



**ACTIONS WE ARE TAKING TO MITIGATE THE AFFECT
THAT COVID-19 MAY HAVE ON THOSE WHO ARE INCARCERATED**

Last Updated on April 3, 2020

In response to the COVID-19 health crisis, the judges of the 2nd Judicial District have been very proactive, especially regarding cases involving those who are incarcerated. As noted in Amended Administrative Order Regarding Court Operations Under Covid-19 Advisory 2020-01, certain court functions are critical and essential to our obligation to protect individual constitutional rights and promote public safety. Those matters must continue to be heard and are not subject to suspension. We are committed to working with our criminal justice stakeholders to reduce in person appearances through pre-trial detention and probation revocation complaints that do not present public safety concerns. The following measures have been taken:

- a. Defendants with less than 30 days remaining on imposed sentences, serving work release sentences, or determined to be an at-risk defendant based on health factors were identified by attorneys and reviewed by the Court and released, where appropriate.
- b. Modification to the pre-advisement release criteria increasing the number of detainees eligible for unsecured PR bond to include persons with conviction of Class 1 misdemeanor within two years or felony within five years, persons who fail to appear on bond in any case involving a felony or Class 1 misdemeanor in the preceding five years.
- c. Canceled all probation revocation warrants other than those involving risk to public safety or harming another person.
- d. Return on summons for Probation revocation appearances set at least eight weeks out to assist with minimizing docket size and decreasing in-person appearances.
- e. Dockets and hearings, not on essential judicial functions list, continued for 8 weeks.
- f. All review dockets are vacated through May 15, 2020.
- g. Defendants referred to the DIVERT program exempted from serving the 90-day jail sentence with RISE as a condition of sentence until further notice.
- h. Summons in lieu of initial arrest for all cases heard in our courts unless victim or public safety may be compromised, or in cases described in CRS 24-4.1-302 (e.g., those involving

domestic violence, sex crimes, crimes against children, assault, stalking, violation of restraining order etc.).

- i. If a law enforcement officer employed by a law enforcement agency located in the City and County of Denver, Colorado contacts an individual who has an active arrest or bench warrant issued by the Denver County Court, the officer is not required to execute the warrant and arrest that individual, unless the arrest or bench warrant includes a Victims Rights Amendment (“VRA”) offense listed in C.R.S. §24-4.1-302 (e.g., those involving domestic violence, sex crimes, crimes against children, assault, stalking, violation of restraining order etc.).
- j. All criminal divisions fully converted to virtual courtrooms with remote access for defendants, attorneys, victims, judges and staff. Fully integrated today.
- k. 66% of our felonies have been issued PR bonds and that number is likely to increase.
- l. Canceled all writs, federal and state, originating from our courts to other courts through May 31, 2020, so as to keep jail population down.
- m. Typically, Denver county jail averaged approximately 1800 daily inmate population per month. We’ve reduced that from 1789 on 3/7/20 to 1176 effective 4/3/2020. More than 34% reduction.
- n. Our DA, PD continue to review cases for early release (now 45 days or less left on sentence and non-VRA) and our judges are committed to approving early release in those matters when presented.

Please note that these efforts are ongoing and subject to change.

Dated this 3rd day of April 2020.

BY THE COURT:



MICHAEL A. MARTINEZ
District Court Chief Judge