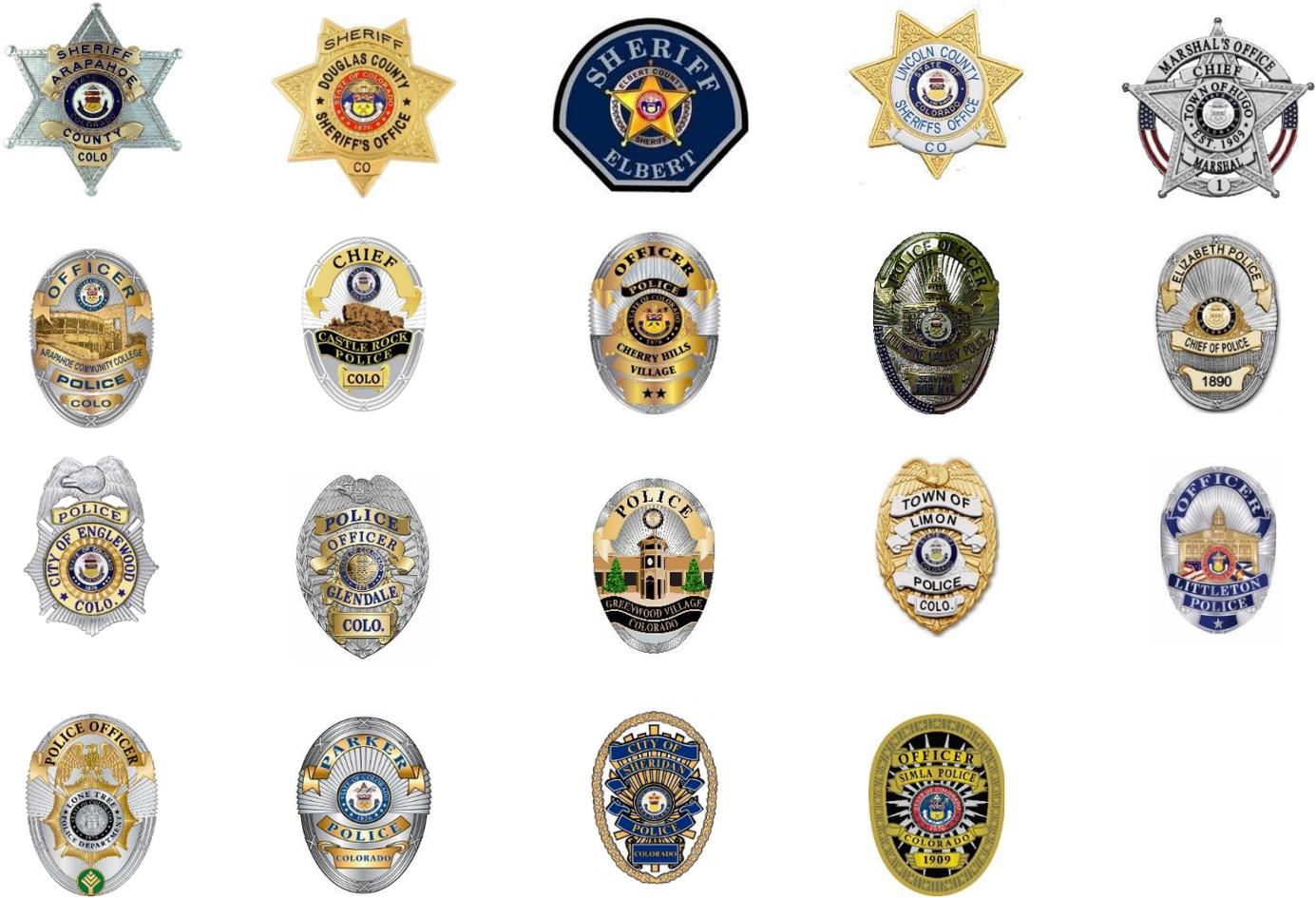


**18th Judicial District Chiefs' and Sheriffs' Opposition Letter to
Colorado Senate Bill 21-062
March 25, 2021**



For the citizens, workers, and visitors of the Counties and Municipalities in the 18th Judicial District, the Chiefs of Police, Sheriffs of Arapahoe, Douglas, Elbert, and Lincoln Counties, and the Hugo Town Marshal's Office provide this position statement in opposition to the proposed Colorado Senate Bill 21-062.

The Colorado 18th Judicial District Metro Chiefs of Police, Sheriffs of Arapahoe, Douglas, Elbert, and Lincoln Counties, and the Hugo Town Marshal's Office are extremely concerned about the significant increases in crime that we have seen over the last year. We recognize that some of this is likely due to the COVID-19 pandemic, coupled with the jails restricting access to reduce the spread of COVID-19. However, this has undoubtedly given us a snapshot of what will continue to occur if the proposed Colorado Senate Bill 21-062 is approved, and law enforcement officers are further limited in their ability to enforce the law and to make arrests when they are both reasonable and necessary to protect the public.

With respect to many current crimes, law enforcement officers often have the discretion to determine when appropriate to place an individual under arrest or release them from detainment upon issuance of a summons. Senate Bill 21-062 will remove that discretion and generally only allow arrests to be made for the most serious felony offenses, regardless of whether an individual is a repeat offender or is likely to continue to commit criminal acts while waiting for the court process to occur. The law will mandate

that suspects of auto thefts, residential and business burglaries, assaults, arson, and similar serious crimes be immediately released from custody without even allowing a court to review the matter and determine whether an individual should remain in custody or be allowed to post a bond.

Effectively, Senate Bill 21-062 will limit the ability of all law enforcement agencies to enforce the laws, and inevitability will compromise public safety and the quality-of-life factors that all our citizens deserve. With the recent restrictions of the jails due to the COVID-19 pandemic, law enforcement agencies throughout the Metro area have seen several examples over this past year where subjects' actions were more egregious, as subjects were aware that they would not face arrest for their actions due to the restrictions on booking people into the jails.

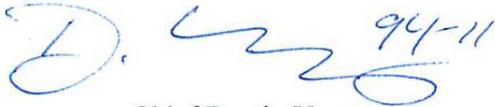
More specifically, Senate Bill 21-062 removes a Judge's ability to assess each case upon a proper pre-trial bail or the courts' ability to efficiently get a Defendant set up with pre-trial services. In fact, even when a Defendant is charged with a serious or violent crime, Judges are generally restricted from imposing any monetary bond to ensure a Defendant further appears for court. Should this Bill pass as proposed, the failure to appear ("FTA") in court cases will inevitably increase, and crime will also further increase, as we have seen in other jurisdictions that have enacted similar legislation, such as Cook County, Illinois; Harris County, Texas; Atlanta, Georgia and New York City.

Colorado has already seen an increase in FTAs in municipal courts with the bond reform legislation that was passed several years ago. One of the long-standing rights that have been protected in the court system is the right to a speedy trial. Not only does this protect a Defendant by moving the court process along efficiently and effectively, but it also promotes the ability of both the prosecutors and defense to provide the most reliable evidence, including witness testimony. This legislation would allow a Defendant to fail to appear for court three different times before the court can take any action. This legislation will only assist in prolonging court cases and judicial efficiency. The longer a case takes to get to trial results in many witnesses having a more difficult time recalling specific information. Often, there are instances where witnesses cannot be located or unable to testify for a variety of reasons. Not only does this Bill ultimately harm any victims of criminal actions, but it also damages the judicial process itself.

It is even more concerning that this Bill was drafted and proposed without any prior discussions with police chiefs in the State of Colorado. Laws that are intended to provide public safety continue to be eroded with proposed bills like Senate Bill 21-062. If Senate Bill 21-062 were to pass, the reality of effective crime enforcement would diminish, and the expectations of our communities and citizens for their own personal and public safety will be weakened.

The risk of passing Senate Bill 21-062 will only serve to embolden and further embed criminals within the communities we proudly serve and protect. Furthermore, Senate Bill 21-062 has been drafted in a manner that has devalued and trampled on the Colorado Victims' Rights Act (VRA). The VRA "ensures that crime victims are treated with fairness, respect, dignity and that they are free from intimidation, harassment, and abuse". When you compare the language that was drafted in Senate Bill 21-062 to the VRA, it significantly diminishes victims' rights and instead effectively considers only those who violate the law.

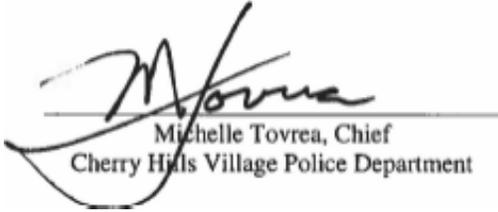
Laws created and enacted without law enforcement and public input create a potential outcome of lawlessness. Therefore, we as the Chiefs of Police, Sheriffs of Arapahoe, Douglas, Elbert, and Lincoln Counties, and the Hugo Town Marshal's Office, responsible for providing public safety in the 18th Judicial District of Colorado, strongly oppose Senate Bill 21-062.



Chief Dustin Varney
Greenwood Village Police Department



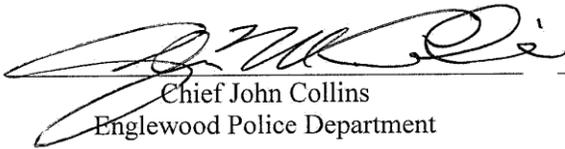
Chief James Tsurapas
Parker Police Department



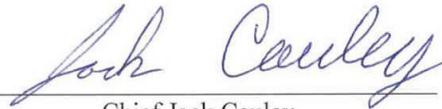
Michelle Tovrea, Chief
Cherry Hills Village Police Department



Chief Doug Stephens
Littleton Police Department



Chief John Collins
Englewood Police Department



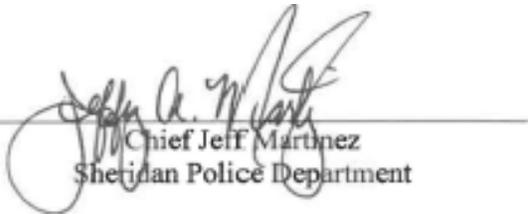
Chief Jack Cauley
Castle Rock Police Department



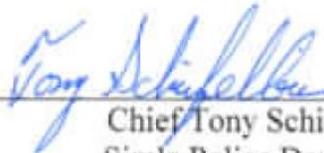
Sheriff Tony Spurlock
Douglas County Sheriff's Office



Chief Kirk Wilson
Lone Tree Police Department



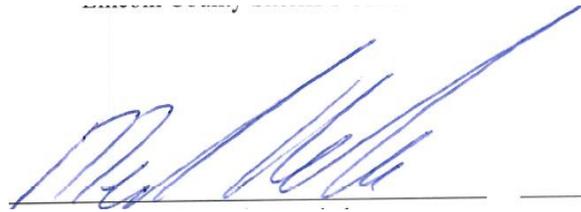
Chief Jeff Martinez
Sheridan Police Department



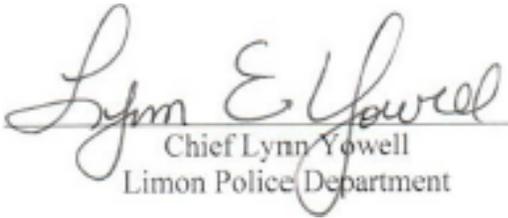
Chief Tony Schiefelbein
Simla Police Department



Sheriff Tom Nestor
Lincoln County Sheriff's Office



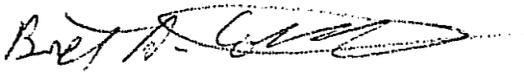
Chief Melvin Berghahn
Elizabeth Police Department



Chief Lynn Yowell
Limon Police Department



Chief Robert Payne
Hugo Marshal's Office



Chief Bret Cottrell
Columbine Valley Police Department



Chief Joseph Morris
Arapahoe Community College Police



Sheriff Tyler Brown
Arapahoe County Sheriff's Office



Chief W.J. Haskins
Glendale Police Department



Sheriff Tim Norton
Elbert County Sheriff's Office