

SIXTH JUDICIAL DISTRICT, STATE OF COLORADO

AMENDED ADMINISTRATIVE ORDER 2020-11

Order Authorizing the Release of Nonviolent Arrestees Due to LPCJ Overcrowding During the COVID-19 Pandemic

Due to the COVID-19 Pandemic the La Plata County Jail, in order to maintain the health and safety of its inmates and staff, must operate at a capacity that is lower than normal. When the La Plata County Jail is housing 145 or more inmates, the jail may refuse to accept into custody the following individuals:

1. Any defendants arrested for any nonviolent offense that constitutes an F-4 or lower offense or any drug misdemeanor;
2. Any probation revocation (failure to comply) warrants that have a monetary bond amount set in the warrant; and,
3. Any county court FTA bench warrants where the bond is set at less than \$10,000 and any district court FTA warrants where the bond is set at less than \$25,000.

The jail shall accept into custody all:

1. Out-of-district warrants;
2. Failure-to-appear bench warrants where bond exceeds the amounts listed above;
3. No-bond warrants, including warrants initiated by the bond commissioners;
4. All defendants arrested for violation of bond conditions or violation of a protection order;
5. All defendants arrested for any type of sex offense; and,
6. All defendants arrested for domestic violence offenses.

The jail shall not release any intoxicated arrestees until they are sober. Any inmate who, upon arrival at the jail was intoxicated either by drugs, alcohol or both, who is released pursuant to this Administrative Order, shall have as a condition of their PR bond that they are released to Pretrial Services on the condition that they not consume or possess any alcoholic beverages or drugs and that they comply with Pretrial Services testing.

Any PR bond releasing an inmate due to jail overcrowding as authorized by this Administrative Order shall reflect on the PR bond that the bond was granted pursuant to this Administrative Order.

Any FTA or probation arrestee who is released from custody pursuant to the above guidelines shall be given a PR bond at the jail to appear on the criminal docket of the division of the court who issued the warrant at least one week after arrest. Conditions of bond for FTA arrestees shall be the same as contained on their original bond. Conditions of bond for probation revocation arrestees shall be to contact the probation department immediately upon release (970-247-0982) and to comply with probation conditions.

Any other arrestee who is released from custody pursuant to the above guidelines shall be given a PR bond at the jail to appear in county court on the next business day after arrest at 2:00 PM to impose bond conditions.

Judicial Override

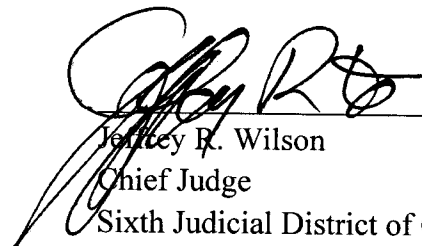
If the arresting officer believes that the arrestee subject to receiving a PR bond by the terms of this order is a danger to the public and he obtains the consent of:

A commander in the case of a Durango Police arrest;
A captain in the case of a La Plata County Sheriff's Office arrest; or
A supervisor in the case of all other law enforcement agency arrests

The arresting officer may call the on-call judge to verbally authorize the jail to require the defendant to post bond in accordance with the normal bond schedule, or any other amount of bond the on-call judge finds appropriate prior to the release of the arrestee. The La Plata County Jail shall record on the custody paperwork sent to the court for each such arrestee that the on-call judge authorized the arrestee to post a cash or surety bond instead of the defendant automatically receiving a PR bond.

After this order is initiated due to the inmate population being 145 or higher, this order shall remain in effect until the inmate population is reduced below 120 inmates.

Done and signed this 1ST day of September, 2020.


Jeffrey R. Wilson
Chief Judge
Sixth Judicial District of Colorado