



Office of the District Attorney Fifth Judicial District

Serving Clear Creek, Eagle, Lake, and Summit Counties
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Mountain Jails and Courts Thoughtfully Reducing Inmate Population to Stem Coronavirus Spread

Summit County, CO – Incarcerated people have a heightened potential for COVID-19 infection prompting law enforcement Sheriffs and Police Chiefs, Judges and the District Attorney in the Fifth Judicial District, to collaborate and minimize those risks, by drastically reducing jail(s) population. These steps have been ongoing for the past three weeks, and were proactively initiated as the potential for Statewide Coronavirus (COVID-19) spread became known.

In the four counties comprising Colorado's Fifth Judicial District there has been an average decline of inmate population of 43%, between March 1 and March 25. The declining inmate population is due to a combination of measures, including:

- Prompt detention hearings for arrestees who have Coronavirus symptoms;
- Bond reduction for inmates who are a low risk to public safety, some of whose release is conditioned on electronic monitoring;
- Using a felony summons, which is a written promise to appear at a future date, in lieu of arresting a person; and
- Reducing of previously imposed sentences and giving selected inmates early release.

Sheriff Amy Reyes, Lake County, indicated that, "Keeping jail populations at the lowest possible levels that can simultaneously assure public safety and lowers risks of Coronavirus community and inmate infection, is our goal."

Additionally, not only reducing local jail populations but also persons already committed and serving time in State Prison--the Office of the District Attorney has commenced a review identifying any inmates doing time who pose only minimal public safety risks, and local Courts have begun the process of setting court hearings, potentially reducing prison sentences and leading to immediate offender release. The first offender up for resentencing because of Coronavirus concerns generally, will be heard in Summit County on April 1.

Bruce Brown, District Attorney, commented that, "If we are going to release sentenced prisoners,

we need to be careful that we don't sacrifice public safety at the altar of public health. The District Attorney's office won't consider violent or sex offender release even in this environment; and, we will be careful to consult with victims before taking these extraordinary steps, releasing people once deemed by a Court unsuitable to be in our community. We encourage the Department of Corrections to engage in the same cautious analysis before proceeding under the Executive Order issued by Governor Polis on March 24, making eligible for release hundreds of State prisoners."

On March 24, 2020, Governor Polis entered "Executive Order D 2020-016 entitled, "*Temporarily Suspending Certain Regulatory Statutes Concerning Criminal Justice*", which includes provisions that:

- Temporarily curtailed acceptance by the State of defendants newly sentenced to State prison;
- Lifted limitations on prison inmates ability to shorten their sentences through good behavior;
- Allows the Department of Corrections to re-write criteria for release of inmates with medical needs, potentially eliminating whether or not he or she constitutes a public safety threat as part of their criteria; and
- Eliminates the requirement that inmates within 180 days of their release complete a training, education, and rehabilitation program before release.

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