

Apologies, I did not attach the amendment. Attached now.

Best wishes;

Pete Lee

State Senator

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On Wed, Apr 21, 2021 at 6:18 PM Pete Lee

 wrote:

Dear Democratic Colleagues;

I am pleased to share with you the substantial amendments I plan to offer for Senate Bill 62 on second reading. I know that many of you have received significant feedback on the bill, both positive and critical. I have been trying to talk to as many of you as possible about your concerns and those of your constituents. I have also been meeting with law enforcement to hear their concerns. While many of the issues raised by law enforcement reflect fundamental misunderstandings and mischaracterizations about the bill, these amendments respond to the true policy disagreements about what crimes should be considered for summons instead of custodial arrest. I believe the attached amendment addresses the most common and serious concerns raised in my conversations with you and law enforcement. Here's what the amendment does:

1. **No limitations on custodial arrest for auto theft;**
2. **No limitations on custodial arrest for all felony 4 offenses;**
 - a. The only felonies remaining in the summons portion of the bill are felonies 5 & 6, which are still arrestable whenever there is a risk to the safety of another or a risk of reoffense. Note that George Floyd was under custodial arrest for passing a counterfeit bill, which is a Class 5 felony in Colorado. He should have received a ticket. This bill could have prevented the arrest and the escalation that resulted in his murder. This is a powerful anecdote for why we must limit custodial arrests for the lowest-level felonies
3. **Allows custodial arrest for use of a deadly weapon offenses in addition to firearms;**
4. **Allows money bond to be imposed for two failures to appear from three; and,**
5. **Clarifies the intent and meaning of the summons provision** to avoid continued misinformation/misunderstanding).



These amendments have been vetted by the Colorado District Attorneys Council as well as lead supportive stakeholders. I hope they go a long way toward addressing legitimate stakeholder concerns, and that they help you in conversation with constituents. I am comfortable that, with these amendments, the core purposes and import of the bill are still accomplished.

I am aware that SB21-062 has caught the ire of local law enforcement; that is not surprising as the bill seeks to make meaningful changes to how policing occurs. We want to stop the wholesale arrest and jailing of people for low level offenses. Despite opposition by local law enforcement, however, this bill has strong public safety support from leaders that we trust: AG Phil Weiser and the Department of Public Safety, as well as several reform-minded elected district attorneys, including Alexis King, Beth McCann and Alonso Payne. This public safety support speaks volumes about the careful balance in SB21-062 to maximize pretrial freedom while protecting public safety. And, despite police arguing that this bill hurts victims, with the amendments in Senate Judiciary, all survivor orgs in the state went neutral, and one – the Colorado Crime Survivors Network – is in support. The Democratic Black Caucus and the Latino Caucus have confirmed support for this measure.

I want to provide you with tools to fight misinformation about the bill and defend a strong yes vote for your community. I am happy to meet individually with any of you, but here are some resources that may be helpful.

- [Denver Post Editorial Board supports SB21-62](#)
- [Senator Lee Op Ed in the Gazette](#)
- [Rep. Benavidez & Rep. Bacon op-ed in the Denver Post](#)
- [Sharletta Evans, Founder of CO Crime Survivors Network LTE in the Aurora Sentinel](#)
- Colorado Politics Opinion | [The rich pay bail while the poor stay in jail](#)

This community led website is also a comprehensive resource on the bill full of powerful stories about why this bill will save lives and improve public safety.

<https://passsb21062.org/>

Best wishes;

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