



December 22, 2016

The Honorable Mary Ellen Barbera, Chief Judge
The Honorable Clayton Greene, Jr.
The Honorable Sally D. Adkins
The Honorable Robert N. McDonald
The Honorable Shirley M. Watts
The Honorable Michele D. Hotten
The Honorable Joseph M. Getty
Maryland Court of Appeals
Robert C. Murphy Courts Building
Annapolis MD 21401

Re: Proposed Amendment by Standing Committee on Practice and Procedure
Regarding Rules of Criminal Procedure on Pretrial Release

Your Honors:

We write jointly to respond to a specific statement made in the November 22, 2016 letter you received with proposed changes to the Rules of Criminal Procedure in Maryland. Specifically, we write to address the misleading statements about the use of unsecured bonds in Colorado.

In 2013, our county shifted towards an unsecured bond system with the support of our pretrial services agency. The program did not work as intended. We did not save budget dollars. The system suffers from a lack of accountability. The District Attorney's office originally had significant objections and concerns for public safety due to the bail reform initiative and those objections and concerns persist.

The use of financial bail, including the use of commercial sureties, has been reintroduced into the system. We believe accountability has improved and as a system we are functioning better.

Fairness must be balanced against costs and the concern associated with the lack of accountability of the defendant and increased risk to the safety of the public. Financial bail is a very important tool, and it will continue in use in Jefferson County, Colorado.

Respectfully submitted,

Libby Szabo
County Commissioner

Jeffrey Shrader
Sheriff

Peter A. Weir, District Attorney
First Judicial District