

RESOLUTION NO. 13 - 2019

DECLINATION OF DEPARTMENT OF CORRECTIONS INMATES AT THE MONTEZUMA COUNTY JAIL

WHEREAS, Montezuma County, State of Colorado is a legal and political subdivision of the State of Colorado for which the Board of County Commissioners is authorized to act in the interest of health, safety and welfare; and

WHEREAS, The Montezuma County Sheriff's Office operates the County Jail, which has limited bed space and is often near capacity. The jail cannot accommodate housing additional inmates for the Department of Corrections without adequate funding from the Department of Corrections. C.R.S. §29-1-304.5.

WHEREAS, the Sheriff has the authority and discretion to determine the number of jail beds, if any, that are available to the department of corrections in their respective facilities.


WHEREAS, C.R.S. §§17-1-112 and 17-2-103(1.5)(f) require the Department of Corrections to contract for expenses incurred as a result of holding sentenced inmates.

WHEREAS, C.R.S. §16-11-308.5 authorizes negotiation of contracts by the Board of County Commissioners with the Department of Corrections for daily reimbursement rates. Currently, the Department of Corrections is delinquent in their payments to Montezuma County, and has a substantial past due account.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Montezuma County BOCC will no longer subsidize the incarceration of Department of Corrections inmates.
2. The Department of Corrections, must contract with Montezuma County prior to utilizing the Montezuma County Jail after January 1, 2020.

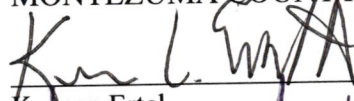
Approved and adopted this 17th day of December, 2019.



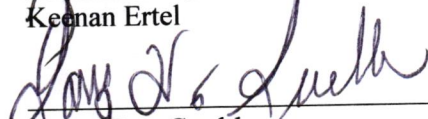
County Clerk and Recorder
Montezuma County, Colorado



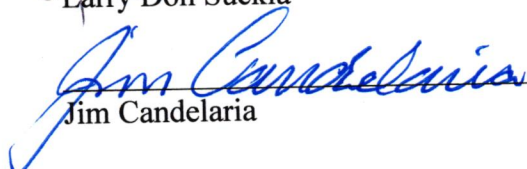
BOARD OF COUNTY COMMISSIONERS,
MONTEZUMA COUNTY, COLORADO



Keenan Ertel



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