

# SUPPORT SB21-273

## Pretrial reform to safely reduce low-level arrests & cash bond

### *Tickets, not arrest, for low-level offenses is just & will save lives*

- **Over half of arrests in Colorado are for low-level, non-violent offenses that too often escalate into violent conflict and that disproportionately impact people of color.**
  - **Over half of the 178 police killings** in Colorado since 2017 involved incidents that began in response to an alleged low-level offense, traffic violation, mental health call or situation where no crime was alleged.
  - In Colorado, **Black people are arrested at a rate eight times higher** than white people for low-level offenses.
  - In Colorado, **Black people are killed by police at 4X the rate** of white people, and **Latinx people are killed by police at 2X the rate** of white people.

### *Cash bond should be limited to people who pose a safety or flight risk*

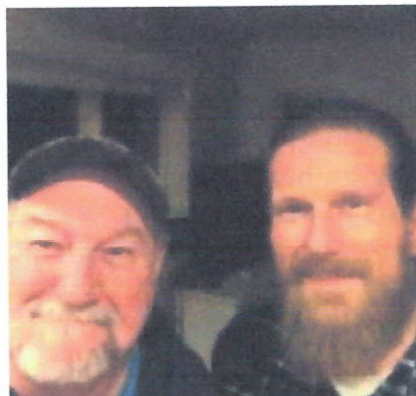
- Colorado's jail population has **increased 800%** since the 1970s, because:
  - The pretrial population drove the increase – **60% of people in jail are unconvicted** and are only jailed because they cannot afford to pay money bond.
  - Jails have become our first response to homelessness, substance abuse & mental illness, even though jail staff lack the expertise or resources to address these societal problems.
  - Failed broken windows policing and the war on drugs have filled our jails with people accused of low-level crimes who pose no public safety risk.
- **Over-policing and pretrial detention harms our most vulnerable communities.**
  - Black and Latinx people are disproportionately policed and arrested compared to white people, and they are more likely to have money bond set, more likely to face higher bond amounts and more likely to be detained pretrial.
    - Black people make up less than 5% of Colorado's population, but account for more than 15% of those in Colorado jails.
  - People with disabilities. People in jail are 4 times more likely to have disabilities than in the general public, and more than half of people in jail have psychiatric disabilities.
  - Unhoused people make up less than 1% of Colorado's population, but account for 18% of Coloradans in jail.

### *SB21-273 reserves arrest and jail for people who pose a safety threat instead of people who are poor.*

- **Increase use of summons in lieu of arrest for low-level, non-violent offenses.** SB21-273 requires tickets instead of arrest for traffic offenses, petty offenses, municipal offenses and non-violent misdemeanors. These limitations do not apply to any felonies or Victim Rights Act offenses, and have no impact on domestic violence arrests or DUIs.
- **Decrease use of cash bonds.** SB21-273 limits the use of money bonds to cases where there is a safety or a flight risk, and does not apply to high-level felonies.
- **Community Response Working Group.** SB 21-273 creates a community response working group to study and recommend safe and effective alternatives to law enforcement responses to low-level offenses, mental health crises & homelessness

# SB21-273 Supporters

Colorado has an opportunity to save money, families and lives



**Jerid Thistle died by suicide in jail after the judge denied the prosecutor's request to release him on a PR bond.** Jerid struggled with mental health, which led to his arrest for theft under \$500 and illegal weapon possession in 2021. The prosecutor and public defender agreed Jerid was safe for release on a non-monetary bond, but the judge refused. Jerid could not pay the \$5,000 bond. After detoxing alone in the Alamosa Jail for three days, he died by suicide.

*"We need a better system, where jail cells are reserved for people who pose a real safety risk and where people like my son are not driven to desperation because they can't pay for their freedom." - Jerid's stepmom, June*



**Michael Marshall died in jail while unable to pay a \$100 bond.** Michael was arrested for misdemeanor trespass and was held on a \$100 bond at the Denver City Jail. During a psychiatric episode in jail, he acted erratically. In response, deputies held him down until he died. The city paid \$4.65 million in a settlement to his family.

*"I don't know how arresting my uncle on an allegation of trespass could help anyone, instead of just giving him a ticket, but I do know how it was harmful to him. It killed him. He's gone, our family will never be able to spend time with him, and he is not alone." - Michael's niece, Natalia*



**Karen Garner was violently assaulted by police for petty theft.** Karen, a 73-year-old woman with dementia and sensory aphasia, suffered a broken arm, dislocated shoulder, and other injuries while being arrested by police in Loveland, after she left Walmart without paying for \$14 worth of merchandise. Surveillance video from the police station taken after the arrest shows officers laughing and mocking Karen while watching their own body camera footage of the arrest. A lawsuit has been filed against the officers.

*"You can see in the video how they're laughing at my mom and they're making fun of her. She's really scared and traumatized. I just want justice for my mom." - Karen's daughter, Allisa*



**Sharletta Evans, Executive Director of Colorado Crime Survivors Network, supports SB21-273.** She lost her beloved son, Casson Xavier Evans, when he was struck by a stray bullet in a drive-by shooting as a three-year-old. She says, "I am tired of hearing law enforcement speak on behalf of survivors when they argue that more police and more prisons will protect us. It didn't protect Casson or the many other crime victims in my community. Incarcerating people whose alleged "crimes" are missing a court date or sleeping on a park bench does not help crime survivors or repair the harm we have suffered. We must stop investing millions in jailing people for low-level offenses and use that money to help our communities."

PRETRIAL JUSTICE NOW