

Senate Judiciary

SB21-273 Pre-trial Reform

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
June Thistle For Self	<p>I support SB21-273 because had this bill been law, it could have saved my son's life. Jerid was a loving son and father, and a talented mechanic. He struggled with an addiction to methamphetamines that led to mental health issues.</p> <p>We had a plan for Jerid to move home to Washington. It was his dream to open a home mechanic shop on our property. We offered Jerid this dream if he completed drug treatment. He was ready to do so. But, instead, he lost his life alone in a jail cell.</p> <p>Jerid faced a pending charge of theft under \$500 and carrying an illegal weapon. Both the prosecutor and public defender agreed Jerid was safe for release on a non-monetary bond, but the judge refused. Jerid could not afford the \$5,000 bond that was set in his case. His only option was pretrial incarceration.</p> <p>While struggling through a painful detox with no support, and facing the reality that because he was poor, he would have to wait in jail for months until trial, Jerid felt hopeless. Three days after arrest, my son died by suicide alone in that cell.</p> <p>Detoxing in a cell, pending trial, with no intervention, is not the right response to addiction and mental health. 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. I ask Senator Simpson to support SB21-273 not just for our son but for people like Jerid who are sitting in the Alamosa jail right now and for those who will surely follow.</p> <p>June Fraser Thistle</p>



LAW ENFORCEMENT ACTION PARTNERSHIP

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Date: May 19, 2021

Re: SB 21-273, Pretrial Reform

Position: SUPPORT

To: The Colorado Senate Judiciary Committee

Distinguished Members of the Committee,

Thank you for the opportunity to testify today in support of SB 21-273. I represent myself, having spent my career as a corrections officer, a deputy sheriff with Arapahoe County Sheriff's Office, and as a speaker for the Law Enforcement Action Partnership (LEAP). I support SB 21-273 because it will improve public safety by reducing unnecessary incarceration and prioritizing the use of correctional resources.

LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety and working to improve community trust in the justice system.

Our state has been a leader in safely reducing jail populations to stem the threat of COVID-19. Statewide, jail populations were [down 46 percent](#) at the height of the pandemic, and they are still 35 percent lower than pre-pandemic levels. At the same time, crime rates held steady.

Having served for years as an officer in jails and prisons, I believe that maintaining these low levels is key to protecting the public. That may sound counterintuitive, but putting someone in jail unnecessarily makes them *more* likely to commit future crime. They will sit in a cell with people who committed much more serious offenses -- a "school for criminals." They will likely lose their job or their chance to enter recovery services. Research shows that people held in jail pretrial become about 120 percent [more likely to reoffend](#). Their children will also become more likely to struggle in school, experience trauma, and start heading in the wrong direction.

LawEnforcementActionPartnership.org

Formerly known as Law Enforcement Against Prohibition

We can safely maintain lower jail populations by passing SB 21-273, which would expand citation in lieu of arrest. When I worked in the jail, I saw a constant stream of people arrested for low-level drug possession and other minor offenses. Officers had to take them to jail instead of handing them a citation to appear in court. Many counties have allowed citation in lieu of arrest due to the pandemic, which has greatly reduced unnecessary incarceration and officer time spent transporting people to jail. SB 21-273 would continue this progress beyond the end of the pandemic.

The bill would also avoid counterproductive jail time by reducing the number of people held because they cannot pay a small sum to be released pretrial. Due to our financial bail system, a homeless person caught with a small amount of drugs might sit in jail for weeks because they can't scrape together 100 dollars. A shocking six in ten people in jail haven't been found guilty; they are waiting behind bars for their case to be heard because they cannot afford bail.

SB 21-273 would also benefit the deputy sheriffs working in our jails. During the pandemic, reducing the jail population has protected officers from COVID-19. After the pandemic, it will protect them from the stress of managing an overcrowded facility. An officer's nightmare is an overcrowded facility that mixes some people who pose a serious threat to public safety with others who pose little threat and need protection throughout the night.

Having served as a Colorado law enforcement officer, I still take my oath to protect and serve seriously. I stand behind SB 21-273 because responsibly reducing incarceration is a sound public safety strategy, both during and after the COVID-19 pandemic.

Thank you for the opportunity to contribute to this deliberation.

Respectfully,

Sheriff's Deputy Carrie Roberts (Fmr.)
Arapahoe County, CO
Speaker, Law Enforcement Action Partnership



CITY OF CAÑON CITY

John W. Schick
Chief of Police

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Honorable Representatives,

I come forward today to present a voice of opposition for Senate Bill 21-273, also known as the “Pre-trial Reform” (Senator Lee et al.). This legislative initiative seeks to remedy the pipeline to prison effect and jail overcrowding by reducing the crimes for which criminal offenders can be physically arrested and jailed. This legislative proposal would make mandatory release, by summons and other means, on a wide range of illegal activity, including traffic and municipal offenses as well as some felony matters. Such legislation could have significant unintended consequences.

One such case recently experienced by my officers resulted in the attempted murder of a citizen and community member. A citizen of our community intervening in the tampering of his vehicle was shot at very close range by the accused in this matter. After this crime, as my officers attempted to stop and arrest the subject, he tried eluding my officers at speeds near 100 MPH in rush hour traffic within the Cañon City Limits. During this hazardous pursuit, the accused shot a stolen firearm (handgun) at several of my officers during the pursuit.

The offender, in this case, was previously stopped by Cañon City Police earlier the same day for vehicle trespass (felony) and released on a summons mandated by pandemic protocols in our local jail. Following the issuance of the summons, the suspect was provided a ride by the arresting officer outside the city limits only to return a few hours later to commit similar crimes in addition to the attempted homicide.

Out of an abundance of concern for Coloradans, I offer this case as an example of the potential unintended consequences, which arguably placed the lives of the citizens of Cañon City at risk of both serious bodily injury and death. In this light, I ask the committee to consider the proposed legislation carefully, specifically regarding the significant unintentional consequences it can have on the health and safety of Colorado at large.

At your service,

A handwritten signature in blue ink, appearing to read 'J.W. Schick Jr.', is written over a light blue horizontal line.

J.W. Schick Jr.