



- (d) Proof of monthly expenses for all ongoing payments plus any unusual or recurring expenses must be furnished to the public defender.

### 3. Bonds in Criminal Cases

- (a) Bond Commissioners. Twentieth Judicial District Bond Commissioners shall be employed by the Boulder County Community Justice Services Department, supervised through the Pretrial Services Unit and sworn by the Chief District Judge as deputy court clerks.

- (b) Authority to Grant Bail. The Bond Commissioners, sheriff and deputy sheriffs of Boulder County are authorized to admit any person charged with or under investigation for any one or more of the offenses set forth in section (3)(c) of this order to bail in the amount set opposite the type of offense or as specified on the existing warrant, except as prohibited by section (3)(e) of this order.

- (1) Such bail shall be in the form of cash, certified check, cashiers check, corporate surety or a professional bail bondsman currently licenses by the State of Colorado. Personal checks will not be accepted for bonds.

- (c) Bond Requirements and Schedule of Bonds

- (1) The amount of bond set opposite the specified criminal offense in the Schedule of Bonds in this order shall be the bail for the offense or offenses charged unless otherwise ordered by a judge or magistrate, or unless prohibited by section (e) of this order.
  - (2) If a person is charged with more than one offense, no greater bail than the highest bail for any single offense shall be required. Bail shall not be accumulated.
  - (3) If two or more persons are charged with an offense or offenses, the amount of bond set forth in the Schedule of Bonds in this order shall be for each person and not the total amount for all persons charged.
  - (4) All bonds accepted under this order shall command the person charged with the offense to appear before the court on the court's regularly scheduled advisement day except that any person arrested for a crime or offense with an underlying factual basis of domestic violence as defined in section 18-6-800.3, C.R.S. shall be interviewed by a Twentieth Judicial District Bond Commissioner for the purposes of the setting of bond and imposition of section 18-1-1001, C.R.S., Protection Order Against Defendant. No person arrested for a crime or offense with an underlying factual basis of domestic violence may be released on bond unless the provisions of section 18-1-1001(5), C.R.S. are fulfilled; that is, before a defendant is released on bail, the court shall state the terms of the protection order, including any additional provisions added pursuant

to subsection (3) of 18-1-1001, to the defendant on the record and the court shall further require the defendant to acknowledge the protection order as a condition of any bond for his or her release.

(5) Schedule of Bonds:

Felony Bonds

18-4-202	First Degree Burglary	\$20,000.00
18-4-203	Second Degree Burglary of Dwelling	\$20,000.00
18-4-204	Third Degree Burglary	\$1,500.00
18-4-401	Theft between \$500-\$15,000	2,500.00
	Theft over \$15,000	3,500.00
18-4-402	Theft of Rental Property \$500-\$15,000	2,500.00
	Over \$15,000	3,500.00
18-4-409	Aggravated Motor Vehicle theft in the First Degree (all sections)	2,500.00
18-4-410	Theft by receiving between \$500-\$15,000	2,500.00
	Theft by receiving over \$15,000	3,500.00
18-4-502	First Degree Criminal Trespass	1,500.00
18-4-602	Theft of Sound Recordings	1,500.00
18-5-102	First Degree Forgery	2,500.00
18-5-105	Criminal Possession of a First Degree Forged Instrument	1,500.00
18-5-109	Criminal Possession of Forgery Devices	1,500.00
18-5-113	Criminal Impersonation	1,500.00
18-5-205	(3)(c)(d) Fraud by Check	2,500.00
18-5-206	(1)(c)(d) Defrauding a Secured Creditor	2,500.00
	(2)(c)(d) Defrauding a Secured Creditor	2,500.00
18-5-401	Commercial Bribery	1,500.00
18-5-403	Bribery in Sports	1,500.00
18-5-702	(3)(c)(d) Unauthorized Use of Financial Transaction Device	2,500.00
18-5-703	(3)(4) Criminal Possession of Financial Transaction Device	2,500.00
18-5-704	Sale or Possession for Sale of a Financial Transaction Device	2,500.00
18-5-705	Criminal Possession or Sale of a Blank Financial Control Device	2,500.00
18-5-706	Criminal Possession of Forgery Devices	1,500.00
18-5-707	Unlawful Manufacture of a Financial Control Device	2,500.00
18-5.5-102	Computer Crime \$500-\$15,000	2,500.00
	Over \$15,000	3,500.00
18-18-404	Unlawful Use of a Controlled Substance as Class 5 Felony	1,500.00

18-18-405	Possession of Controlled Substance (Sale requires D.A. approval)	2,500.00
18-18-405(1)(a)	Unlawful Possession of Chemicals or Supplies with Intent to Manufacture a Schedule I or II Controlled Substance	2,500.00
18-18-406	Possession of Marijuana as other than Misdemeanor (Sale or cultivation requires D.A. approval)	2,500.00
18-18-412.5	Unlawful Possession of Methamphetamine Manufacturing Materials	2,500.00

If the offense described is a crime of attempt, accessory, complicity, or conspiracy, the bond amount shall be the same as listed for the substantive crime.

Misdemeanor Narcotics and Drug Violations:

18-18-404	Possession, Sale or Use of Controlled Substance	1,000.00
18-18-405	as Class I Misdemeanor	1,000.00
18-18-406	Possession of Less Than One Ounce of Cannabis	25.00

Fish and Game Violations:

Misdemeanors with Fines Above \$500	500.00
Felonies	1,000.00
ALL OTHERS	AMOUNT OF FINE + 37% SURCHARGE

Class One Misdemeanors: 1,000.00

Class Two Misdemeanors: 500.00

Class Three Misdemeanors: 100.00

Petty Offenses:

Class One Petty Offenses	50.00
Class Two Petty Offenses	25.00

Traffic Offenses:

42-2-138 or	Driving under Suspension, Denial	
42-7-422	Cancellation or Revocation	500.00
42-2-138	Driving under Revocation – Alcohol Restraint	3,000.00
42-2-101	No Operator’s License	50.00
42-4-1402	Careless Driving: Injury to Person	1,000.00

42-2-1601	Hit and Run: Injury to Person	1,000.00
42-2-1604	Hit and Run: Damage to Property Only through 1606	300.00
42-4-107	Disobeying a Police Officer	300.00
42-4-1301	Driving Under the Influence:	
	1 <sup>st</sup> Offense	500.00
	2 <sup>nd</sup> Offense	1,000.00
	3 <sup>rd</sup> Offense	Bond Not Authorized
	Driving While Ability Impaired:	
	1 <sup>st</sup> and 2 <sup>nd</sup> Offense	300.00
	3 <sup>rd</sup> Offense	Bond Not Authorized
42-4-1409	No Proof of Insurance	200.00
42-4-1401	Reckless Driving	300.00
42-4-1413	Eluding an Officer	300.00
	ALL OTHER SECOND CLASS TRAFFIC OFFENSES	100.00
	UNCLASSIFIED TRAFFIC VIOLATIONS	50.00

(6) The Bond Commissioners, sheriff and deputy sheriffs shall not authorize bail pursuant to the schedule without a Judge's approval if the defendant falls within section (e) of this order.

(7) Upon consent of the defendant or upon approval of judge, the bond commissioners may set other conditions of case bonds which will render it more likely that the defendant will fulfill the standard bail bond conditions. Unless such conditions are accepted, the defendant may not be released.

(d) Personal Recognizance Bonds

(1) Bond Commissioners are authorized to interview all Twentieth Judicial District defendants who are in custody for criminal offenses. Bond commissioners shall not interview defendants charged with a class I or II felony prior to the first appearance hearing unless instructed to do so by the court. Bond commissioners may, however, interview defendants charged with a class II felony for second possession of a controlled substance.

(2) Bond Commissioners shall determine from verifiable information contained in the Twentieth Judicial District bond application the defendant's qualification for a personal recognizance bond pursuant to section 16-4-101, C.R.S.

(3) If the Bond Commissioners determine that a defendant in custody for a traffic offense, misdemeanor, or class III, IV, V or VI felony offense is qualified for a personal recognizance bond, they may approve such bond, including any cosigners when necessary, and may attach reasonable conditions to the bond in order to:

(A) Assure future court appearances; and

(B) Reduce a perceived risk of danger to the defendant or to the community.

(4) The amount of personal recognizance bond shall be as follows: Class III Felony: \$2,000.00; Class IV Felony: \$1,500.00; Class V and VI Felonies: \$1,500.00; Class I Misdemeanor: \$1,000.00; Class II Misdemeanor: \$500.00; Class III Misdemeanor: \$100.00.

(5) Defendants making applications for a personal recognizance bond shall swear or affirm under oath that the information contained on the bond applications true. Falsifying the information shall subject the defendant to the penalties provided by law and revocation of the bond. Such oath or affirmation shall be both oral and written and shall be administered by the Bond Commissioner before the defendant signs the bond application.

(e) When Judge's Approval is Required. The Bond Commissioners, sheriff or deputy sheriff shall not set any bond in the following cases unless a judge's approval has been obtained.

(1) It is a felony or misdemeanor crime in which there are allegations of threats to do bodily harm to self or others or in which actual bodily harm occurred.

(2) It is a felony crime that involves the alleged threat or use of a weapon.

(3) It is a felony crime that involves the use of force.

(4) It is a felony or misdemeanor crime of sexual assault or unlawful sexual contact.

(5) It is a felony or misdemeanor crime and the defendant is on existing felony or class I misdemeanor bond, or has a felony conviction within the last five years or a class I misdemeanor conviction within the last two years and the district attorney's consent has not been obtained.

(6) It is a felony crime and the defendant is on parole, non-local felony probation, or on a felony bond.

(7) It is a felony crime and the defendant is currently on local (Twentieth Judicial District) probation and the probation department's consent has not been obtained.

(8) The bond commissioner has reason to believe the defendant will flee the jurisdiction.

4. Court Appointed Counsel

If the Public Defender does not enter on behalf of a defendant, the court shall appoint counsel as directed by the Office of Alternate Defense Counsel.

*Roxanne Bailin*

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Hon. Roxanne Bailin  
Chief Judge  
Twentieth Judicial District