

Attachment C

To: Colorado Senate Judiciary Committee
From: Bob Lawhead, Colorado Developmental Disabilities Council Policy Advisor
Re: Testimony on SB21-075
Date: March 4, 2021

Thank you for the opportunity to testify. My name is Bob Lawhead. I am the Policy Advisor for the Colorado Developmental Disabilities Council, which provides statewide systems advocacy to improve the lives of Colorado citizens with developmental disabilities. I have a son with Down syndrome who will be impacted by Senate Bill 21-075 as he uses supported decision-making to help him make more informed decisions and to better understand the consequences of those decisions.

For example, this morning Jess got his first COVID-19 vaccination. He decided to get the vaccination after receiving information that he will be able to return to work, reduce his chances of getting sick or dying from what he calls "the germs" and be able to return to some of his favorite community activities. Without support, he might have been asked "Do you want the shot?" This would have likely been answered with an emphatic "NO," had he not engaged in a supported decision making process.

According to the National Council on Disability, "supported decision-making is what really good family and friends do. It's having conversations with each other about needs and wants and coming to a decision with their help when needed. Supported decision-making is a set of strategies that can help individuals with disabilities have more control over their lives and their futures..."

More and more families are expressing interest in supported decision-making, but our Council also represents people who do not have family in their lives and are often socially isolated as a result. When these individuals are offered supported decision making, their quality of life is enhanced as they learn to have more influence on the decisions that impact them.

The Colorado Developmental Disabilities Council's 2017 educational resource on supported decision-making, *Supporting Individuals with Disabilities to Take Charge of Their Lives*, was developed to provide a detailed explanation of process, strategies and tools necessary to provide a framework for implementing supported decision-making. You'll find the link to that document in my written testimony: <http://www.coddc.org/Documents/SDM%20Web%20Version.pdf>

The Colorado Developmental Disabilities Council strongly urges you to pass of Senate Bill 21-075. Thank you.

Joe Pelle, Boulder Sheriff

From: Pelle, Joe
Sent: Wednesday, March 03, 2021 2:41 PM
To: petelee@gmail.com
Subject: SB-062

Dear Senator Lee,

I am writing to thank you for the constituency and stakeholder work done on this "Jail De-population" bill. Your work with the sheriff's, ACLU, D.A.'s and various stakeholders helped get this bill to a "neutral" position with the sheriff's CSOC legislative committee.

The restrictions on custodial arrest in the bill very closely resemble the arrest standards we've had in place in Boulder County for a number of years, (prior to Covid), and I can speak with experience that they have worked for us and have not made our community any less-safe. We are currently experiencing much stricter incarceration restrictions under Covid concerns. Those stricter restrictions may be partly responsible for increases in property crime in our community, and are not sustainable. The restrictions in SB-062 are not the same as the Covid restrictions in place right now and should not be confused.

Jails are expensive, precious space and should not be used to try and solve all of the chronic community issues we face like homelessness and mental health problems. I think this bill helps ensure that the expensive, precious space in or jails is being reserved for those who truly need this resource.

Hello, I hope you'll vote YES tomorrow on Senate Bill 62 when it's heard in the Senate Judiciary Committee. I support decreasing the use of cash bonds and empowering sheriffs to continue to safely depopulate county jails. I think this is important for our state to take action to support justice for members of our community and bring our neighbors home

-Sarah Lake

Senate Bill 62 is set to be heard Thursday 3/4 in the Senate Judiciary Committee and I would ask that you support this Bill.

The bill gives a peace officer the authority to issue a summons and complaint rather than arrest, for any offense committed in the officer's presence, or if not committed in the officer's presence, for any offense that the officer has probable cause to believe was committed and probable cause to believe was committed by the person charged, unless arrest is statutorily required or the offense is a crime of violence. It also allows for decreased use of cash bonds and allowing sheriffs to continue to safely depopulate county jails. I think it is important for our state to take action to support justice for members of our community and to bring our neighbors home.

Thank you for your consideration!

Megan Greising

Hello, my name is Caitlin Calhoun and I live in Denver, CO. I hope you'll vote YES tomorrow on Senate Bill 62 when it's heard in the Senate Judiciary Committee. I support decreasing the use of cash bonds and empowering sheriffs to continue to safely depopulate county jails. I think this is important for our state to take action to support justice for members of our community and bring our neighbors home!

Thank you!

--

Caitlin Calhoun (she/her/hers)

To the Colorado State Senators on the Senate Judiciary Committee,

My name is Amy Brown and I live in 80219. I'm writing to urge you to support SB21-062. Jail population reduction is smart, safe and fiscally responsible. During the pandemic, sheriffs, judges, public defenders and district attorneys across our state worked together to save lives by dramatically decreasing Colorado's jail population. They did this by reserving jail beds for people who pose a safety risk to others. At its peak, jail populations dropped by 46%, with almost 6,000 fewer people in jail each day. Jail populations are still down 35% over pre-COVID numbers.

The good news? Despite widespread jail population reduction, crime has not increased, and most of the state has seen a decrease. Data shows that variations in crime rates by county bear no correlation to the level of jail depopulation.

Colorado can save millions in taxpayer money with long-term jail depopulation. On average, there are 4,708 fewer people in jail each day compared to before the pandemic. With a daily incarceration cost of \$98.83 per person, this saves \$465,337 per day or \$170 million per year.

SB21-62 will solidify the smart jail depopulation policies already in place in many counties in Colorado counties. Importantly, it:

- Requires summons for low-level offences and increases officer discretion to issue summons for misdemeanors and low-level felonies when there is no safety risk requiring incarceration. ^{[[L]]}_{[[SEP]]}
- Decreases the use of cash bonds. SB21-62 limits the use of money bonds for misdemeanors and low-level felonies to cases where there is a safety risk or a flight risk. ^{[[L]]}_{[[SEP]]}
- Empowers sheriffs to continue to safely depopulate county jails even after the end of the COVID-19 crisis. ^{[[L]]}_{[[SEP]]}

The U.S. locks up more people per capita than any other nation, but most people in jails have not been convicted. 60% of Colorado's jail population are unconvicted people, incarcerated only because they cannot afford to post cash bond. People in prison and jail are disproportionately poor compared to the overall population, and pretrial detention can send people's lives into a downward spiral — those who can't post bond face losing their job, their housing, their medical care, and custody of their children. Research shows that pretrial detention puts people at a higher risk for future involvement with the criminal legal system while increasing convictions and causing steeper sentences.

Colorado has an opportunity to save money, families and lives by taking the positive lessons learned from the pandemic about smart jail depopulation strategies and enshrining them into law going forward. I hope you will support SB21-62.

Sincerely,
Amy Brown, PhD

To the Colorado State Senators on the Senate Judiciary Committee,

My name is Nicholas Bode and I live in 80222. I'm writing to urge you to support SB21-062. Jail population reduction is smart, safe and fiscally responsible. During the pandemic, sheriffs, judges, public defenders and district attorneys across our state worked together to save lives by dramatically decreasing Colorado's jail population. They did this by reserving jail beds for people who pose a safety risk to others. At its peak, jail populations dropped by 46%, with almost 6,000 fewer people in jail each day. Jail populations are still down 35% over pre-COVID numbers.

The good news? Despite widespread jail population reduction, crime has not increased, and most of the state has seen a decrease. Data shows that variations in crime rates by county bear no correlation to the level of jail depopulation.

Colorado can save millions in taxpayer money with long-term jail depopulation. On average, there are 4,708 fewer people in jail each day compared to before the pandemic. With a daily incarceration cost of \$98.83 per person, this saves \$465,337 per day or \$170 million per year.

SB21-62 will solidify the smart jail depopulation policies already in place in many counties in Colorado counties. Importantly, it:

- Requires summons for low-level offences and increases officer discretion to issue summons for misdemeanors and low-level felonies when there is no safety risk requiring incarceration.

- Decreases the use of cash bonds. SB21-62 limits the use of money bonds for misdemeanors and low-level felonies to cases where there is a safety risk or a flight risk. ^[L]_[SEP]
- Empowers sheriffs to continue to safely depopulate county jails even after the end of the COVID-19 crisis. ^[L]_[SEP]

The U.S. locks up more people per capita than any other nation, but most people in jails have not been convicted. 60% of Colorado's jail population are unconvicted people, incarcerated only because they cannot afford to post cash bond. People in prison and jail are disproportionately poor compared to the overall population, and pretrial detention can send people's lives into a downward spiral — those who can't post bond face losing their job, their housing, their medical care, and custody of their children. Research shows that pretrial detention puts people at a higher risk for future involvement with the criminal legal system while increasing convictions and causing steeper sentences.

Colorado has an opportunity to save money, families and lives by taking the positive lessons learned from the pandemic about smart jail depopulation strategies and enshrining them into law going forward. I hope you will support SB21-62.

Sincerely,
Nicholas A Bode

To the Colorado State Senators on the Senate Judiciary Committee,

My name is Kristine Callan and I live in 80204. I'm writing to urge you to support SB21-062. Jail population reduction is smart, safe and fiscally responsible. During the pandemic, sheriffs, judges, public defenders and district attorneys across our state worked together to save lives by dramatically decreasing Colorado's jail population. They did this by reserving jail beds for people who pose a safety risk to others. At its peak, jail populations dropped by 46%, with almost 6,000 fewer people in jail each day. Jail populations are still down 35% over pre-COVID numbers.

The good news? Despite widespread jail population reduction, crime has not increased, and most of the state has seen a decrease. Data shows that variations in crime rates by county bear no correlation to the level of jail depopulation.

Colorado can save millions in taxpayer money with long-term jail depopulation. On average, there are 4,708 fewer people in jail each day compared to before the pandemic. With a daily incarceration cost of \$98.83 per person, this saves \$465,337 per day or \$170 million per year.

SB21-62 will solidify the smart jail depopulation policies already in place in many counties in Colorado counties. Importantly, it:

- Requires summons for low-level offences and increases officer discretion to issue summons for misdemeanors and low-level felonies when there is no safety risk requiring incarceration. [SEP]
- Decreases the use of cash bonds. SB21-62 limits the use of money bonds for misdemeanors and low-level felonies to cases where there is a safety risk or a flight risk. [SEP]
- Empowers sheriffs to continue to safely depopulate county jails even after the end of the COVID-19 crisis. [SEP]

The U.S. locks up more people per capita than any other nation, but most people in jails have not been convicted. 60% of Colorado's jail population are unconvicted people, incarcerated only because they cannot afford to post cash bond. People in prison and jail are disproportionately poor compared to the overall population, and pretrial detention can send people's lives into a downward spiral — those who can't post bond face losing their job, their housing, their medical care, and custody of their children. Research shows that pretrial detention puts people at a higher risk for future involvement with the criminal legal system while increasing convictions and causing steeper sentences.

Colorado has an opportunity to save money, families and lives by taking the positive lessons learned from the pandemic about smart jail depopulation strategies and enshrining them into law going forward. I hope you will support SB21-62.

Sincerely,
Kristine Callan

To the Colorado State Senators on the Senate Judiciary Committee,

My name is Mike Webb and I live in 80234. I'm writing to urge you to support SB21-062. Jail population reduction is smart, safe and fiscally responsible. [SEP] During the pandemic, sheriffs, judges, public defenders and district attorneys across our state worked together to save lives by dramatically decreasing Colorado's jail population. They did this by reserving jail beds for people who pose a safety risk to others. At its peak, jail populations dropped by 46%, with almost 6,000 fewer people in jail each day. Jail populations are still down 35% over pre-COVID numbers.

The good news? Despite widespread jail population reduction, crime has not increased, and most of the state has seen a decrease. Data shows that variations in crime rates by county bear no correlation to the level of jail depopulation.

The good news? Despite widespread jail population reduction, crime has not increased, and most of the state has seen a decrease. Data shows that variations in crime rates by county bear no correlation to the level of jail depopulation.

Colorado can save millions in taxpayer money with long-term jail depopulation. On average, there are 4,708 fewer people in jail each day compared to before the pandemic. With a daily incarceration cost of \$98.83 per person, this saves \$465,337 per day or \$170 million per year.

SB21-62 will solidify the smart jail depopulation policies already in place in many counties in Colorado counties. Importantly, it:

- Requires summons for low-level offences and increases officer discretion to issue summons for misdemeanors and low-level felonies when there is no safety risk requiring incarceration. [SEP]
- Decreases the use of cash bonds. SB21-62 limits the use of money bonds for misdemeanors and low-level felonies to cases where there is a safety risk or a flight risk. [SEP]
- Empowers sheriffs to continue to safely depopulate county jails even after the end of the COVID-19 crisis. [SEP]

The U.S. locks up more people per capita than any other nation, but most people in jails have not been convicted. 60% of Colorado's jail population are unconvicted people, incarcerated only because they cannot afford to post cash bond. People in prison and jail are disproportionately poor compared to the overall population, and pretrial detention can send people's lives into a downward spiral — those who can't post bond face losing their job, their housing, their medical care, and custody of their children. Research shows that pretrial detention puts people at a higher risk for future involvement with the criminal legal system while increasing convictions and causing steeper sentences.

Colorado has an opportunity to save money, families and lives by taking the positive lessons learned from the pandemic about smart jail depopulation strategies and enshrining them into law going forward. I hope you will support SB21-62.

Sincerely,
Maddy Hughes

To the Colorado State Senators on the Senate Judiciary Committee,

My name is Tiera Brown. I live in 80237. I'm writing to urge you to support SB21-062. Jail population reduction is smart, safe and fiscally responsible. During the pandemic, sheriffs, judges, public defenders and district attorneys across our state worked together to save lives by

dramatically decreasing Colorado's jail population. They did this by reserving jail beds for people who pose a safety risk to others. At its peak, jail populations dropped by 46%, with almost 6,000 fewer people in jail each day. Jail populations are still down 35% over pre-COVID numbers.

The good news? Despite widespread jail population reduction, crime has not increased, and most of the state has seen a decrease. Data shows that variations in crime rates by county bear no correlation to the level of jail depopulation.

Colorado can save millions in taxpayer money with long-term jail depopulation. On average, there are 4,708 fewer people in jail each day compared to before the pandemic. With a daily incarceration cost of \$98.83 per person, this saves \$465,337 per day or \$170 million per year.

SB21-62 will solidify the smart jail depopulation policies already in place in many counties in Colorado counties. Importantly, it:

- Requires summons for low-level offences and increases officer discretion to issue summons for misdemeanors and low-level felonies when there is no safety risk requiring incarceration. [L] [SEP]
- Decreases the use of cash bonds. SB21-62 limits the use of money bonds for misdemeanors and low-level felonies to cases where there is a safety risk or a flight risk. [L] [SEP]
- Empowers sheriffs to continue to safely depopulate county jails even after the end of the COVID-19 crisis. [L] [SEP]

The U.S. locks up more people per capita than any other nation, but most people in jails have not been convicted. 60% of Colorado's jail population are unconvicted people, incarcerated only because they cannot afford to post cash bond. People in prison and jail are disproportionately poor compared to the overall population, and pretrial detention can send people's lives into a downward spiral — those who can't post bond face losing their job, their housing, their medical care, and custody of their children. Research shows that pretrial detention puts people at a higher risk for future involvement with the criminal legal system while increasing convictions and causing steeper sentences.

Colorado has an opportunity to save money, families and lives by taking the positive lessons learned from the pandemic about smart jail depopulation strategies and enshrining them into law going forward. I hope you will support SB21-62.

Sincerely,

Tiera A. Brown
She | Her | Hers

University of Denver | Sturm College of Law
Tbrown21@law.du.edu
J.D. Candidate 2020
(720)-612-9339

Good Evening Senator Jenson,
My name is Amy Travin and I hope you'll vote YES tomorrow on SB 62 when it is heard in the Senate Judiciary Committee. I support decreasing the use of cash bonds and empowering sheriffs to continue to safely depopulate county jails. I think this is important for our state to take action to support justice for members of our community.
Thank you for your consideration,
Amy Travin
Arvada, CO (80004)

Dear Sen. Jenson,

I am writing to ask that you vote YES tomorrow on Senate Bill 62 when it's heard in the Senate Judiciary Committee. I support decreasing the use of cash bonds and empowering sheriffs to continue to safely depopulate county jails. I think it is important for our state to take action to support justice for members of our community and bring our neighbors home!

Thank you,

Trena Moya
Denver resident

Dear Juliann Jenson,
My name is Sara Beth Ford. I live in Aurora, CO 80012. I hope you'll vote YES tomorrow on Senate Bill 62 when it's heard in the Senate Judiciary Committee. I support decreasing the use of cash bonds and empowering sheriffs to continue to safely depopulate county jails. I think this is important for our state to take action to support justice for members of our community and bring our neighbors home!

Thank you sincerely,

Sara Beth Ford

Hello, my name is Trish DeCoster. I hope you'll vote YES today on Senate Bill 62 when it's heard in the Senate Judiciary Committee. I support decreasing the use of cash bonds and empowering sheriffs to continue to safely depopulate county jails. I think this is important for our state to take action to support justice for members of our community and bring our neighbors home!

Thanks for your time
trish

To the Colorado State Senators on the Senate Judiciary Committee,

My name is Scott Clapsaddle and I live in 80209. I'm writing to urge you to support SB21-062. Jail population reduction is smart, safe and fiscally responsible. During the pandemic, sheriffs, judges, public defenders and district attorneys across our state worked together to save lives by dramatically decreasing Colorado's jail population. They did this by reserving jail beds for people who pose a safety risk to others. At its peak, jail populations dropped by 46%, with almost 6,000 fewer people in jail each day. Jail populations are still down 35% over pre-COVID numbers.

The good news? Despite widespread jail population reduction, crime has not increased, and most of the state has seen a decrease. Data shows that variations in crime rates by county bear no correlation to the level of jail depopulation.

Colorado can save millions in taxpayer money with long-term jail depopulation. On average, there are 4,708 fewer people in jail each day compared to before the pandemic. With a daily incarceration cost of \$98.83 per person, this saves \$465,337 per day or \$170 million per year.

SB21-62 will solidify the smart jail depopulation policies already in place in many counties in Colorado counties. Importantly, it:

- Requires summons for low-level offences and increases officer discretion to issue summons for misdemeanors and low-level felonies when there is no safety risk requiring incarceration. ^[1]_[SEP]
- Decreases the use of cash bonds. SB21-62 limits the use of money bonds for misdemeanors and low-level felonies to cases where there is a safety risk or a flight risk. ^[1]_[SEP]
- Empowers sheriffs to continue to safely depopulate county jails even after the end of the COVID-19 crisis. ^[1]_[SEP]

The U.S. locks up more people per capita than any other nation, but most people in jails have not been convicted. 60% of Colorado's jail population are unconvicted people, incarcerated only because they cannot afford to post cash bond. People in prison and jail are disproportionately

poor compared to the overall population, and pretrial detention can send people's lives into a downward spiral — those who can't post bond face losing their job, their housing, their medical care, and custody of their children. Research shows that pretrial detention puts people at a higher risk for future involvement with the criminal legal system while increasing convictions and causing steeper sentences.

Colorado has an opportunity to save money, families and lives by taking the positive lessons learned from the pandemic about smart jail depopulation strategies and enshrining them into law going forward. I hope you will support SB21-62.

Sincerely,
Scott Clapsaddle