

Boulder County to lower bonds for nonviolent crimes

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Beginning in the next few months, people arrested in Boulder County on suspicion of minor, nonviolent crimes won't have to shell out as much money to leave jail as they do now.

In addition to lowering bonds, Boulder County is planning to streamline its process for supervising suspects while their cases proceed through court. The changes aim to keep in jail only those people who are considered a danger to the community or a flight risk while allowing those who are not to continue working, paying their bills, supporting their family and complying with treatment programs, if necessary. "The research indicates that there is no relationship between the size of the bond and the likelihood that a person will appear in court or commit another crime while on bond," Boulder County Chief Judge Roxanne Bailin said. "We are setting arbitrarily high bonds that keep a lot of people in jail who don't need to be." Now, Bailin said, people caught using a fake ID must post a \$1,500 bond to leave jail. Under the proposed new schedule, that amount would be \$250.

Most of the low-risk suspects who end up sitting behind bars longer than necessary are those without financial resources, she said.

"What we are really doing is keeping people in jail based on their income and not based on any kind of rational process by which we ascertain risk," she said.

The county has been mulling the issue for decades, Bailin said. The culmination of those efforts will come in the next few months with the debut of lower bonds for about 30 nonviolent crimes and a streamlined pre-trial supervision program aimed at ensuring that people make court appearances and don't reoffend while on bond.

The supervision program will use an assessment tool that will help the county determine a person's risk. Based on a person's score, he or she might be placed on a low level or high level of supervision.

Limited supervision might be a phone call reminding a person of an upcoming court appearance. A higher level of supervision might include electronic home and substance monitoring.

Some of the crimes that will be affected include impersonation, fraud by check, unauthorized use of a credit card and possession of a forged instrument.

"What I looked at was an amount that would be substantial to people with lower incomes, so they would perceive it as substantial," Bailin said. "But it would not be so high that they would end up staying in jail because they couldn't make bond."

She said her general inclination is that people suspected of committing nonviolent crimes shouldn't be kept behind bars. Not only are they under the presumption of innocence until their court case is resolved, but staying in jail often causes people to lose their jobs, their homes and their families.

Sheriff Joe Pelle said he's behind the proposed changes because "bond was never meant to be punitive."
"The reality is that it's supposed to guarantee an appearance in court," he said. "It's not supposed to punish them."

Jailing people before trial also can get expensive, Pelle said, especially when the jail is pushing its limit of about 500 people. It costs \$62 to jail one person for one day, and it costs more than that when the jail has to send inmates to other facilities because of overcrowding, Pelle said.

"This will have a positive impact as far as crowding goes," he said.

Public defender Seth Temin said the lower bond schedule is overdue.

"The idea that the higher the bond, the safer the community is really wrong, based on the research," he said. "And it's unfair because somehow it means that people who have less money are more dangerous than people who have more money."

District Attorney Stan Garnett also has been supportive of lowering bonds, saying he believes they might be more successful in getting people to court and keeping them out of trouble before trial.

But, he said, he's told his deputies that if they feel an individual has a unique case that warrants a higher bond than what the schedule calls for, they should make that argument to the judge.