


Office of the State Court Administrator



TO: House and Senate Judiciary Committees
Colorado General Assembly

FROM: Gerald A. Marroney
State Court Administrator 

RE: SB 15-234
Concerning Pretrial Service Program Requirements

Gerald A. Marroney
State Court Administrator

Mindy Masias
Chief of Staff

Terri Morrison
Judicial Legal Counsel

DATE: November 1, 2016

In accordance with SB 15-234 and Section 16-4-106 (3), 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:

DIRECTORS

Sherry Stwalley
*Court Services &
Legislative Relations*

David Kribs, CFO
Financial Services

Eric D. Brown
Human Resources

Chad Cornelius, CIO
*Information Technology
Services*

Mike Garcia
Probation Services

- (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, Arapahoe, Archuleta, Boulder, Denver, Douglas, El Paso, Jefferson, LaPlata, 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 SB 15-234; however the Judicial Department has no administrative authority regarding pretrial programs.

Should you have additional questions, please contact Richelle Work, Staff Assistant, Division of Probation Services, (720) 625-5769 or richelle.work@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)	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/S elf Bond	Number of These Cases Posted via Personal Recognizance/S urety Bond	Total Number of All Personal Recognizance Bonds	Percent of These Cases Posted via All Personal Recognizance Bonds
Adams	12,760	1,129	897	79.5%	1,038	91.9%	899	79.6%	573	50.8%	5	0	5	0.4%	536	0	536	47.5%
Alamosa																		
Arapahoe	5,155	2,331	1,821	78.1%	2,128	91.3%	2,235	95.9%	1,099	47.1%	142	0	142	6.1%	706	0	706	30.3%
Archuleta	275	65	62	95.4%	46	70.8%	65	100.0%	17	26.2%	3	0	3	4.6%	44	0	44	67.7%
Boulder	3,855	1,844	1,694	91.9%	1,605	87.0%	1,386	75.2%	340	18.4%	891	2	893	48.4%	451	0	451	24.5%
Denver	9,502	6,567	5,184	78.9%	6,121	93.2%	6,495	98.9%	2,742	41.8%	936	12	948	14.4%	2335	0	2,335	35.6%
Douglas	3,283	1,502	1,346	89.6%	1,404	93.5%	0	0.0%	993	66.1%	0	0	0	0.0%	453	0	453	30.2%
El Paso	1,555	1,244	1,151	92.5%	1,206	96.9%	1,103	88.7%	18	1.4%	0	0	0	0.0%	1226	0	1,226	98.6%
Jefferson	6,599	3,964	3,671	92.6%	3,745	94.5%	3,514	88.6%	2,132	53.8%	443	0	443	11.2%	1019	134	1,153	29.1%
LaPlata	1,676	436	405	92.9%	267	61.2%	259	59.4%	163	37.4%	49	0	49	11.2%	207	3	210	48.2%
Larimer	5,379	5,277	4,389	83.2%	4,978	94.3%	4,950	93.8%	1,064	20.2%	1,752		1,752	33.2%	1223	1191	2,414	45.7%
Mesa	2,729	2,090	1,706	81.6%	1,732	82.9%	1,621	77.6%	349	16.7%	277	0	277	13.3%	1397	67	1,464	70.0%
Montezuma	898	327	271	82.9%	234	71.6%	121	37.0%	123	37.6%	7	0	7	2.1%	196	0	196	59.9%
Pueblo	3,061	2,281	1,853	81.2%	1,881	82.5%	2,010	88.1%	948	41.6%	1	0	1	0.0%	1330	0	1,330	58.3%
Weld	3,001	2,634	2,212	83.3%	2,271	85.6%	2,462	92.8%	1,353	51.0%	26	0	26	1.0%	1053	8	1,061	40.0%

Alamosa County: No longer has a pre-trial program.

Arapahoe County: Approximately 17% of clients supervised are on a summons.

Boulder: Bond types do not equal 100% due to missing data.

Denver: Approx 8% of the closed cases are missing a bond type entry in our database, however we do not suspect this would change the bond type distribution.

Douglas County Community Justice Services is currently developing new software to replace our existing system. Given our limited resources and technical knowledge in our aging system we were unable to decipher technical violations vs. cases with new filings. Our Public Safety Rate is based on the number of applications to revoke bond submitted per the assigned month. We are unable to extract additional technical violation data from our system that did not result in a warrant. **Additional we were unable to accurately identify cash, surety & property bonds individually and the data reported reflect cash, surety and property as one unit.

Jeffco: There were 236 Summons cases under Pretrial Services Supervision that closed. This is 5.9% of the total cases closed.

Definitions: CRS 16-4-105 Pretrial Services Program Reporting

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.