

Pre-Trial Services Plan 11th Judicial District¹
Updated 12-12-2017

The following cases will not be eligible for pre-trial release prior to an in court advisement and bond hearing to be held the business day after the arrest at 1:15 pm:

Class 1-3 Felonies
Class 1-3 Drug Felonies
Sexual Offenses
Domestic Violence Offenses
Stalking Offenses
Felony DUI Offenses
Felony VRA Offenses

This provision applies to warrantless arrests and to arrest warrants.

All other cases are eligible for pre-trial release prior to an in Court bond hearing as follows:

The Court may set a bond at the time of the issuance of an arrest warrant.²

Unless certain conditions are identified as per C.R.S. 16-4-113(1)(a-t)³, the Fremont County Sheriff's Department (hereinafter Sheriff) shall release a Defendant on a PR bond as follows:

Non VRA misdemeanors, traffic, petty offenses, and unclassified offenses in which the maximum penalty does not exceed 6 months incarceration.

DUI/DWAI and no prior alcohol/drug related driving convictions, shall receive a PR bond with monitored sobriety for 30 days.

Class 4-6 Drug Felony, shall receive a PR bond with monitored sobriety for 30 days.

For all other cases in which pre-hearing release is authorized, the Sheriff will provide the probable cause statement and any available risk assessment to a duty Judge as designated by the Chief Judge. The reviewing ex-parte Judge has the option to continue the setting of a bond until a bond hearing at 1:15 on the next business day, or to set a bond and conditions.

¹ This Pre-Trial Services Plan for the 11th Judicial District supersedes and eliminates the prior Fremont County District and County Court Bail Bond Schedule.

² Alternatively, the Court retains the authority to issue a summons in lieu of an arrest warrant as outlined in C.R.S. §16-5-206 and 207.

³ Including 16-4-113(1):

(c) The continued detention or posting of a surety bond is necessary to prevent imminent bodily harm to the accused or to another; or

(d) The arrested person has no ties to the jurisdiction of the court reasonably sufficient to assure his or her appearance, and there is substantial likelihood that he or she will fail to appear for trial if released upon his or her personal recognizance; or

As to all bond settings the Courts shall apply the provisions of C.R.S. §16-4-103, 104, 105 and 113.

For all cases the initial bond return date shall be 1:15 pm on the next business day, for Advisement and Bond Hearing.

Regarding conditions of bond as set by the Court pursuant to C.R.S. §16-4-105, Courts are encouraged to only impose conditions of bond that are necessary based upon the individual circumstances of the defendant, the victim and/or the case, and that the Court intends to subsequently enforce.

All bond conditions will be administered and monitored by the Sheriff starting January 1, 2016.⁴ The Sheriff shall notify the District Attorney's Office and Counsel of Record of violations of bond conditions as soon as practicable following the violation. In addition, the Sheriff shall provide a report regarding compliance with bond conditions to the Court, District Attorney's Office and Counsel of Record prior to each court appearance.

⁴ Waiver of fees shall be available based upon a finding of indigency by the Court based on form JDF208.