

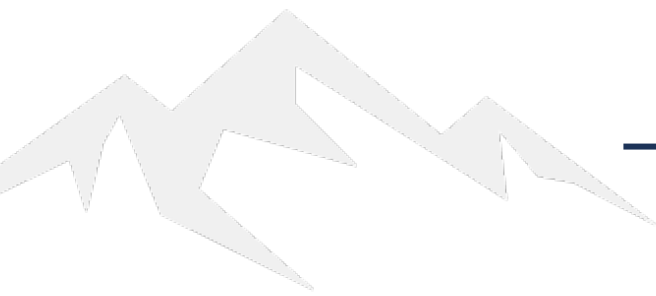


COLORADO'S CRIME CRISIS

**Keeping Violent Criminals
Behind Bars & Off Our Streets**

*Michael Tsogt
August 2024*





KEEPING VIOLENT OFFENDERS BEHIND BARS & OFF OUR STREETS

Issue Summary

Introduction

Communities across Colorado are suffering through a years-long crime wave so significant that it earned our state the title of America’s “third most dangerous state.” Soft-on-crime progressive policies (and policymakers) have worsened this crisis in two ways.

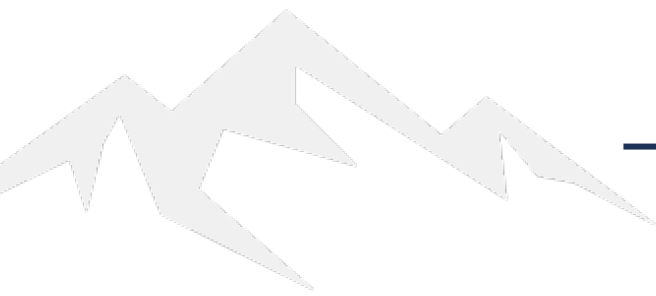
First, by enacting legislation that has aided criminals at the expense of public safety. And secondly, they have defeated proposals, many of which had bipartisan support, that would substantively confront Colorado’s crime problems.

This report details the depths of Colorado’s crime problems, analyzes a wide range of crime statistics and proposes two solutions – Truth In Sentencing and the abolition of no-cost personal recognizance (PR) bonds – that could cut the crime rate and make communities safer.

Colorado’s Crime Wave

America is in the middle of a massive rise in violent crime, affecting our nation’s cities the most. The Bureau of Justice Statistics National Crime Victimization Survey revealed a 58 percent increase in violent crime in urban areas from 2019 to 2022. This becomes a 73 percent increase in violent crime if the “simple assault” category is removed. These are the latest finalized federal statistics on crime. (1)

According to a 2024 U.S. News & World Report, Colorado is ranked the third most dangerous state in the country. Colorado received this ranking due to the high rates of violent crime and property crime. (2)

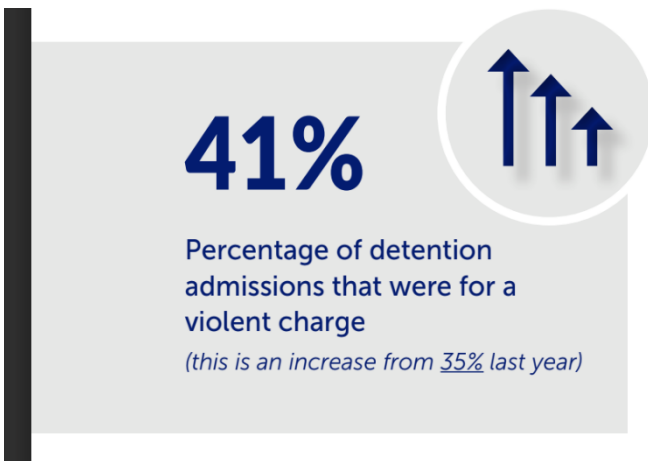


Even before the pandemic, between 2017 and 2019, Colorado was already suffering from a crime wave. According to the U.S. Department of Justice, Colorado had the “highest rate of violent crime victimizations among the 22 most populous states – twice the national average.” In those years, Colorado ranked 1st for people who had been victimized but did not report it to the police. (3)

Violent crime rates among Colorado’s young people have also increased.

According to a 2022 annual report by the Division of Youth Services, Colorado is now seeing the percentage of young people sent to a juvenile detention center for a violent crime increase from 35 percent to 41 percent in just one year. (4)

The dramatic increase in violent crime, especially among young people in Colorado, is not an accident.



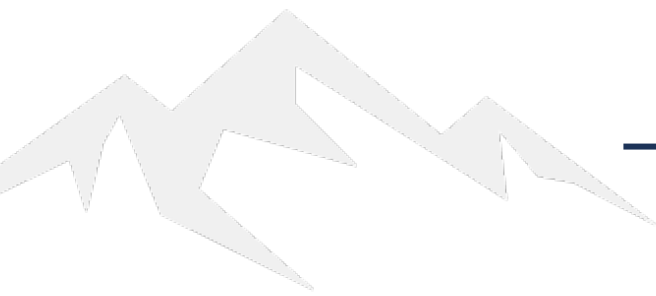
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It is the consequence of years of soft-on-crime policies, led by the progressive left in Colorado, that cater to the perpetrators of crime more than its victims.

The statistics show Coloradans will have to contend with increasing rates of violent crime among their peers unless real solutions are brought forward and implemented.

Two Common-Sense Solutions

Two common-sense policies could begin to reverse the effects of soft-on-crime legislation. These policies are outlined in Advance Colorado’s 2024 Policy Agenda: [Moving Colorado Forward](#). (6)



First, Colorado needs to implement Truth In Sentencing. Since violent offenders typically serve just 43 percent of their sentences, these felons are back on the streets far earlier than their victims and communities expected, and, due to Colorado's high recidivism rate, often go on to reoffend quickly.

Colorado is the fourth worst state in the nation for recidivism, showing what we're doing right now in the criminal justice system simply isn't working. (7) Having a Truth In Sentencing law would require violent criminals to serve at least 85 percent of their sentences before being released early on parole.

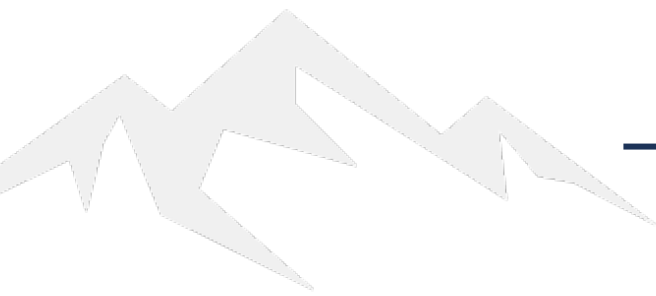
Truth In Sentencing has been a recognized policy issue since 1984 when Washington became the first state to pass this law. Tennessee became the most recent state when it passed a truth in sentencing bill into law in 2022. (8)

The Journal of Law & Economics published a study in the early 2000s finding that "truth in sentencing laws decrease murders by 16 percent, aggravated assaults by 12 percent, robberies by 24 percent, rapes by 12 percent, and larcenies by 3 percent." (9) Now, roughly 30 states have Truth In Sentencing laws on the books.

Second, Colorado must ban personal recognizance bonds, or PR bonds, for repeat perpetrators of violent crime. Currently, Colorado law allows for PR bonds that let these offenders out with no financial costs. Simply by the word of violent criminals, our justice system trusts that they will stay out of trouble and return voluntarily for their court date.

Banning PR bonds will create a financial deterrence for these offenders when they are let back into the communities where they have just committed a violent crime.

Furthermore, studies show that suspects released on similar zero bail policies had twice the felony rearrests and three times the violent crime rearrests. (10) By eliminating PR bonds for violent and repeat offenders, Colorado can more effectively keep dangerous criminals off our streets.



The Statistics

Colorado currently ranks as the third most dangerous state in the country, according to a 2024 U.S. News & World Report. Only New Mexico and Louisiana were determined to be more dangerous. (2)

As of 2022, Colorado “ranked 4th highest nationally for combined property and violent crime rates according to the Federal Bureau of Investigation data.” In 2012, just ten years prior, Colorado ranked 31st. (11) We’ve plummeted hard and fast, due to soft-on-crime laws passed at the state level.

Colorado Violent & Property Crime Rate - Rank out of 50 States and D.C.											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Property Crime	30	28	27	24	21	19	13	15	4	2	3
Violent Crime	30	29	31	30	30	25	20	22	21	11	8
Combined	31	29	28	27	23	18	15	15	5	2	4

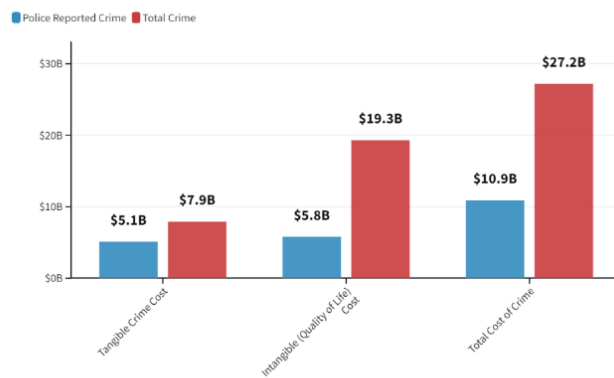
Source: Federal Bureau of Investigation Uniform Crime Report, Crime Data Explorer

(11)

Common Sense Institute’s 2022 “Cost of Crime” report sheds light on the dangerous crime climate in Colorado and its economic costs. For example, the report found that the crime rate in Colorado was “28% higher in 2022 than in 2008.” (12)

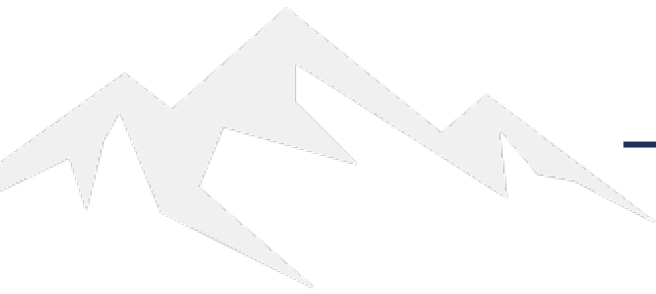
In addition, the report found that for 2022, the total cost of police-reported crime was \$10.9 billion. The total cost of crime, including the crime that went unreported, was \$27.2 billion and equaled around \$4,623 per Coloradan in 2022 – a hefty price tag. (12)

Cost of Crime - Police Reported and Total



Source: Colorado Crime Stats and CSI Calculations

(12)

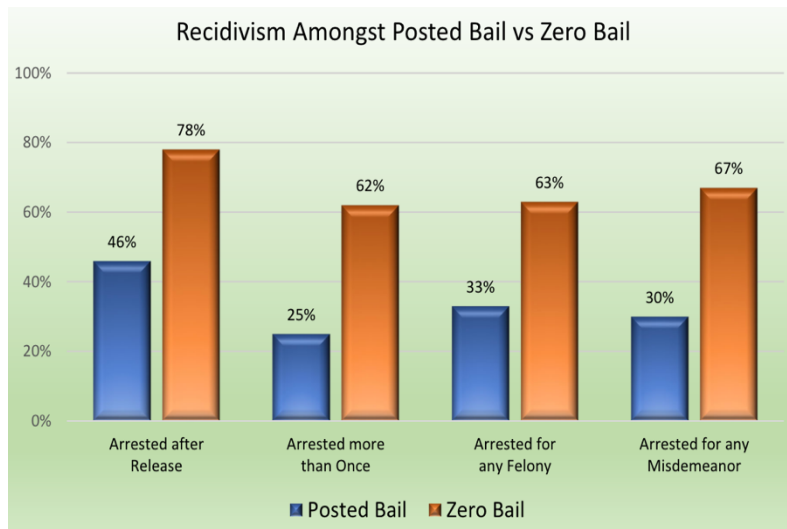


Repeat offenders, created by soft-on-crime policies, are at the center of Colorado’s crime crisis. The recidivism rate in Colorado, (the tendency for convicted criminals to re-offend) is 44.9 percent according to the Colorado District Attorney’s Council. (13)

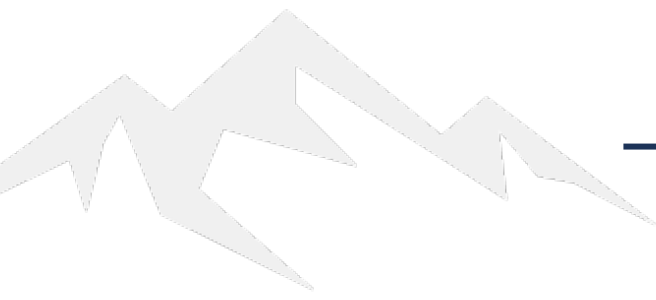
To solve the problem of having the fourth highest recidivism rate in the country, Colorado progressives thought it was a good idea to award \$3,000 cash to criminals upon their release – from taxpayer funds. According to Sen. Dylan Roberts (D), this [bill](#), costing over \$15 million a year, lacked accountability compared to other re-entry programs. The bill failed to make it out of committee, with Senators from both parties voting no during the 2024 legislative session. (14)(15)

High recidivism rates significantly diminish public safety, and without responsible leadership addressing this issue, recidivism rates will continue to cause havoc. The writing is on the wall in other states, and Colorado is following suit.

For example, in California, a 2022 study published by the Yolo County District Attorney found that zero bail policies resulted in 163 percent more total crime. The study found that individuals released on zero bail committed new felonies 90 percent, new misdemeanors 123 percent, and new violent offenses 200 percent more often than those who posted bail. (16)(17)



(18)



In addition, a new study by the Data Collaborative for Justice found that bail reform in New York has “emboldened repeat, violent defendants with lengthy rap sheets.” (19)

It further found that repeat, violent felons with a prior record re-offend at a 66.6 percent rate over two years. In addition, those same offenders were 60.7 percent more likely to commit new firearms offenses than the control group. (19)

“Bail reform” in New York primarily made most misdemeanors and nonviolent felonies subject to “mandatory release”, which is similar to zero bail and personal recognizance bonds policies. (20)

There are few serious policy propositions for Colorado’s high recidivism rates by current state leaders. This failure to actively solve rising crime has a lasting effect on our state and has made Colorado one of the most dangerous states in the nation in 2024.

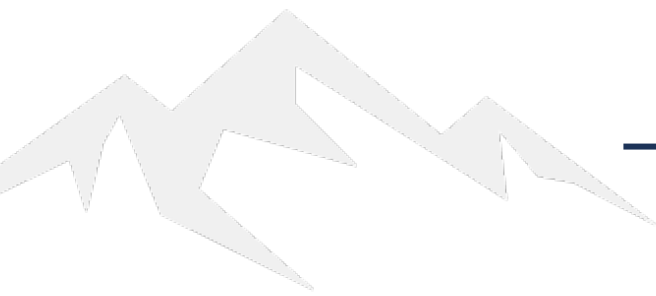
The Problem

Progressive Legislators & Legislation

Current state leaders in Colorado seem to care more about the perpetrators than the victims of crime. Here are several examples of how the far left furthers the crime wave in our state.

[House Bill 24-1284](#), a bill targeting repeat offenders of violent crime, was a bipartisan effort led by State Representatives Gabe Evans (R) and Shannon Bird (D). (21)

This bill would have “required judges to set monetary bonds for defendants charged with violent crimes if they’ve been convicted of another violent crime, or charged with two or more violent crimes within the previous two years unless a district attorney agreed to a non-monetary personal recognizance – or PR – bond.” (22) Even with bipartisan support, the bill failed to make it out of a House committee dominated by the progressive left.



[House Bill 23-1135](#) created more significant consequences for those convicted of sex crimes against children. It was a bipartisan effort to make indecent exposure a class 6 felony “if committed when the person who commits indecent exposure knew there was a child under 15 years of age in view of the exposure and the person is more than 18 years of age and more than 4 years older than the child.” (23)(24)

Fortunately, the bill passed and was signed into law in the 2023 legislative session. Unfortunately, 27 House Democrats voted against it, revealing that their loyalties lie in ideological commitments rather than innocent children.

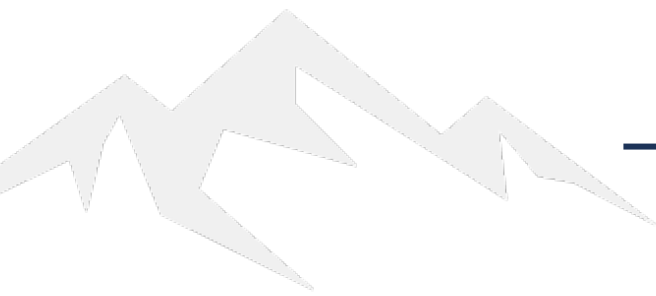
[House Bill 24-1092](#), a bill targeting child rapists, would have “required that adults convicted of sex with child prostitutes serve full sentences of four years for class 3 felony acts and eight years for class four felonies involving sex with child prostitutes.” (25)(26)

Given that the United States is consistently one of the top consumers of sex trafficking worldwide, creating harsher penalties on child rapists will begin to decrease the demand for child prostitution in Colorado – an end an overwhelming majority of Coloradans want. House progressives successfully killed the bill on an 8-3 party-line vote. (25)

The Gazette Editorial Board has this to say about this disaster:

“Adults who rape children create demand for traffickers. They ruin lives. Penalties should be so severe the risk far outweighs any thrill a pervert seeks at the expense of children. Incredibly, child prostitution is of little concern to Colorado’s power-obsessed Democratic majority that has made Colorado a bastion of crime. If they cared, they would have fine-tuned the bill and sent it to the full House for further perfection. Instead, they made clear they don’t care. They care more about state-funded lawyers who defend rapists. Each time a child gets raped, know that Colorado’s controlling party seems fine with it.” (26)

[House Bill 19-1263](#), a disastrous bill signed into law by Governor Polis in 2019, lowered the charge for schedule II drugs, including fentanyl, from a level four drug felony to a level one drug misdemeanor. (27)(28) In 2020 and 2021,



over 1,440 people died from a fentanyl overdose in Colorado. (29) A documentary on the fentanyl crisis in Colorado, “Devastated,” was released just this past May. (30)(31)

[House Bill 22-1326](#), also known as the “Fentanyl Accountability and Prevention” law, increased penalties for possessing or distributing fentanyl – a common sense idea – but was one of the most hotly debated bills heard in the 2022 legislative session. (32)

The law passed but has since been found effectively obsolete. Due to the weak details in the bill, District Attorneys across the state were unable to convict any fentanyl dealers. Because coroners kept finding other substances along with fentanyl in the victims’ bodies, no increased convictions were allowed. The fentanyl law did not apply if other substances were found in the victims’ bodies in addition to fentanyl. (33)

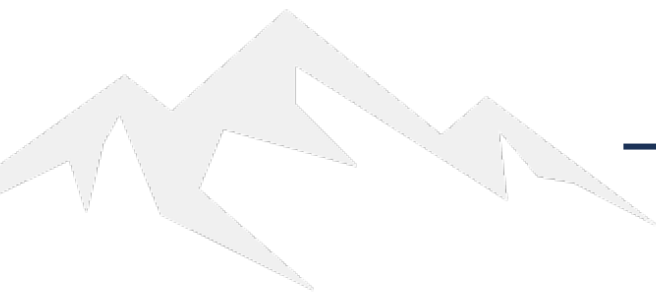
Once again, Colorado’s political leadership proved itself weak and irresponsible, even when passing laws that seem designed to solve problems. Messaging bills do not fix crime.

The Problematic Parole Board

One of the most significant problems facing Colorado’s crime crisis is the State Parole Board, which dictates how early violent criminals will be released on parole.

The board is made up of nine members, appointed by the Governor and confirmed by the Senate. The board members serve three-year terms and may be reappointed once. The board has a long list of assessment criteria they use to determine whether a convicted criminal should be released early, but it has proven ineffective, based on Colorado’s high recidivism rate. (34)

A job posting for the parole board states: “Attention to the need to reduce recidivism is an important goal for the Colorado Board of Parole,” but the goal is not being accomplished, “with more than 50% of people released from prison ending up back behind bars within three years.” (35)(36)



Most offenders convicted of violent crimes are subject to an FBR – a "Full Board Review." (37) However, an FBR requires only four board members to evaluate the offender – rather than the "full board" – and four votes are required to release early. (38)

Despite a statutory requirement that they serve 75 percent of their sentence, the parole board has released violent offenders in Colorado after they have served on average, only 43 percent of their sentence.

In 2019, Westword reported that District Attorney Pete Weir "admits that instances of individuals who committed crimes that were either violent or non-violent in nature being released after serving well under half their initial jolt are far from uncommon as a result of overcrowding and limited resources for detention facilities operated by the Colorado Department of Corrections." (39)

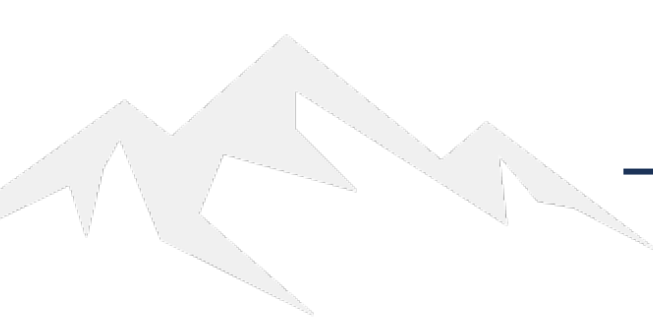
In the 2024 session, a party-line vote of 8-3 in the House Judiciary killed the Truth In Sentencing bill [HB24-1127](#) that would have fixed the problem with the parole board and required that violent offenders serve 85 percent of their sentences, without exception, and that three-time offenders serve 100 percent of their sentence. (40)

When political leaders fail to prioritize justice and public safety, citizens can use the initiative process to enact responsible laws.

The Consequences of Our Failed Justice System

Current Colorado statute prescribes that offenders of violent crime must serve at least 75 percent of their sentence before becoming eligible for parole. But this statute has too many exceptions and workarounds to be effective. According to George Brauchler, former district attorney for the 18th Judicial District, this is "100% fake." (41)

"In reality, Colorado has so watered down its sentencing structure with good time, earned time, finally-got-an-education time, didn't-stab-your-inmate-this-week-time, getting-ready-to-transition-into-a-halfway-house time, coloring-book time and many other sentence reductions for who-knows-what — nobody knows the minimum



sentence a violent felon will spend in prison before joining us back on our streets. Not the judge, prosecutor, defendant, victims — not even the executive director of the Department of Corrections can tell us that minimum number. That is a dysfunctional system disconnected from justice and transparency. It is broken.” (41)

In 2014, Kenneth Dean Lee was sentenced to serve 23 years to life for sexually assaulting vulnerable children by posing as an immigration official. In 2021, after serving only six years of his sentence, Lee was out on parole and sexually assaulted a 7-year-old girl by again posing as an immigration official. (42)

Lee was sentenced to four decades behind bars for his latest assault in 2021. (42) Because of progressive sentencing policies, Lee will likely be out on parole before serving even half of his sentence.

In September 2023, Goitom Hagos was murdered in a random shooting as he was driving for Uber in Denver’s historic City Park West area. Hagos, an immigrant who fled from war-torn Ethiopia and a member of a tight-knit Orthodox church community in Aurora, was “remembered as a fun-loving, bright and charismatic person whose life was cut all too short.” (43)

Michael G. Jackson, in an alleged kidnapping and assault, was charged with four counts of domestic violence and subsequently released on a personal recognizance bond. This means that Jackson did not have to post bail to be released from jail while waiting for his court date. In less than one month, Jackson would go on to randomly murder Goitom Hagos. (44)

Before committing this crime, Jackson was already waiting to be sentenced for assaulting two Denver police officers earlier in the year on February 25th. Even then, in February, law enforcement found out he already had three extraditable warrants. (44) Common sense suggests Jackson should have been behind bars a long time ago for a long time.

With alarming stories like this constantly in the news, Coloradans are waking up to the crime crisis and want leaders in the state to do something about it. Surveys and polling consistently show that crime is one of the top concerns of Colorado voters. (45)



The Solution

Colorado Needs Truth In Sentencing

As the past few legislative sessions show, the majority of legislators are not interested in lowering Colorado's crime rate through effective victim-centered policies. Bill after bill that would crack down on crime and deter criminals fails to pass. Colorado needs significant change in its criminal justice system, but one of the priorities must be a Truth In Sentencing law to reduce the rates of violent crime and recidivism. The citizens' initiative process can get this law on the books and hold criminals accountable.

Currently, convicted felons serve only 43 percent of their sentence on average. (7)

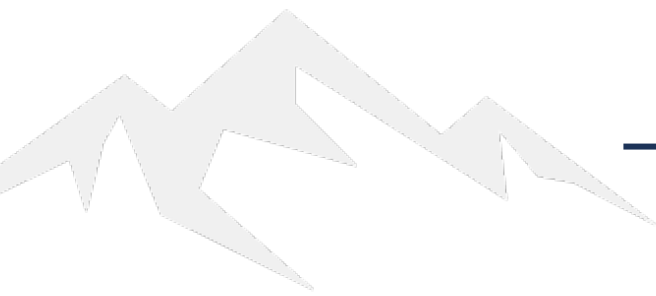
In 2015, Eric Garcia was sentenced to 47 years in prison "after being convicted of possession of meth, robbery, car theft, escape, and burglary." He was released on parole after serving only eight years in prison. (46)

Garcia, while out on parole, committed five different armed robberies in Colorado Springs gas stations, earning five additional felony charges, which added 36 years in prison. (46)

Without Truth In Sentencing, it is unclear how many years Garcia will serve in prison and when he will be released to reoffend again.

Truth In Sentencing would dictate that any person convicted for violent crimes such as second-degree murder, first-degree assault, class 2 felony kidnapping, sexual assault, first-degree arson, first-degree burglary, and aggravated battery, must serve at least 85 percent before being eligible for parole. (47) Repeat violent criminals would be required to serve 100 percent of their sentence.

According to the Legislative Council Staff's [fiscal summary](#) for [Initiative #112](#), this measure would affect about 449 offenders per year on average. (48)(49)



Ensuring Colorado's worst criminals serve at least 85 percent of their sentence and that repeat offenders serve 100 percent creates a safer Colorado for everyone.

Abolish No-Cost, Personal Recognizance Bonds

Colorado also needs to ban no-cost, personal recognizance bonds for repeat violent offenders, as we have one of the highest rates of recidivism in the country.

Alex Cabriales, a supporter of [House Bill 24-1282](#), which would have limited PR bonds, testified that “his sister’s killer had been released on a PR bond for six gun-related crimes before he killed her over a fender bender in Denver.” (22)

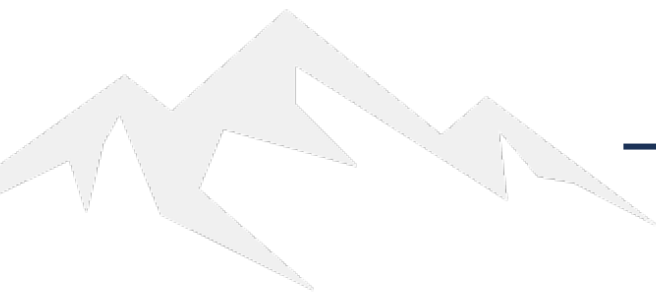
Marius Suffian testified that he continues to live in fear of a career criminal who brutally beat him and is now out on bond. (22) Yet, despite personal and specific testimony from victims, this bill still failed in the 2024 legislative session, falling one vote short in committee. (21)

Colorado needs to remove no-cost, PR bonds for repeat violent offenders and lower the state’s recidivism rates. Too many of our most violent criminals are being let out on the streets while awaiting their court dates and reoffending – often with even more violent crimes – in the meantime. Years of failure illustrate that the current policy is harming our communities and creating more victims. Legislators should listen to victims and their families rather than special interest, criminals’ rights groups.

Summary

Colorado ranks as the third most dangerous state in the country due to its high rates of property crime and violent crime. Our recidivism rates are the fourth highest in the country. The crime wave in our beautiful state is not only costing taxpayers billions of dollars, but it is also costing the lives and safety of our fellow Coloradans.

Soft-on-crime ideologies and state-level policies and laws have created this mess. The Governor’s parole board releases violent criminals after serving, on



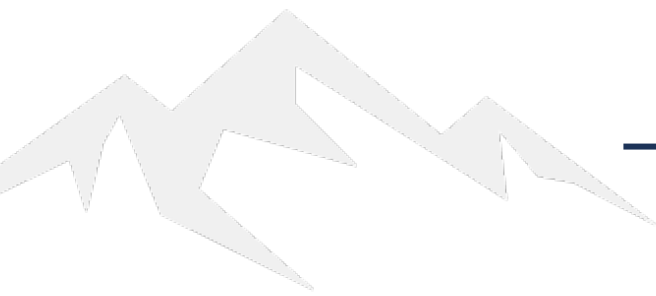
average, only 43 percent of their sentence. Colorado must return to responsible leadership and real penalties for violent crime.

Voters will have the opportunity to pass Truth In Sentencing this November, and legislators will likely have another chance next session to abandon their commitment to violent criminals and begin protecting the innocent by banning zero-cost, personal recognizance bonds.

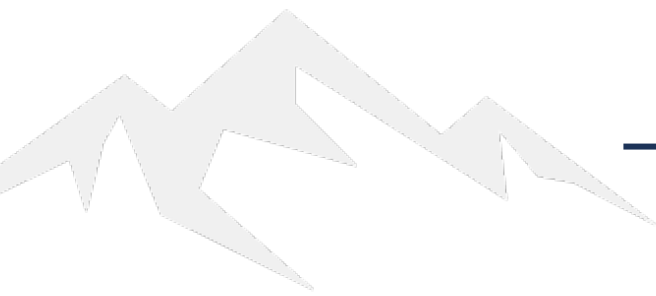


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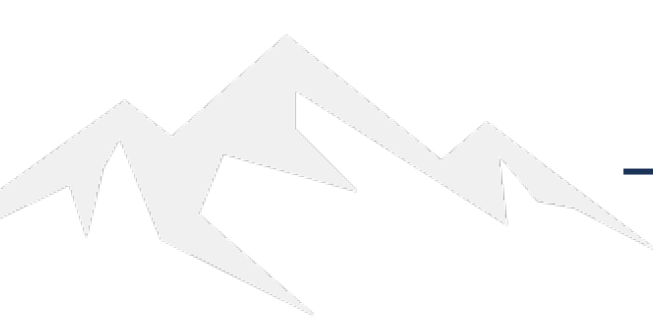
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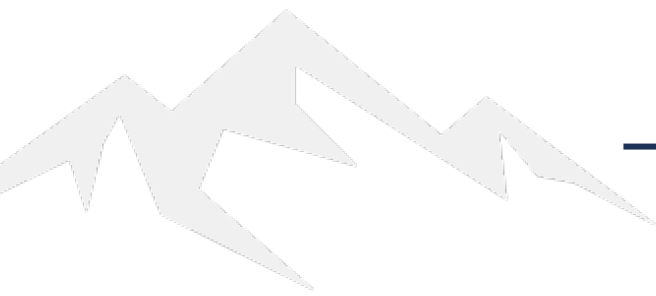


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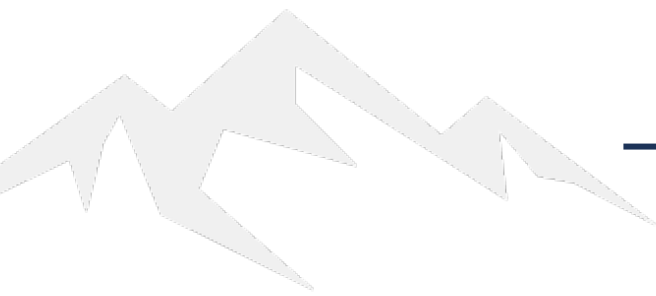


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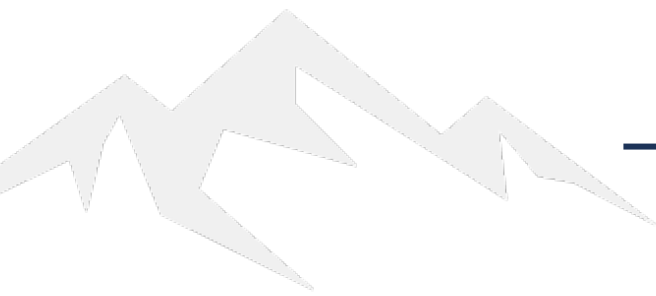


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About the Author

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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 TABOR. He has testified on a wide range of bills before the Colorado legislature, including a bill proposing education savings accounts for special needs and foster care kids in Colorado. During his undergraduate years, Michael was elected as an Academic Senator for student government, covered sports & entertainment for the student newspaper, and participated in several political fellowships and opportunities, including the Center for the Study of Government and the Individual as a Bastiat Fellow. Prior to COVID interrupting plans, Michael was accepted into a study abroad program at Oxford University where he had intended to study Aristotle and political philosophy for a semester. Michael graduated from the University of Colorado with a degree in political science. He and his wife live in Colorado Springs.



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