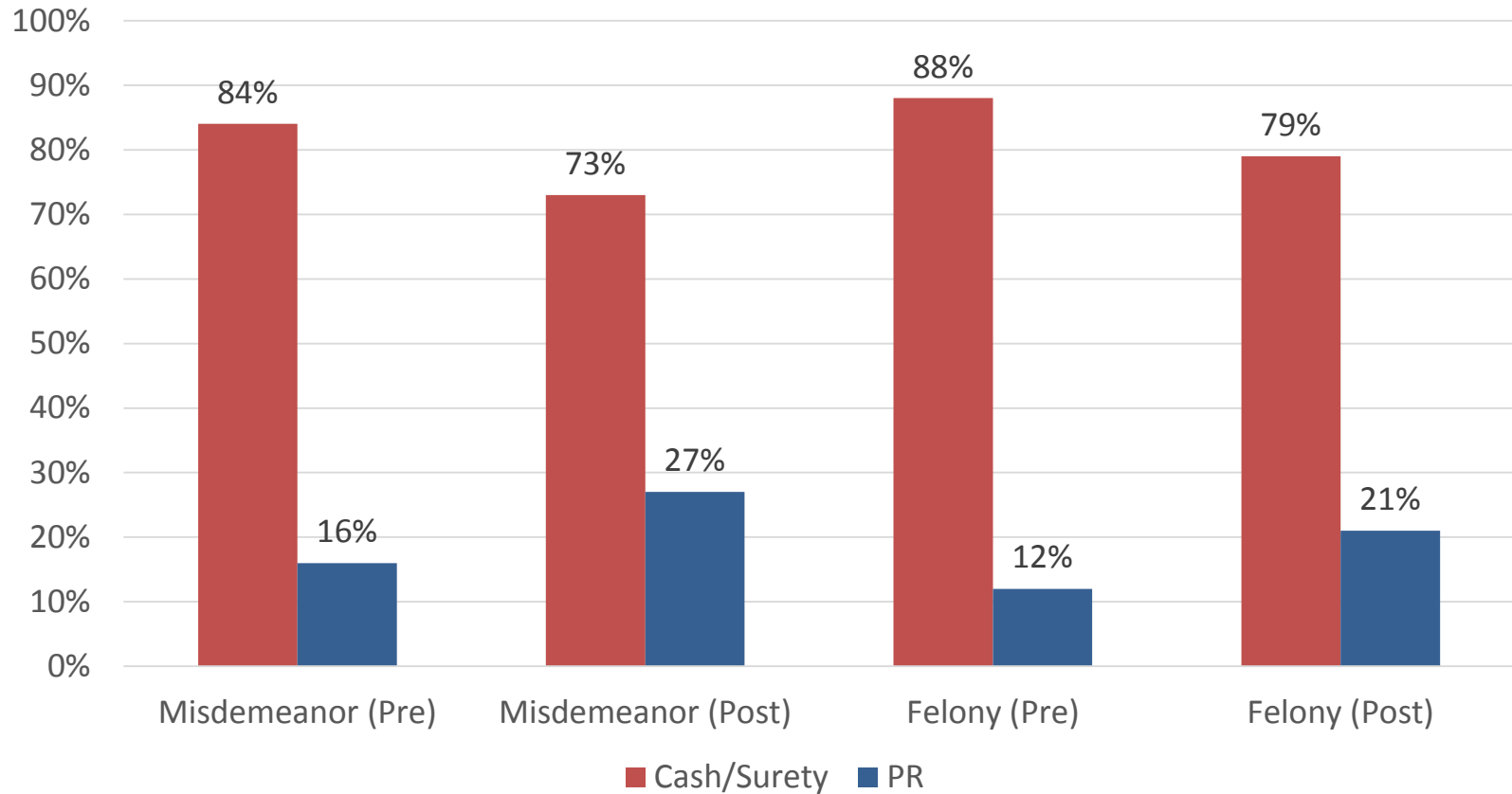
H.B.13-1236 Bond Analysis

- Cases filed 3 years pre- and post- H.B. 13-1236
 - Pre- 2011 to 2013, Post- 2014 to 2016
 - Felony and Misdemeanor (excluding Denver County) cases
 - 650,000+ cases
- Bond set type: Personal Recognizance vs Cash/Surety
- Failure to Appear rate
- New Filing rate



H.B.13-1236 Bond Analysis

Cash/Surety vs PR Bonds, Pre- and Post- H.B.13-1236

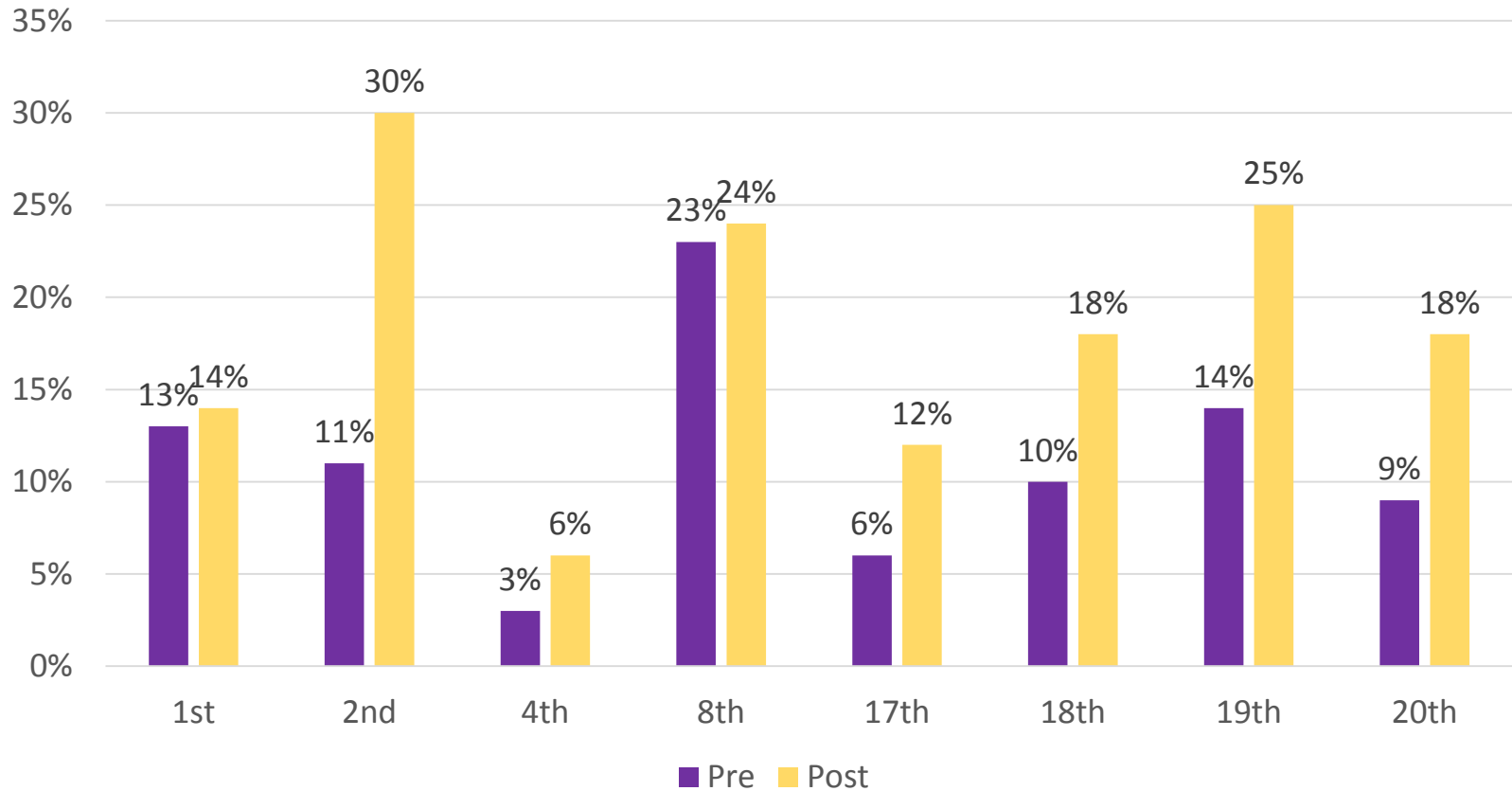


Data source: Court records were extracted from Judicial Branch’s Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS.



H.B.13-1236 Bond Analysis

Percent of PR Bonds Set for Felony Cases Pre- and Post-H.B.13-1236

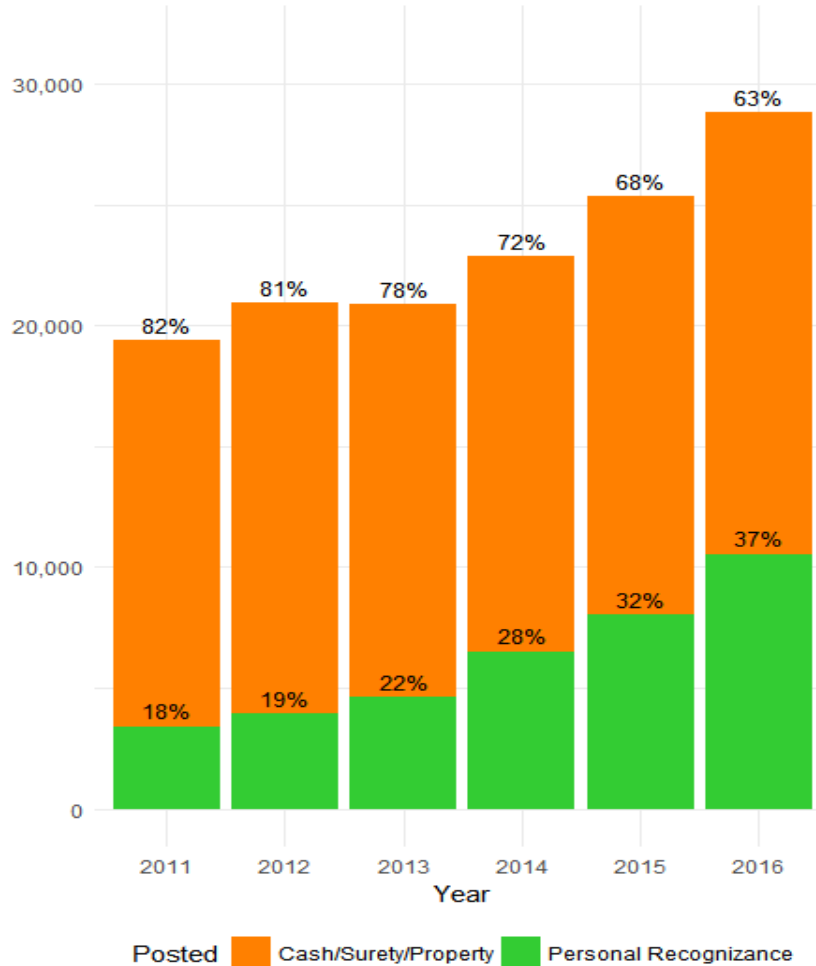


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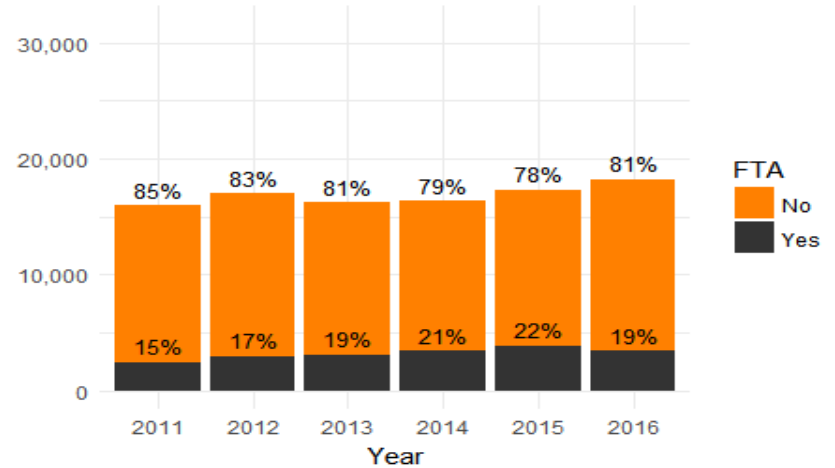


Failures to Appear for Felony Cases

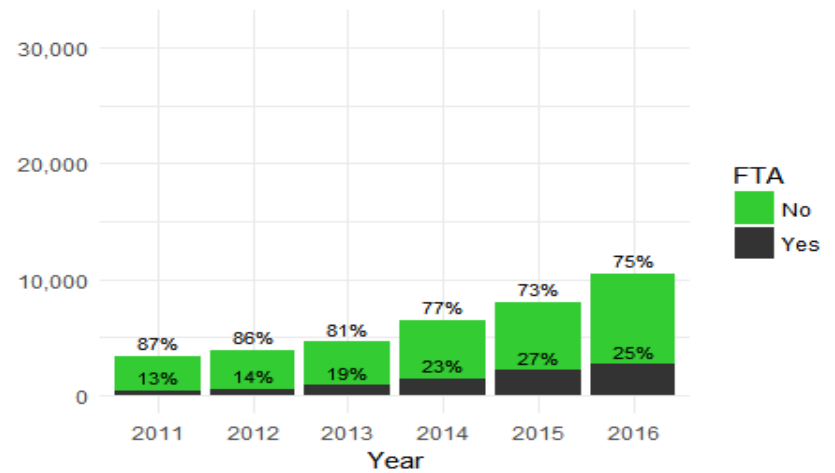
Posted Bond by Type - Felony Cases



Failures to Appear - Cash/Surety/Property



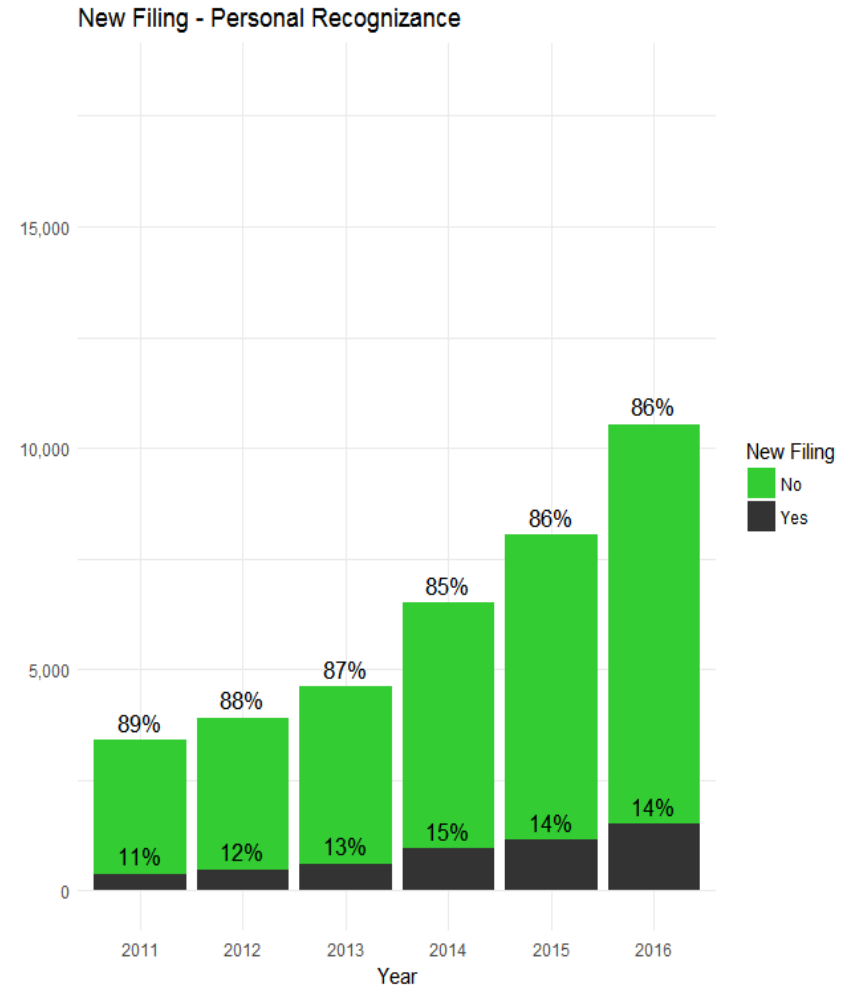
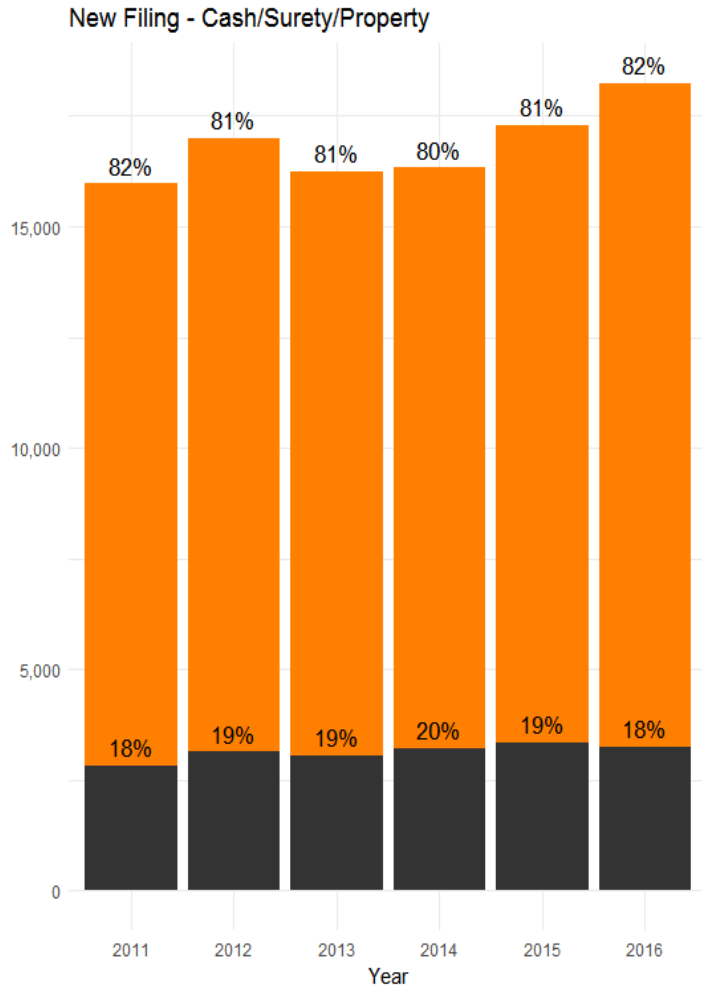
Failures to Appear - Personal Recognizance



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New Filing* for Felony Cases Released on Bond



*Denver County data were not available

Data source: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS.



Top 10 New Filing* Offenses for Felony Cases

Most serious offense category**	Pre		Post	
	%	N	%	N
Traffic Misdemeanor	24%	2,521	23%	3,025
Misdemeanor Assault ¹	22%	2,265	18%	2,469
Other Custody Violations ²	7%	743	10%	1,326
Drug Possession	8%	794	8%	1,127
Theft	8%	826	6%	825
Drug Distribution	4%	413	5%	616
Other Property	4%	437	4%	541
Burglary	4%	407	4%	518
Felony Assault	3%	352	4%	535
Forgery/Fraud	3%	340	4%	529

*New filings in Denver County court were not available.

**Includes attempts, solicitation, and conspiracy

¹Misdemeanor assault includes Violation of a Protection order.

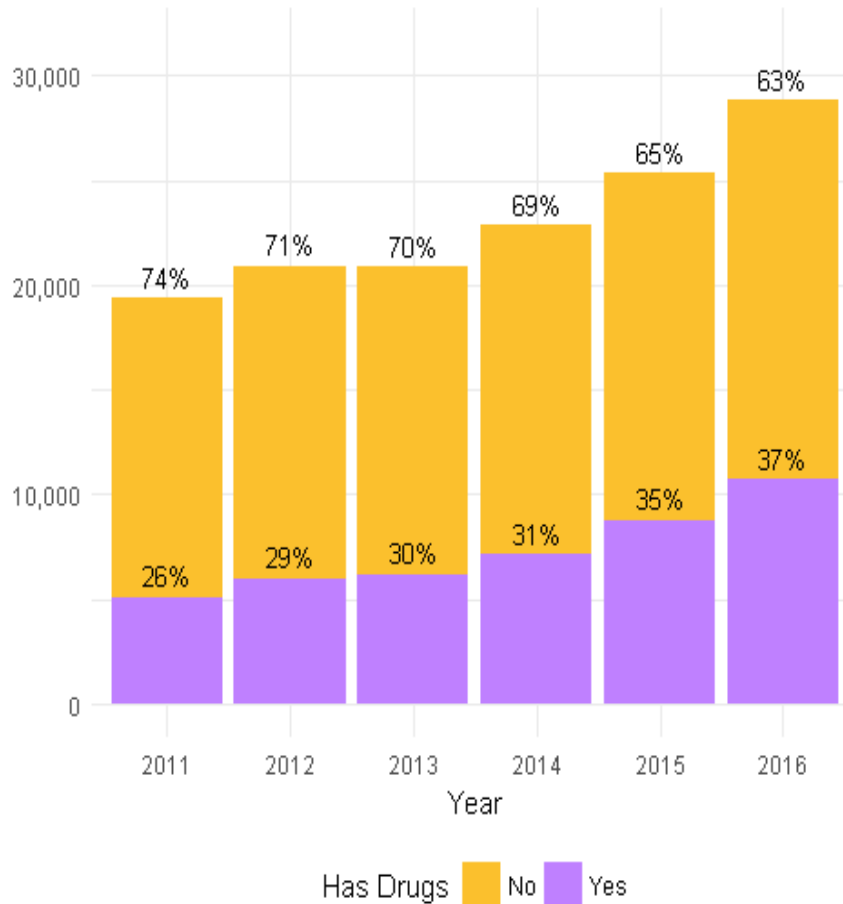
²Other Custody Violations includes Violation of Bond Conditions.

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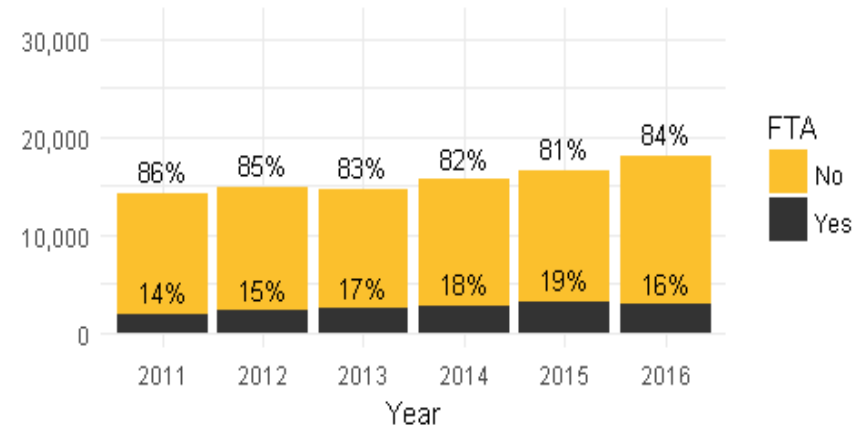


Failures to Appear for Felony Cases, by Has Drug Charges

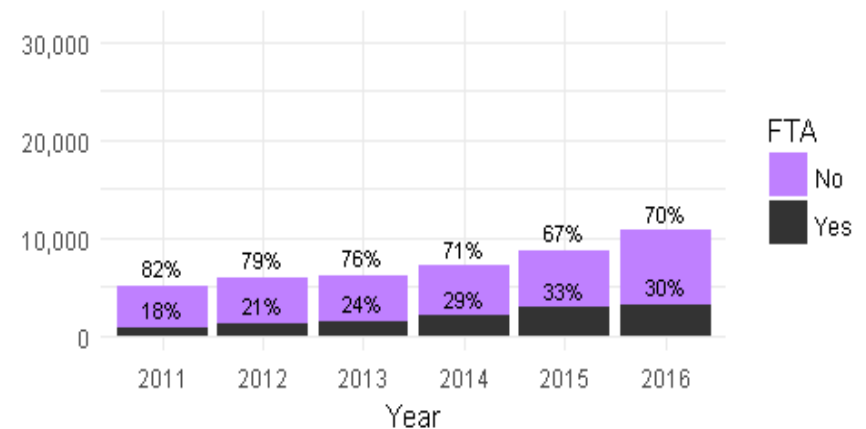
Cases by Has Drug Charges



Failures to Appear - No Drug Charges



Failures to Appear - Has Drug Charges

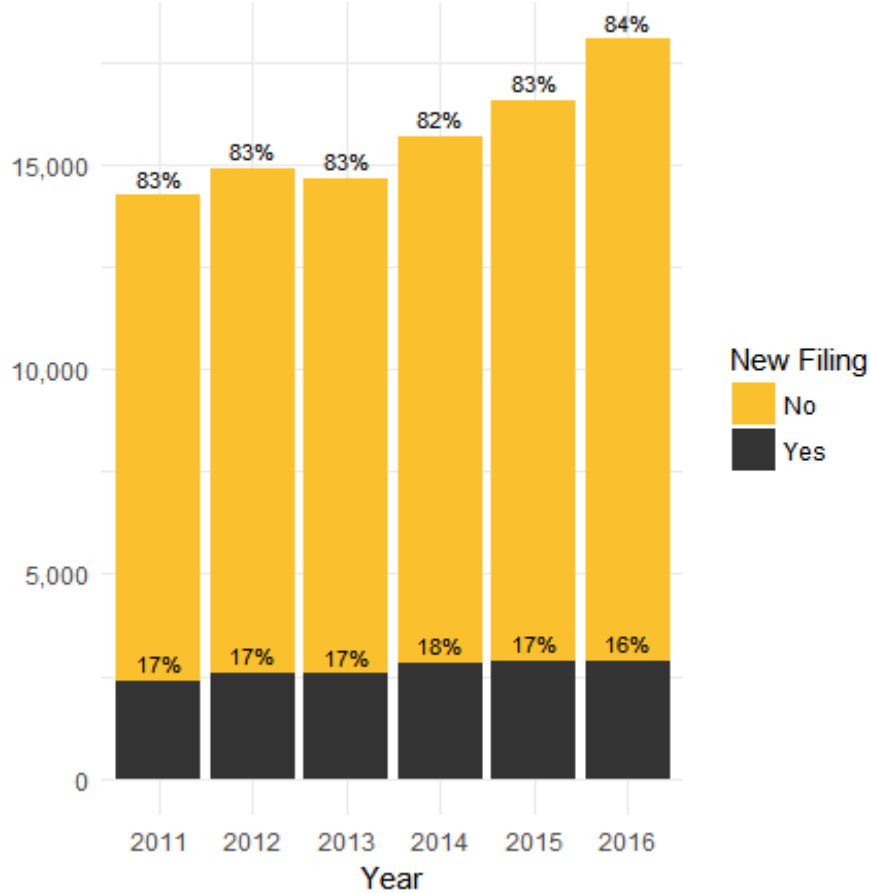


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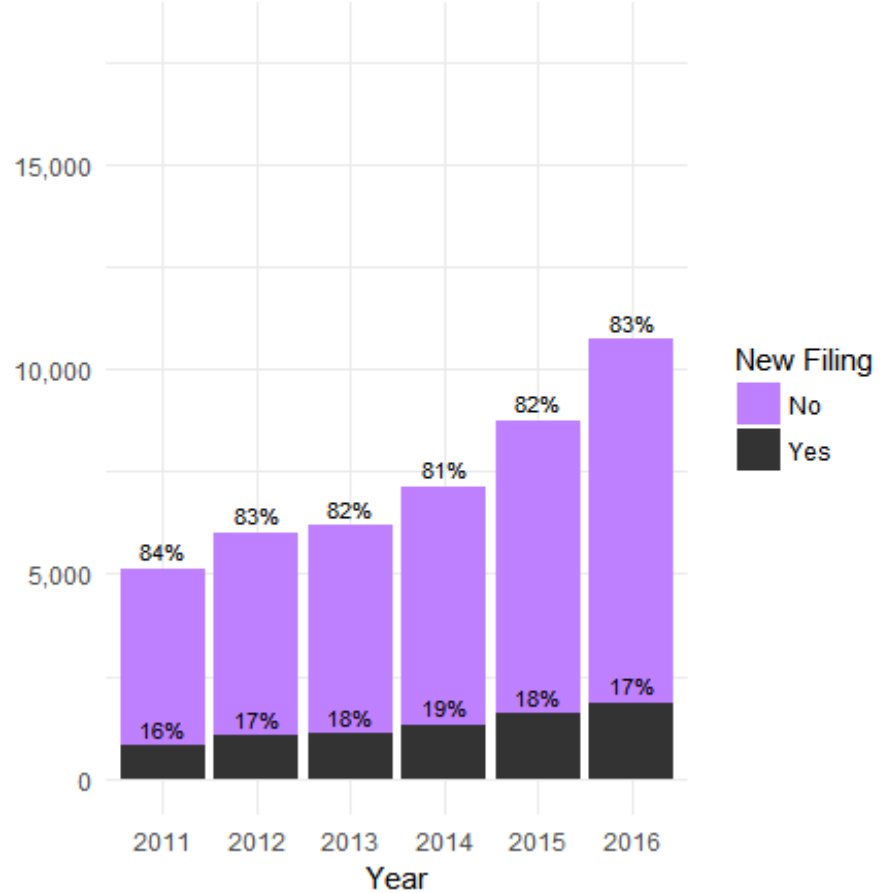


New Filing* for Felony Cases Released on Bond

New Filing - No Drug Charges



New Filing - Has Drug Charges



**Denver County data were not available*

Data source: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS.



Felony Cases Bond Type Posted by Presence of Drug Charges

	Pre		Post	
	%	N	%	N
Cash/Surety/Property	81%	49,232	67%	51,867
No drug charges	72%	35,537	69%	35,595
Has drug charges	28%	13,695	31%	16,272
Personal Recognizance	19%	11,916	33%	25,081
No drug charges	69%	8,272	59%	14,725
Has drug charges	31%	3,644	41%	10,356
Total	100%	61,148	100%	76,948

Data source: Court records were extracted from Judicial Branch’s Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS.



In Summary

Comparing the 3 year pre- and post- periods:

- Statewide the use of PR bonds for felony cases increased from 12% to 21% (75% increase); PR bond for misdemeanor cases increased from 16% to 27% (69% increase)
- Increased use of PR Bond varied widely across districts
- Statewide FTA's for felony cases increased from 16% to 25% for PR bonds (56% increase), and 17% to 21% for Cash/Surety bonds (23% increase).
- New filings while on bond increased for both Cash/Surety (18% to 19%) and PR (12% to 14%) bond but the increases were small.



In Summary

Comparing the 3 year pre- and post- periods:

- The percent of felony cases on PR bond with drug charges increased from 31% to 41% (32% increase).
- Cases with drug charges failed to appear at a much higher rate (30% vs 18%).

https://cdpsdocs.state.co.us/ors/docs/impact/2018-02_ORR-BondReformImpact-HB13-1236.pdf