

People v. Barry Morphew

Bond Hearing — September 25, 2025

Judge Amanda Hopkins — Bond Ruling and Conditions of Release

So I want to be clear that the purpose of bail at this stage of a case is to ensure Mr. Morphew's presence at the time of trial and not to punish him before he has been convicted of anything.

My considerations in reducing bail or modifying bond are whether or not Mr. Morphew will come to court as directed, whether or not he is likely to commit a new offense while on bond.

There are several factors I may use in making this decision.

There are several factors that weigh in Mr. Morphew's favor.

Mr. Morphew has the support of his family, and he alleges several friends both inside and outside of Colorado. However, he did not identify those friends, even in the sealed version of his motion. And his family lives largely outside of this state, and at least one family member lives between two states, neither of which are Colorado.

That being said, I do note that, no disrespect to any of the other individuals who are statutory victims in this case, but the two what I consider most significant victims of this matter are strongly supportive of Mr. Morphew's innocence and are strongly supportive of his release.

And I do take that very seriously. Your opinion matters a great deal to me.

Mr. Morphew has no real criminal history except for one case that no longer exists, and neither the facts in nor the facts of that case may be used in making my decision.

If Mr. Morphew has a criminal history in any other state, no evidence of that has been presented to me.

As I cannot consider that case that does not exist any longer, I also cannot find that Mr. Morphew is likely to commit a new offense while he is out on bail. Nor do I have any evidence in front of me that Mr. Morphew is likely to harass or intimidate any witness to this matter.

That being said, Mr. Morphew does also have several factors that weigh against a reduction or modification of his bond.

Mr. Morphew has moved around a lot since 2022, which is indicative both of his mobility — i.e., there's nothing in particular requiring him to stay in a particular place, like a job or family — and is also indicative of his ability to pick up and go whenever he wants to.

Mr. Morphew has largely been self-employed, and the People have also indicated that he's continued to conduct business from jail.

However, I hear what Mr. Feller is saying about what that business is, to their knowledge. So jail does not seem to be an impediment to his ability to earn a living. Not that this should necessarily be an impediment to someone being released from jail, but it does not contribute to the argument that he has to be released to get back to work to do something like support a family.

Very obviously, the nature of the charge alleged and the only sentence that would be available to me should he be convicted strongly weigh against a reduction or modification.

I'm also taking into consideration the fact that, with the discovery of Ms. Morphew's remains following dismissal of the previous case and the evidence resulting from that discovery, that puts Mr. Morphew in a very different posture than he was when his bail was set at \$500,000.

But the factor that weighs perhaps strongest against modification and reduction is that Mr. Morphew does not have a single tie to this community that I'm aware of.

His family does not live here, and he has not identified — and, in fact, says he does not have — a single friend or business associate in the area at all, let alone anyone willing to assist him.

Furthermore, it has been argued that Mr. Morphew has the means and is quite skilled at moving around and remaining under the radar.

Although I have heard what the defense has said regarding Mr. Morphew remaining in contact since the dismissal of his case, there's also evidence that he is using a different name.

Given the media scrutiny around Mr. Morphew's cases, that's not wholly unreasonable, but it is a concerning indication of his ability to switch up his identity and live by an assumed name with ease.

However, I also recognize and consider in Mr. Morphew's favor the fact that law enforcement was able to locate him relatively quickly after the indictment, and that Mr. Morphew did not deny that he was the person sought by Colorado when confronted by law enforcement.

And finally, I am considering the fact that Mr. Morphew does have the means to be able to move around.

It may not be the same means that were available to him a few years ago, but nonetheless, the arguments that have been made make it clear that, unlike many people in this situation, he does not have to remain in this place or in one place at all.

And it would be relatively easy for him to move around, notwithstanding his relationship to his children and other family members.

And finally, Mr. Morphew does deserve to be treated similarly to those similarly situated.

The prosecution's response to Mr. Morphew mentions two individuals, both of whom were charged with first-degree murder since the beginning of 2024.

One of whom had bail set at \$5 million cash only, the other of whom is set at \$10 million cash or surety.

Both defendants were alleged to have attempted to abscond after the events giving rise to their charges, which is very different than Mr. Morphew's situation.

But similarly different, both defendants had significant and serious criminal histories, and both have significant ties to this community.

I also looked at a few other homicides pending in this district not mentioned in the People's response.

One of those defendants had bail set at \$75,000 cash or surety by a judge who is not from this judicial district, and another whose bail is set at \$1 million in a homicide alleging that a husband killed his wife.

Neither of those defendants have any significant criminal history, but they do have strong ties to this community and have raised affirmative and quasi-affirmative defenses to their charges.

Therefore, in weighing each of these factors and making an assessment of Mr. Morphew's specific situation, I decline to reduce his bail, but I am going to modify his bond.

I'm going to modify his bond to a cash, surety, or property bond.

In this district, we often set bond at a higher surety or property option with a lesser cash-only option. But I won't be doing that in this case.

The reason why is because if Mr. Morphew posts bond through a surety and then absconds, he not only has \$300,000 on the line, but there's also a bail bonds person who would be tracking him down.

And if he chose to post a cash-only option, then he would have \$3 million on the line.

Conditions of Release

If Mr. Morphew posts bond, the added conditions are that **Mr. Morphew may not leave the state of Colorado for any reason.**

Mr. Morphew will have a GPS monitor placed on him before he is released, and he may not leave his home for any reason except for medical emergencies, to attend medical appointments, to meet with his attorneys, or to attend court.

The GPS monitor company shall submit a report to the Court at least monthly and shall report any violation, including tampering with the monitor or failing to keep it charged, immediately.

Mr. Morphew will surrender any passports he has.

He will also use only the name **Barry Morphew** in any personal, legal, and business dealings, and he may not petition to change his name legally during the pendency of this case.

He may only drive vehicles that are properly registered to him and that comply with the Colorado Department of Revenue's rules.

And finally, Mr. Morphew shall comply with the mandatory protection order that I'll be issuing here momentarily and will advise Mr. Morphew about in a few minutes.

Judge Hopkins: Ms. Kelly, any questions about my judgment?

Ms. Kelly: No.

Judge Hopkins: Thank you. Okay. All right. Before we turn to the status of the case, just a moment.

Mandatory Protection Order

Mr. Morphew, I have to issue a mandatory protection order.

This has nothing to do specifically with you or any particular factor in your case. It is issued in any criminal case in this state filed under Title 18.

So what that protection order prevents you from doing is harassing, molesting, intimidating, or bothering any witness to or victim of this matter.

Okay? So no telling witnesses not to testify, no talking to them about their testimony, no harassing anyone, etc.

Very often there is an order that you not contact any victim of the case. I understand the most significant victims of this case are your daughters, and I am not going to issue that. That is not something that they desire to have happen.

I don't know that anyone has discussed anything with this Court as to other family members, but it's probably in your best interest to not contact.

You may not possess or control any firearm, ammunition, or any dangerous weapon.

I understand that your business may include large knives, things of that nature. Make sure if you are engaged in that business, you talk to your attorneys about whether there is a concern that that violates the protection order.

Okay? Specifically, very large knives are a problem for you with the protection order.

And finally, you may not consume any alcohol or any controlled substances without a prescription.

Okay. I will issue that protection order later on today. I will send that to your attorneys.

If you have any questions, I'll give you a moment to ask your attorneys.

Defense: No questions.

Judge Hopkins: Okay.