

OFFICE OF THE STATE COURT ADMINISTRATOR



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TO: House and Senate Judiciary Committees Colorado General Assembly

FROM: Steven Vasconcellos, State Court Administrator

RE: Concerning Pretrial Service Program Requirements

DATE: November 1, 2022

In accordance with §§ 16-4-106(6),(7), C.R.S., each pretrial service program is required to provide an annual report to the Judicial Department no later than November 1 of each year for inclusion in a combined annual report to be presented by the Judicial Department 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, Arapahoe, Archuleta, Boulder, Delta, Denver, Douglas, El Paso, Fremont, Garfield, Jefferson, LaPlata, Larimer, Logan/Morgan, Mesa, Montezuma, Pueblo and Weld Counties. As can be seen, the different pretrial service programs use varying language to describe: (1) recommendations they make to the courts; and (2) bond status.

In July of 2022, the Pretrial Executive Network, comprised of pretrial agency leadership from across Colorado, requested a specific note be added to the Pretrial Services Program Annual Report, "*Due to differing Pretrial Services practices in arrestees risk-assessed, defendants supervised, and at what stage in the process a case is closed with an outcome, data in this report are not comparable across different counties/jurisdictions.*" As the Pretrial Executive Network represents many pretrial programs and the statement can be applied universally, the note was added at the top of the report directly under the title as well as a footnote at the bottom of the report.

This report compiles information in compliance with C.R.S. §§ 16-4-106(6), (7); 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 16-4-106 Pretrial Services Program Reporting
Annual Reporting to State Judicial Department - FY2022**

**Due to differing Pretrial Services practices in arrestees risk-assessed, defendants supervised, and at what stage in the process a case is closed with an outcome, data in this report are not comparable across different counties/jurisdictions.*

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/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	8,229	2,818	1,558	55.3%	2,657	94.3%	2,515	89.2%	1,439	51.1%	113	0	113	4.0%	1,266	0	1,266	44.9%
Arapahoe	4,214	1,708	1,244	72.8%	1,622	95.0%	1,624	95.1%	664	38.9%	116	0	116	6.8%	1,031	0	1,031	60.4%
Archuleta	136	61	48	78.7%	51	83.6%	61	100.0%	15	24.6%	2	0	2	3.3%	44	0	44	72.1%
Boulder	2,812	1,754	1,045	59.6%	1,213	69.2%	1,689	96.3%	98	5.6%	358	0	358	20.4%	1,277	0	1,277	72.8%
Delta	671	191	134	70.2%	148	77.5%	150	78.5%	1	0.5%	2	0	2	1.0%	188	0	188	98.4%
Denver	8,174	7,314	5,258	71.9%	6,554	89.6%	7,233	98.9%	1,228	16.8%	1,072	2	1,074	14.7%	4,640	0	4,640	63.4%
Douglas	3,574	1,052	870	82.7%	1,014	96.4%	836	79.5%	512	48.7%	163	0	163	15.5%	372	0	372	35.4%
El Paso	3,525	3,668	2,495	68.0%	3,102	84.6%	3,194	87.1%	0	0.0%	0	0	0	0.0%	3,668	0	3,668	100.0%
Fremont	1,694	493	404	81.9%	351	71.2%	422	85.6%	55	11.2%	33	0	33	6.7%	404	0	404	81.9%
Garfield	1,082	140	84	60.0%	85	60.7%	130	92.9%	58	41.4%	14	0	14	10.0%	0	62	62	44.3%
Jefferson	5,327	3,925	3,139	80.0%	3,549	90.4%	3,159	80.5%	1,127	28.7%	502	0	502	12.8%	1,842	21	1,863	47.5%
LaPlata	896	318	269	84.6%	251	78.9%	0	0.0%	59	18.6%	3	0	3	0.9%	196	0	196	61.6%
Larimer	6,597	6,238	4,305	69.0%	5,184	83.1%	5,931	95.1%	395	6.3%	3,376	2	3,378	54.2%	1,778	687	2,465	39.5%
Logan/Morgan	0	225	133	59.1%	126	56.0%	181	80.4%	94	41.8%	12	0	12	5.3%	97	22	119	52.9%
Mesa	2,720	1,198	856	71.5%	1,034	86.3%	895	74.7%	157	13.1%	151	0	151	12.6%	836	54	890	74.3%
Montezuma	1,197	148	108	73.0%	131	88.5%	99	66.9%	53	35.8%	2	0	2	1.4%	93	0	93	62.8%
Fuchito	4,411	2,058	1,605	78.0%	1,809	87.5%	1,776	86.3%	827	40.2%	18	18	36	1.7%	1,213	0	1,213	58.9%
Summit	16	0	0	0.0%	0	0.0%	0	0.0%	2	0.0%	4	0	4	0.0%	2	0	2	0.0%
Weid	2,825	4,254	3,387	79.6%	3,503	82.3%	3,699	87.0%	1,817	42.7%	176	0	176	4.1%	1,877	13	1,890	44.4%

Notes:

***PEN Committee Note (Added FY22)**

Boulder: Number of Pretrial Assessments include all reports provided to the Court. The 20th JD operates under the practice that if the FTA warrant is quashed within 24 hours, the outcome is not counted as an FTA.

Denver: Approximately 5% 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.

Assessment numbers refer only to those bond advisements that include a CPAT risk assessment. Total Bond Advisement Reports is 10,271.

FTA numbers refer to any supervision event where an FTA occurs and remains active or where the original bond is not reinstated upon clearance of the warrant by the court.

Douglas: Defendants supervised under summons were included in the PR/Self Bond calculation.

Jefferson: Additionally, 429 cases (11% of Pretrial Supervision Case Closures) closed on Pretrial Supervision were issued a Summons. An additional 4 cases closed from Pretrial Supervision were on an Appeal bond.

LaPlata: Information on bond revocations for technical violations is typically not a practice in LaPlata County and is therefore not tracked.

Logan/Morgan: Assessments were stopped during COVID and haven't restarted yet.

Summit: Summit County Sheriff's Office started Pretrial Services on June 6, 2022. Summit County PTS only has one month of stats to submit for this stats period. We did not have any closed cases to report on.

Definitions: C.R.S. §§ 16-4-106 (6),(7) Pretrial Services Program Reporting

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.