

# Inside Colorado's Auto Theft Crisis: The Probation Loophole





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#### **About the Author**

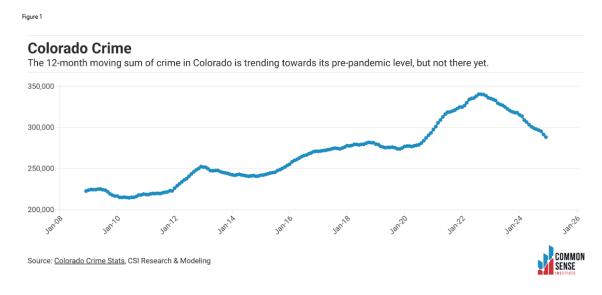
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Michael Tsogt is a Policy Analyst at the Advance Colorado Institute. His areas of policy and research include education, budget/fiscal matters, and public safety. He has testified on a range of bills at the State Capitol, including a bill proposing education savings accounts for special needs and foster care kids in Colorado. During undergrad, Michael was elected as the Academic Senator for student government, covered sports and entertainment for the student newspaper, and participated in several political fellowships and opportunities, including at the Center for the Study of Government and the Individual, the American Enterprise Institute, and the Intercollegiate Studies Institute. Michael graduated from the University of Colorado with a degree in political science. He and his wife live in Colorado Springs

# **Executive Summary**

According to U.S. News and World Report, Colorado is the second most dangerous state in the country in 2025. (1)



Although overall reported crime has been trending down, that scenario is not the case for all types of crime. For instance, as Figure 2 shows, motor vehicle theft has trended lower since peaking in October 2022, but shoplifting has continued to trend up since bottoming in February 2022 at 17,426.

As the above figure shows, the total reported crime in Colorado, as of the end of 2024, remains above pre-pandemic levels. (2)

Colorado's auto theft rate, from 2022 to 2025, moved marginally, from 1st to 5th in the nation.

When the legislature passed Senate Bill 23-097, nearly all motor vehicle theft became a felony. However, the crime still remained eligible for probation, leaving wide open a loophole for repeat offenders to take advantage of.

Without a mandatory minimum jail sentence for auto theft, Colorado will continue to see high rates of this crime, which leads to armed carjackings and assaults on law enforcement officers. Auto theft rings are often led by the same criminals who lead drug trafficking gangs.

Aurora has proved, in the last few years, that good policy can turn things around. By implementing a mandatory minimum jail sentence for auto theft, Aurora saw a 22% decrease in the crime.

This report reveals the state of auto theft in Colorado and what can be done to reverse course.

# Colorado's Auto **Theft Rankings**

In 2022, Colorado ranked 1st for auto theft rates in the nation, with 41,520 stolen vehicles reported to the Colorado Crime Information Center. (3)(4) In that year alone, according to the Common Sense Institute, about \$500 million worth of vehicles was stolen. (5)

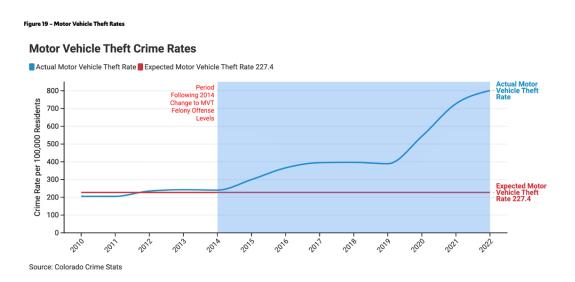
In 2023 and 2024, per the National Insurance Crime Bureau, Colorado ranked 2<sup>nd</sup> and 4<sup>th</sup> for auto theft rates in the country, respectively. (6)(7)

#### Top 10 States by Theft Rate

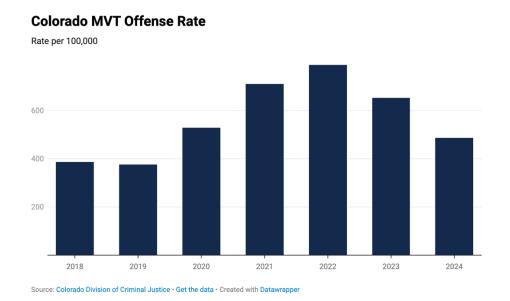
		*Theft rate is total thefts per 100,000 residents.	
Rank	State	2022 Theft Rate	2021 Theft Rate
1.	Colorado	731.28	661.21
2.	District of Columbia	700.06	651.00
3.	Washington	603.54	511.05
4.	Oregon	540.88	475.50
5.	New Mexico	540.57	471.16
6.	California	520.17	461.91
7.	Missouri	482.60	428.13
8.	Nevada	480.81	426.75
9.	Texas	350.10	359.33
10.	Tennessee	337.95	320.04

Through the first half of 2025, Colorado is ranked 5<sup>th</sup>. (8)

These persistently high auto theft rankings have fiscal consequences, specifically in insurance costs, for all Coloradans. The Colorado Sun reported that the state "has the 5<sup>th</sup>-highest auto insurance rates in the country," with an average annual premium of \$3,233, which is "more than any other state except New York, Louisiana, Florida and Nevada." (9)



According to the First Judicial District Attorney Data Dashboard, Colorado's motor vehicle theft rates increased "most dramatically in cities between 2021 and 2023... [and] 2024 MVT offense rates remained elevated nationally." (10)



The 2024 Colorado Annual Theft Report, published by Colorado's Department of Safety, sheds light on the most recent state numbers on motor vehicle theft. The most damning finding is how often additional charges, including violent crime, were connected to motor vehicle theft incidents. (11)

The report revealed that the numbers from Colorado Courts show that 77% of cases "involved additional criminal charges related to the motor vehicle theft incident... [and] the sole charge of motor vehicle theft occurred in 975 (23%) cases filed in 2024." (11) Furthermore, 548 out of 2,491 cases filed that year carried additional charges that align with the "Crime of Violence" definition found in Colorado law. (11)

The bottom line: while Colorado has seen small decreases in auto theft rates, the numbers remain elevated and above the theft rate Colorado has historically seen. Auto theft remains an unsolved public safety crisis.

Despite the data, due to Senate Bill 23-097, legislators often claim they have solved the issue, although the bill failed to implement necessary mandatory minimums, even for repeat offenders.

# The Loophole in Senate Bill 23-097

In 2023, Colorado passed Senate Bill 23-097, a bill that reclassified all motor vehicle theft to a Class 3, 4, or 5 felony, depending on the severity of the offense and whether it is a repeat auto theft. (12)(13)

A first degree auto theft, which is charged for repeat offenders or when the auto theft is part of another crime, was elevated to a Class 3 felony. Second and third degree offenses were changed to Class 4 and 5 felonies, respectively. (12)(13)

**SECTION 2.** In Colorado Revised Statutes, add 18-4-409.5 as follows:

#### 18-4-409.5. Unauthorized use of a motor vehicle - definition.

- (1) A PERSON COMMITS UNAUTHORIZED USE OF A MOTOR VEHICLE IF THE PERSON OBTAINS OR EXERCISES CONTROL OVER THE MOTOR VEHICLE OF ANOTHER PERSON WITHOUT AUTHORIZATION OF THE OWNER AND:
- (a) THE PERSON DOES NOT COMMIT A CRIMINAL OFFENSE OTHER THAN A MISDEMEANOR TRAFFIC OFFENSE EXCEPT ELUDING A POLICE OFFICER AS DESCRIBED IN SECTION 42-4-1413 IN THE COURSE OF OBTAINING CONTROL OVER OR IN THE EXERCISE OF CONTROL OF A MOTOR VEHICLE; AND
- (b) THE MOTOR VEHICLE IS RETURNED TO THE OWNER OR RECOVERED BY LAW ENFORCEMENT WITHIN TWENTY-FOUR HOURS AFTER BEING REPORTED AS MISSING OR STOLEN BY THE OWNER, WITH NO DAMAGE TO THE MOTOR VEHICLE.
- (2) UNAUTHORIZED USE OF A MOTOR VEHICLE IS A CLASS 1 MISDEMEANOR; EXCEPT THAT A SECOND OR SUBSEQUENT OFFENSE FOR A VIOLATION OF THIS SECTION IS A CLASS 5 FELONY.
- (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "MOTOR VEHICLE" HAS THE SAME MEANING AS DEFINED IN SECTION 18-4-409.

The bill also removed the relationship between the severity of the criminal offense and the value of the stolen vehicle. (12) This was necessary because auto thieves were receiving lower sentencing for stealing lower-value cars in poverty-stricken neighborhoods. The legislature determined that the value of the car does not change the effect on the victim.

However, despite the felony charge being placed on motor vehicle theft, lawmakers decided not to make jail time mandatory. In doing so, Colorado law allows all motor vehicle theft, including a Class 3 felony, to be eligible for probation. While most felonies carry a presumptive sentence, this merely presumes a range of time an offender can serve and allows judges to override this presumption and hand out probation-only sentences.

Because Senate Bill 23-097's changes were incomplete, auto thieves – including repeat offenders and ring leaders – can be immediately allowed back on the streets.

## Loophole in "Joyriding"

SB 23-097 also changed the joyriding offense, making it a misdemeanor if the vehicle is returned to the owner within 24 hours undamaged. (12) This standard does not reflect the seriousness of the crime or the criminal committing the act.

While joyriding could be committed by a teenager taking a grandparent's or friend's car, who may deserve leniency, it could also be committed by a member of an auto theft ring. Recovering a vehicle within 24 hours is often due to the tireless efforts of local law enforcement, not the intent of the offender.

#### The Prevalence of Repeat Offenders

According to Commander Mike Greenwell of the Colorado Metropolitan Auto Theft Task Force, "97 percent of the people who have been arrested in the last three years for auto theft have multiple arrests for auto theft." (14)

CRIME

# Repeat offenders are a major factor in Colorado's car theft epidemic, data shows

A 2023 investigation by 9News combed through the criminal data, seeking clarity on repeat offenders of auto theft.

"To find out, 9Wants to Know pulled 22 months of data from the state court system - all 10,373 criminal cases in which motor vehicle theft charges were filed between Jan. 1, 2021, and Oct. 31, 2022.

From that data, 9Wants to Know pulled 10 cases at random that were scattered among metro area counties and dug into the backgrounds of the suspects. It provided a snapshot of the toll that repeat offenders exact on the criminal justice system:

- Every single one of the 10 suspects had been charged with stealing cars more than once - and collectively, they faced auto theft charges in 43 separate cases.
- On the low end, three of them were charged in two separate cases and on the high end, two of them were charged in seven cases.
- In the 43 separate cases involving the 10, the suspects pleaded guilty to a motor vehicle theft charge in 27 of them. In 11 cases, auto theft charges were dismissed in a plea deal with prosecutors. In the other five cases, charges were dropped, but it's not clear from court documents why." (15)

For auto theft in Colorado, repeat offenders are the norm.

Commander Greenwell also "attributed the state's growing problem to the more frequent use of personal recognizance bonds [for] the reduction in penalties for certain crimes..." (16)

C.R.S. 16-4-104(2) allows criminals who commit auto theft to be released on personal recognizance bonds, which are like "zero-bail" or "cashless bail" policies in other states. (17)

## The Consequences of Colorado's Car Theft Laws

Colorado's weak auto theft laws have created real consequences in our state. From repeat offenders and violent carjackings to organized theft rings tied to powerful cartels and innocent people killed, the consequences of Colorado's auto theft problem are illustrated by news reports from across the state. Here are just a few examples.

According to a 2022 Common Sense Institute report, more vehicles were stolen from Denver International Airport "than any other location in Colorado and account for nearly 3% of all motor vehicles stolen statewide." (14)

After first being arrested in 2021 and let out of jail on bail, Jordan Eull and Dezirae Moyer stole a BMW and a pickup at the Park Meadows Mall, a Hyundai in Broomfield, a Jeep in Westminster, and a KIA in Denver. (18)

The two were linked to 11 stolen vehicles in less than a year, one of them being an Audi while it was parked at DIA. (18)

At the time, 9News reported that while Eull was in prison awaiting sentencing, Moyer was out on probation. (18)



Surveillance video shows Jordan Eull and Dezirae Moyer, who have both pleaded guilty to vehicle thefts in Denver, Douglas County and Broomfield.

Just a month ago, in October 2025, Colorado Springs law enforcement arrested a "prolific" car thief. The police "arrested the driver — the prolific offender — and a passenger on suspicion of motor vehicle theft. Officers also took a second passenger into custody in connection with multiple outstanding warrants. (19)

Car thieves have become so brazen that, according to the New York Post, one "bumbling thief in Colorado carjacked a truck that was pulling a camper which was carrying a sleeping couple who awoke during the joyride and called the cops." (20)

#### **Armed Carjackings**

In Cherry Creek, four adults and two juveniles were charged with armed carjacking. (21)









A news release from the Denver District Attorney explained what occurred:

"On January 24, 2023, Denver Police Department officers responded to a 911 call of a robbery in the parking lot at East 2<sup>nd</sup> Avenue and University Boulevard. Two victims reported that as they parked, a group of males surrounded their vehicle and demanded that they exit their vehicle. The victims were forcibly pulled out of their vehicle at gunpoint and both were struck in the heads with pistols. It is alleged that the defendants then stole their car and fled. Law enforcement pursued the stolen car to 17<sup>th</sup> Ave. and Willow St. where the car stopped and several individuals exited the car allegedly to carjack a second vehicle. Officers arrested the six defendants in a nearby backyard." (21)

In Brighton, on August 28th, 2025, an armed carjacking became even more violent when the crime led to an officer-involved shooting. (22)

The City of Brighton reported this incident in a press release. The suspect, Jaime Benavidez, after an unsuccessful carjacking attempt with a firearm, fled and led the police in a pursuit. The report revealed that "Benavidez fired several rounds at officers, striking multiple police vehicles. No officers were injured. Officers returned fire, wounding the suspect. The pursuit ended when the suspect was taken into custody in the area of Brighton Road and E 105th Lane and transported to an area hospital." (22)

#### **Auto Theft Rings**

Elevation Auto Core LLC. a business in Brighton, was the home of a catalytic converter theft ring that allegedly sold premium metals back to manufacturers. (23)

Three different stings occurred at the business, and each time, undercover law enforcement easily sold

Brighton de-canning facility.

stolen catalytic converters to the company. (23)

The six men arrested bought "hundreds of thousands of dollars' worth of stolen catalytic converters." According to CBS, the "illegal ring made millions of dollars re-selling that product." (23)

On August 12th, 2025, in a statewide grand jury, seven individuals were indicted on 51 counts for their roles in an auto theft ring that spanned Mesa and Garfield counties, with an estimated 44 vehicles stolen, valued at close to \$900,000. (24)

Part of the ring included forgery.

"According to the indictment, the defendants would steal a vehicle, attempt to legitimize the stolen vehicle through Vehicle Identification Number swapping or cloning, and then sell the stolen vehicle to a third party for a profit. In addition to VIN swapping and cloning, the defendants frequently altered the appearance of stolen vehicles or displayed license plates and temporary license plates not legitimately associated with the vehicle. This delayed the discovery of the criminal ring and the recovery of the vehicles. Many of the vehicles were recovered from third-party buyers who were unaware that the vehicles were stolen, according to court records." (24)

#### **Auto Theft Ring Suspects Tied to Mexico's Powerful Sinaloa Cartel**

According to Axios Denver, "A yearlong investigation into an auto theft ring plaguing the Denver metro has led to the indictment of 17 suspects tied to Mexico's Sinaloa Cartel, one of the world's most powerful criminal mafias." (25)

Dec 12, 2024 - News

# Cartel-connected auto theft ring dismantled in Denver

These suspects were indicted on charges of running an auto theft ring in the Denver metro area between September 2022 and February 2024. The ring transported 190 stolen cars, worth close to \$10 million, to Mexico and traded them with cartel members for drug trafficking purposes, which eventually led to the distribution of cocaine and methamphetamine in Denver. (25)

The suspects would target high-end cars at the Denver International Airport. Five suspects remain at large as of February 12th, 2024. (25)

#### **Deadly Violence & Auto Theft**

CBS News reported that a 24-year-old man, Oliver Jose Zeledon Gongora, was simply outside his home, sitting in his car, when his life was taken by an Aurora teenager. The suspect had stolen the vehicle just a few blocks away, and the Aurora teen eventually lost control and struck Oliver's car, killing Oliver. (26)



In Denver, a 12-year-old theft suspect, believed to have been recruited by an auto theft ring, was found dead after a shootout with the vehicle's owner. The vehicle's owner used a tracking device to find his stolen car. (27)

In Douglas County, a family from Colorado Springs was driving north on Highway 83 when they were struck by a Toyota that had lost control. Based on reporting by Fox News, the driver was a 31-yearold man from Denver, and the vehicle was reported stolen by the Aurora Police Department just an hour prior to the crash. (28)

The crash took the lives of five people, including three children.



HIGHWAY HORROR: Five people are dead, including three children, after the driver of a stolen car allegedly crashed into oncoming traffic in Colorado.



From foxnews.com

1:28 PM · Nov 25, 2025 · 97.8K Views

Auto theft in Colorado has resulted in deadly violence again and again, and a lack of jail time for offenders continues the cycle of armed carjackings, auto theft rings led by gangs, and increased connections to Colorado crime and international cartels.

# **Aurora Steps Up on Auto Theft**

In 2022, the city of Aurora enacted an ordinance that established a mandatory minimum jail sentence for motor vehicle theft. Within the first year alone, according to then-interim Aurora Police Chief Heather Morris, auto thefts dropped 22%. (29)

The ordinance was renewed in 2024. Also in 2024, Aurora rolled out their Metro Track program, which "allows people to enroll with the Aurora Police Department and give officers consent to track their vehicle if it is stolen." (28) According to The Denver Gazette, "The number of stolen vehicle cases in Aurora has steadily dropped since 2022, from 6,800 that year to 5,200 in 2023 and 3,500 in 2024." (30)

In March 2025, Aurora doubled down by expanding the instances where police can pursue auto theft suspects. (30) Aurora's actions on auto theft – and other crimes – have produced real results.

The Denver Post reports that, for 2025, "crime has plummeted in the city. According to Aurora Police Department data, in the first 9 1/2 months of 2025, homicides are down 25.8%, robberies are down 35.6% and automobile thefts are down 42.3% compared to the same period in 2024." (31)

According to the Common Sense Institute, if Colorado adopted similar policies on auto theft and other crimes, Colorado would see similar results – not only in lower crime rates, but also in lower economic costs of crime.

"The Aurora experience demonstrates that, if Colorado were to adopt tougher stances on all types of crime, overall crime rates would fall materially, and the savings would be significant. In fact...with a 6% drop in crime, the state could have saved \$1.8 billion in 2024. The economic savings from a 6% drop in theft/larceny would have been \$107.3 million last year from police reported and non-police reported crime." (2)

#### **Liberals Revolt: House Bill 25-1147**

House Bill 25-1147, a bill that made its way through the General Assembly all the way to the Governor's desk, would have completely undermined Aurora's

ability to impose its own stronger sentencing standards by capping municipal sentences at the state's sentencing limits. (32)

Aurora City Attorney Pete Schulte told reporters that the essence of Article 20 of the Colorado Constitution protects local control, specifically a local government's home rule authority, and that is "...why we are so firm against this, because it is encroaching [on] our home rule authority." (33)

Mayors of the three largest cities in Colorado, which include Denver, Colorado Springs, and Aurora, sent a letter to Governor Polis, asking him to veto the bill:

"HB25 -1147 is a significant overstep of our home rule authority and negatively impacts our ability to address crime in a manner that is relevant to our communities as outlined in the Colorado Constitution Article XX Section 6(h)," the mayors wrote. "This legislation, which would prevent municipal leaders from addressing specific local issues faced by their constituents, would have a negative impact on our residents who expect their elected leaders to address local issues head-on." (34)

Despite this attempt by liberal legislators to target cities' abilities to enact mandatory minimum sentences, Governor Polis listened to local leaders and vetoed the bill.

#### Conclusion

Without significant change to auto theft sentencing, Colorado will very likely continue to ride high in national auto theft rankings. Many legislative fixes on crime, including Senate Bill 23-097, attempt to address the issues, but the bills often fail to solve root issues or adequately deal with offenders.

Colorado's future in cracking down on auto theft revolves around following the Aurora model: mandatory minimum prison sentences for auto theft. The failure to enact good policy that favors victims over criminals will continue to allow gangs to run rampant, families to lose out on their livelihood and ability to drive to work, and dangerous crime to be committed in neighborhoods across the state.

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Advance Colorado is a non-profit dedicated to educating Coloradans on the benefit of strong and sustainable state and local governing solutions in the areas of fiscal responsibility and transparency, limited government, free enterprise, lower taxes, strong public safety, and an accountable education system.

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