

## **CHIEF JUDGE ORDER 24-02**

### **BOND SCHEDULE 14<sup>th</sup> JUDICIAL DISTRICT**

This Bond Schedule supersedes Chief Judge Order 08-02.

Any person arrested for a felony, misdemeanor or petty offense committed in the counties of Grand, Moffat and Routt, State of Colorado, shall be presumptively eligible for release on bond pursuant to the Bond Schedule below. The sheriffs of the respective counties are authorized and ordered to review the circumstance of each arrestee, and when appropriate, approve and accept personal recognizance, corporate surety, or cash bonds pursuant to this Bond Schedule to secure the release of arrestees during weekends, night-time hours, holidays, or when a judge is not otherwise available for a bond hearing.

While this bond schedule may be used by the judges as a guide, it is not mandatory, and any bond is subject to being set in an amount other than that set forth in the schedule at the discretion of the judge setting bail.

The District Attorney or a law enforcement officer may make an oral or written *ex parte* request to a judge for a bail amount that deviates from the Bond Schedule. If the District Attorney notifies the Sheriff such request is being made, the Sheriff shall hold the arrestee for a reasonable time not to exceed 24 hours to await further order of the Court, although a determination regarding probable cause for the arrest must still occur within 48 hours. If the judge receiving this request determines it is appropriate to deviate from the Bond Schedule, that judge will enter an order setting forth the factors considered in reaching the decision to deviate.

In any situation where the jailer or the arresting officer has a doubt as to the propriety of releasing the arrestee due to a legitimate concern for public safety or the safety of the arrestee, a judge should be contacted to resolve the doubt.

## BOND SCHEDULE

1. When an Arrest Warrant fixes bail, the Sheriff shall release an arrestee if the bond is posted in the amount of the bail fixed in the Arrest Warrant.
2. Arrestees taken into custody for offenses listed below MAY NOT BE RELEASED under this Bond Schedule. In such cases, bail may only be set by a judge, whether by Arrest Warrant, Probable Cause Affidavit Review Order, telephonic or personal contact, or at a bond hearing.

### HOMICIDE and Related Offenses

Murder, 1st degree	18-3-102
Murder, 2nd degree	18-3-103
Manslaughter	18-3-104
Negligent Homicide	18-3-105
Vehicular Homicide	18-3-106
Vehicular Eluding Resulting in Death	18-9-116.5

ARSON (if felony) 18-4-102 through 105

### ASSAULTS

1 <sup>st</sup> degree Assault	18-3-202
2 <sup>nd</sup> degree Assault	18-3-203
3 <sup>rd</sup> degree Assault	18-3-204
Vehicular Assault	18-3-205
Menacing with a Deadly Weapon	18-3-206

### BAIL BOND

Violation of Bail Bond	18-8-212
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### BURGLARY

1 <sup>st</sup> degree Burglary	18-4-202
2 <sup>nd</sup> degree Burglary	18-4-203

CHILD ABUSE 18-6-401

### CONTROLLED SUBSTANCES

Unlawful Distribution, Manufacturing, Dispensing, Sale of a Schedule I or II Substance (not mere possession)	18-18-405(2)(a)
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ESCAPE 18-8-208

### KIDNAPPING

1 <sup>st</sup> degree Kidnapping	18-3-301
2 <sup>nd</sup> degree Kidnapping	18-3-302

Violation of Custody Order	18-3-304
<b>RESTRAINING/PROTECTION ORDER</b>	
Violation of Protection Order	18-6-803.5
<b>ROBBERY</b>	
Robbery	18-4-301
Aggravated Robbery	18-4-302
Aggravated Robbery of a Controlled Substance	18-4-303
Robbery of Elderly	18-4-304
<b>SEXUAL CRIMES</b>	
Sexual Assault	18-3-402
Unlawful Sexual Contact	18-3-404
Sexual Assault on a Child	18-3-405, 405.3, 405.5
Enticement of a child	18-3-305
Incest	18-6-301
Aggravated Incest	18-6-302
Human trafficking	18-3-504 (1) or (2)
Sexual Exploitation of a Child	18-6-403
Procurement of a child for Sexual exploitation	18-6-404
Indecent Exposure	18-7-302
Child Prostitution	18-7-402, et seq.
<b>STALKING (Felony only)</b>	18-3-602
<b>WRONGS TO AT RISK ADULTS or JUVENILES</b>	
Negligence	18-6.5-103
Assault	18-6.5-103
Robbery	18-6.5-103
<b>WRONGS TO WITNESSES</b>	
Intimidating a Witness	18-8-704 & 705
Retaliation/Witness/Victim	18-8-706

In addition to the above, no person shall be released under this bond schedule before being seen by a judge if any of the following apply:

1. Any **attempt or conspiracy** to commit any of the above listed crimes.
2. Any new felony charge where the arrestee is on **parole** or on a **supervised probation**, if parole or probation officer places a hold on the arrestee.
3. Any crime that is designated as a **domestic violence crime** under C.R.S. 18-6-800.3 (intimate relationship AND act or threatened act of violence, or act intended as coercion, control, punishment, intimidation or revenge).
4. Any crime not expressly listed above that involves sexual behavior as defined in C.R.S. 16-22-102.

5. Any crime where the arrestee remains threatening, violent, agitated, or in any other state where the person, if released, is likely to be a danger to self or others.
6. If the arrestee refuses to be fingerprinted or photographed.

### 3. AMOUNT OF BAIL

Bail shall be set based on the most serious offense for which the arrestee has been taken into custody (except for wildlife charges). Bail shall be set in the amounts stated below for the class of offense indicated.

#### FELONIES

Class I.....	No Bond Until Seen by Judge
Class II.....	\$10,000
Class III.....	\$ 5,000
Class IV.....	\$ 3,000
Class V.....	\$ 2,000
Class VI.....	\$ 1,500
DF1.....	No Bond Until Seen by Judge
DF2.....	\$5,000
DF3.....	\$2,000
DF4.....	\$1,000

#### MISDEMEANORS

Class I.....	\$750
DM1.....	\$750

If the charge is a Class II misdemeanor, a petty offense, or an unclassified offense for a violation of which the maximum penalty does not exceed six months in jail, the arrestee **shall be released upon personal recognizance** unless one of the following applies:

- (1) failure to sufficiently identify him/herself
- (2) refusal to sign personal recognizance
- (3) bond is necessary to prevent imminent bodily harm to the arrestee or another
- (4) arrestee has no ties to Colorado sufficient to assure appearance and there is substantial likelihood of failure to appear
- (5) arrestee has previously failed to appear
- (6) there is an outstanding warrant for any other charge or there are pending proceedings for revocation of parole or probation
- (7) arrestee is charged with a crime of domestic violence

### PETTY OFFENSES

All petty offenses.....\$150  
(Subject to the release on personal recognizance exceptions stated above)

### TRAFFIC OFFENSES

Class I.....\$500  
Class II.....\$250 Personal Recognizance

### WILDLIFE VIOLATIONS

For all non-felony wildlife violations with maximum possible penalties exceeding 120 days jail, bail is set in the amount of any mandated fine, victim's assistance fee and court costs. All mandated fines shall be added together to determine the correct bond amount. For all violations with non-mandated fines and maximum possible penalties exceeding 120 days jail, bail for misdemeanor offenses is set at \$500 and felony violations are bailable under the felony schedule above. For any violations where the penalty is less than 120 days in jail, the bond shall be set at \$1,000 personal recognizance, subject to the exceptions listed in the MISDEMEANORS section above.

#### 4. NEXT SCHEDULED COURT DATE

All persons released under this Bond Schedule shall be scheduled for an appearance on bond within 2 weeks preferably on the next first appearance docket.

#### 5. DRUG OR ALCOHOL OR RELATED OFFENSES, DUI, OR DWAI

For persons released under this Bond Schedule arrested for drug or alcohol or related offenses, DUI, or DWAI, the bond shall include a condition of no possession or consumption of alcohol or controlled substances without a valid prescription.

#### 6. INTOXICATED DEFENDANTS.

Because of the danger posed to the arrestee and others, a person taken into custody who is intoxicated or under the influence of drugs may not be released under this Bond Schedule until (1) the arrestee can be safely released to the custody of an adult who agrees to be responsible for the arrestee's safety or (2) that arrestee no longer shows visible effects of the use of alcohol or drugs. An arrestee shall not be brought before a judge for a bond hearing until such person is no longer intoxicated or under the influence of drugs or alcohol.

#### 7. PROBABLE CAUSE AFFIDAVITS

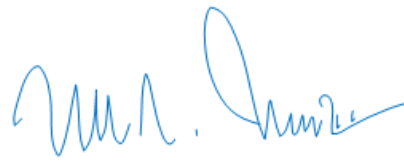
Persons arrested without a warrant shall be released from custody 48 hours following their arrest UNLESS there has been a determination of probable cause to support the arrest by a judge within the 48 hour period. Any person released pursuant to this provision shall be placed on a personal recognizance bond for the next regularly scheduled advisement day. For all domestic violence charges, the bond shall contain the requirement that the arrestee not harass, molest, intimidate, retaliate against or tamper with any witness to or victim of the acts alleged. For persons who would not otherwise be eligible for bond until seen by a judge, the personal recognizance bond shall have a condition that the arrestee shall have no contact with any alleged

victim and the victim shall be identified by name on the bond if the name is part of the information available.

8. The Sheriff shall promptly deliver to the clerk all surety bonds or bond monies received for the release of the arrestees.

9. No attorney or officer of the Court or employee of the Court shall be accepted as a bonding agent or professional surety in any cause, civil or criminal, except by order of the Court.

**SO ORDERED and effective this 20th day of February, 2024**



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Michael A. O'Hara III, Chief Judge  
Fourteenth Judicial District