

Dear Members of the Senate Judiciary Committee,

On behalf of Rebecca Wallace and the [Colorado Freedom Fund](#), I am sharing feedback on SB26-037, Concerning Allowing Local Elected Judicial Officers to Set Weekend Bonds. We are in a monitor position because we have serious questions about whether the bill will disrupt the efficiency and effectiveness of weekend bond court. We have shared this feedback back with Senator Roberts, and we know and believe he fully supports weekend bond hearing program, and does not seek to undermine the program with this bill.

With that in mind, following is the background that explains our concern.

CFF was deeply involved in stakeholding, passing, and helping implement weekend bond court in Colorado, both through [HB21-1280](#) and [HB23-1151](#). We understand well from years of stakeholding on the 48 hour bond hearing requirement that many local jurisdictions prefer to have their own judges set bond. We certainly have no problem with that. Importantly, under current law, any jurisdiction can meet the 48 hour bond hearing by holding weekend bond court *with their own local judges*. The state bond hearing office concept was borne out of cost concerns raised by counties during stakeholding on the weekend bond court bills. As key proponents, we worked in partnership with Judicial and counties to address those concerns. Stakeholders came to an agreement on the weekend bond court requirement by creation of state run and funded bond hearing offices for less-funded jurisdictions that did not want to or could not expend the money to hold weekend bond court. The idea was to provide the service in a streamlined way and take advantage of state efficiencies to have just one to two state judges on the weekends serve multiple jurisdictions while relieving costs for those counties that chose to participate in the program.

CFF has been working quite closely with Judicial for several years to identify and cure (a not small number) of deficiencies in the weekend bond court program. I'm delighted to report that in the last year or year and half, we have really seen statewide weekend bond court hit its stride in terms of ensuring 48 hour bond hearings in all jurisdictions enrolled in the program. It was a long and complex process to get here. I say all this because this bill will add a new layer of complexity to the program. In theory, every single jurisdiction that currently uses the bond commissioner could switch to the model proposed under the bill, which from my perspective feels like starting over again in building a new and possibly even more complex program. That's daunting given that the program only recently started meeting its targets of 48 hour bond hearings all over the state.

So, I guess I would ask this committee candidly whether the juice is worth the squeeze here. If local jurisdictions want to use their local judges for weekend bond court, they already have the right to do so, and many do. We are concerned that adding another avenue to use local judges may risk and disrupt the relatively newly acquired efficiency and effectiveness of the state's program. If the committee is inclined to pass this bill, we urge the committee to get certainty that Judicial has a clear plan for compliance that will not disrupt the program.

I hope this feedback is helpful. Please feel free to reach out with questions.

Sincerely,

Rebecca Wallace  
Colorado Freedom Fund

Members of the committee,

My name is Austin Evinger. I am a resident of Colorado Springs, An Air Force Veteran, A student at UCCS, and most importantly I am a father. I am writing in regards to my support of the approval of SB26-073. Since moving to Colorado in 2020 I have experienced the failures of the Colorado family courts first hand. In 2021 my 2-year-old daughter was taken from me by my wife at the time, across the country to New Jersey. She was kept from me for over two months. I spent the next two months going through the difficult and slow family court system in El Paso County. I missed out on 2 months of my daughters' life that I will never get back. Two months of growth, connection and love during a time in my daughters' development where it is immensely important to have a bond from both parents. When she was finally returned to Colorado after two months, my daughter was apprehensive to embrace me due to her only seeing her dad through the occasional facetime. After everything was said and done, no make up time was awarded to me for reconnection with my daughter. Taking parenting time away from one parent not only hurts the mental and physical health of the parent, but it severely affects the mental and physical health of the child. SB26-073 isn't the fix all to our family court problems in Colorado but it is a major stepping stone in helping parents creating an everlasting bond with their children. I plead with you to please pass SB26-073 to help our children's future and make Colorado the best state for our family's. thank you for taking the time to hear my story.

Very Respectfully,

Austin Evinger

