

Office of the State Court Administrator



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TO: House and Senate Judiciary Committees
Colorado General Assembly

FROM: Gerald A. Marroney
State Court Administrator

RE: HB 12-1310
Concerning Pretrial Service Program Requirements

DATE: November 1, 2013

In accordance with HB 12-1310 and Section 16-4-105 (3) (e) and (3) (F), C.R.S., each pretrial service program is required to provide an annual report to the State Judicial Department no later than November 1 of each year for inclusion in a combined annual report to be presented to the House and Senate Judiciary Committees.

The combined report is to include the following information:

- (1) The total number of pretrial assessments performed by the program and submitted to the Court;
- (2) The total number of closed cases by the program in which the defendant was released from custody and supervised by the program;
- (3) The total number of closed cases in which the defendant was released from custody, was supervised by the program, and, while under supervision, appeared for all scheduled court appearances on the case;
- (4) The total number of closed cases in which the defendant was released from custody, was supervised by the program, and was not charged with a new criminal offense that was alleged to have occurred while under supervision and that carried the possibility of a sentence to jail or imprisonment;
- (5) The total number of closed cases in which the defendant was released from custody and was supervised by the program, and the defendant's bond was not revoked by the court due to a violation of any other terms and conditions of supervision.

The accompanying table represents the combined information provided by pretrial service programs in Adams, Alamosa, Arapahoe, Boulder, Denver, Douglas, Jefferson, Larimer, Mesa, Montezuma, Pueblo and Weld Counties. As can be seen, the different pretrial service programs use varying language to describe recommendations they make to the courts and/or bond status.

This report is an effort to compile information in compliance with HB 12-1310; however the Judicial Department has no administrative authority regarding pretrial programs.

Should you have additional questions, please contact Kris Nash, Probation Analyst, Evaluation Unit, Division of Probation Services, (720) 625-5762 or kris.nash@judicial.state.co.us.

CRS 16-4-105 Pretrial Services Program Reporting Annual Reporting to State Judicial Department									
County	Number of Pretrial Assessments	Number of Pretrial Supervision Cases Closed	Number of These Cases with No FTA	Court Appearance Rate	Number of These Cases with No New Filing	Public Safety Rate	Number of These Cases Not Revoked for Technical Violation	Technical Compliance Rate	Number of These Cases Posted via Commercial Surety Bond (Bail Bonding Agent)
Adams	4,778	287	268	93.4%	260	90.6%	236	82.2%	98
Alamosa^									
Arapahoe	4,226	1,393	1,108	79.5%	1,292	92.7%	1,368	98.2%	757
Boulder*	1,997	830	752	90.6%	696	83.9%	787	94.8%	312
Denver	4,267	2,196	1,983	90.3%	2,010	91.5%	2,180	99.3%	1,531
Douglas	1,372	780	758	97.2%	776	99.5%	767	98.3%	647
El Paso^									
Jefferson**	2,530	1,841	1,588	86.3%	1,741	94.6%	1,733	94.2%	430
Larimer	2,667	2,374	2,124	89.5%	2,193	92.4%	2,258	95.1%	476
Mesa	1,309	863	768	89.0%	699	81.0%	732	84.8%	337
Montezuma^									
Pueblo	860	215	134	62.3%	131	60.9%	128	59.5%	147
Weld***	864	1,017	903	88.8%	948	93.2%	984	96.8%	828

<div>CRS 16-4-105 Pretrial Services Program Reporting</div> <div>Annual Reporting to State Judicial Department</div>									
County	Percent of These Cases Posted via Commercial Surety Bond	Number of These Cases Posted via All Cash Bonds	Number of These Cases Posted via Property Bond	Total Number of All Cash and Property Bonds	Percent of These Cases Posted via All Cash or Property Bonds	Number of These Cases Posted via Personal Recognizance/ Self Bond	Number of These Cases Posted via Personal Recognizance/ Surety Bond	Total Number of All Personal Recognizance Bonds	Percent of These Cases Posted via All Personal Recognizance Bonds
Adams	34.1%	0	0	0	0.0%	189	0	189	65.9%
Alamosa^									
Arapahoe	54.3%	24	0	24	1.7%	457	0	457	32.8%
Boulder*	37.6%	382	0	382	46.0%	126	0	126	15.2%
Denver	69.7%	249	15	264	12.0%	232	0	232	10.6%
Douglas	82.9%	0	0	0	0.0%	88	0	88	11.3%
El Paso^									
Jefferson**	23.3%	951	0	951	51.7%	399	61	460	25.0%
Larimer	20.1%	176	538	1	30.1%	823	359	1,182	49.8%
Mesa	39.0%	75	0	75	8.7%	397	54	451	52.3%
Montezuma^									
Pueblo	68.4%	0	0	0	0.0%	120	0	120	55.8%
Weld***	81.4%	1	4	5	0.5%	135	7	142	14.0%
Notes:	<p>*We are not able to delineate our bond type data by cash vs. property (so all have gone in cash column) or PR self vs. PR surety (so all have gone in the PR self column). Percentages of bond types do not equal 100% due to missing records in the state database.</p> <p>**This report is based on a sample (except for the total number of pretrial assessments which is the true number). Jefferson County spent this fiscal year upgrading its data collection and reporting capability so that future reports will not be based on a sample.</p> <p>***FTA's: Prior to 2013, Weld County calculated FTA percentage by dividing the number of FTA's by the number of scheduled court appearances (all data was pulled from closed cases). SUMMONS CASES: In addition to supervising the above noted bond types, Weld County also supervises summons cases. We felt it important to inform that in 2013 (from January-June), 95 summons cases were ordered to Pretrial Services Supervision. While the above table does not include a specific designation for summons cases, summons data is reflected in columns 3 through 9.</p> <p>^Data was not available from these counties at the time this report was completed.</p>								

Definitions:

This data collection tool is designed to fulfill the data requested by statute, highlighted in blue.

Number of Pretrial Assessments refers to the total number of pretrial assessments performed by the program and submitted to the court.

Number of Pretrial Supervision Cases Closed refers to total number of closed cases by the program in which the defendant was released from custody and supervised by the program. This number serves as the denominator for the remaining calculations. A case is defined as a supervision event for a court case (i.e., one person may have multiple court cases with multiple supervision events each). A supervision event begins when supervision is ordered on a bond and the bond is posted or the date that supervision is added by court order to a person already out of custody such as in a summons case. A supervision event ends when supervision is taken off of the case due to a warrant, revocation or other event of the court.

Number of These Cases with No FTA refers to the total number of closed cases in which the defendant was released from custody, was supervised by the program, and, while under supervision, appeared for all scheduled court appearances on the case. No FTA refers to the absence of an FTA noted in the court record.

Court Appearance Rate is an automatically calculated field.

Number of These Cases with No New Filing refers to the total number of closed cases in which the defendant was released from custody, was supervised by the program, and was not charged with a new criminal offense that was alleged to have occurred while under supervision and that carried the possibility of a sentence to jail or imprisonment. Excludes cases for which jail or imprisonment is not a possible sentence. No new charge refers to the absence of new cases of any kind filed with the state's county or district courts, regardless of whether it began with a jail booking or a summons.

Public Safety Rate is an automatically calculated field.

Number of These Cases Not Revoked for Technical Violation refers to the total number of closed cases in which the defendant was released from custody and was supervised by the program, and the defendant's bond was not revoked by the court due only to a violation of any other terms and conditions of supervision. Excludes revocations for failure to appear and for a filing for a new crime.

Technical Compliance Rate is an automatically calculated field.

Number of These Cases Posted via Commercial Surety Bond (Bail Bonding Agent) refers to the number of cases for which the defendant was released on a commercial surety bond in addition to pretrial supervision.

Percent of These Cases Posted via Commercial Surety Bond is an automatically calculated field.

Number of These Cases Posted via All Cash Bonds refers to the number of cases for which the defendant was released on a cash bond which he/she posted him/herself or released on a cash bond which someone other than the defendant who was not a commercial bail bondsman posted for the defendant (i.e., private surety), in addition to pretrial supervision.

Number of These Cases Posted via Property Bond refers to the number of cases for which the defendant was released on a property bond, in addition to pretrial supervision.

Total Number of All Cash and Property Bonds is an automatically calculated field.

Percent of These Cases Posted via All Cash or Property Bonds is an automatically calculated field.

Number of These Cases Posted via Personal Recognizance/Self Bond refers to the number of cases for which the defendant was released on a personal recognizance bond, in addition to pretrial supervision. Excludes Personal Recognizance Co-Sign Bonds.

Number of These Cases Posted via Personal Recognizance/Surety Bond refers to the number of cases for which the defendant was released on a personal recognizance bond that required someone other than the defendant to sign the bond (i.e., Personal Recognizance Co-Sign Bonds), in addition to pretrial supervision.

Total Number of All Personal Recognizance Bonds is an automatically calculated field.

Percent of These Cases Posted via All Personal Recognizance Bonds is an automatically calculated field.

Disclaimer: Using any data not required and highlighted in blue for any other purpose may be invalid. Because of differences in the pretrial services agencies and the jurisdictions in which they operate, these data cannot be used to compare the effectiveness of one program to another.