

SUPPORT HB22-1067

48 Hour Municipal Bond Hearings



Basic due process for Colorado's most vulnerable

HB22-1067 requires municipal courts to hold bond hearings within 48 hours of arrest, **closing a legal loophole** and bringing municipal courts **in line with state court** and **constitutional requirements**.

WHY WE NEED HB22-1067

Municipal offenses affect Colorado's most vulnerable

Municipal courts handle the least serious crimes in the state, most often offenses closely tied to **homelessness, mental health conditions, and substance use disorders** - like sleeping on a park bench or disorderly conduct.

Equal justice - closing the municipal loophole

Colorado law already requires that people arrested for **more serious state offenses** be brought before a judge for bond setting within **48 hours** of arrest, but people accused of **low-level municipal offenses** can wait up to **6 days**.

The Constitution requires 48 hour bond hearings

"We conclude that the **federal due process right** entitles detainees to a **[bond] hearing within 48 hours** [of arrest]." *Odonnell v. Harris County* 882 F.3d 528, 543 (5th Cir. 2018).

Extended pretrial jail for municipal offenses is...

Unnecessary

Most people jailed for municipal offenses are immediately released when they see a judge at their bond hearing. Time spent jailed and waiting for a hearing is time the person **would otherwise have been free** and **does not serve to improve public safety**.

Costly

One night in a Colorado jail costs over \$100, a **burden generally shouldered by county taxpayers**. Taxpayer dollars spent keeping people in jail for low-level offenses while they wait to see a judge could be redirected toward **behavioral health supports** and other **evidence-based interventions to improve public safety**.

Harmful

Extended pretrial jail for vulnerable Coloradans harms the entire community.

- Low wage workers **lose their jobs** and children are **left without parental care**.
- Housing insecure folks lose **hotel rooms** and **shelter beds**.
- People struggling with substance use disorders face increased risk of **overdose death** upon release.
- People struggling with mental health conditions **lose contact with treatment providers** and have increased risk of **suicide** and **self-harm** in jail.

40X CHANCE OF OPIOID OVERDOSE

3X SUICIDE MORTALITY RATES



INTERFAITH ALLIANCE OF COLORADO

PROTECT FAITH AND FREEDOM



SAMCARY BAR ASSOCIATION

CCCC COLORADO CROSS-DISABILITY COALITION

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