



Thank you for your willingness to serve on this important Interim Committee on County Courthouse and County Jail Funding and Overcrowding Solutions. Underfunded courthouses and jails put our communities at risk and undermine access to justice. After many years of working on this topic with little success, CCI decided that the time was ripe to partner with the legislature to develop both short-term and long-term solutions.

#### **Courthouse Funding History:**

- In 1969, the Committee on Fiscal Policy recommended that the state assume responsibility for funding courts including district courts, county courts, Public Defender offices, and central administration costs. Expanded court facilities would also be the state's responsibilities. Counties would continue to pay for the salaries of district attorneys, office costs, and maintenance of facilities.
- However, instead of following this recommendation, SB69-126 transferred the operations, salaries, and other expenses of all courts of record to the state, and the board of county commissioners would continue to have the responsibility of providing and maintaining adequate courtroom facilities.
- For the last few decades, bills have been introduced to relieve the burden that the ever-expanding court system has imposed on counties, but none have passed. Most recently, CCI initiated SB15-089 and SB16-060 to transfer fiscal responsibility for court facilities from the counties to the state. Both bills were postponed indefinitely.
- Two funds currently exist to supplement courthouse funding, the Court Security Cash Fund and the Underfunded Courthouse Facility Cash Fund. While both funds have assisted counties, the funds fail to adequately address the needs across the state.

#### **Underfunded Jails & Jail Overcrowding History:**

- Colorado is one of the fastest growing states in the country, and subsequently, our older, smaller jail facilities are struggling to keep up with increases in population.
- The impact of the lack of resources to appropriately address persons with mental health disorders and/or substance abuse disorders, in particular those with opioid addictions, is being felt across the state and has led to growing jail populations.
- Jails also experience population growth whenever state sentencing laws change to remove inmates from Department of Correction (DOC) facilities and instead provide that inmates serve their sentences in county jail. The overcrowding of DOC facilities also results in the holdover of DOC inmates in county jails until beds become available.
- Courthouse delays, often due to infrastructure and staffing issues, likewise result in exceedingly large pre-trial/pre-sentence inmate populations waiting in county jail.
- Overcrowded jails compromise the safety of both inmates and staff and can also lead to greater spread of disease in jail facilities.

Underfunded courthouses and overcrowded jails are a statewide issue, one that impacts both state and local governments. And while these problems may be difficult and solutions may be complex, as partners, we can work together to ensure that all Coloradans have safe communities and equal access to justice. Thank you again for your willingness to partner with us on these efforts.

**CCI Staff Contact:** Alli Daley, [adaley@ccionline.org](mailto:adaley@ccionline.org) or (303)-885-1434