

CHIEF JUDGE ORDER 2019-12

STATE OF COLORADO

FIRST JUDICIAL DISTRICT

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WORK RELEASE SENTENCES TO JEFFERSON COUNTY JAIL

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# ORDER

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 WHEREAS, the Court has the authority to sentence misdemeanor and felony offenders to a work release program operated by the Jefferson County Sheriff (the “Sheriff”), pursuant to C.R.S. § 18-1.3-106; and

 WHEREAS, the Sheriff has established a work release program where inmates are permitted to leave the jail under certain circumstances when the Court orders this release. The Sheriff may refuse to permit an inmate to exercise these privileges for any breach of discipline or other violation of jail regulations; and

 WHEREAS, the Court and Sheriff want to place offenders in the work release program in such a manner as will maximize the benefits of the program for offenders and also maintain public safety.

 IT IS ORDERED:

1. The Court will generate and provide the Sheriff with a mittimus for each defendant sentenced to jail in a timely fashion. If the defendant is granted work release pursuant to C.R.S. § 18-1.3-207, the mittimus will clearly state that work release is authorized as a condition of probation.
2. The Sheriff will determine if inmates are appropriate to enter the work release program. The Sheriff may hold the defendant out of work release for seventy-two (72) hours to allow contact with the Court or the Probation Department to discuss the concerns for the inmate’s success in the program.
3. In order to determine whether inmates are appropriate to enter the work release program, the Sheriff’s internal classification committee will review the status of inmates sentenced by the Court to work release. When the classification committee believes that the inmate poses a substantial risk to the community if permitted to enter to work release program, the Sheriff will provide written notice to the Court. This notice will enumerate the Sheriff’s concerns and the nature of the risks the Sheriff believes the inmate poses. Regardless of the notice, the Sheriff will transfer the inmate to the work release program unless the sentencing judge, or the duty judge, if the sentencing judge should be unavailable, issues a new mittimus removing the language regarding work release.
4. Upon receipt of a notice from the Sheriff, the sentencing judge, or the duty judge, if the sentencing judge should be unavailable, will either issue a new mittimus or decline to do so within seven (7) calendar days of receipt of the Sheriff’s written notice.
5. The Sheriff does not have authority to transfer an inmate from the work release program to in-home detention without the approval of the Court. The Court agrees to act promptly on such requests as they are received from the Sheriff.
6. The Sheriff will calculate sentence deductions in accordance with C.R.S. § 17-26-109.
7. The Sheriff shall notify the Court or the Probation Department when an inmate violates the rules and regulations of a work release program. If work release is a condition of probation, the Probation Department will file a complaint with the Court alleging a violation of the conditions of probation.
8. Pursuant to memorandum dated June 10, 1996, from the Work Release Committee, the municipal courts may authorize but may not order work release. The Sheriff makes the determination as to placement in the work release program for municipal ordinance violators.

 Done at Golden, Colorado this 22nd day of June, 2019.

 

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 Philip J. McNulty, Chief Judge

 First Judicial District