

SB21-062 Amendments adopted and by who:

1. Clarify that an officer may exercise discretion to arrest a person accused of any felony, Victim Rights Act crime, sex offenses, failure to register, and firearms offense whenever there is a safety risk or risk of continued criminal conduct. (request of multiple public safety stakeholders and victims' groups)
2. Clarify that the arrest limitation do not apply to arrests on warrants and, instead, apply only to on-site, probable cause arrests. (Chiefs of Police)
3. Clarify that this bill does not impact ability of police to temporarily take someone into custody for chemical testing of any kind. (MADD, CDPS, CML)
4. Clarify that this bill does not prohibit a jurisdiction from using a money bond schedule to facilitate release before a person sees a judge (CML, Chiefs of Police)
5. Ensure anyone charged with driving under the influence can be arrested whenever there is a safety risk or a history of driving under the influence. (MADD, CDPS, COVA)
6. FTA – under introduce bill, a warrant could be issued and a person arrested on the very first failure to appear, but then – once the person saw a judge – that person needed to be released without the payment of money. CDAC, CML, and COVA sought to protect victim and witness time, and to ensure that FTAs were not used to harass or intimidate victims. As a result, amendments were made allowing a court to set money bond for failure to appear whenever victim or witness time was wasted, or the FTA served to interfere with or deter witness or victim participation in the case. Also, an amendment clarifies that money bond may always be set whenever there is a risk the defendant will flee prosecution. (CDAC, CML, and COVA)
7. Allow money bond for technical probation violations related to DV and sex crimes. (CDAC, COVA)
8. Define “flee prosecution” (CDAC request)

Organization Positions on 062:

For a full list click here: <https://www.sos.state.co.us/lobby/SearchSubject.do>

Colorado Municipal League (CML)- Oppose  
Colorado Association of Chiefs of Police (CACP)- Oppose  
Colorado Police Protective Association (CPPA) -Oppose  
County Sheriffs of Colorado (CSOC)- Oppose  
Colorado District Attorneys Council (CDAC)- Monitoring  
Colorado Fraternal Order of Police (FOP)- Oppose