

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 35-21

A RESOLUTION OPPOSING SENATE BILL 21-062 A BILL FOR AN ACT IN THE COLORADO GENERAL ASSEMBLY CONCERNING ARREST STANDARDS, BAIL REFORM AND JAIL MANAGEMENT

RECITALS.

Senate Bill 21-062 in the Seventy-third Colorado General Assembly (Bill or SB21-062) is vaguely titled "*Concerning Measures to Reduce Jail Populations.*"

The Colorado Association of Chiefs of Police (CACP) strongly oppose SB21-062. The CACP concludes that SB21-062 is the "wrong policy at the wrong time." That conclusion derives in part from the fact that crime rates in Colorado have increased dramatically with many increases in the high double digits. Those crime rates as reported by Colorado Bureau of Investigation (CBI) and other rationale for the CACP opposition to SB21-062 is summarized in the attached statement.

Grand Junction Police Chief Doug Shoemaker recently sent an open letter to the Grand Junction community. In that letter, a copy of which is attached, Chief Shoemaker reports equally disconcerting crime statistics as those reported by the CBI and CACP.

Grand Junction and the State do not need fewer arrests and more personal recognizance bonds as intended by SB21-062. Nor does Mesa County Sheriff Lewis need a new law directed toward "jail population management" or to "establish admission standards that include offense-based admission standards that limit jail admissions."

Jail depopulation by statute is not good policy for any Colorado jail and in turn is not good policy for any Colorado city, county or town.

Pretrial detention and release are properly matters for the exercise of sound judicial discretion. That discretion, as well as the discretion of law enforcement officers and sheriffs, must not be legislated away. The passage of SB21-062 will do just that.

The Bill, and the cost to respond to it if passed, may constitute an unlawful unfunded mandate.


For the reasons stated in these Recitals and the attached statements of GJPD Chief Shoemaker and the Colorado Association of Chiefs of Police, the City Council of the City of Grand Junction, Colorado finds that Senate Bill 21-062 would materially harm law enforcement and community safety in Grand Junction and that the Bill should not be adopted into law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, THAT the City Council after due and careful consideration has determined that the passage of SB21-062 will cause significant negative impact to our community and therefore the City Council urges legislators to reject it; and,

FURTHER BE IT RESOLVED THAT the City Council will, by and through the President of the Council, write to the legislative delegation to express its opposition to SB21-062.

Passed and Adopted this 7th day of April, 2021.

GRAND JUNCTION CITY COUNCIL

By: 
C. E. "Duke" Wortmann
President of the City Council



Attest:

By: 
Wanda Winkelmann
City Clerk



Colorado Association of
Chiefs of Police

Vote NO
Senate Bill 21-062
Jail Depopulation Management Tools
Sen Lee/Rep. Benavidez

SB 62 is the wrong policy at the wrong time.

The Colorado Bureau of Investigation's just released report on increasing crime rates across Colorado show alarming – and unfortunate – numbers. Sadly, **353,528** victims across Colorado were the subject of crime in 2020.

- 26,477 victims. [Violent crime](#) increased by 6.5% in 2020.
- 258,132 victims. A 10.4% increase in [crimes against property](#) reported in 2020.
- 30,942 victims. 38.6% increase in motor vehicle thefts in 2020.
- 353,528 total victims. Murder +29%. Assault +17%. Robbery +6%. Violent Crime with Firearm +26.5%. Violent Crime with Dangerous Weapon +18%. Theft +11%. Auto Theft +38%. Burglary +12%. Fraud +16%

These are statewide numbers. In communities across Colorado, the statistics are even more startling. In Denver, 50% increase in homicide, 87% increase in motor vehicle thefts and 40% in property crime. In Colorado Springs, a 59% increase in motor vehicle theft. In Grand Junction, 35% increase in violent crime, 395% increase in assaults on police officers.

The numbers don't lie. Crime has dramatically increased. Every crime statistic is a person. Your neighbor. Your constituent. Your community.

Chiefs of Police stand united.

North. South. East. West. Rural. Urban. Large. Small. Mountain. Plains. City. Suburban. The Chiefs of Police across Colorado and the CACP strongly oppose [SB 21-062](#).

SB 62 is anti-victim. SB 62 is anti-community safety. CACPs opposition is grounded in principle against the intent of the measure...putting criminals ahead of victims and communities. By placing limits on when people may be arrested for certain felonies, they are allowed to be returned to the community. Often to offend again and revictimize our community.

The ACLU claims this bill increases officer discretion. That is simply not true. When the words "shall" are used that is the exact opposite of discretion. This bill removes officer discretion in many instances.

Wrong Policy. Wrong time.

The rush to codify COVID response jail de-population measures and arrest standards is irresponsible until we [fully understand our increasing crime rates](#) the crime rate connection to COVID jail depopulation measures and other factors present in our current environment. Compounded by economic conditions, passage of SB 62 signals that there are few consequences for illegal activities and will only serve to exacerbate the already challenging crime occurring in our neighborhoods and communities. Now is not the time to pass SB 62.

SB 62 Sends the Wrong Message

- This mandatory “summons and release” on warrantless arrests would apply to various crimes, including, for example, auto theft, violation of a custody order, theft of up to \$100,000, criminal trespass, identity theft, and contributing to the delinquency of a minor.
- The inability to arrest offenders often results in offenders continuing to commit criminal acts, often escalating the severity of the crimes.
- The mandatory personal recognizance bond upon first appearance before a judge applies to all arrestees without the exceptions for crimes of violence listed in the “summons and release” section of the bill, in effect creating a revolving door for these offenders to return to the community, sometimes within hours of being jailed.
- This places victims in fear of becoming revictimized, sends the message that there are no consequences for committing crimes and reduces crime victims’ trust in the ability of police to protect them from criminal activity.

SB 62 is the wrong solution for real challenges

- SB 62 is an end of the line solution for challenges for struggling individuals that require full-spectrum solutions.
 - Solutions that address mental health, education and job disparities and the need for equity
- SB 62 harms the very disadvantaged communities proponents purport to wish to help. Increasing crime rates more dramatically and more significantly affect disadvantaged communities.
- Concerns raised about disparities in money bonds is a worthy discussion. SB 62 isn’t the solution.

Vote No on SB 62.

Anti-Victim. Anti-Neighborhood. Anti-Community.
Wrong time. Wrong policy. Wrong signal. Wrong solution.

Articles of interest.

[Opinion: Understanding Denver’s devastating rise in homicides in 2020, the largest in at least 5 years](#)

[Editorial: Renewing our commitment to the crime fight.](#)

[Editorial: Don’t increase crime by ending cash bail.](#)

Thoughts from Chiefs across Colorado:

- Our officers routinely encounter persons who have multiple warrants for their arrest, yet they are not able to arrest them and take them to jail on those warrants. These encounters continue, generally with more charges for further crimes, and still we are unable to get them into jail based on the current standards.
- I have personally been on patrol with officers and have had offenders tell me they know the jail standards and that we “can’t take them to jail” because their crimes aren’t serious enough. I have multiple examples of such encounters, as well as other instances where failure to arrest per the restrictive standards has led to further commission of crimes in our community.
- The lack of ability to enforce the law has led to an unprecedented number of attacks against our officers, as the lack of accountability continues. Last year we had 89 assaults and aggravated assaults against our officers, a rise from 18 the year prior and 27 the year prior to that. In essence, we had more assaults on our officers in 2020 (89) than we did from 2016-2019 combined (83 total in that four-year period).
- A major issue is the inability for victims to achieve justice. Since they can’t get offenders to trail, they are forced to cover costs of the crime that could otherwise be ordered through restitution. Victims face hardships, including the risk of bankruptcy while waiting for a court resolution that never seems to come. These include costs such as ambulance rides and medicals bills whose collection teams won’t care to wait years for a resolution.

A Message to Our Community



As your police chief, I believe it's important to ensure that the citizens we serve are kept informed about crime within our community. For this reason, I'd like to convey some policing challenges we've been facing over the last year.

In 2020, violent crime in Grand Junction increased by 36% over the previous year. That is a 36% increase in crimes like serious assaults, robberies, rape, and homicide. Assaults on police officers have seen an even larger increase. Over the past 10 years, we averaged 18 assaults on our peace officers each year. In 2020, that number rose to 89. That's an increase of 395%.

Over the course of just four days last month, our officers and detectives began the work of investigating three shootings in our community:

- On February 20, four people were shot at a house party. One of the victims died at the scene. We have arrested a suspect in that case.
- On February 21, officers responded to a victim who stated that a suspect had fired a gun after the victim approached him to check his welfare. Fortunately, no one was injured. That suspect has been arrested, and made repeated statements to the arresting officer that "he wished he would have pulled his firearm on law enforcement."
- On February 23, officers were dispatched to a reported shooting at an apartment complex, where they found multiple shell casings in the parking lot and bullet holes in the building. Two subjects transported themselves to the hospital with gunshot wounds. Suspects have been arrested in this case as well.

Our officers and detectives are working diligently to address crime in this community. In 2020, our SWAT team was called out to critical incidents over 20 times, with each responding SWAT operator averaging over five hours of time per call. In the past six months alone, our patrol officers have worked more than 3,700 hours of overtime. In 2020, our investigations unit averaged 149 hours of overtime each month. These employees get called out at all times of the day and night to address danger and violence in this city, and the subsequent hours poured into investigations in an effort to lead to successful prosecutions are staggering.

However, the safety of our community can't be achieved by responding patrol officers and detectives alone. It takes the efforts of an engaged community in partnership with a comprehensive and robust criminal justice response to make a difference. Unfortunately, 2020 saw setbacks in that area. It's changed the way we police. Jail standards have changed, making it difficult to remove dangerous offenders from our streets. State legislation in the form of Senate Bill 21-62 has now been introduced which will seriously impact an officer's ability to even make an arrest for certain crimes, taking discretion out of the hands of the men and women who patrol our streets every day. I, along with many other police chiefs, as well as victims of crime, testified last week to our legislators to express our strong opposition to this harmful legislation, but that fight has just begun.

Officers routinely contact individuals with active warrants for their arrest, but those offenders are often turned away at the jail and released. Serious offenders who are arrested and booked into the jail are commonly released and continue to commit crimes. In 2020, 144 firearms were reported missing in Grand Junction, a 40% increase over the previous year. Calls for service involving shots fired were up 27%. Combine all of these factors together, and we land where we are with the current state of policing and criminal activity in our area.

These are not anecdotal concerns. Examples of holes in our current state of policing are all too easy to find:

- In April, officers contacted a suspect for trespassing. The suspect fought with officers, ultimately resulting in the suspect being tased. The suspect was arrested for numerous charges, including obstructing, resisting arrest, and possession of drugs. Under the current standards, the jail advised they would not accept custody, and the suspect was released.
- For several months last year, officers deployed significant resources to investigate a suspect of multiple burglaries. After developing probable cause for arrest, detectives were advised that under the current standards, the jail would not accept custody of the suspect. Detectives continued to investigate in an effort to build a case for custody arrest and were able to show that the suspect continued to commit additional burglaries before a warrant was issued and the suspect was arrested.

These facts are only part of a much larger discussion; the numbers do not fully tell the story of the issues contributing to a systemic breakdown of our law enforcement process which ultimately leads to violence in our community.

One key priority is all too often overlooked in these conversations; the victims of crime. Our compassionate victim advocates volunteer their time to respond to scenes where they comfort victims, offer support and resources, and see firsthand the trauma caused by crime. They can attest that those voices are not being heard. Victims deserve our best community effort to bring peace to hurting families and justice to perpetrators of crime. That should be the expectation of any citizen, regardless of whether they have been personally affected by crime.

So, where to do we go from here? The Grand Junction Police Department continues to recruit exceptional candidates to put on the badge and serve this community. Since January of 2020, we have hired 24 men and women to do just that. Additionally, we've doubled down on retention efforts to ensure that we are retaining the high quality officers who currently work here. In late 2020, we formed a Special Investigations Unit intended to implement more targeted policing strategies as a team. We continue to explore and invest in innovative strategies that empower our officers to do their jobs effectively.

Our commitment hasn't wavered; we will continue to police with honor and distinction, to enhance community safety, reduce fear of crime, and elevate the quality of life in Grand Junction. But we are not in this alone. We need community members to pay attention to what's happening around them, locally, statewide, and nationally. Ask questions, seek accurate information, and don't be a part of spreading a narrative that is half-truth, at best. Support your local law enforcement personnel; they are your friends, your neighbors, your peers, and they are doing the best that they can to serve



you. We appreciate the wonderful citizens in this community; the good exponentially outweighs the bad. We look forward to moving forward, continuing to make improvements in Grand Junction, and building relationships that are stronger than ever.

- *Doug Shoemaker, Chief of Police*