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| District Court, Adams County, Colorado  Court Address: 1100 Judicial Center Drive DATE FIL  Brighton, CO 80601 FILING I | ED: November 8, 2017 10:42 PM  : 364B4FDA4DA08 UMBER: 2017CR2565   * COURT USE ONLY  |
| CASE N  THE PEOPLE OF THE STATE OF COLORADO,  Plaintiff, v.  EARL WILLIAMS,  Defendant. |
| Douglas K. Wilson, Colorado State Public Defender Reid Rowe #43612  Deputy Public Defender  Brighton Regional Public Defenders  4710 East Bromley Lane, Brighton CO 80601  Phone: (303) 659-4274 Fax: (303) 659-6935  E-m[ail: brighton.defenders@state.co.us](mailto:brighton.defenders@state.co.us) | Case No. 17CR2565  Division Q |
| **RENEWED MOTION FOR A PERSONAL RECOGNIZANCE BOND IN THIS CASE** | |

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Mr. Williams, through counsel, hereby moves this court for an order authorizing a personal recognize bond in this matter, and as grounds, he asserts:

1. Mr. Williams remains in custody in this case, having asserted his innocence, based on uncorroborated accusations.
2. C.R.S. 16-4-103(3)(a) requires that a court account for an individual’s financial condition in determining bond.
3. Mr. Williams was homeless on the date of his arrest. So were the two co- defendants in this matter, Jeffery Beck and Chantrell Smiley-Spencer.
4. C.R.S. 16-4-103(4)(a) and (4)(c) require a court to “presume that all persons in custody are eligible for release on bond with the appropriate and least restrictive conditions” and to “avoid unnecessary pretrial incarceration,” respectively.
5. The co-defendants in this matter have been released from custody.
6. Chantrell Smiley-Spencer has been released on a non-monetary bond, despite being the individual most clearly identified as a suspect in the aggravated robbery in this case, and despite being homeless at the time her arrest.
7. Jeffery Beck informed law enforcement, according to discovery provided to the undersigned counsel, that he was from Iowa and had previously been jailed in Alabama. Mr. Beck also screamed at the officers interviewing him, used racial

slurs of a type that the undersigned counsel will not put into writing, and claimed that his traumatic brain injury had gifted him with a photographic memory.

1. Mr. Beck was granted a personal recognizance bond.
2. The reasons for a personal recognizance bo**n**d in Mr. Beck’s case are obscure at

best, resulting from an apparent off the record hearing and a joint motion that appears nowhere in the record.

1. No discovery has been provided to Mr. Williams or his attorneys indicating

cooperation between Mr. Beck or Ms. Smiley-Spencer at this time. Nonetheless,

given the circumstances of the three co-defendants, and the unsatisfactorily slow provision of discovery by this District Attorney’s office generally, the possibility

that Mr. Beck and Ms. Smiley-Spencer have obtained concessions by

collaborating with the prosecution seems likely.

1. Mr. Williams should not be punished with needless pretrial detention for

maintaining his innocence, regardless of whether other defendants have or have promised to cooperate with the prosecution.

1. Mr. Williams is no more a flight risk than either co-defendant, and the

prosecution’s case against Mr. Williams i**s** weaker than it is against the co-

defendan s in this case, both of whom were identified by the complaining witness more readily than Mr. Williams was.

1. For the foregoing reasons, Mr. Williams request a non-monetary

bond and a

hearing on this matter within the next two weeks.

DOUGLAS K. WILSON

COLORADO STATE PUBLIC DEFENDER



Reid Rowe #43612

Deputy State Public Defender 4710 East Bromley Lane,

**Certificate of Service**

I hereby certify that on 11/8/17, I served the foregoing document on all opposing counsel of record via ICCES.

Brig ton CO 80601

(303) 659-4274

Dated: November 8, 2017

/S/ Reid Rowe