



Basic due process for Colorado’s most vulnerable

HB22-1067 requires municipal courts to hold bond hearings within 48 hours of arrest, **closing a legal loophole** and bringing municipal courts **in line with state court** and **constitutional requirements**.

WHY WE NEED HB22-1067

Municipal offenses affect Colorado’s most vulnerable

Municipal courts handle the least serious crimes in the state, most often offenses closely tied to **homelessness, mental health conditions, and substance use disorders** - like sleeping on a park bench or disorderly conduct.

Equal justice - closing the municipal loophole

Colorado law already requires that people arrested for **more serious state offenses** be brought before a judge for bond setting within **48 hours** of arrest, but people accused of **low-level municipal offenses** can wait up to **6 days**.

The Constitution requires 48 hour bond hearings

“We conclude that the **federal due process right entitles detainees to a [bond] hearing within 48 hours** [of arrest].”
Odonnell v. Harris County 882 F.3d 528, 543 (5th Cir. 2018).

Extended pretrial jail for municipal offenses is...

Unnecessary

Most people jailed for municipal offenses are immediately released when they see a judge at their bond hearing. Time spent jailed and waiting for a hearing is time the person **would otherwise have been free** and **does not serve to improve public safety**.

Costly

One night in a Colorado jail costs over \$100, a **burden generally shouldered by county taxpayers**. Taxpayer dollars spent keeping people in jail for low-level offenses while they wait to see a judge could be redirected toward **behavioral health supports** and other **evidence-based interventions to improve public safety**.

Harmful

Extended pretrial jail for vulnerable Coloradans harms the entire community.

- Low wage workers **lose their jobs** and children are **left without parental care**.
- Housing insecure folks lose **hotel rooms** and **shelter beds**.
- People struggling with substance use disorders face increased risk of **overdose death** upon release.
- People struggling with mental health conditions **lose contact with treatment providers** and have increased risk of **suicide** and **self-harm** in jail.

40X CHANCE OF OPIOID OVERDOSE

3X SUICIDE MORTALITY RATES



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