DISTRICT COURT ALAMOSA COUNTY, COLOARDO 8955 Independence Way; Alamosa, CO 81101 _____ THE PEOPLE OF THE STATE OF COLORADO v. Defendant: BARRY MORPHEW	Δ COURT USE ONLY Δ
	Case Number: 2025CR128 Division: WW
ORDER CONCERNING ALLEGED VIOLATION OF CONDITIONAL RELEASE AND FURTHER ORDERS	

THIS MATTER was brought to my attention on Wednesday, September 2, 2026 at 10:10 a.m., when I received an email from a concerned citizen indicating that the Defendant was involved in a hit and run accident in Denver on August 26, 2026 at approximately 7:30 p.m.

It was reported by a driver involved in the incident that the Defendant was observed driving aggressively prior to striking two vehicles. The driver of one of those vehicles took video of her encounter and I have viewed what part of that video was included in a CBS News Colorado report regarding the accident. During the interaction, a person who is very clearly the Defendant refused to provide his name or identification and indicated the he does not have insurance. The Defendant offered the other driver $300 for the damage to her vehicle, which she refused, and he is seen buffing the scratches on the other driver's vehicle with his hand and t-shirt. The Defendant was driving a vehicle with the same Indiana license plate he is alleged to have used on more than one vehicle and that the prosecution had complained of in its response to the Defendant's motion to reduce bond. When the other driver refused the Defendant's offer of

cash and indicates that she was calling the police, the Defendant leaves the scene, almost striking another individual and driving over a curb to do so.

Upon viewing the above-described video, the Court ordered the Defendant's GPS provider – Recovery Monitoring Solutions, LLC ("RMS") -- to submit its monthly report – all of which have previously shown no violations of conditions by the Defendant – by 1:00 p.m. RMS was also ordered to provide the Court with all information pertaining to permissions the Defendant may have had to be away from his home at the date and time of the traffic incident. RMS complied with neither of these orders.

The terms of the Defendant's release, among others, include that he remain home at all times except for medical appointments or emergencies, to meet with his legal team or attend court, or to work. He is also not to commit any new felony offenses and he may only drive vehicles registered in his own name with a valid driver's license. He may only use the name Barry Morphew and may not utilize any alias for any purpose.

At the time of the Defendant's indictment and original arrest, Colorado law did not allow individuals to be held without bail except in certain, extremely limited, circumstances that did not apply to the Defendant. Following the Defendant's release on bond, Colorado voters overwhelmingly decided to expand the circumstances under which an accused can be held without bail. C.R.S. § 16-4-101. However, because the act the Defendant is accused of committing is alleged to have occurred prior to the enactment of the applicable subsection of the statute, it is likely that he still cannot be held without bail. *Id*. at (1)(d).

In determining an appropriate amount of bail, I must set an amount that is only so much as will ensure the Defendant's appearance in court to face the charges against him and that addresses the likelihood or lack thereof that he will commit a new offense while on bond. *See* C.R.S. § 16-4-103(3)(a). Both when the Defendant's bond was originally set and when it was

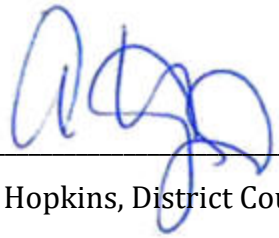
modified, I undertook an extensive analysis of these considerations and those were included in my prior findings.

It is that latter consideration for which concerns are now raised but the Court cannot *sua sponte* revoke the Defendant's bond or modify the conditions of his release unless a court has found probable cause to believe that the Defendant committed a felony while released. C.R.S. § 16-4-105(3). While there may potentially be felonious conduct implicated by the actions of the Defendant during the traffic incident, no court with venue and jurisdiction over the traffic incident has yet found probable cause for the same. Unless and until that occurs, the Defendant may only be remanded into custody, his bond revoked, or the conditions of his release modified upon application of the prosecution or a bonding commissioner and then only after an opportunity to be heard. C.R.S. § 16-4-109(4)(a); *Stephenson v. District Court In and For Eight Judicial Dist.*, 629 P.2d 1078, 1080 (Colo. 1981)(The defendant's bond was reinstated after the court sua sponte remanded the defendant into custody without any application by the prosecution for the same.).

However, until further order of the Court, the Defendant shall remain in his home at all times, no exceptions. If the Defendant has a medical emergency during that time, he can call 911 and be transported by ambulance. The Defendant shall provide proof that the vehicle he was driving at the time of the traffic incident is registered with the license plate that was attached and in his name. Even if the prosecution does not apply for a revocation of the Defendant's bond, a hearing shall be set next week to discuss the matter.

DONE AND SIGNED THIS 2nd DAY OF SEPTEMBER, 2026.

By the Court:



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Amanda C. Hopkins, District Court Judge