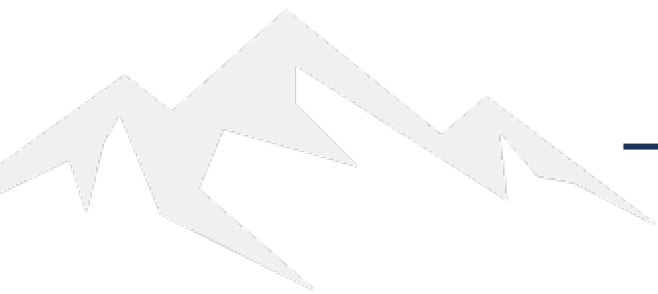


Shielded from Justice: The Real-World Effects of Sanctuary State Policies in Colorado

June 2025

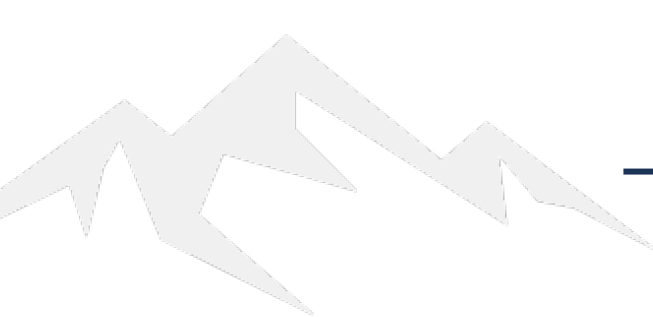


About the Author

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Kristi is the Executive Vice President at the Advance Colorado Institute. She is also a member of the State Board of Education, representing Congressional District 4. Kristi is the former Chairwoman of the Colorado Republican Party – the first woman to be elected in 40 years and the youngest Chair in Colorado Republican history. As a former figure skater, Kristi is the Board Chair of Female Athletes United, a nonprofit organization that successfully sued to stop the implementation of the Biden Administration's Title IX changes that discriminated against women and girls in sports. Kristi is a constitutional attorney, focusing on First Amendment and Equal Protection issues and is admitted to the U.S. Supreme Court where she has submitted briefs in a number of landmark decisions, including *Loper v. Raimondo* (the case that overturned the Chevron Doctrine). She is a former Associate Scholar with the Charlotte Lozier Institute and a board member of the Colorado Family Life Center. Kristi has been a substitute teacher in Colorado's rural public schools and tutored 4th-6th graders, including first-generation Americans, in grammar and writing for six years. She is a guest host for the Dan Caplis Show on 630 KHOW and a panelist on PBS' Colorado Inside Out. Kristi lives with her family in Douglas County where she and her husband homeschool their children with a classical Christian education.



Introduction: Is Colorado a Sanctuary State?

“This narrative is false, that Colorado is, in any way, shape, or form, a sanctuary state. We are not.” (1) No matter how many times Governor Jared Polis makes this claim, it will not become factually accurate.

During his two terms in office, the Governor has signed four main laws specifically designed to create and strengthen Colorado’s sanctuary state status. In addition, Governor Polis signed multiple companion laws that

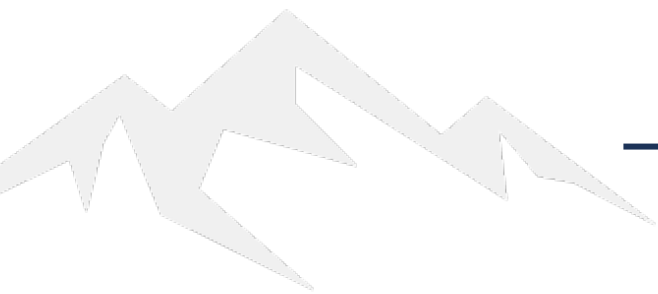
- make photo IDs more easily accessible to illegal immigrants, (2)
- allow illegal immigrants who plead guilty to ask for a dismissal of the criminal charge if they were not warned of the implications of a guilty plea to their immigration status, (3)
- provide increasing taxpayer funding for illegal immigrants’ healthcare even while citizens’ programs are being cut from the state budget, (4)
- create an immigration legal defense fund paid for by taxpayers, (5)
- ban ICE from making arrests on courthouse grounds. (6)

Colorado’s four main sanctuary state laws were passed in 2019, 2021, 2023, and 2025. Every two years, the Governor and the majority in the legislature have seen fit to increase protections for immigrants who are in the state illegally while, at the same time, decreasing the ability for local and state law enforcement to remove criminal actors from the state or otherwise cooperate with the Department of Homeland Security in vital ways prior to the issuance of a federal warrant.

Governor Polis has justified Colorado’s sanctuary state laws by explaining he doesn’t want to be “taking them [law enforcement] off the beat of keeping Colorado safe and preventing auto theft and drug dealing...”(1)

However, the fact that Colorado is the second most dangerous state in the nation, according to U.S. News and World Report, makes it clear that the laws certainly aren’t achieving the Governor’s stated purpose. Colorado’s laws are, in fact, helping to perpetuate the failure of public safety in Colorado. (7)

Colorado Politics’ editor Luige Del Puerto reported that “Several groups, in fact, identify Colorado as a ‘sanctuary’ state. The Lutheran Immigration and Refugee Service listed Colorado among 11 ‘sanctuary’ states...The Center for



Immigration Studies also included Colorado in its map of ‘sanctuary’ jurisdictions. Under Colorado, the group listed 14 areas as also sanctuary places, notably the city of Denver and Boulder County. No legal definition of a ‘sanctuary’ city or state exists, but, broadly speaking, it refers to a community that expressly refuses to cooperate with federal authorities on enforcing immigration laws.” (8)

In a 2024 letter to the Governor, Colorado House Republicans wrote, “the legislation you championed and signed into law has created a sanctuary state.” (9)

9News’ anchor Kyle Clark also challenged the Governor’s denial of sanctuary state status: “Polis’ absolute, unequivocal rejection of any kind of sanctuary jurisdiction label challenges both plain English and common sense because Colorado does offer a level of protection to people who are here without legal authorization, protection that most states do not offer...” (1)

2019 Law: House Bill 19-1124

In 2019, Colorado passed a law banning local and state law enforcement from detaining or holding illegal immigrants on behalf of ICE. (10) It became illegal for law enforcement to cooperate with civil immigration detainers issued by the federal government unless there was a warrant (court order).

The intention behind this law was to prevent law enforcement from acting as de facto federal agents or in partnership with federal agents to enforce civil immigration law. But this law has also been the basis for the release of criminal actors back into society. While there is federal court precedent that disallows states from holding criminals for ICE beyond their sentence, Colorado’s 2019 law went further.

As The Gazette explained, “The law also will block probation officers from providing their clients’ personal information to ICE. And it will make it more difficult for law enforcement to enter into contracts with ICE. ... ICE no longer can issue an order — or ‘permission slip’ — to take custody of a jailed immigrant...” (11)

Naturally, these ill-conceived provisions make it much easier for an illegal immigrant who has committed crimes against Coloradans to slip through the system before the Department of Homeland Security can take charge of him and remove him from the state.

This law set up the avoidable disaster that took place in Denver in March 2025, where a known TdA gang member was released into a parking lot after spending time in a Denver jail instead of being safely turned over to the Department of Homeland Security.

The Department received an email notification of the criminal's release a mere 90 minutes in advance. (12)

2021 Law: SB21-131

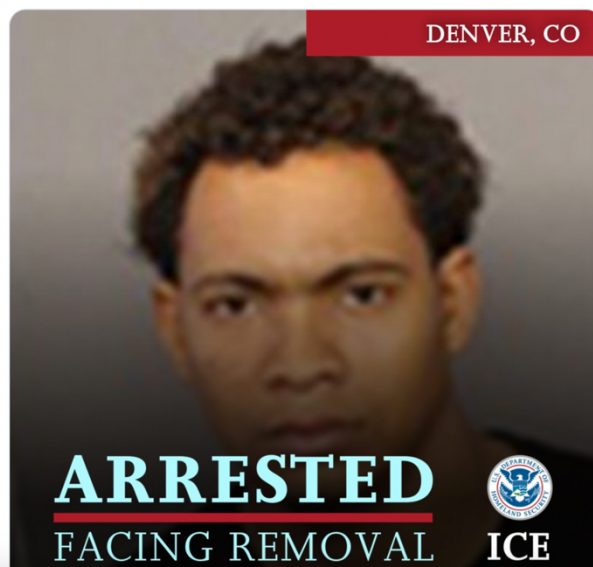
This law banned state and local agencies from sharing identification data on criminals with ICE, absent a warrant. (13) The law further declared that the state would remove access to state databases from any local law enforcement agency that refused to sign the agreement to refrain from sharing information with ICE.

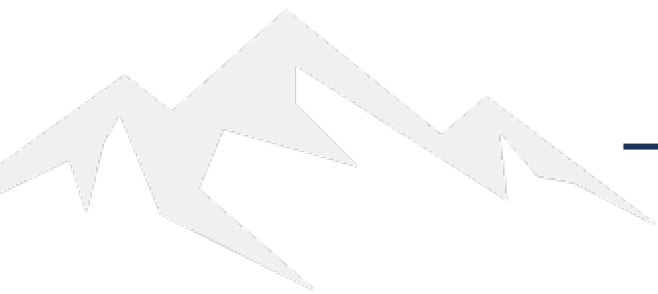
The state databases involved include Colorado DRIVES, which has essential driver's license information that police officers need to conduct traffic stops and make arrests. (14)

In short, this law took away the ability of law enforcement to apprehend nearly any criminal in the state unless they agreed that they would not aid ICE in apprehending foreign criminals in the state.



Abraham Gonzalez, 23, a suspected TdA gang member, was released from Denver Co. Jail due to CO's sanctuary policies. ICE was forced to arrest him in public, where he assaulted officers. Sanctuary policies endanger communities and law enforcement. ICE will prosecute all assaults.





2023 Law: HB23-1100

The 2023 law prohibited state and local governments from entering into contracts with federal agencies for the detention of individuals on immigration-related matters. (15)

As Bolts Magazine reported, “Colorado...became just the seventh U.S. state to prohibit local government agreements to detain immigrants in their jails on behalf of federal immigration authorities.” (16)

John Fabbriatore, a former ICE Field Director, explained to legislators that there are very practical reasons for allowing jails to have these types of contracts with ICE: “We have pretty bad winters out here...If you arrest somebody down in Durango with ICE, you would have to drive them from Durango all the way up to the GEO facility in Aurora during that ice storm, or go over mountain passes, or wherever, when now you could deliver them first to Teller County, hold them in Teller County.” (16)

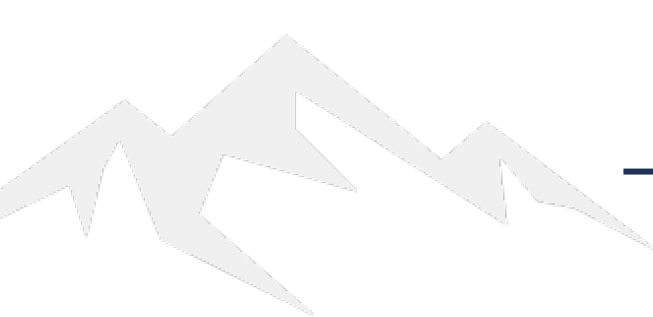
Teller County was one of the few counties in Colorado with a contract to hold illegal immigrants on behalf of the federal government. However, legislators passed the 2023 law, and, after a lawsuit, Teller County was forced to end its contract. (17)

Teller County Commissioner Dan Williams said, “This is the one time where they’ve come in and told folks who are designed and created to really keep you safe that they can’t cooperate with a federal agency.” (18)

2025 Law: SB25-275

The newest sanctuary state law strengthened the 2021 law, banning the sharing of data with federal agents for immigration purposes and extending this ban to every local government employee in the state. (19)

The law states: “Any role that a state agency or political subdivision [local government] plays in enforcing federal immigration laws can undermine public trust and deter persons from accessing these services offered by state agencies and political subdivisions.” (19)



Colorado lawmakers have determined it is more important to provide taxpayer-funded services to illegal immigrants rather than to apprehend all criminals who are in the state illegally.

In its original form, this law had no exceptions for situations where local or state law enforcement are coordinating with the federal government on criminal investigations. Examples of this include drug busts and human trafficking rings that cross state lines.

In its final form, an exception was allowed where the state or local law enforcement is assisting the federal government in uncovering a crime, but it still falls short of covering many public safety scenarios where Colorado law enforcement may want to proactively alert the Department of Homeland Security to a violent crime or a gang operation that the federal government is not aware of.

Additionally, the 2025 law went personal, as it now imposes up to a \$50,000 fine on any government employee – including law enforcement officers – who voluntarily choose to share information with ICE, even about a convicted violent criminal or repeat felon. Any amount collected from the enforcement of this law will be “credit[ed] to the Immigration Legal Defense Fund.” (19)

Conclusion: The Dangers of a Sanctuary State

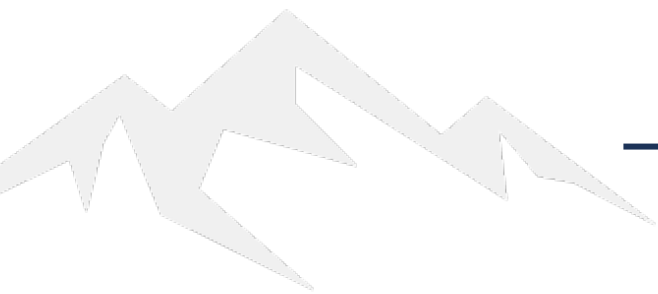
In conclusion, Colorado’s sanctuary state laws have created a haven for criminals and gangs, helping to propel Colorado to its current status as the second most dangerous state in the nation. (7)



Rep. Jarvis Caldwell 
@RepCaldwell



“These policies do not keep our communities safe. They enable violence, strain our resources, and make Colorado a sanctuary for chaos—not law and order.” – Rep. Jarvis Caldwell



Recently, ICE arrested 11 Iranian nationals allegedly living in the country illegally. Two of them, Mahmoud Shafiei and Mehrdad Mehdipour, were living together in Colorado Springs. Shafiei had been ordered by a judge to be deported in January 1987. (20)

America's enemies abroad may strategically use Colorado's sanctuary state policies to their advantage by seeing it as a state where their operatives can live freely. Colorado's sanctuary state policies can create situations that both greatly risk the safety of our residents and have significant foreign policy ramifications.

Furthermore, the Tren de Aragua (TDA) gang, a transnational criminal organization from Venezuela, specifically chose to make Denver its U.S. headquarters because of the city's and state's friendly sanctuary state policies. (21)

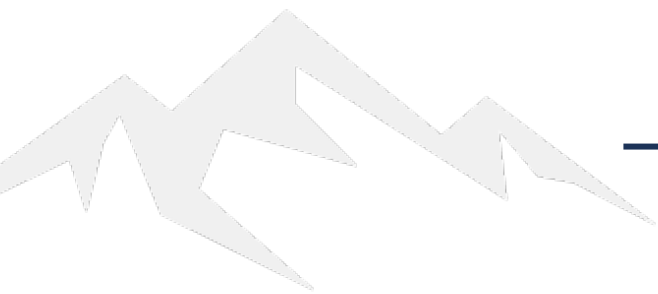
When laws encourage the movement of gangs and criminals into a state, they fail to serve citizens. Colorado's sanctuary state laws fail even to require law enforcement to report criminals to ICE under the most dangerous circumstances – when they commit repeat felonies or violent crimes.

Instead, law enforcement must avoid contacting the Department of Homeland Security (or face a \$50,000 personal fine) and release these criminals back on the streets to reoffend again. This is the reality of the sanctuary state of Colorado.



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