



## NEWS RELEASE

CONTACT: Lawrence Pacheco, Director of Communications  
(720) 508-6553 office | (720) 245-4689 cell  
Email: Lawrence.pacheco@coag.gov

FOR IMMEDIATE RELEASE

### **Attorney General Phil Weiser Testifies in Support of Bail Reform Legislation** *Reforming state's cash bail system is a "moral imperative"*

Mar. 14, 2019 (DENVER, Colo.) — Attorney General Phil Weiser today gave his strong support to a pair of bills designed by House Judiciary Committee leadership to reform Colorado's bail system.

In testimony before the House Judiciary Committee, Weiser said that the main purpose of bail is to ensure defendants appear in court and to protect the public safety while defendants await trial. Bail is not, Weiser explained, designed to serve as a pre-trial jail sentence.

"For too long, we have allowed persons accused of low-level, and often non-violent, offenses to languish in jail, simply due to their inability to afford bail. In many cases, these individuals are not evaluated for any risk of harm or flight, but instead are detained solely due to their lack of financial resources. This state of affairs is unacceptable," explained Weiser, who has made bail reform a top priority. "By passing this legislation, Colorado can provide for greater fairness, improve public safety, operate in a more cost-effective manner, and ensure more humane treatment of individuals awaiting trial."

At issue are two bills, sponsored by State Reps. Leslie Herod and Matt Soper, which would significantly reform the bail/bond system in Colorado. The first, HB19-1225 would end cash bail requirements for lower-level traffic, petty, or municipal offenses – with exceptions for traffic offenses involving death or injury, eluding a law enforcement officer, tampering with an ignition interlock device, or similar municipal offenses. The second bill, HB19-1226, requires each of the state's judicial districts to implement a pretrial screening process and criteria for releasing certain individuals subject to no bail conditions. The bill also requires that individuals be released with the least restrictive conditions possible without monetary conditions as long as they do not pose a substantial risk of danger, failure to appear in court, or obstruction of the criminal process.

The impact of cash bail is widespread and painful for individuals who are charged and held in custody. Our current system, which requires localities to pay for detaining individuals who are not a risk to our society, hurts those individuals detained pre-trial, impacts their families and communities, and is costly to our state. Individuals who are already cash-strapped can lose their job and be unable to meet their financial obligations. Because they are in jail already, those individuals are more vulnerable to accepting a guilty plea of time served so they can be released from jail. Finally, whenever someone charged with a low-level offense is kept in jail before trial, taxpayers foot the bill. "That's not justice," said Weiser.

"We now have an opportunity—and, I would suggest, a moral imperative—to reform our system of cash bail. This reform will involve changes to our legal framework, a financial investment from our State, and a commitment from the Colorado justice system to make this new model work. At the Attorney General's office, we will work tirelessly with partners in the criminal justice system to support and monitor the implementation of this important reform," concluded Weiser.

###