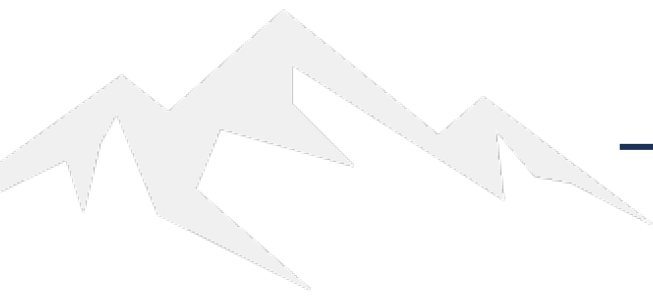


November 2025

Crisis of Safety: How Policy Choices Put Coloradans at Risk





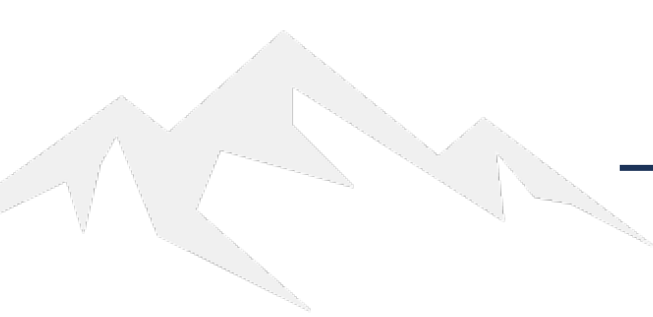
About the Author

Elizabeth Caven



Elizabeth serves as the Outreach Director and Policy Analyst at Advance Colorado. She previously worked for the Colorado House of Representatives for nearly three years as a legislative aide, where she assisted in policy work across a range of issue areas for the caucus. Elizabeth earned dual undergraduate degrees in Politics and Philosophy from Colorado Christian University. While at CCU, she served as President of the Philosophy Club, participated in First Liberty's D.C. Fellowship Program, and worked with the Centennial Institute. She and her husband, Jason, live in Littleton.





Executive Summary

Colorado has earned the troubling distinction of being named the second most dangerous state in the nation, a ranking driven not by chance, but by policy. Over the past decade, a wave of progressive, soft-on-crime legislation has fundamentally reshaped Colorado's justice system, often at the expense of victims and overall public safety.

Lawmakers have prioritized leniency over accountability, reducing sentences for repeat offenders, restricting cooperation with federal authorities, and lowering penalties for high-peril crimes. These decisions out of the gold dome have created an environment where criminals get off with a slap on the wrist, while victims and law-abiding citizens are forced to face the risk.

These policies reflect a growing pattern of rising crime and weakened deterrence. Violent crime and property crime rates in Colorado have consistently outpaced national crime statistics. The Colorado Department of Public Safety's most recent crime trend report, published in May of 2024, shows that between 2013 and 2022, violent crime in Colorado was up 61%, with homicides up 94% and aggravated assault up 88%. During this 10-year period, property crime saw a gradual 19% increase, and motor vehicle theft saw a jarring 231% increase. (1)

It would be fair to assume that these numbers will continue to rise as Colorado lawmakers pass legislation that reduces incarceration and parole denials, expands mental incompetency loopholes, and limits the abilities of law enforcement. Unless the state reverses course and re-establishes accountability in our justice system, Colorado will remain a case study in how catering to criminals over victims leads to unsafe communities.

Background

In May of 2025, Colorado was named the second most dangerous state to live in by the U.S. News and World Report, rising from its 2024 ranking as third most dangerous. (2) This ranking reflects a troubling reality: despite ongoing efforts to reform the criminal justice system, Colorado continues to experience some of the highest violent crime rates in the nation.



But Isn't Crime Down?

The claim that “crime is down” has become a political talking point, one we heard often during 2024 in the months leading up to the election. However, it’s a myth built on incomplete data, the erosion of public trust, and deliberate underreporting. While officials tout declining crime rates, the reality on the ground tells a very different story. Both in Colorado and nationwide, violent crime has surged dramatically, and the illusion of public safety comes from a system increasingly incapable of measuring reality accurately.

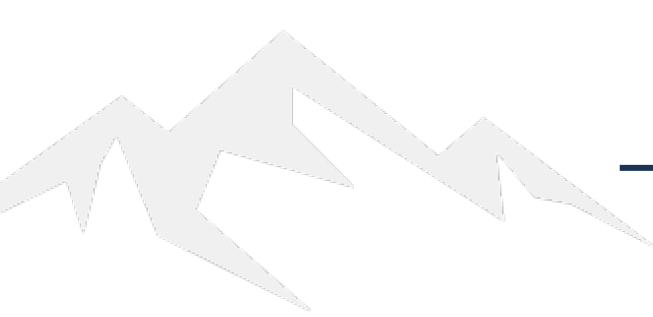
The truth is that unreported and inaccurately reported crime has distorted the entire picture. Real Clear Politics puts it, “The growing gap between reported crimes and actual victimization reflects both a breakdown in law enforcement and the deliberate downgrading of offenses by progressive prosecutors.” (3)

In Colorado specifically, Michael Allen, district attorney for the 4th Judicial District, explained the reality of these numbers,

“We’ve had a huge decriminalization effort that sort of coincided with the same thing, right? So we’ve gotten rid of the death penalty. We’ve changed the way felony murder can be sentenced. We’ve decriminalized possession of really dangerous drugs, including fentanyl...that has an impact on the way law enforcement is going to develop and push the resources out to address crime.” (4)

Crimes that would have once been recorded as felonies are now reclassified or dismissed entirely. That doesn’t mean the violence disappeared, it just means it’s no longer reflected in the data.

Furthermore, trust in the criminal justice system has collapsed. When citizens see criminals repeatedly released, prosecutors refusing to pursue charges, or cases getting lost in the backlog, they stop believing the system will protect them. In Colorado, we have seen an influx of legislation that has restricted law enforcement agencies in their ability to address crime. Allen explains,



“So if you go back to the police accountability bill of several years back...it led to a dramatic decrease in the number of police officers on the street...What’s interesting is that across the state, I think we’re seeing less cases being solved, and that’s a direct outgrowth of that attack on law enforcement.” (4)

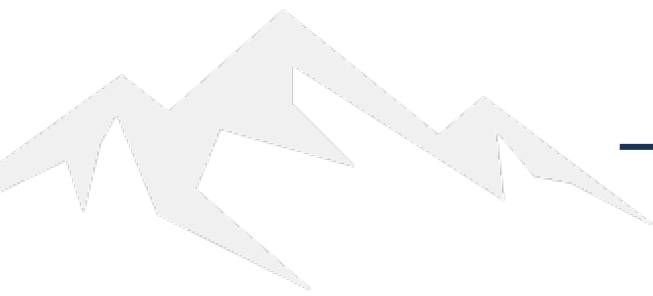
Even the FBI’s numbers highlight the deceptiveness of the “crime is down” claims. “The FBI reports fewer crimes, while more Americans say they’ve been victimized.” Fewer reports to district attorneys’ offices and a lack of resources to address crime in our state has made the data look cleaner all while communities grow more unsafe. (3)

In short, the myth that crime is down rests on missing reports, manipulated classifications, and an overall weakened justice system. Americans haven’t gained safety, they’ve lost protection.

The Data

According to the FBI’s statistics outlined in the chart below,

- Colorado imprisons fewer people per capita than most states, reflecting our lenient justice system and alternative sentencing practices.
- Colorado’s youth incarceration levels are consistent with national trends but given the state’s recent rise in juvenile violent offenses, there is a significant gap between crime rates and imprisonment rates.
- Colorado’s violent crime rate is significantly higher than the national average, despite lower incarceration rates.

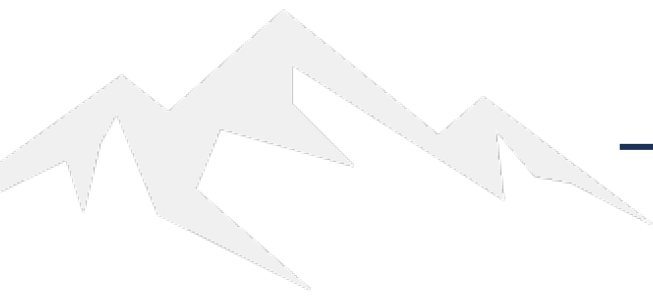


(5)

Additionally, Colorado's 3-year recidivism rate, 45.4%, is about 17.6% higher than the United States' 3-year recidivism rate, with nearly 1 in 3 released from prison return within a 3-year period. (6)(7) So, while violent crime continues to rise, lawmakers have made a clear effort to reduce incarceration rates over the last decade. Common Sense Institute reports: "Arrest count has declined by nearly 30% from 2014 to 2024 while the violent crime rate has increased by more than 55%." (7)

Overall, the data suggests that while Colorado's justice policies have grown softer and more criminal-friendly, public safety outcomes have worsened. Despite fewer incarcerations and a push toward prison diversion, the state's violent crime rates continue to outpace the national average.

The evidence proves that Colorado's current approach characterized by lenient sentencing, reduced bail requirements, and extended parole eligibility, has not delivered the promised improvements in safety or rehabilitation but rather contributed to a growing sense of insecurity – and a real lack of safety – among residents.



What Changed in Policy

Increased Parole Eligibility

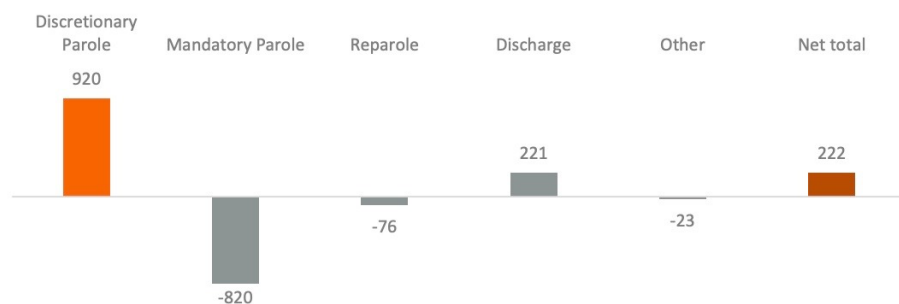
Colorado’s public safety decline is directly tied to policy shifts that weakened accountability within the prison and parole system. Before Proposition 128 (8) passed in 2024, violent offenders were only serving on average 43% of their sentence. (9) On top of having a progressive-led Parole Board with all members appointed by Governor Jared Polis, a series of legislative changes, including HB18-1410 and SB19-143, reshaped how the state manages prison capacity and parole. (10)

HB18-1410 adjusted the state’s vacancy rate policy in prisons, reducing the buffer of available beds. While framed as a budgetary efficiency, this change limited flexibility in managing prison populations and ultimately gave an excuse for more premature releases. (11)

Under **SB19-143**, the statutory vacancy rate trigger for population management was raised from 2% to 3%. Additionally, the bill severely limited the circumstances under which parolees may be revoked for technical violations and eliminated determinate periods for some revocations. (12)

As a result, the parole caseload is expected to grow 25% by FY 2030. (13) A recent supplemental report published by the Joint Budget Committee notes that “growth in discretionary parole releases outpaced declines in mandatory paroles.” (14) These trends are reflected in the graph below:

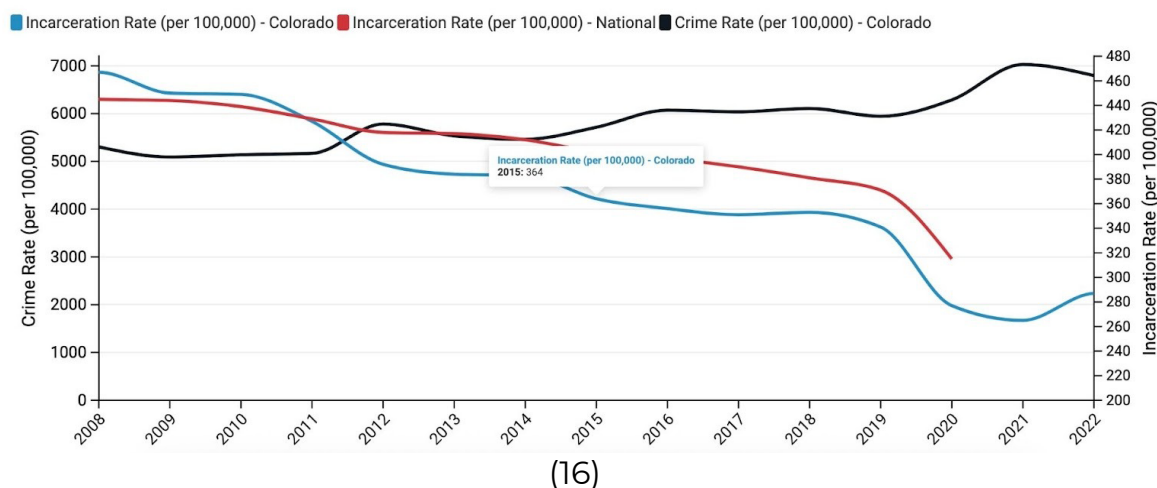
Total FY 2024-25 male releases from DOC compared to total FY 2022-23 releases, by type
Growth in discretionary parole releases outpaced declines in mandatory paroles.



(15)

Furthermore, the relationship between rising crime rates and a decrease in incarceration rates can be shown in the graph below:

Incarceration Rate and Crime Rate



(16)

A real-world example of this is James Benavidez. Benavidez had been arrested 61 times before killing a pregnant woman and repeatedly shooting at law enforcement officers, as well as committing multiple other crimes over the course of one day. He allegedly disappeared after each of his 7 parole releases. (17)

There was also Taylor Wayne Burrows, who got off on probation after being found guilty of assault and stalking. The judge that released him simply told Burrows to “work on his demons.” (18)

Serious Errors in Parole Assessments

Reports of errors in Colorado’s parole assessments should be noted as well. 9News uncovered systematic errors in how Colorado assesses parolee’s risk levels, showing that many individuals released on parole were given inaccurate or even overly optimistic risk classifications.

For example, Deangelo Luarks, who shot and killed a man on West Colfax in late 2024, was considered by his parole officer to be at a “low risk” to reoffend, despite being deemed “a very high-risk” to reoffend after being charged in an armed robbery case 10 years prior. The 9News investigation found that



dozens of parolee risk assessments, many of which related to murders, stabbings, or vehicular homicides, contained mistakes, such as improper inputs, missing or incorrect data, or misapplied scoring rules. (19)

These errors in risk assessment pose a serious public safety concern. If a parolee is inaccurately categorized as low risk, despite a clear underlying potential for violence or reoffending, they may be granted far less oversight and an earlier release than is judicious.

Together, these measures and cases are evidence of a strong effort to reduce prison populations, essentially transforming parole from a privilege to be earned into an expectation granted by Colorado statutes. Offenders soon learned that the consequences of reoffending were minimal, as violations rarely lead back to prison.

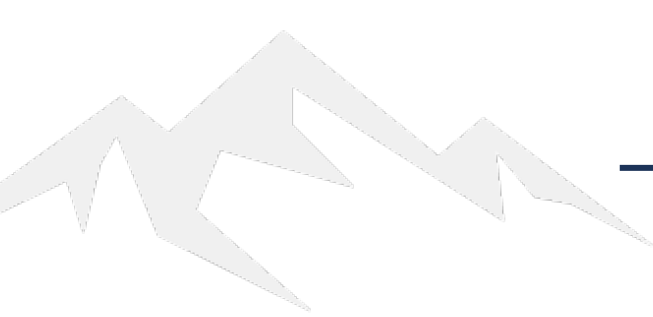
Personal Recognizance (PR) Bonds

A personal recognizance (PR) bond is a pretrial release at the discretion of the judge where a defendant promises, by signature, to appear in court, with no money or property required. (20) PR bonds in Colorado have raised serious safety concerns over the years. Denver⁷ reported in 2021 that over 3,000 of 8,000 accused criminals facing felony charges were released on personal recognizance bonds. Some of these charges included sex offenses, repeated domestic violence offenses, and pimping. (21)

Across states with similar zero-bail or PR release policies, suspects released under these conditions have twice the felony rearrests and three times the violent crime rearrests compared to those who were held on monetary bond. (22) As Colorado House Minority Leader Jarvis Caldwell put it,

“With the PR bond issue, basically you can commit a crime in the morning, get arrested and sign a piece of paper and then be right back on the street the very same day to potentially commit another crime.” (23)

This system has been misused and has enabled a growing number of repeat offenses in our state. For example, the majority of auto theft crimes in Colorado are committed by repeat offenders. As Commander Mike Greenwell with the Colorado Auto Theft Prevention Authority noted, “97% of the people



who have been arrested in the last three years for auto theft have multiple arrests for auto theft.” (24) Greenwell also attributed this issue to the persistent use of personal recognizance bonds and penalty reductions for certain crimes. (25)

An infamous example of repeat offenders being released on a personal recognizance bond is the 16th Street Mall stabbings case. Elijah Caudill was charged with two counts of first-degree murder after fatally stabbing two individuals and injuring two others in downtown Denver in January 2025. Two months prior in November of 2024, he was released on a PR bond while awaiting mental health treatment. However, a bed was not available until November 8th, the same day he was released. (26) Caudill’s case highlights the need for reform when considering pretrial release policies, especially for individuals with a history of violent behavior.

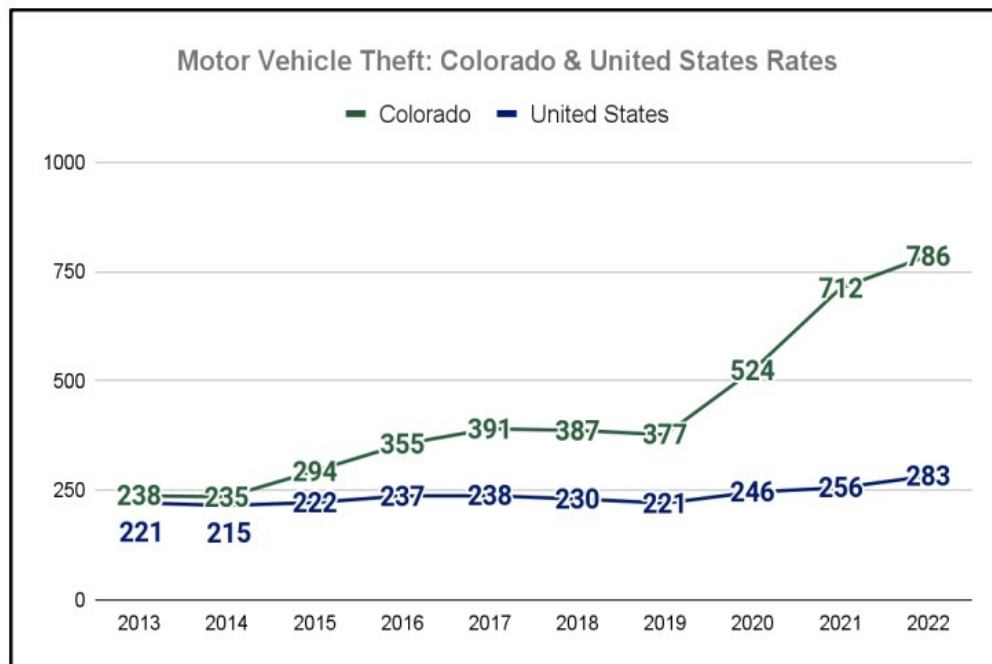
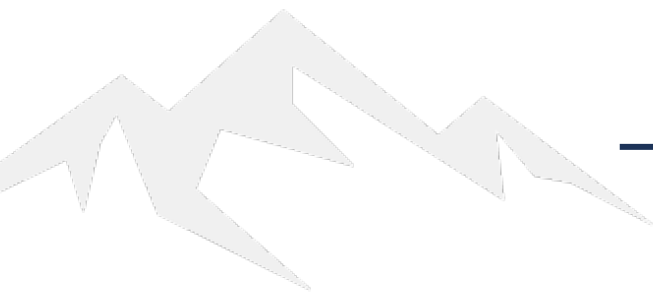
Punishment Reductions and Offense Reclassifications

Over the past decade, Colorado has enacted multiple legislative reforms that reduce penalties, reclassify offenses, or limit pretrial accountability. The cumulative effect of these changes has posed serious risks to deterrence, accountability, and the ability of our justice system to properly respond to rising crime.

HB14-1266: Value-Based Crime Threshold Level Changes

This bill shifted Colorado’s theft statutes to be value-based, making many thefts, including motor vehicle thefts, subject to lower offense levels depending on the dollar value of the item involved. (27) Before the passage of this bill, thefts over a certain value were automatic felonies, but this new law set multiple value brackets so that lower-value thefts could be treated as misdemeanors instead of felonies.

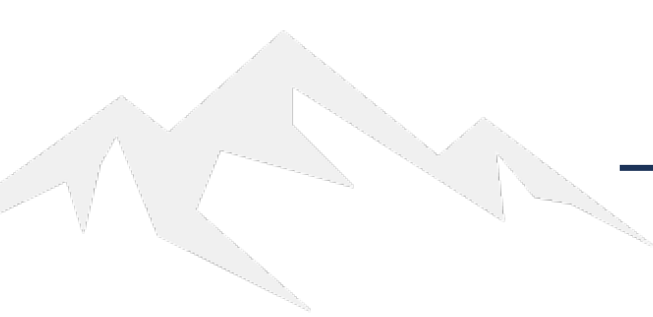
For example, motor vehicle theft had been generally treated as a felony, regardless of the value of the vehicle. Under HB14-1266, motor vehicle theft became a class 5 felony if the value was less than \$20,000 and would become a higher felony class if the value was over \$20,000. Thus, some thefts that would have been a higher felony class suddenly became a lower felony class. The effects of this bill are reflected in the 231% increase in motor vehicle thefts over the past decade:



US and Colorado Motor Vehicle Theft rate per 100K population, 2013-2022. (1)

After nearly a decade of witnessing the negative effects of HB14-1266, the legislature finally changed course by passing SB23-097.

SB23-097 reclassified auto theft crimes by basing it on the circumstances in which the vehicle was stolen, rather than basing it on vehicle value. (28) Though this was a positive change, it was not before Colorado was on its way to becoming the number one state in the nation for auto theft:



Top 10 States by Theft Rate

*Theft rate is total thefts per 100,000 residents.

Rank	State	2021 Theft Rate	2020 Theft Rate
1.	Colorado	661.21	502.12
2.	Washington, D.C.	651.00	562.98
3.	California	511.05	475.24
4.	New Mexico	475.50	426.19
5.	Oregon	471.16	385.08

(29)

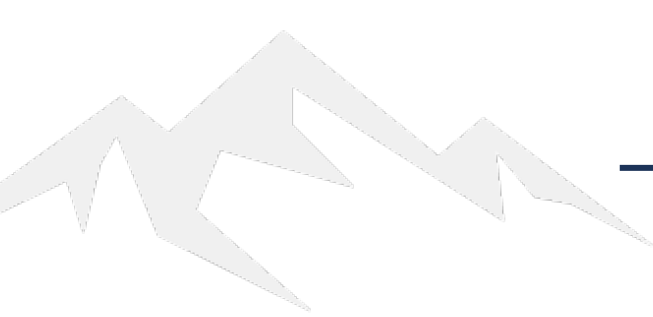
Even after the passage of SB23-097, auto thieves still do not receive mandatory jail time.

HB19-1225: No Monetary Bail for Certain Low-level Offenses

This bill prohibits courts from imposing cash bonds for those charged with traffic offenses, petty offenses, or a comparable municipal offense. (30) Therefore, a person accused of a low-level offense must be released on a personal recognizance bond.

While petty offenses in Colorado, such as low-level criminal mischief or minor criminal trespass, may seem relatively minor and pose limited immediate risk to public safety, some offenses covered by this bill arguably warrant stronger accountability measures, such as monetary bail.

Crimes like second- or fourth-degree arson, theft under \$300, escaping from jail, possession of a private image of a juvenile, prostitution, or lying under oath involve either significant potential harm to others, risk of repeat offending (31) – often with a more violent crime – or deliberate disregard for



the legal system. By automatically eliminating monetary bail for all low-level offenses, the system may fail to impose a meaningful constraint on individuals who commit higher-risk offenses. This ultimately reduces pretrial accountability and can allow preventable repeated violations to occur before adjudication.

HB23-1293: Felony Sentencing Commission Recommendations

This bill reclassified a number of crimes, either making them lower-level felonies or lowering them from a felony classification to misdemeanors. (32)

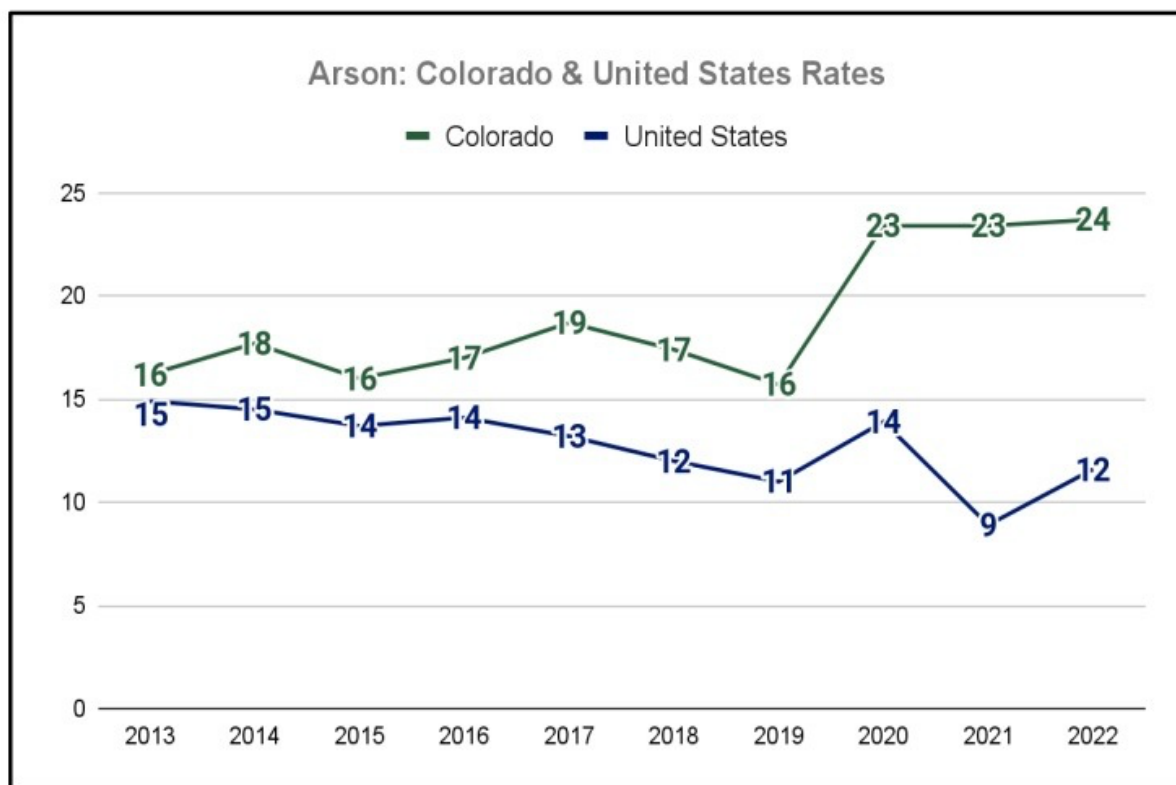
Sponsors justified these downgrades by pointing to “budgetary constraints,” claiming that the state could not afford to incarcerate offenders for longer periods. (33) However, this reasoning falls apart when considering that the legislature determines its own budget priorities. Budget problems are, more often than not, budget choices. Instead of cutting corners on public safety, lawmakers should have chosen to allocate more funding to ensure offenders are kept off the streets.

The felony crimes with a decreased classification under HB23-1293 can be seen in the chart below:

Table 3
Felony Crimes with Decreased Classification

Crime	Current Law Classification	Classification Under Bill
False statement for worker's compensation claim	F5	F6
First degree arson if arson is of an unoccupied building	F3	F4
Third degree arson	F4	F5
Second degree burglary if burglary is not of an occupied structure, operation of a commercial business, or dwelling, and doesn't have the objective of theft of a controlled substance or firearm	F4	F5
Theft of medical records if record is stolen or disclosed to an unauthorized person	F6	M1
Second degree criminal trespass if trespass is on agricultural land with intent to commit a felony	F4	F5
Third degree criminal trespass on agricultural land with intent to commit a felony if land did not have fence	F5	F6
Insurance fraud when person submits a certificate of insurance that contains false information	F5	F6
Fraudulent receipt	F6	M2
Criminal possession of a financial device for possessing two devices	F6	M2
Retaliation against a witness or victim	F3	F4
Wiretapping for corded phones	F6	M2
Telecommunications crime if person uses cloning equipment, or encourages persons to engage in certain activities	F4	M2
Possession of ballistic knife making it a an "illegal weapon" instead of dangerous weapon	F5	M1
Explosives or incendiary devices when a person possesses or controls device	F4 or F3	F5 or F4
Dueling	F4	M1
Hazardous waste violation when abandoning vehicle containing hazardous waste	F4	F5
Unlawful entry by excluded and ejected persons	F5	F6
Unauthorized advertising for adoption purposes	F6	M2
State agency contracts offering to secure contracts for professional services	F3	F4
False statement for police and firefighter pension	F5	F6
Unlawful custody and possession of a stray	F6	M2
Tax evasion	F5	F6
Using sports betting or lottery license for personal gain	F3	F4

While some of these offenses listed may not necessarily be violent crimes, there are a number that certainly did not deserve to have their penalties reduced. Take arson as an example. Between 2013 and 2022, Colorado saw a 42% increase in arson offenses, whereas nationally, arson declined by 22% over the same period.

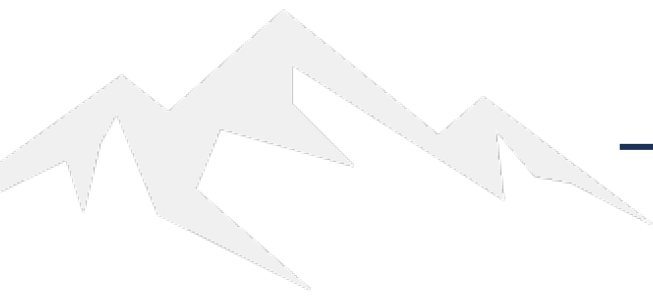


US and Colorado arson rate per 100K population, 2013-2022.

(1)

Yet, despite this troubling trend, the legislature moved forward with the passage of HB23-1293, decreasing the felony classification for certain arson offenses the very next year.

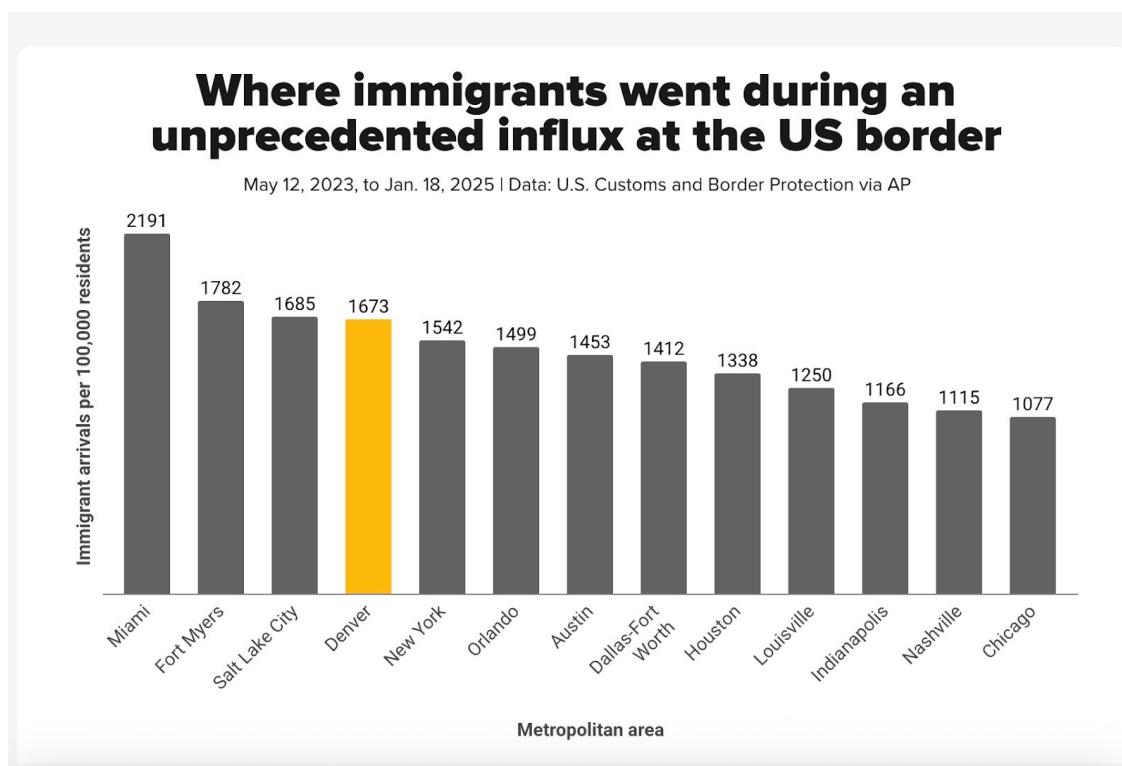
These decisions to reduce the penalties and reclassify certain crimes sends the wrong message at the wrong time. When crime rates are rising, weakening penalties does not promote justice, or even rehabilitation. The result is a short-term budget "fix" that costs far more in the long run: more



property damage, more victims, more strain on law enforcement, and more offenders cycling in and out of the system.

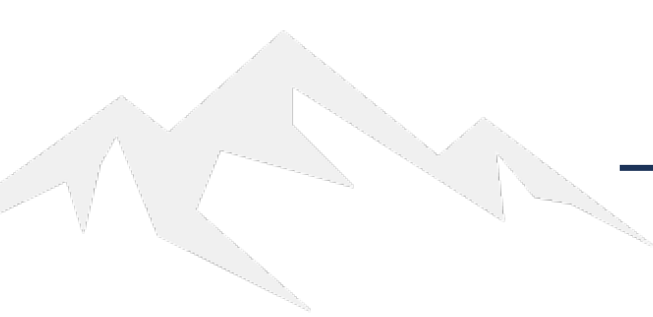
Sanctuary State Status

Colorado's sanctuary state status has allowed illegal immigrants who have committed crimes after entering our country to be released back into our communities, instead of being turned over to the Department of Homeland Security. Due to these policies, Venezuelan transnational crime organization Tren de Aragua chose Denver as its headquarters. (35) A recent data publication has deemed Denver as one of the top cities for immigration influxes over the last 1.5 years.



(36)

Despite our state leaders, including Governor Jared Polis, claiming Colorado “is not a sanctuary state,” a series of passed legislation has said otherwise. (37)



HB19-1124 prohibited state and local law enforcement from holding an individual solely based on a civil immigration detainer request from the Department of Homeland Security (DHS). It also forbade law enforcement from using state or local resources to assist in federal civil immigration enforcement without a judicial warrant. This has prevented local law enforcement from transferring custody of illegal immigrants to federal authorities unless federal criminal charges are involved. (38)

SB21-131 further restricted cooperation by barring state employees from inquiring about a person's immigration status or sharing personal information with DHS. This limited the state's ability to track or report illegal immigrants, even those with prior criminal histories. This bill also took away law enforcement officers' access to the Colorado DRIVES system, which includes important drivers' license and vehicle registration information, if they did not agree to follow this state policy. (39)

HB23-1100 went a step further, explicitly prohibiting local governments from entering agreements with DHS to detain individuals for federal immigration purposes. As a result, local jails are unable to hold noncitizens for any federal immigration agency, even temporarily, unless a judicial order is issued. (40)

SB25-276 is the latest of these bills, forbidding law enforcement from any form of cooperation or communication with DHS in the absence of a court order. This includes sharing data, coordinating arrests, or relaying information about individuals in custody who may be subject to deportation. This bill also includes a \$50,000 fine for any state employee, including law enforcement officers, who share information with DHS. There is no exception in this bill – or any of the others – for violent criminals or repeat felons. (41)

These measures have collectively insulated Colorado's law enforcement and public institutions from federal immigration authorities and have produced major risks to our communities. Through limiting coordination with DHS, Colorado has allowed undocumented immigrants with prior criminal records or pending deportation based on crimes committed orders to remain in the state. In recent years, this breakdown in cooperation has been linked to multiple high-profile crimes and preventable killings of Coloradans.



Castellano Fonseca

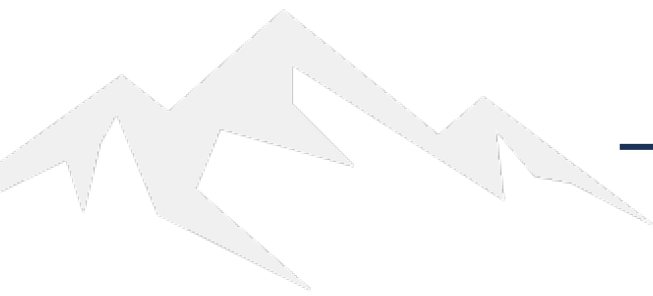


Most recently, DHS reports: “On Sunday, August 3, 2025, Castellano Fonseca forcibly entered an apartment and shot two women—one allegedly being his sister-in-law and the other being his wife—in front of five children who were present in the home. The shooting resulted in the death of his sister-in-law and left his wife critically injured...At the time of the August 3 arrest, this criminal illegal alien also had a domestic violence warrant for his arrest out of Arapahoe County.” (42) (43)

Ever Valles



Denver released Ever Valles, a Mexican national, after he posted bond on theft charges. Weeks later, Valles was arrested and charged in the murder and robbery of a man at a light-rail station but was once again released. Denver officials defended his release, despite a detainer on Valles placed by federal immigration authorities, saying “...detaining anyone without a criminal warrant is a violation of the Fourth Amendment.” ICE identified Valles as a known gang member. (44) (45)



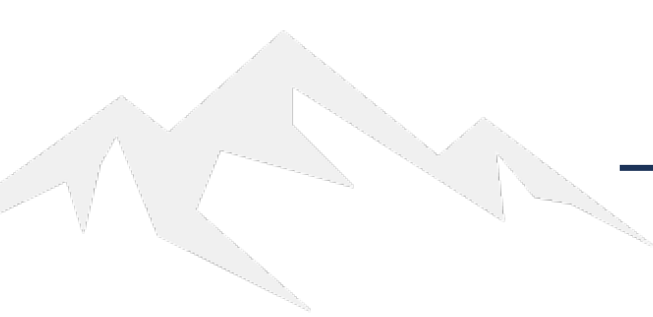
Unidentified Colombian National

A Colombian illegal immigrant killed 24-year-old Kaitlyn Weaver in a July 2024 crash in Aurora. After being charged with vehicular homicide, he entered a plea deal and was sentenced to probation and community service rather than serving prison time. It took nearly a year before he was arrested by federal immigration authorities. (46)

Jose Guadalupe Menjivar-Alas

Jose Guadalupe Menjivar-Alas, an illegal immigrant from El Salvador who was deported four times, killed a mother and her 16-year-old son in a 2024 DUI crash in Broomfield. He also had a record of four other alcohol-related driving offenses since 2007. (47)





As a result of our legislature passing laws to protect criminals who are here illegally and prohibiting our law enforcement from cooperating with DHS, Colorado most certainly *is* a sanctuary state. Multiple national organizations agree with this classification: the Lutheran Immigration and Refugee Service and The Center for Immigration Studies have included Colorado in their lists of sanctuary jurisdictions. (48)

Laws that prevent agencies from detaining, reporting, or even communicating with federal authorities have allowed individuals with prior deportations, criminal records, or ongoing investigations to remain within our state borders. The tragic deaths of many Coloradans at the hands of individuals who should have been in federal custody underscore the real-world consequences of these policies. Colorado's sanctuary framework has created major gaps in enforcement, ultimately making more of our residents victims.

Adult Competency to Stand Trial

Colorado's competency laws are increasingly coming under scrutiny. They were originally designed to protect defendants with severe mental or cognitive impairments who are unable to fully understand or participate in their criminal proceedings. However, in recent years, they have been misused as a loophole to avoid justice, allowing some defendants to claim incompetency to delay trials, avoid heavy prosecution, or evade jail time altogether. What was intended to be a safeguard in extreme circumstances has become a tool that undermines accountability and public safety.

Colorado's current competency laws, outlined in Colorado Revised Statute 16-8.5-102, state that a defendant must be deemed competent in order for the trial to proceed:

"While a defendant is incompetent to proceed, the defendant must not be tried or sentenced, nor shall the court consider or decide pretrial matters that are not susceptible of fair determination without the personal participation of the defendant...Those proceedings may be later reopened if, in the discretion of the court, substantial new evidence is discovered after and as a result of the defendant's restoration to competency." (49)



Therefore, while a defendant is legally incompetent, the court cannot move forward with the trial, sentencing, or certain pretrial matters. This allows for significant delays in the trial, especially if the defendant remains uncooperative or restoration is prolonged.

HB24-1034 expanded the adult competency loophole, asserting that when a defendant is deemed permanently incompetent and not restorable, the court is required to dismiss the charges entirely. The bill states,

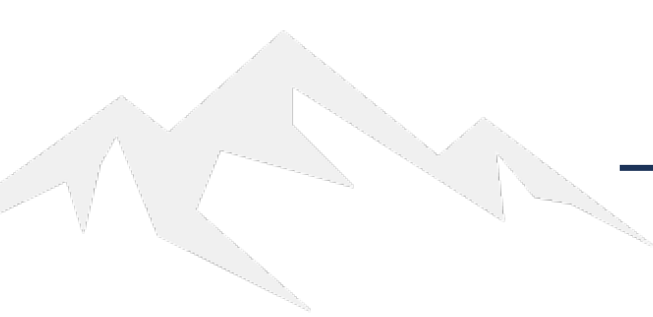
“If the court at any point determines that there is not a substantial probability that the defendant will be restored to competency within the reasonably foreseeable future, the court shall, upon motion of the district attorney, the defendant, or on its own motion, dismiss the criminal proceedings.” (50)

Along with automatic dismissal of criminal proceedings if the defendant is deemed incompetent, the law was supposed to shift more defendants out of county jails and into community-based restoration services:

“...the department shall develop a discharge plan and a plan for community-based restoration services in coordination with the community restoration services provider. The court shall hold a hearing within seven days after receiving the notice, at which the department shall provide to the court the plan for community-based restoration services...” (50)

However, the actual result of the law has been that violent and repeat offenders are released right back into the communities they have harmed. If the state does not have available beds in civil commitment facilities or if the defendant refuses to agree to be admitted to the facilities, they must be released.

Alongside other adult competency and diversion-focused reforms such as SB24-006 and SB24-041, HB24-1034 has enabled many defendants deemed incompetent and unrestorable to have their cases entirely dismissed, even in instances involving violent charges. One issue in the system is that a single



evaluator can report that a defendant is permanently incompetent but there is little follow-up, double-checking, or accountability for these assessments.

In June of 2025, a court dismissed murder charges in a Monument homicide case after ruling defendant Joel Lang incompetent to stand trial. Lang had admitted to hitting, dragging, and killing 47-year-old Kristy Kerst in a McDonald's parking lot. Under current Colorado law, once the court concluded there was only a small chance he would be restored, his proceedings were terminated. When a doctor asked Lang what being incompetent means, he replied with "this problem all goes away." The court did not issue his driver's license to be taken away. (51)

The judge who dismissed him said that "the difference between it being 'possible' and 'substantially likely' for restoration is 'as wide as a gulf.'" (52)

In concluding the case, the judge issued a troubling assessment of Colorado's current competency laws, stating:

"The question of competent or not is a snapshot in time. The question of future restorability is one of potential future capacity rather than objective observation. It thus involves some element of speculation...But this system is as the legislature wrought." (53)

In Aurora in 2024, Solomon Galligan, a registered sex offender, was arrested for attempting to kidnap a child from an elementary school. Later, prosecutors dropped the charges after Galligan was once again found mentally incompetent to stand trial. Under Colorado law, because he could not be reliably restored to competency, the district attorney could not proceed with prosecution. Notably, this would be the fourth time in 7 years that Galligan's cases were dismissed due to competency rulings, and his own family members said that he was not safe to release into the community. (54)

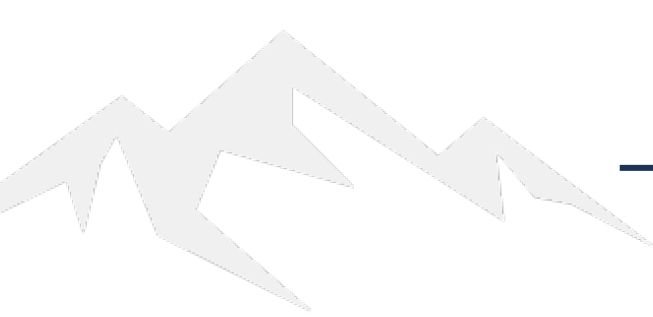
In Weld County in September of 2025, Debisa Ephraim faced attempted murder charges but was released and had those charges dropped after being declared incompetent and unrestorable under HB24-1034, despite the violent nature of his crimes. Ephraim had previous burglary, assault, and theft charges. (55)

Sheriff Steve Reams of Weld County said Ephraim did not have any mental illnesses, but “his defense argued that because he had not received an education and was not from the United States, he did not understand how the country’s criminal justice system works.” This illustrates another giant failure in Colorado’s competency laws, where the definition of incompetency can be so easily manipulated.

After a video posted on X of Ephraim involved in a brutal fight went viral – with even Elon Musk commenting –, Governor Jared Polis responded to the video with this comment:



“Absolutely unacceptable. I’m calling on the county attorney and DA to use state law, including CRS Title 25 and Title 27, to ensure he’s not at large. This should have happened BEFORE release not after. Remove this threat now!” (56)(57)



However, the provision tying the DA's hands is HB24-1034, which the Governor himself signed into law.

These cases are just a few of many defendants who have been able to abuse HB24-1034 to circumvent justice. Victims and their families, law enforcement officers, and district attorneys across our state are calling for legislators to close the competency loophole in hopes it will keep more violent offenders off our streets.

The El Paso County judge who was forced to dismiss Joel Lang's charges sharply criticized the competency provisions in HB24-1034, stating:

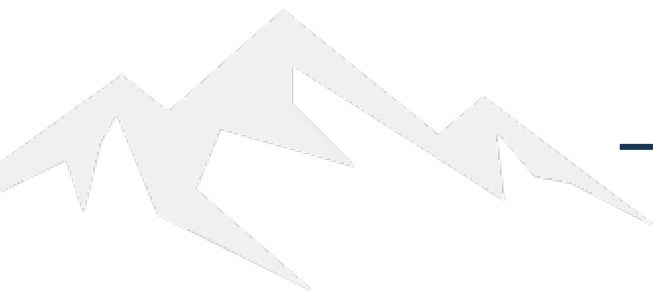
"All this cold language fails to capture what happens in these decisions. It means regardless of the seriousness of the offense, the alleged facts, how many people were hurt or killed, how much money was taken, or how much a particular act or acts damaged society; the case ends with no further criminal process or penalty if the prosecution fails to overcome the presumption [of incompetence]." (53)

Juvenile Crime

In addition to the continued rise in adult crime, Colorado has also seen an increase in violent offenses committed by juveniles – a troubling parallel.

9News reports, "A few years after the pandemic more than 170 kids were admitted to a youth detention center for homicide or manslaughter charges according to data from the Division of Youth Services. Before the pandemic, fewer than 70 kids were admitted to youth detention facilities for those types of violent crimes." (58)

The Division of Youth Services' 2024 annual report states that daily detention statistics increased by ~233% between 2017 and 2023, the highest ever recorded in our state:

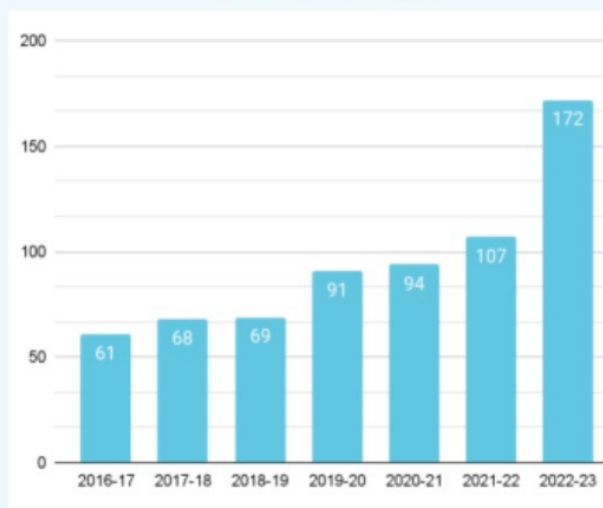


Detention Statistics*

15 → 50

On the average day in FY 17, 15 youth were detained for homicide or manslaughter related charges (14.6 ADP). Fast forward to FY 23 and nearly 50 youth are detained on the average day for the same charges (48.7 ADP).

Number of Unique Clients Admitted to Detention for Homicide/Manslaughter Related Charges

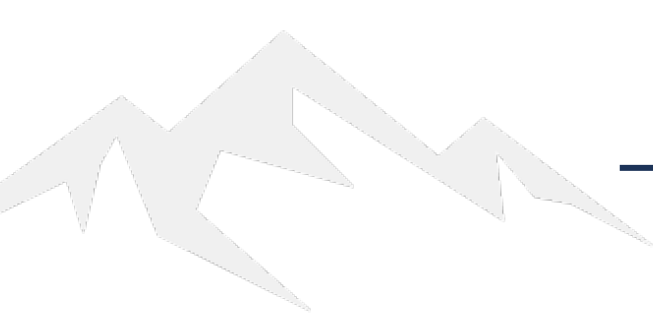


**Detention figures exclude criminally negligent homicide and vehicular homicide*

(60)

Unfortunately, the juvenile detention bed cap has limited law enforcement from being able to hold violent juvenile offenders. **SB21-071** cut the juvenile detention bed cap from 327 to 215 in the entire state. (61) Each of the 8 detention centers in Colorado have their own number of beds allocated; for example, the detention center in Colorado Springs only has 27 beds. (59)

As Colorado's shortage of juvenile detention beds has worsened over the years, state legislators responded by passing **HB25-1146**, which increased the number of emergency beds from 22 to 29. (62) Although the original bill sought to expand the overall bed capacity from 215 to 254, lawmakers were ultimately forced to scale back the proposal, limiting the increase solely to emergency beds in order to secure its passage in a tight budget year. This is yet another result of lawmakers' continued failure to place public safety at the forefront of budgetary priorities. (63)



Despite the emergency bill this year, Colorado continues to face a growing public safety challenge as juvenile violent crime rises alongside persistent adult crime rates. As the surge continues, the state remains at an acute shortage of detention beds, limiting the ability to properly detain and treat juvenile offenders. In turn, more repeat offenders are being released back into the communities simply because there is nowhere for them to go. Until capacity and oversight improve, these gaps will continue to allow dangerous cycles of reoffending to persist, perhaps even into adulthood.

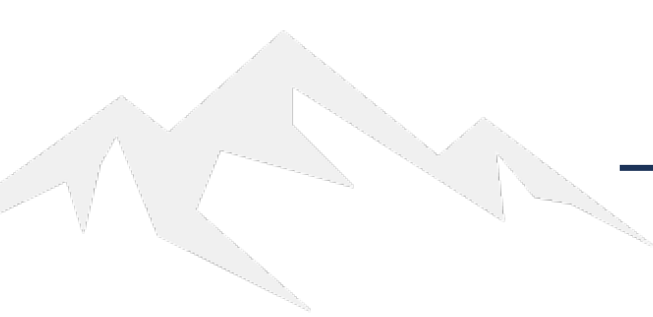
From the Gold Dome to the Ballot

While advancing soft-on-crime policies, progressive legislators in Colorado consistently blocked common sense public safety reforms, leaving citizens frustrated and increasingly worried about rising crime rates. HB24-1127, a bill designed to strengthen penalties for repeat offenders, was one such measure that failed to advance out of the House Judiciary Committee due to opposition from progressive lawmakers.

HB24-1127 would have required criminals sentenced for crimes such as second-degree murder, first-degree assault, kidnapping, sexual assault, arson, burglary, or aggravated robbery, to serve at least 85% of their sentence before being considered for parole. Additionally, it would have removed the option for repeat violent offenders to get out early for good behavior, meaning they would have to serve 100% of their sentence. (64)

In response to the House Judiciary's rejection of this bill, Advance Colorado took the issue directly to the ballot box, where voters passed **Proposition 128** in 2024, effectively enacting many of the same provisions that the legislature refused to approve. It was approved by 62.11% of voters, receiving the highest percentage of votes out of all citizen-initiated measures in 2024. (8)

Similarly, **HB24-1284**, a bipartisan bill that would have made it harder for violent offenders to be released on unsecured personal recognizance bonds and set a minimum bail amount of \$7,500 for repeat violent offenders, was also blocked by the House Judiciary Committee. (65) A major issue driving this legislation was a loophole created when Colorado legislators abolished the death penalty in 2020, which in effect eliminated judges' ability to deny



bail, since under state law, bail could only be denied for capital offenses. (66)
(67)

The Colorado Supreme Court's decision in *People v. Smith* confirmed that everyone accused of a crime, even for violent offense, is now entitled to bail (68). Once again, the legislature was forced to clean up their own mistakes, this time through **Amendment I** in 2024, a constitutional measure aimed at restoring judicial discretion to deny bail to defendants in first-degree murder cases where evidence is sufficient. Amendment I passed with 68.3% of voter approval. (69)

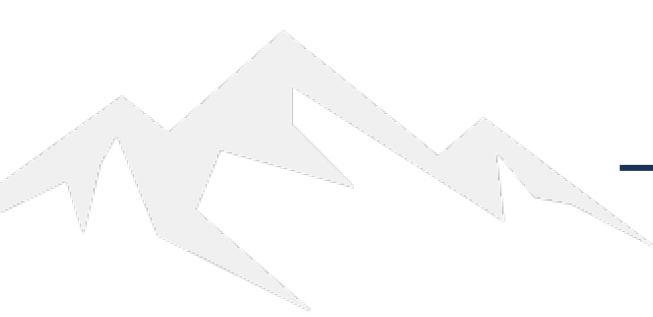
Together, these examples demonstrate a growing disconnect between the state's progressive policymakers and the priorities of everyday Coloradans, who have repeatedly been forced to act through ballot measures to restore public safety and accountability when legislators refused to do so. Whether it's the people or the legislature themselves who must place measures on the ballot, the people are consistently left cleaning up the legislature's mess on public safety.

Misaligned Priorities: District Attorneys

According to a report by the Law Enforcement Legal Defense Fund (LELDF), a left-leaning group called the Wren Collective has been quietly influencing the policies and messaging of progressive prosecutors across the country, including in Colorado. Emails obtained by LELDF indicate that the Wren Collective has been involved in shaping the offices of at least 40 progressive prosecutors nationwide, providing policy guidance and strategy advice:

"The Wren Collective LLC, exerts undue influence on the criminal justice policies of these district attorneys – controlling messaging, writing policies on everything from bail to police involved shootings, and even interfering in homicide and police misconduct cases." (70)

In an email sent by Wren Collective to a Portland DA, they offer assistance with staffing, crisis communication support, and guidance in several areas:



In addition to assistance with staffing issues, office organization, and communications support during policy roll-out and in times of crisis, we have written and could help with policies in the following areas:

1. Bail
2. Diversion/Declination
3. Intake
4. Probation
5. Plea guidelines
6. Fines and Fees
7. Prosecutions related to policing
8. Brady (related to officer misconduct) and "do not call" or exclusion lists
9. Conviction integrity or sentencing review units
10. Juvenile transfer
11. Felony and Misdemeanor case backlog

Wren provides a full suite of back office and core services to prosecutors to implement their prosecutorial agenda.

Wren offers a library of "off the shelf" model policies, which they adapt to the respective jurisdictions on demand for their prosecutor-clients to adopt verbatim.

(70)

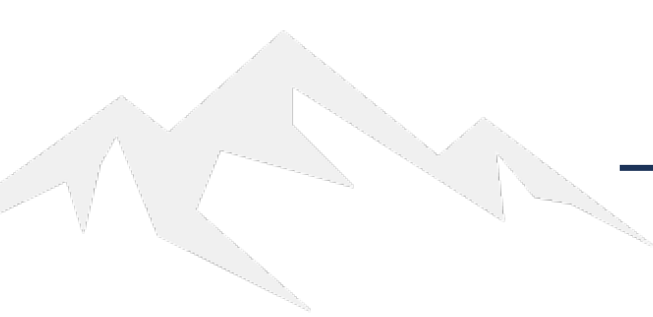
This level of involvement raises concerns about the independence of these DAs and whether their loyalty lies with the communities they serve or with external activist agendas.

The potential for compromised loyalty is further highlighted by the Wren Collective's approach to its relationships with DAs. The organization has reportedly offered their services without billing or publicity, stating that "these policies will be yours, not ours." (71) While intended to maintain the appearance of independent policymaking, it also obscures the extent of external influence on prosecutorial decisions.

To restore public trust and ensure that justice is served impartially, it is crucial for Colorado's DAs to maintain their independence and prioritize the needs and safety of our communities over external influences.

A Judge's Discretion

In Colorado, attempts to "reform" the criminal justice system through pretrial releases, bond decisions, and lenient sentencing differ widely across jurisdictions, revealing the considerable discretion individual judges possess. As this report has already covered, defendants accused of violent or repeat



offenses are being released on extremely minimal bond amounts or via personal recognizance bonds – and judges are a major part of this problem.

In Denver County, an investigation found thousands of defendants in felony cases were being released on \$0, \$1, or \$2 bonds. While judicial districts across Colorado have recommended bond amounts for each offense level, bond is ultimately set at a judge's discretion. (72)

On August 15, 2025, a judge in Denver County Court paid a defendant's \$1 bond himself at a hearing. The defendant's case involved a probation violation from a 2016 misdemeanor assault charge. When the defendant's lawyer asked for a personal recognizance bond because the defendant couldn't afford the \$1, the judge reportedly responded, "We have a dollar," and covered the bond himself. Though the \$1 seems trivial, the act raised serious concerns about the impartiality of the judge.

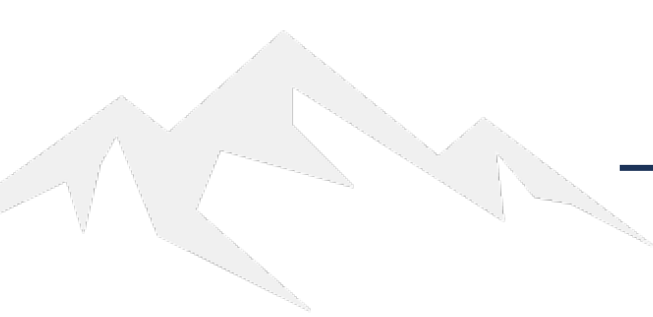
One Denver-based attorney said: "It's pretty black and white. What he did was wrong."

Another judge said: "We're supposed to be impartial. We are not to let our emotions get carried away in the courtrooms so that we can make solid courtroom decisions." The judge is currently under investigation and reassigned to non-trial duties for the time being. (73)

In September of 2023, Michael G. Jackson, who had already been arrested earlier that year for a violent felony assault charge, was arrested again, this time for strangling his partner. Just a few weeks later, prosecutors asked a judge to set a \$25,000 cash-only bond to keep Jackson in jail.

Instead, in a hearing that lasted a mere 10 minutes, the judge released Jackson on a personal recognizance bond—with conditions being that he stay away from the victim and give up his firearms. Seventeen days later, Jackson shot and killed an Uber driver. (74)

These tragic stories demonstrate how judges have broad discretion under the law when it comes to pre-trial releases and under what circumstances (cash bond, PR bond, supervision, etc.). In this case, even though prosecutors



argued for a significant cash bond because of the defendant's repeated violent behavior, the magistrate chose the less restrictive route.

With a high volume of bond hearings, for example in Denver there were tens of thousands in a year, and with limited time, hearings tend to be rushed. In Jackson's case, it only took 10 minutes for the judge to make a quick decision to release him. This leaves little time for judges to weigh the full gravity of the case and assess all the risks potentially posed by releasing the defendant back onto the streets.

The Impact on Law Enforcement

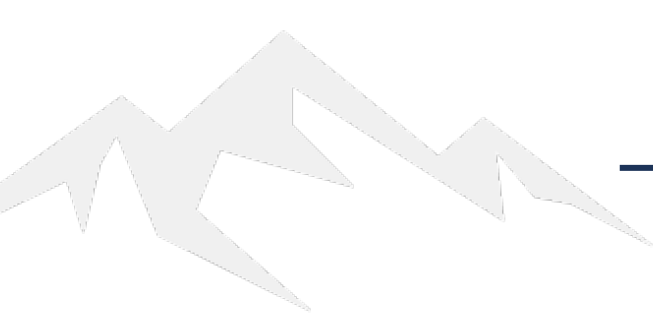
Recent social justice reforms in Colorado have placed significant operational constraints on law enforcement, ultimately affecting response times and straining police resources.

SB20-217 imposed a variety of limitations on police officers' ability to enforce the law. Under the conditions of this bill, officers now face personal liability of up to \$25,000 for lawsuits, risk decertification for failing to intervene in unlawful force situations, and are restricted in the types of force they may use: deadly force is only permitted in cases of "imminent threats," an arbitrary term that does not reflect the reality of being on the ground every day. The bill also introduced heavy new reporting requirements, creating additional administrative burdens that reduce time available for active policing. (75)

Likewise, **SB23-254** imposed stricter rules for how and when officers can execute search warrants. Officers are now limited to conducting searches within a 12-hour daytime window and must be clearly identifiable during execution. (76) These constraints delay investigation, reduce flexibility in high-intensity situations, and overall increase the workload in already-stretched police departments.

The effect of these reforms is compounded by the attitude toward law enforcement at the Capitol. As Sheriff Darren Weekly observed,

"I go down to the Capitol a lot during the session. When I go down there dressed [in uniform] I feel like the enemy; I feel like the bad guy.



Not all of them, but many of them just look at me with contempt, they'll roll their eyes during my testimony. You know, I'm very respectful, but I'm very upfront and candid about crime in Colorado. They don't want to hear that." (77)

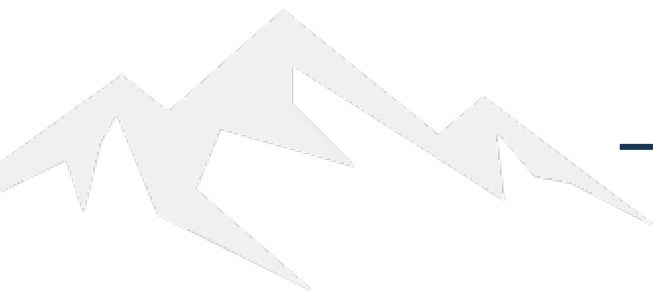
The testimony of law enforcement officers in our state reflects a broader challenge: officers are not only restricted by legislation, but also often dismissed or marginalized when raising concerns about public safety. Once again, this attitude from liberal legislators is quite different from the public's view. In 2024, Colorado voters passed **Proposition 130**, sponsored by Advance Colorado, with nearly 53% of the vote. Proposition 130 requires the legislature to allocate \$350 million out of their General Fund to law enforcement, without raising taxes. (78)

Conclusion

Recent legislative trends in Colorado have had significant consequences for public safety on the front lines. Colorado's growing public safety crisis is not an accident: it is the direct outcome of a series of misguided legislative choices that have weakened accountability and undermined our officials' ability to serve justice.

Fewer parole denials have put repeat offenders back on the streets and expanded competency laws have allowed our system to be taken advantage of at the expense of victims – often vulnerable women and children. Arrests, charging decisions, and pretrial outcomes have all been softened under a justice framework that prioritizes leniency over protection. Our local governments have been strained by our sanctuary policies, politically-influenced district attorneys, and judges granted broad discretion in criminal cases. Meanwhile, the state's cap on juvenile detention beds and operational restrictions on our police officers have left many agencies unable to respond effectively or proactively to rising crime.

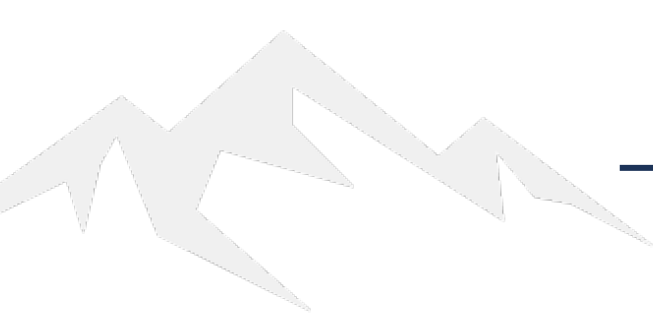
Together, progressive, soft-on-crime policies have created serious accountability gaps, allowing violent crime to rise while the mechanisms meant to prevent it have been steadily dismantled – all leading to Colorado's



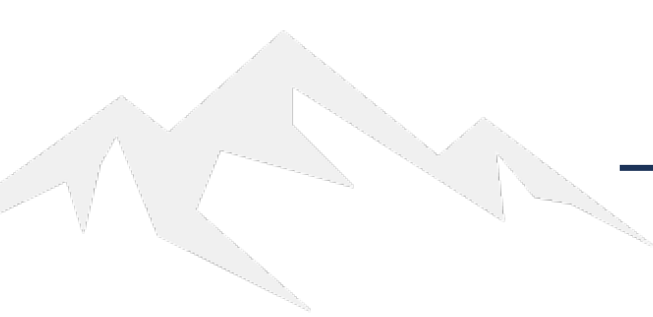
ranking as the second most dangerous state in the nation. The question remains: ***at what point will Colorado reverse course?***

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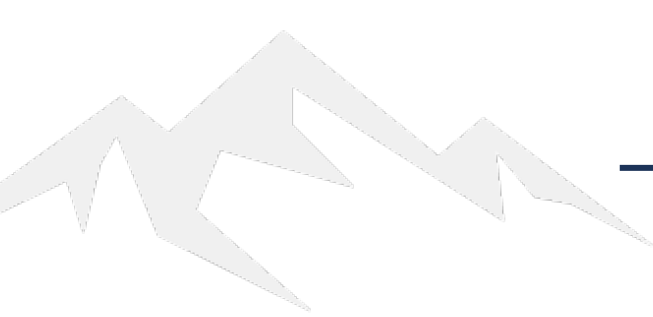
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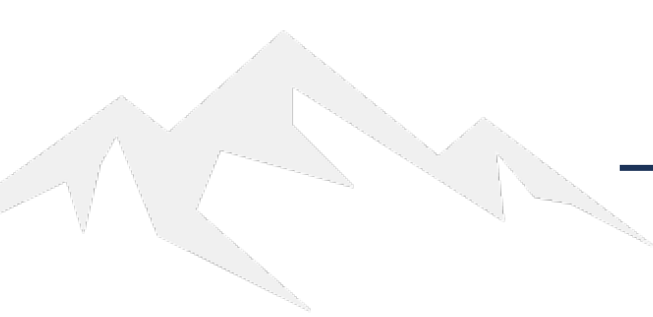


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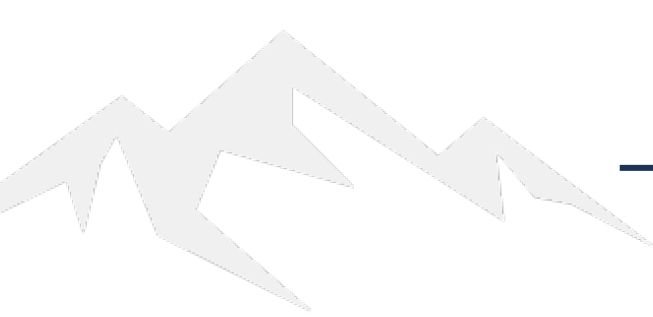
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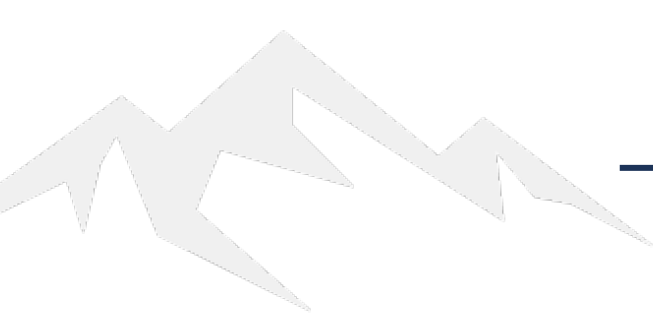
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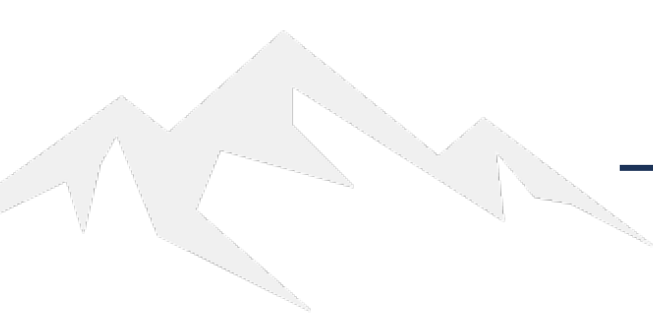
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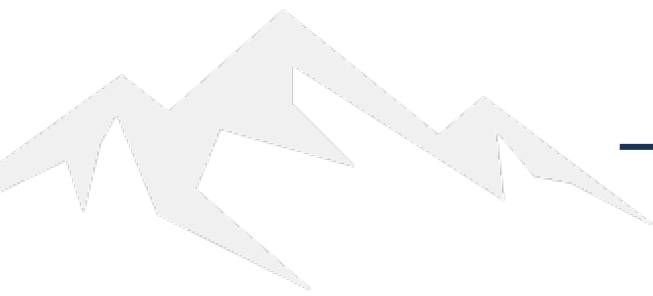


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