

DISTRICT COURT 9 <sup>TH</sup> JUDICIAL DISTRICT , COLORADO Garfield County Courthouse 109 8 <sup>th</sup> Street, Suite 104, Glenwood Springs, CO 81602 Phone Number: (970) 945-5075  <hr/> ADMINISTRATIVE ORDER	▲ COURT USE ONLY ▲ <hr/> Administrative Order  2015-03
<b>ADMINISTRATIVE ORDER ON BOND SCHEDULE FOR GARFIELD COUNTY          PRETRIAL SERVICES PROGRAM</b>	

This administrative order establishes a bond procedure and schedule for all counties in the 9<sup>th</sup> Judicial District that have a pretrial services program. At present, Garfield County is the only county to which this order applies. In Garfield County, this Administrative Order supersedes all previous Administrative Orders or Rules regarding pretrial release and bond schedules. In Pitkin and Rio Blanco Counties, Administrative Order 13-10, entered September 23, 2010, continues to apply, and in Pitkin County, Judge Ely’s Administrative Orders that address bond also apply.

The pretrial services program applies only to persons being held on new charges. Persons being held on Failure to Appear, Failure to Comply, Probation Violation and Parole Violation warrants may be released by posting the bond required by the warrant. The Pretrial Services Report procedure does not apply to these types of warrants.

**NEW CHARGES--ELIGIBILITY FOR RELEASE:** In counties with a pretrial services program established by the 9<sup>th</sup> Judicial District’s Pretrial Services Board (Garfield County only at present), for persons being held for new charges, to be eligible for release on bond without first seeing a judge or magistrate, the defendant must provide the information necessary for the pretrial services supervisor, or his or her designee, to complete the Pretrial Services Report (including the CPAT (the Colorado Pretrial Assessment Tool)), and a CPAT Risk Category designation must be available.

For new charges, all bonds posted without first seeing a judge or magistrate shall include the following condition:

AT YOUR FIRST APPEARANCE BEFORE A JUDGE OR MAGISTRATE, YOUR CASE WILL BE REVIEWED FOR PRETRIAL SERVICES. IF YOU ARE ORDERED TO PARTICIPATE IN ANY PRETRIAL SERVICES, THE JUDGE OR MAGISTRATE MAY MAKE COMPLIANCE WITH THOSE PRETRIAL SERVICES A CONDITION OF YOUR BOND.

This condition is mandatory whether the bond amount and type are established by an arrest warrant or, for warrantless arrests, by the schedule below. Unless superseded by a court order, the following bond schedule shall be applied by the Sheriff of Garfield County with respect to releasing on bond any person arrested in Garfield County.

When a judicial officer sets bond in an individual case on a warrant or upon an appearance, the judicial officer may use this bond schedule as a guide. However, the judicial officer is not bound by this schedule and shall exercise his or her independent judgment to set the amount, type and conditions of bond in the manner determined to be appropriate by that judicial officer under the law. Whether or not a bond previously has been posted under the provisions of this schedule, whenever the issue of bond is considered or reconsidered at an appearance of a defendant before a court of record, the Court shall determine the type of bond and conditions of release according to the standards and appropriate factors required by § 16-4-101, C.R.S., et seq.

**BOND SCHEDULE:**

HOLD DEFENDANT WITHOUT BOND UNTIL DEFENDANT SEES A JUDGE OR MAGISTRATE

Class 1 felony  
 Sex Assault as Class 2, 3, 4 or 5 felony  
 Domestic Violence Offenses or Stalking<sup>1</sup>  
 Fugitive From Other State<sup>2</sup>  
 CAVOP, if defendant’s probation was transferred to another state<sup>3</sup>  
 All other felonies, drug felonies, Class 1 misdemeanors and drug misdemeanor 1’s with CPAT score in Risk Category 4 or Category 3

FELONIES	SCHEDULED BOND AMOUNT
CPAT Risk Categories 3 and 4	
All felonies	Hold without bond until appearance before judge or magistrate. Defendant shall be brought to court on next available advisement docket.
CPAT Risk Category 2	
Class 2 and Drug Felony 1	\$25,000
Class 3 and Drug Felony 2	\$10,000
Class 4 and Drug Felony 3	\$ 5,000
Class 5, Class 6 and Drug Felony 4	\$ 2,500
Unclassified	\$ 2,500
CPAT Risk Category 1	
Class 2 and Drug Felony 1	\$12,500
Class 3 and Drug Felony 2	\$ 5,000

<sup>1</sup> See C.R.S. §16-4-105(4) and 18-1-1001(5). Defendant must acknowledge protection order.

<sup>2</sup> See C.R.S. § 16-19-117.

<sup>3</sup> See C.R.S. § 16-19-117.

Class 4 and Drug Felony 3	\$ 2,500
Class 5, Class 6 and Drug Felony 4	\$ 1,250
Unclassified	\$ 1,250

MISDEMEANORS	SCHEDULED BOND AMOUNT
CPAT Risk Categories 3 and 4	
Class 1 and Drug Misd. 1	Hold without bond until appearance before judge or magistrate. Defendant shall be brought to court on next available advisement docket.
Class 2 and Drug Misd. 2	\$ 750 cash or \$1,000 surety
Class 3	\$ 250 cash or \$1,000 surety
Unclassified	\$ 250 cash or \$1,000 surety
DUI/ DWAI	\$1,000 <sup>4</sup>
DUR-Alcohol Related	\$1,000 <sup>5</sup>
CPAT Risk Categories 1 and 2	
Class 1 and Drug Misd. 1	\$1,000
Class 2 and Drug Misd. 2	PR Bond
Class 3	PR Bond
Unclassified	PR Bond
DUI/ DWAI	\$1,000 <sup>6</sup>
DUR-Alcohol Related	\$1,000 <sup>7</sup>

PETTY OFFENSES	SCHEDULED BOND AMOUNT
CPAT Risk Categories 3 and 4	
Class 1	\$ 250 cash or \$1,000 surety
Class 2 and Drug Petty Offense	\$ 50 cash or \$1,000 surety
CPAT Risk Categories 1 and 2	
Class 1	PR Bond
Class 2 and Drug Petty Offense	PR Bond

<sup>4</sup> If defendant has one or more prior convictions for DUI/DWAI or their equivalent from another state, the bond shall have attached to it the conditions set forth on the attached Exhibit A. See C.R.S. §16-4-105(6)(a). In addition, defendant charged with DUI/DWAI may not attend bail hearing until sober and “shall be held in custody until the person may safely attend the bail hearing.” C.R.S. § 16-4-104(4).

<sup>5</sup> Bond must include the following condition: No Driving a motor vehicle while license is under restraint. C.R.S. § 16-4-105(5).

<sup>6</sup> If defendant has one or more prior convictions for DUI/DWAI or their equivalent from another state, the bond shall have attached to it the conditions set forth on the attached Exhibit A. See C.R.S. §16-4-105(6)(a). In addition, defendant charged with DUI/DWAI may not attend bail hearing until sober and “shall be held in custody until the person may safely attend the bail hearing.” C.R.S. § 16-4-104(4).

<sup>7</sup> Bond must include the following condition: No Driving a motor vehicle while license is under restraint. C.R.S. § 16-4-105(5).

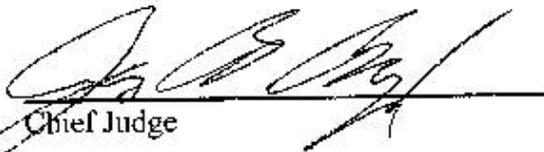
For the Drug Petty Offense of possession, a defendant not being arrested on any other charges shall be released on a written summons and promise to appear so long as the defendant signs the promise to appear.

TRAFFIC OFFENSES	SCHEDULED BOND AMOUNT
CPAT Categories 3 and 4	
Class 1	\$ 750 cash or \$1,000 surety
Class 2	\$ 250 cash or \$1,000 surety
Class A	\$ 75 cash or \$1,000 surety
Class B	\$ 75 cash or \$1,000 surety
CPAT Categories 1 and 2	
Class 1	PR Bond
Class 2	PR Bond
Class A	PR Bond
Class B	PR Bond

All bonds are cash or surety bonds unless otherwise indicated. All PR bonds posted under the terms of this order shall be in the amount of \$1,000. Property bonds shall not be accepted unless previously approved in writing by the court.

Dated: December 10, 2015.

BY THE COURT



Chief Judge

EXHIBIT A

BOND CONDITIONS THAT MUST BE IMPOSED ON DEFENDANTS ARRESTED FOR  
DUI OR DWAI AND THE DEFENDANT HAS ONE OR MORE PREVIOUS CONVICTIONS  
FOR DUI, DWAI OR ITS EQUIVALENT FROM ANOTHER STATE<sup>1</sup>

Defendant shall put his or her initials next to each condition to acknowledge that defendant is aware of these conditions of bond. This form shall be attached to the bond.

\_\_\_\_\_ YOU MAY NOT CONSUME ALCOHOL OR ILLEGAL DRUGS

\_\_\_\_\_ YOU MUST PARTICIPATE IN A PROGRAM THAT MONITORS YOU FOR  
\_\_\_\_\_ THE USE OF ALCOHOL OR ILLEGAL DRUGS

\_\_\_\_\_ Within 5 business days from your release from jail, you must enroll in a drug and alcohol monitoring program. The Clerk's Office in the County Courthouse has a list of businesses that provide drug and alcohol monitoring programs.

\_\_\_\_\_ You must pay for your participation in the drug and alcohol monitoring program.

\_\_\_\_\_ You shall maintain records of your enrollment in a drug and alcohol monitoring program and maintain records of your testing results. You shall produce those records upon request of the court.

NOTICE: You have a right to ask the Court to eliminate these conditions of your bond. To do so, you must file a request IN WRITING asking that the Court eliminate these conditions and also asking the Court to set a hearing on your request.