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The Fight Against Crime in Colorado:

Policing, Legislation, and Incarceration

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ABOUT THE AUTHORS



2023 Public Safety Fellow Chief Paul Pazen is the former Chief of Police in Denver, Colorado where he rose through the ranks of the department up to his appointment in 2018 as the Chief. During his tenure as Police Chief, Paul Pazen (retired) led the creation and expansion of innovative solutions to address complex public safety issues. These programs include spearheading the creation of the Support Team Assisted Response (STAR) program, Outreach Case Coordinators (case managers) and the Domestic Violence Prevention Program. He directed a significant expansion of the mental health clinician Co-Responder Program, Law Enforcement Assisted Diversion (LEAD), the implementation of a forward-thinking use-of-force policy and training curriculum. Paul also expanded annual department training from 24 hours to 80 hours, including implementing Active Bystandership for Law Enforcement (ABLE) and Integrating Communications Assessment and Tactics (iCAT).



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About Common Sense Institute

Common Sense Institute (CSI) is a non-partisan research organization dedicated to the protection and promotion of our economy. As a leading voice for free enterprise, CSI's mission is to examine the fiscal impacts of policies laws and educate voters on issues that impact their lives.

CSI's founders were a concerned group of business and community leaders who observed that divisive partisanship was overwhelming policy making and believed that sound economic analysis could help people make fact-based and common sense decisions.

CSI employs rigorous research techniques and dynamic modeling to evaluate the potential impact of these measures on the Colorado economy and individual opportunity.

Teams & Fellows Statement

CSI is committed to independent, in-depth research that examines the impacts of policies, initiatives, and proposed laws so that Coloradans are educated and informed on issues impacting their lives. CSI's commitment to institutional independence is rooted in the individual independence of our researchers, economists, and fellows. At the core of CSI's mission is a belief in the power of the free enterprise system. CSI's work explores ideas that protect and promote jobs and the economy, and the CSI team and fellows take part in this pursuit with academic freedom. The CSI team's work is informed by data-driven research and evidence.

The views and opinions of fellows do not reflect the institutional views of CSI. CSI operates independently of any political party and does not take positions.

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Introduction

Public safety plays a critical role in the economic vitality of a community. Increasing population, attracting new businesses, generating a workforce, and bolstering the ability to attract tourism are all directly related to real and perceived safety challenges. If people are not safe, they cannot learn, work, or enjoy their communities. Ultimately, high crime rates result in a failure to thrive.

It's no secret that Colorado has been hit with a crime wave. Skyrocketing crime rates, fentanyl deaths, and the number one rank in the country when it comes to auto thefts, are all factors that have put Colorado's economic future at risk and made Coloradans less safe.

The question this report poses is: why has Colorado become less safe? A comparison of policing and crime rates in the two largest cities in Colorado, Denver and Colorado Springs, uncovers distinctly different trends in policing and police resources that have produced differing outcomes.

For example, in Denver, the crime rate increased by 32% from 2010 to 2022 while the number of uniformed police officers decreased by 15.1%. A crime case is cleared when it has been solved and the clearance rates for violent crime in Denver have dropped 18.6% at a time when the crime rate is increasing.

In Colorado Springs, the crime rate decreased by 15.9% and the number of uniformed police officers rose 5.7% from 2010 to 2022. Clearance rates for violent crime increased by 9.7% while the crime rate decreased.

In Colorado Springs, the crime rate decreased by 15.9% and the number of uniformed police officers rose 5.7% from 2010 to 2022.

The criminal justice system includes police who investigate crime, district attorneys who prosecute offenders, and the Department of Corrections, which keeps offenders off of the streets and facilitates the reformation and re-entry of offenders. Each of these parts plays an important and unique role in keeping Coloradans safe and is represented by one side of the "crime triangle." Much like a triangle, when one side collapses, the system collapses.

There is one more crucial element that impacts each of these components of the criminal justice system: the legislature. The legislature frequently passes new laws that impact how policing can be conducted, change penalties for those convicted of committing crime, and alter offender sentencing and parole. The legislature can reinforce and support the crime triangle, or it can undermine it. Since 2010, the Colorado Legislature has passed 42 bills that impact crime.

For example, in 2014, legislation (HB14-1266) that changed (in many cases reduced) penalties for theft, including theft of motor vehicles, had an immense impact on the state's crime rate. Following the passage of HB14-1266, the crime rate for motor vehicle theft rose from 227.4 per 100,000 in 2014 to 801.2 per 100,000 in 2022. As a result, Colorado was in the unenviable position of having the highest motor vehicle theft rate in the country for two years running.

Likewise, consider the legislative changes made to the Department of Corrections. Since 2010, a multitude of bills passed which alter penalties, sentencing, and parole eligibility for convicted offenders have been implemented. As a result, from 2010 to 2022, the crime rate increased by 32% while the number of inmates in prison declined by 28.4%. At the same time, new court commitments to prison amounted to 4,345 in 2010 and increased by 8.4% to 4,710 in 2022.

Crime directly impacts everyone through higher insurance premiums, increased public budgets, lower taxable sales, and other direct and indirect costs.

These numbers are significant not only for the victims of crime but also for their negative impact on the economy. Crime directly impacts everyone through higher insurance premiums, increased public budgets, lower taxable sales, and other direct and indirect costs. In 2022, the tangible and intangible cost of crime in Colorado was close to \$30 billion (\$5,200 per person). This report is the first in a series in which CSI will be highlighting the reality of the challenges that Colorado faces in terms of public safety and how it can move forward to address them with evidence-based and data-driven strategies.

The Crime Triangle

It is important to understand the role each component of the criminal justice system has in combatting crime and to evaluate the data relevant to each component's performance as crime has risen.

One method of examining crime in Colorado is to consider its dimensions as explained by the crime triangle (see **Figure 1**).ⁱ The problem triangle (inner triangle) has been used by law enforcement to analyze crime and was developed from research on routine activities theory, which is based on the idea that criminal offenders make rational choices about whether to commit a crime. The problem triangle describes that crime and disorder results when likely offenders and suitable targets come together in

time and space. The outer triangle represents a newer approach of identifying external influences upon the likelihood of crime.ⁱⁱ To improve outcomes and reduce crime, law enforcement professionals need to address the areas described by the outer triangle. The strength and effectiveness of that approach depends upon the law enforcement, legislatures, judiciary, and public involved.

Offenders can sometimes be controlled by other people: those people are known as handlers. Targets and victims can be protected by other people as well: those people are known as guardians. Places, too, are usually controlled by someone: those people are known as managers. Thus, effective problem-solving requires understanding how offenders and their targets/victims come together in places and understanding how those offenders, targets/victims, and places are or are not effectively controlled. Understanding the weaknesses in the problem analysis triangle in the context of a particular problem will point the way to new interventions. A complete problem analysis triangle looks like this:

Figure 1 – The Crime Triangle



Law enforcement, the Judiciary, the Department of Corrections, and the Legislature are all responsible for ensuring that handlers, managers, and guardians are equipped to tackle the problem triangle. In the following sections of this report, these elements are evaluated to determine how effective they are at mitigating crime and how their spending has changed during this period of increased crime in Colorado.

Key Findings

- **Colorado's skyrocketing crime rate impacts all of us.**
 - **The crime rate in Colorado rose by 32% from 2010 to 2022.**
 - The cost of crime was nearly \$30 billion in 2022; at the 2010 rate of crime, the cost of would have been \$24.8 billion (17% lower).

- **A Tale of Two Cities: Local leaders that prioritize police through uniformed officers and budget see reduced crime rates.**
 - **More uniformed police officers is associated with lower crime rates.**
 - The crime rate in Colorado Springs has decreased by 15.9% since 2010 while the number of uniformed officers per resident increased by 5.7%.
 - In Denver, the crime rate rose by 32% since 2010 while the number of uniformed police officers per resident decreased by 15.1%. The total number of police personnel (uniformed plus civilian) decreased by 1% per resident from 276.34 per 100,000 in 2010 to 273.8 per 100,000 in 2022.
- **Arrest rates**
 - From 2010 to 2022, the arrest rate in Denver increased by 49.2% and the crime rate increased by 32%.
 - From 2010 to 2022, the arrest rate in Colorado Springs increased by 10.7% and the crime rate decreased by 15.9%
- **Police spending**
 - Since 2010, inflation-adjusted spending per resident by the Denver Police Department rose by 11% while the crime rate increased by 32%.
 - Since 2010, inflation-adjusted spending per resident by the Colorado Springs Police Department rose by 8.4% while the crime rate decreased by 15.9%.
 - In 2022, the Denver Police Department's budget accounted for 10.3% of the total city budget. In 2022, the Colorado Springs Police Department's budget accounts for 32.7% of its city's total general fund budget.
- **Colorado's prison population is declining, and fewer people are on parole, resulting in a dramatic number of people being reintegrated into society.**
 - Since 2010, the number of prisoners released on parole has decreased by 50% from 9,334 in 2010 to 4,669 in 2022.
 - The prison population has decreased by 28.4% from 22,860 in 2010 to 16,361 in 2022.
 - The number of new admissions to prison has decreased by 41.6% from 10,704 in 2010 to 6,256 in 2022.
- **Policy can be the problem or the solution. From 2010 to 2022, the Legislature passed approximately 42 bills impacting sentencing, incarceration, parole and release, length of stay, and recidivism. Ten years later, the state is facing higher crime rates, fewer criminals admitted to prison, and decreased criminal incarcerations.**
 - 14 of those bills reduced sentencing,

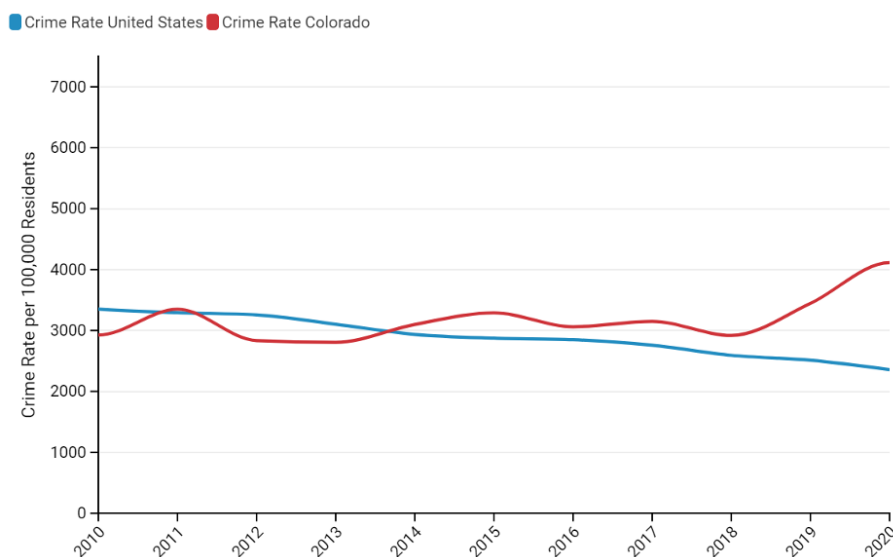
- 7 increased sentencing,
- 8 increased parole/probation,
- 3 decreased parole/probation,
- 3 increased earned time,
- 7 increased the size of the parole board, modified penalties to be value-based, and made other changes impacting the Department of Corrections and crime rates.
- **High crime is a problem not only because of its tragic impact on victims, but also because of the damage it causes our economy.**
 - In Denver, between 2016 and 2022, the crime concentration increased by 9.1% and employment- and population-adjusted taxable sales increased by only 5%. Crime concentration is calculated as the city's share of total state crime divided by the city's share of total state population.
 - In Colorado Springs, the crime concentration increased by 5.7% while employment- and population-adjusted taxable sales increased by 15%.

Overview of Crime

Compared to other states, Colorado is experiencing a significant crime problem. According to FBI data, Colorado is one of only a few states in the country in which the total crime rate increased between 2019 and 2020—only three states had worse outcomes.ⁱⁱⁱ **Figure 2** show the crime rates per 100,000 in the U.S. and Colorado. The crime rate in Colorado surpassed that of the U.S. in 2014 and continued to accelerate while crime in the U.S. declined. From 2010 to 2020, the crime rate in the U.S. fell by 29.7%; in Colorado, the crime rate increased by 22.3% and by 32% by 2022.

Figure 2 – Crime Rate in Colorado and the U.S.

Crime Rate (per 100,000) in the U.S. and Colorado



Source: Colorado Crime Stats and FBI UCR

Figure 3 shows the 2021 and 2022 fourth-quarter rankings of seven Colorado cities compared to 204 reporting cities of 100,000 or more people that reported crime data to the FBI. There are 10 major categories of crime shown. Ranks among the country's ten worst in a category are highlighted. Of Colorado's two largest cities, Denver and Colorado Springs, the rankings show that Denver ranks far worse in every crime category with the exception of arson. In the next section, a thorough inspection of crime and policing is provided.

Figure 3 – FBI Crime Ranking for Colorado Cities

2021 and 2022 FBI 4 th Quarter Colorado Cities Ranking Relative to 204 Reporting Cities of 100,000 or More											
	Year	Violent Crime	Murder	Rape	Robbery	Aggravated Assault	Property Crime	Burglary	Larceny/theft	Motor Vehicle Theft	Arson
Aurora	2021	27	56	12	25	30	32	55	76	4	19
	2022	19	41	40	18	18	27	60	80	4	35
Centennial	2021	156	101	170	158	151	117	113	134	73	61
	2022	182	193	199	190	171	144	127	165	84	120
Denver	2021	35	44	18	30	36	6	17	15	2	37
	2022	26	48	13	33	27	5	21	13	3	43
Greeley	2021	75	78	103	86	69	78	92	78	52	81
	2022	73	91	76	94	71	68	100	100	21	40
Pueblo	2021	14	16	1	15	19	7	2	14	8	4
	2022	4	13	2	8	7	3	3	11	7	5
Westminster	2021	106	62	78	74	112	19	80	24	6	33
	2022	142	162	118	103	145	30	90	40	12	41
Colorado Springs	2021	63	83	32	91	62	53	47	52	43	18
	2022	66	78	28	108	62	57	41	58	56	17

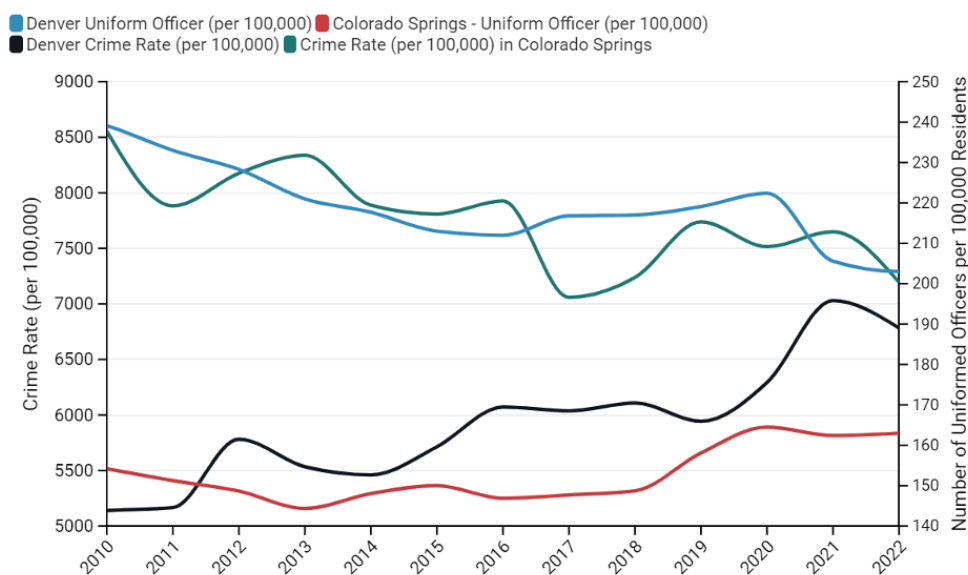
Denver and Colorado Springs – A Tale of Two Cities

Denver and Colorado Springs are located approximately 70 miles from each other. The population of Denver is 705,000 and Colorado Springs' is 488,000. Since 2010, each city has experienced a different trend in crime rates, uniformed policing numbers, and police budgets (see **Figure 4**). Details about arrests, numbers of uniformed officers, cleared cases by police, and police budgets follow.

From 2010 to 2022, the crime rate in Denver rose from 5,139.2 per 100,000 to 6,783.1 per 100,000—a 32 percent increase. At the same time, the number of uniformed police officers fielded by the Denver Police Department declined from 239.1 per 100,000 to 203 per 100,000—a 15.1 percent decrease. In Colorado Springs, the crime rate decreased by 15.9% from 8,555 per 100,000 in 2010 to 7,195 in 2022 and the number of police officers fielded by the Colorado Springs Police Department rose by 5.7% from 154.2 per 100,000 to 163 per 100,000 in 2022.

Figure 4 – Uniformed Officer Count and Crime

Denver and Colorado Springs Crime Rate & Police Department Uniformed Officer Count

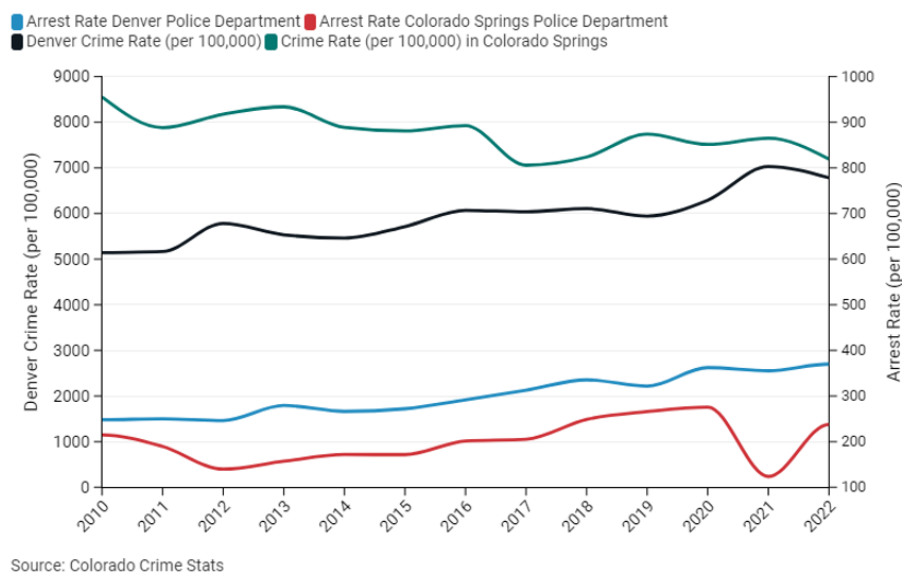


Source: City of Colorado Springs, City and County of Denver, and Colorado Crime Stats

Figure 5 shows the arrest rates for the Denver Police Department and the Colorado Springs Police Department for 2010 through 2022. The Denver arrest rate increased by 49.2% while the crime rate increased 32%. In Colorado Springs, the arrest rate rose by 10.7% while the crime rate decreased by 15.9%. The difference in crime rate outcomes, despite the fact that arrest rates increased in both cities is perplexing. One would expect that the crime rate in Denver would have risen by much less given the large arrest rate increase, yet the crime rate increased dramatically. This is possibly explained by the different approaches adopted by each city's District Attorney's office.

Figure 5 – Arrest Rates in Denver and Colorado Springs

Denver & Colorado Springs Police Department Arrest Rate and Crime Rate (per 100,000)



Law Enforcement and Police Department Budgets

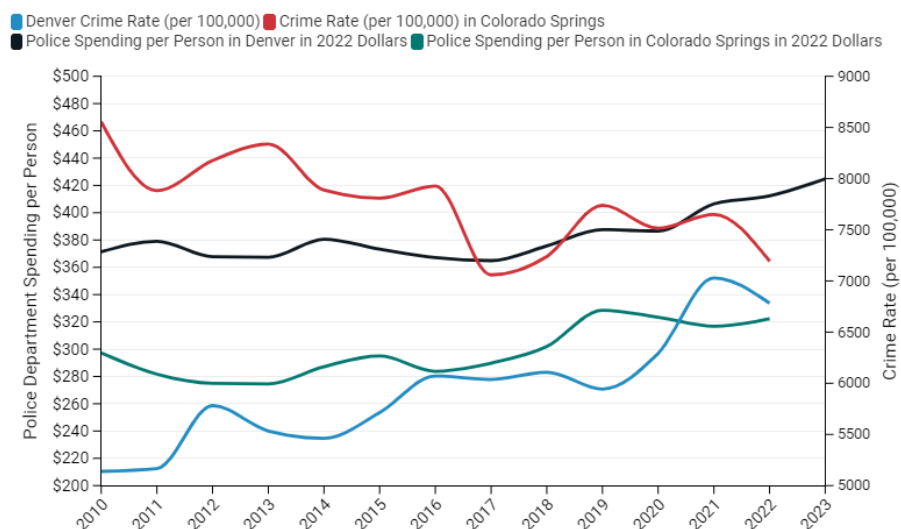
It is no secret that law enforcement agencies across the country are facing staffing challenges. In Denver alone, 145 officers in 2021 and 132 in 2022 left the department, up sharply from just 78 in 2020. Police officers are the most visible aspect of local government and are the primary guardians discussed in the crime triangle. The public's perception of law enforcement and their safety has an outsized impact on how they view the quality of their local government. When people perceive policing positively, they are more likely to feel safe and trust their local government.

An appropriately staffed and supported police department is essential to a prosperous city. Effective policing impacts population growth, business development, entertainment venues, conventions, tourism, and ultimately the tax base and government revenue. In this section of the report, law enforcement staffing, performance, and police department budgets are considered.

During periods of high crime rates, expectations would be that spending on police would naturally increase to address the problem. **Figure 6** shows crime rates and police department spending per person in Denver and Colorado Springs. Spending per person by the Denver Police Department has exceeded that by the Colorado Springs Police Department every year. Since 2010, Denver's Police Department spending (in 2022 dollars) per person rose by 11% yet its crime rate rose by 32%. The Colorado Springs Police Department's spending (in 2022 dollars) per person rose by 8.4% and the city's crime rate decreased by 15.9%. In both cities, spending on police increased but the crime rate only decreased in Colorado Springs. Why are the outcomes so different? Overall spending on police is not the only thing necessary to combat crime. Another may be the allocation of spending across police functions—for instance, is having more police presence in a community more effective at preventing crime than spending more on investigators?

Figure 6 - Police Department Spending

Denver and Colorado Springs Crime Rate & Police Department Spending per Person



Source: City of Colorado Springs, City and County of Denver, and Colorado Crime Stats

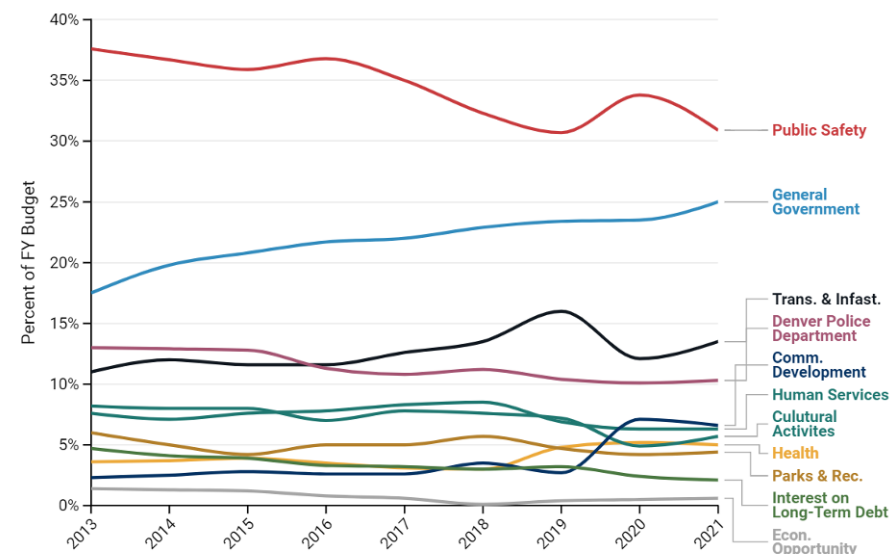
DENVER POLICE DEPARTMENT BUDGET RELATIVE TO ALL SPENDING IN THE CITY AND COUNTY OF DENVER

A police department is only one of its local government's funding obligations and competes with other priorities. Evaluating the share of a government's spending designated for the police provides insight into that government's priorities, especially among competing calls for defunding the police and spending more on law enforcement.

Figure 7 shows the history of spending by each government agency in Denver. The Denver Police Department is housed within the public safety budget but is reported separately. What stands out is that spending on public safety constitutes the largest share of the budget but has been declining, on average. The Police Department's budget has decreased as a share of the total budget from 13% in 2013 to 10.3% in 2021.

Figure 7 - Agency Share of Denver Budget

Agency Percentage Share of Fiscal Year City and County of Denver Budget



Source: Community Report - City and County of Denver (Opencities.com)

Figure 8 shows the spending by Denver's government agencies from 2013 through 2021. The police department's general fund budget has increased by 38.4%, half the percentage increase that schools received. In 2021, the Police Department's budget was \$269 million—10.3% of the total city budget and just 21.5% of the budget for public schools. The spending per resident has changed from \$376 per resident (in 2022 dollars) in 2013 to \$377 per resident in 2022—at a time when the crime rate is rising dramatically, real spending per person is flat.

Figure 8 - Government Activities Spending for Denver

2021 and 2022 FBI 4 th Quarter Colorado Cities Ranking Relative to 204 Reporting Cities of 100,000 or More											
	2013	2014	2015	2016	2017	2018	2019	2020	2021	Chg. 2013 to 2021	% Chg. 2013 to 2021
General Government	\$262	\$319	\$340	\$406	\$446	\$475	\$553	\$594	\$651	\$389	148.2%
Public Safety	\$564	\$592	\$589	\$688	\$708	\$671	\$724	\$855	\$805	\$242	42.9%
Transportation & Infrastructure	\$165	\$193	\$191	\$217	\$254	\$280	\$378	\$306	\$351	\$186	113.0%
Human Services	\$115	\$115	\$125	\$146	\$167	\$177	\$164	\$159	\$165	\$50	44.0%
Health	\$54	\$59	\$65	\$65	\$62	\$61	\$112	\$130	\$129	\$75	137.7%
Parks & Rec.	\$89	\$80	\$69	\$94	\$100	\$118	\$112	\$107	\$114	\$25	27.7%
Cultural Activities	\$123	\$129	\$132	\$131	\$158	\$157	\$169	\$124	\$148	\$24	19.8%
Community Development	\$35	\$40	\$45	\$49	\$53	\$72	\$65	\$179	\$172	\$137	390.7%
Economic Opportunity	\$21	\$21	\$20	\$15	\$12	\$1	\$10	\$12	\$15	-\$6	-27.6%
Interest on Long-Term Debt	\$70	\$66	\$63	\$63	\$64	\$63	\$74	\$61	\$56	-\$14	-20.6%
Total	\$1,499	\$1,615	\$1,639	\$1,872	\$2,024	\$2,075	\$2,362	\$2,528	\$2,607	\$1,108	73.9%
Denver Police Department*	\$194	\$209	\$209	\$212	\$218	\$232	\$246	\$254	\$269	\$75	38.4%
Denver Public Schools*	\$795	\$853	\$893	\$928	\$1,054	\$1,080	\$1,133	\$1,182	\$1,249	\$540	76.1%

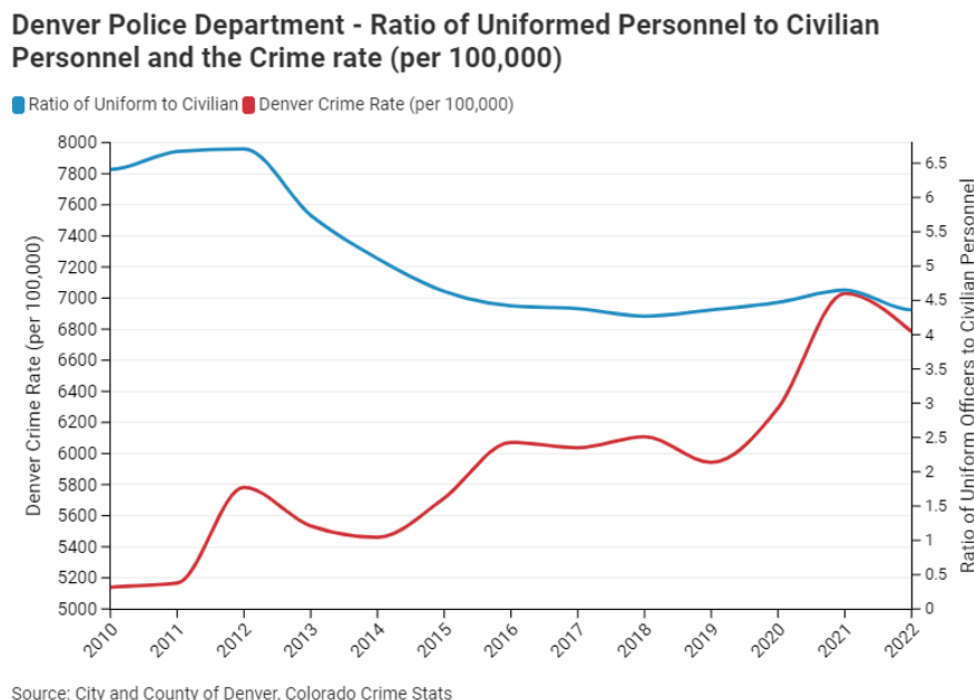
Source: Community Report - City and County of Denver (opencities.com)

* Spending by the Denver Police Department is included in the Department of Public Safety's total budget

* Denver Public Schools is not included as a budget line item for the City and County of Denver as their funding comes from outside sources.

In recent years, in an effort to manage costs, the Denver Police Department has switched from sworn personnel to civilians for many positions that do not require a uniformed officer. **Figure 9** shows the ratio of uniformed officers to civilian police department personnel from 2010 to 2022 in the Denver Police Department as well as the crime rate in Denver. After increasing from 2010 to 2012 the ratio has declined by 34.6% from 6.67 to 4.36 in 2022. In 2010, there were 242.8 uniformed officers per 100,000 residents in Denver; in 2022, this had fallen to 207.7.

Figure 9 – Ratio of Uniformed to Civilian Personnel



PERCENT OF CASES CLEARED BY THE DENVER POLICE DEPARTMENT

Within the U.S. criminal justice system, criminal cases can be cleared (or closed) one of two ways. The first is through arrest, which means that at least one person has either been arrested, charged with an offense, or turned over to the court for prosecution. The second way a case can be closed is through what is called exceptional means, where law enforcement must have either identified the offender, gathered enough evidence to arrest, charge, and prosecute someone, identified the offender's exact location, or come up against a circumstance outside the control of law enforcement that keeps them from arresting and prosecuting the offender.

At a time when the crime rate is rising dramatically, it may be helpful to consider police departments' clearance rates of criminal cases. **Figure 10** shows the share of cases cleared by the Denver Police Department from 2013 to 2022 for violent crime and subcategories of violent crime. Clearance rates for violent crime have dropped from 56.5% in 2013 to 46% in 2023, though they remain higher than the state average. One type of violent crime that the Denver Police Department has handled more successfully is murder—its clearance rate of murder cases increased from 69% in 2013 to 80% in 2022. All other clearance rates, however, have decreased over that same period. Declining clearance rates may be a signal that a police department is understaffed and/or requires more training.

Figure 10 – Percent of Cases Cleared by the Denver Police Department

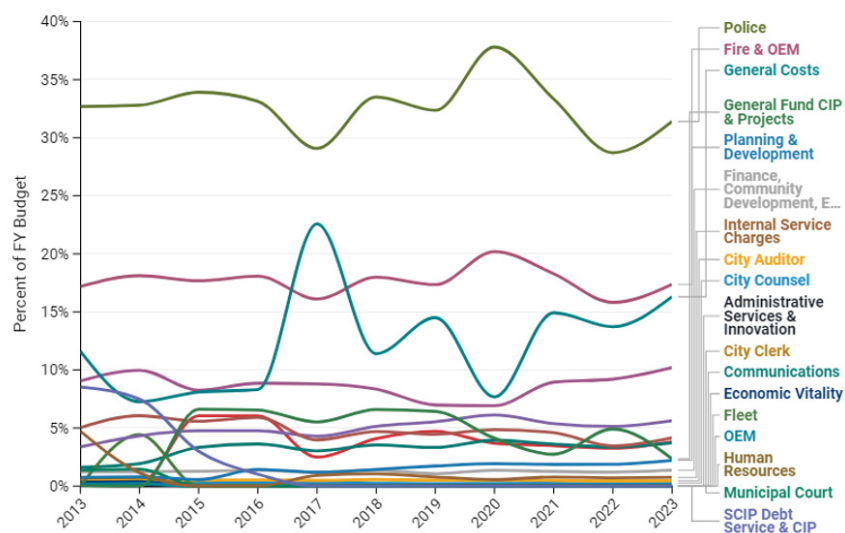
Percent of Cases Cleared by the Denver Police Department										
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Violent Crime - Colorado	50.6%	49.0%	47.6%	47.7%	48.9%	49.5%	48.9%	48.0%	42.9%	42.5%
Violent Crime - Denver PD	56.5%	52.3%	50.4%	52.1%	55.1%	55.2%	54.4%	53.4%	51.0%	46.0%
Murder - Colorado	71.8%	68.4%	68.4%	72.8%	74.1%	76.3%	73.8%	72.8%	71.2%	73.3%
Murder - Denver Police DP	69.0%	54.8%	65.4%	71.9%	66.7%	72.3%	78.8%	76.8%	72.0%	80.0%
Aggravated Assault - Colorado	63.9%	62.0%	60.2%	60.1%	60.4%	61.4%	60.6%	58.1%	50.2%	49.9%
Aggravated Assault - Denver PD	64.3%	59.3%	55.4%	58.7%	60.9%	62.5%	61.9%	60.1%	55.2%	50.7%
Non-consensual Sex Offenses - Colorado	38.5%	35.6%	34.2%	33.9%	35.6%	33.4%	31.9%	28.6%	28.3%	26.3%
Non-consensual Sex Offenses - Denver PD	63.5%	59.8%	58.4%	54.8%	58.3%	52.9%	49.6%	44.0%	47.6%	40.4%
Robbery - Colorado	30.1%	29.5%	30.8%	29.8%	32.5%	34.0%	35.6%	34.6%	32.9%	28.0%
Robbery - Denver PD	32.9%	30.2%	32.7%	32.5%	38.3%	36.9%	36.5%	35.6%	37.1%	29.4%

COLORADO SPRINGS POLICE DEPARTMENT GENERAL FUND BUDGET RELATIVE TO ALL SPENDING IN THE CITY OF COLORADO SPRINGS

The Colorado Springs Police Department receives the largest share of the city budget: an average of 32.6% from 2013 to 2023. In 2013, it was 32.7% of the total budget and, in 2023, it is 31.4% of the total budget. During the COVID-19 pandemic, the police budget rose to 37.8% of the total budget (see **Figure 11**).

Figure 11 – Colorado Springs General Fund Budget

Agency Percentage Share of Fiscal Year Colorado Springs Budget



Source: City of Colorado Springs Annual Budget

Figure 12 shows the general fund budget for the City of Colorado Springs. The police department general fund budget has grown from \$79.4 million in 2013 to \$132.2 million in 2023—a 67% increase. Adjusted for inflation, the 2013 budget was \$102.9 million, so the change in the police budget in 2022 dollars was 28.4%. Over the same period, the population increased by 14.2% and the per-resident spending in 2022 dollars rose from \$241.79 in 2013 to \$271.91 in 2023 (a 12.5% real increase).

Figure 12 – Colorado Springs General Fund Budget

Colorado Springs Budget, Values Expressed in \$ Millions													
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Chg. 2013 to 2023	% Chg. 2013 to 2023
City Counsel	\$0.8	\$0.9	\$0.9	\$0.9	\$0.9	\$0.7	\$0.7	\$0.7	\$0.9	\$1.1	\$1.1	\$0.33	41%
Mayor's Office & Support Positions	\$12.3	\$3.5	\$15.8	\$16.3	\$10.5	\$14.8	\$17.8	\$12.0	\$15.0	\$17.3	\$19.2	\$6.9	56%
City Attorney, City Clerk, Municipal Court	\$3.9	\$4.9	\$8.7	\$9.7	\$9.3	\$10.2	\$10.8	\$11.2	\$12.7	\$14.7	\$15.6	\$7.7	97%
City Auditor	\$1.3	\$1.3	\$1.3	\$1.4	\$1.5	\$1.6	\$1.7	\$1.5	\$1.7	\$1.9	\$1.9	\$0.6	52%
Finance, Community Development, Economic Development	\$3.0	\$3.1	\$3.3	\$3.7	\$3.6	\$3.9	\$3.5	\$3.9	\$4.4	\$5.3	\$5.7	\$1.6	38%
Fire & OEM	\$41.7	\$45.5	\$46.2	\$48.5	\$49.2	\$51.8	\$56.2	\$57.1	\$64.1	\$69.1	\$73.1	\$40	73%
Information Technology	\$8.2	\$10.9	\$12.4	\$12.8	\$13.1	\$14.8	\$18.0	\$17.3	\$18.9	\$22.5	\$23.7	\$15.5	189%
Parks, Recreation & Cultural Services	\$12.2	\$15.2	\$14.6	\$15.9	\$12.2	\$13.5	\$14.5	\$13.8	\$16.1	\$15.1	\$17.5	\$5.3	43%
Planning & Development	\$1.8	\$2.0	\$1.5	\$3.8	\$3.7	\$4.1	\$5.6	\$5.5	\$6.6	\$8.2	\$9.4	\$7.5	409%
Police	\$79.4	\$82.4	\$88.6	\$88.9	\$88.8	\$96.5	\$104.9	\$106.9	\$117.0	\$125.4	\$132.2	\$52.9	67%
Public Works	\$22.0	\$25.1	\$21.6	\$23.7	\$26.9	\$24.1	\$22.6	\$19.6	\$31.4	\$40.2	\$43.0	\$21.0	96%
General Costs	\$28.2	\$18.2	\$21.2	\$22.2	\$69.0	\$32.8	\$47.1	\$21.7	\$52.4	\$59.9	\$68.6	\$40.5	144%
Total General Fund	\$242.8	\$251.2	\$261.1	\$268.2	\$305.5	\$288.1	\$324.2	\$282.8	\$350.9	\$436.9	\$421.1	\$178.3	73%

PERCENT OF CASES CLEARED BY THE COLORADO SPRINGS POLICE DEPARTMENT

Figure 13 shows the percentage of cases cleared by the Colorado Springs Police Department from 2013 to 2022 for violent crime and subcategories of violent crime. The clearance rate of violent crime has risen from 39.2% in 2013 to 43% in 2023. In 2013, it was lower than the state's (50.6%). By 2022, it was slightly better than the state's (42.5%). One type of violent crime of which the Colorado Springs Police Department has improved its handling is robbery—that rate rose from 20.8% in 2013 to 24.5% in 2022. All other violent crime clearance rates have decreased over the same time period.

Figure 13 - Percent of Cases Cleared by the Colorado Springs Police Dept.

Percent of Cases Cleared by the Colorado Springs Police Department										
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Violent Crime - Colorado	50.6%	49.0%	47.6%	47.7%	48.9%	49.5%	48.9%	48.0%	42.9%	42.5%
Violent Crime - Denver PD	39.2%	40.6%	44.6%	46.0%	49.4%	45.4%	46.9%	49.4%	23.7%	43.0%
Murder - Colorado	71.8%	68.4%	68.4%	72.8%	74.1%	76.3%	73.8%	72.8%	71.2%	73.3%
Murder - Denver Police DP	80.8%	60.0%	73.9%	89.5%	93.1%	90.9%	90.0%	68.8%	64.9%	68.9%
Aggravated Assault - Colorado	63.9%	62.0%	60.2%	60.1%	60.4%	61.4%	60.6%	58.1%	50.2%	49.9%
Aggravated Assault - Denver PD	57.5%	59.5%	58.7%	59.6%	61.1%	60.8%	56.7%	58.6%	24.0%	53.6%
Non-consensual Sex Offenses - Colorado	38.5%	35.6%	34.2%	33.9%	35.6%	33.4%	31.9%	28.6%	28.3%	26.3%
Non-consensual Sex Offenses - Denver PD	20.4%	17.1%	24.6%	28.2%	30.3%	21.9%	25.1%	20.0%	13.7%	14.5%
Robbery - Colorado	30.1%	29.5%	30.8%	29.8%	32.5%	34.0%	35.6%	34.6%	32.9%	28.0%
Robbery - Denver PD	20.8%	25.6%	28.6%	31.4%	39.3%	38.8%	44.8%	55.8%	37.8%	24.5%

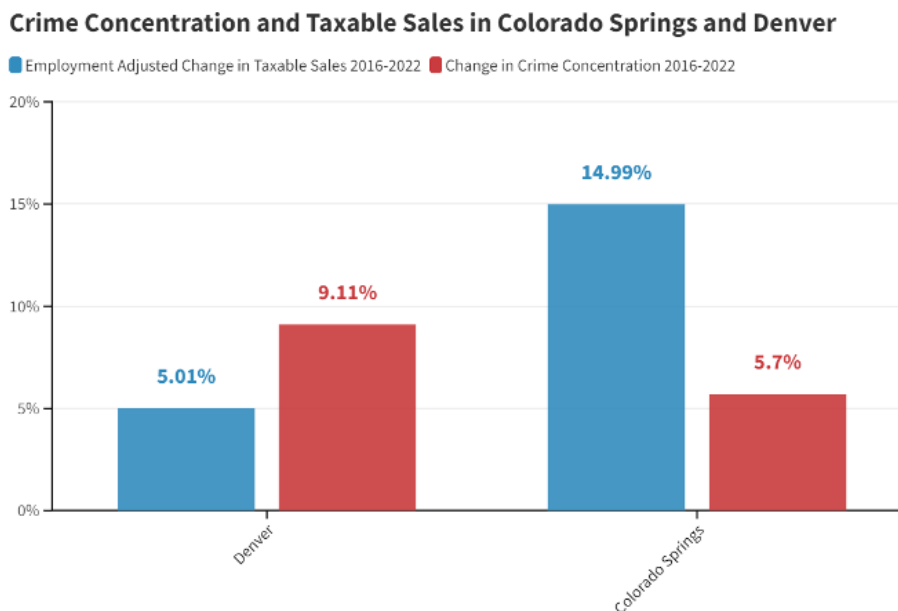
Crime and Taxable Sales – Denver and Colorado Springs

Rising crime can impact government revenue from taxable sales. Increased crime reduces taxable sales through lower levels of foot traffic from visitors as they steer clear of higher-crime areas, thus lowering retail sales at local businesses. Additionally, businesses may move or close as they are subject to more crime and reduced sales.

Figure 14 shows the change in crime concentration and the change in taxable sales from 2016–2022. This time period was determined based on the availability of taxable sales data. Crime concentration is calculated as the city's share of total state crime divided by the city's share of total state population.

The change in taxable sales is adjusted for employment, population, and inflation changes. **Figure 14** provides evidence that changes in crime have an impact on taxable sales and, thus, an impact on city budgets. From 2016 to 2022, Denver's crime concentration increased by 9.11% and taxable sales increased by 5.0%, while Colorado Springs' crime concentration increased by 5.7% and taxable sales increased by 15%.

Figure 14 – Crime Concentration and Taxable Sales



Source: Colorado Crime Stats and Colorado Department of Revenue

Judicial Districts 2 (City and County of Denver) and 4 (El Paso and Teller County)

Data for Judicial District 4 are only available from 2014 to 2021, so this period was used for Judicial District 2 data as well. When crime is increasing, the expectation is that the number of cases filed by a District Attorney and spending would increase.

JUDICIAL DISTRICT 2 SPENDING

Figure 15 shows the spending per year by the District Attorney in Judicial District 2. From 2014 to 2022, nominal spending rose by 55.6% from \$18.1 million in 2014 to \$28.1 million in 2022. A more accurate comparison is to calculate spending in 2022 dollars for all years. In terms of 2022 dollars, spending increased by 29.5% from \$21.7 million in 2014 to \$28.1 million in 2022.

Figure 15 – Judicial District Spending

Judicial District 2 District Attorney Spending			
	Judicial District 2 DA Spending	Judicial District Spending in 2022 Dollars	Percent Increase per Year in 2022 Dollars
2014	\$ 18,079,637	\$21,715,036	1.4%
2015	\$ 18,923,624	\$22,781,110	4.9%
2016	\$ 20,895,322	\$24,847,243	9.1%
2017	\$ 21,617,554	\$25,076,551	0.9%
2018	\$ 22,521,263	\$25,574,668	2.0%
2019	\$ 23,464,985	\$26,239,450	2.6%
2020	\$ 25,262,916	\$27,560,830	5.0%
2021	\$ 27,462,730	\$29,548,601	7.2%
2022	\$ 28,124,099	\$28,124,099	-4.8%

JUDICIAL DISTRICT 2 CASES FILED

Figure 16 shows the number of criminal cases cleared in the City and County of Denver by the Police Department and the number of cases filed and terminated by the Judicial District 2 District Attorney. The percentage of criminal cases filed by the district attorney increased by 15.6% from 4,343 in 2010 to 5,019 in 2021.

Figure 16 – Judicial District 2 Cases Filed

Cases Cleared and Cases Filed in Judicial District 2		
	Criminal Cases Filed by District Attorney	Criminal Cases Terminated by the District Attorney
2010	4,343	5,057
2011	4,017	4,291
2012	3,985	3,957
2013	4,387	4,739
2014	4,832	4,932
2015	5,167	5,029
2016	5,761	5,523
2017	6,803	6,549
2018	6,736	6,900
2019	7,342	7,510
2020	5,192	6,179
2021	5,019	5,419

JUDICIAL DISTRICT 4 BUDGET

Figure 17 shows the spending per year by the District Attorney in Judicial District 4. From 2014 to 2022, nominal spending rose by 62.6% from \$11.7 million in 2014 to \$18 million in 2022. In 2022 dollars, spending increased by 28.6% from \$14 million in 2014 to \$18 million in 2022.

Figure 17 – Judicial District 4 Spending

Judicial District 4 District Attorney Spending ^{iv v}			
	Judicial District 4 District Attorney Spending	Judicial District 4 District Attorney Spending in 2022 Dollars	Percent Increase per Year in 2022 Dollars
2014	\$11,662,480	\$14,007,536	
2015	\$11,785,316	\$14,187,694	1.3%
2016	\$12,951,712	\$15,401,263	8.6%
2017	\$13,695,735	\$15,887,172	3.2%
2018	\$15,055,142	\$17,096,300	7.6%
2019	\$16,187,097	\$18,101,035	5.9%
2020	\$17,536,200	\$19,131,292	5.7%
2021	\$17,617,081	\$18,955,147	-0.9%
2022	\$18,016,169	\$18,016,169	-4.9%

JUDICIAL DISTRICT 4 CASES FILED

Figure 18 shows the number of cases cleared in Judicial District 4 by the police departments in El Paso County and Teller County and the number of cases filed and terminated by the Judicial District 4 District Attorney. The percentage of cases filed by the district attorney increased by 54.4% from 4,870 in 2010 to 7,520 in 2021.

Figure 18 – Cases Cleared and Filed in Judicial District 4^{vi}

Cases Cleared and Cases Filed Judicial District 4		
	Criminal Cases Filed by District Attorney	Criminal Cases Terminated by the District Attorney
2010	4,870	4,828
2011	4,761	4,975
2012	4,839	4,576
2013	5,115	4,965
2014	5,271	5,499
2015	6,281	6,173
2016	6,786	6,476
2017	7,441	6,766
2018	7,590	7,158
2019	8,538	7,879
2020	8,200	7,631
2021	7,520	6,740

Legislative Changes Impacting Crime

Legislatures impact the handler, guardian, and manager components of the crime triangle. Laws that do not support those components, like many recently enacted by the Colorado Legislature, have most certainly contributed to the state's rise in crime.

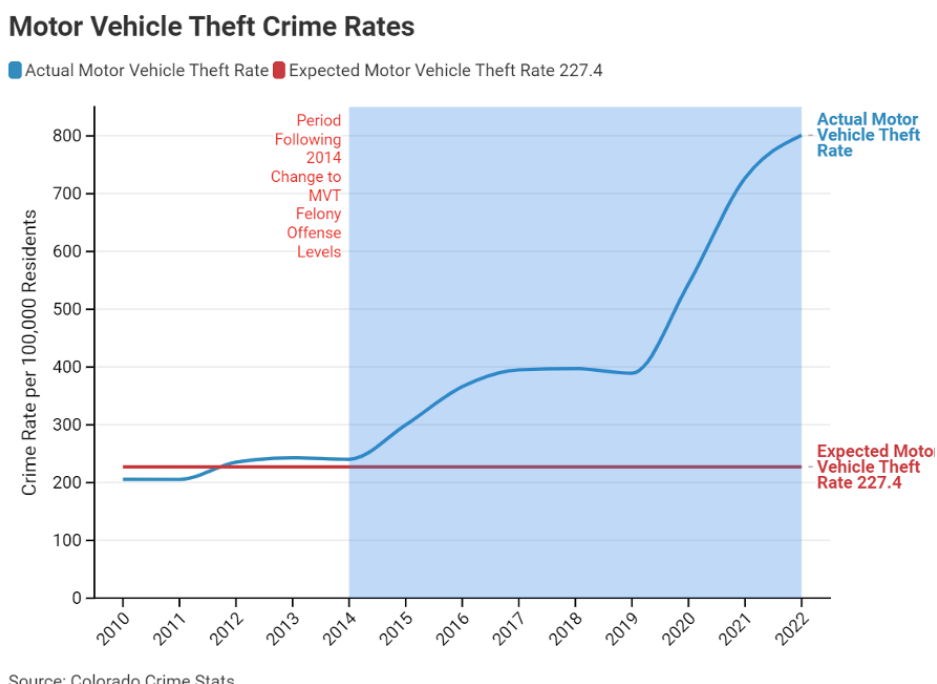
MOTOR VEHICLE THEFT AND LEGISLATION

An excellent example of legislation contributing to increased crime is HB14-1266: "Value-Based Crime Threshold Level Changes." This legislation coincided with the ascent of Colorado's motor vehicle theft rate from roughly average among states to the single highest in the country. The bill defined the penalty for auto theft according to the value of the vehicle stolen and created new threshold loss levels for a full range of penalties from class 2 felonies down to petty offenses and low-level misdemeanors.

The end result, however, was a disproportionate impact on individuals who drive inexpensive cars. If a car thief steals an inexpensive vehicle and is caught and prosecuted, that thief receives a lesser charge than the thief who steals the expensive sports car. Because of this and other legislative changes, Colorado faced an increase in the number of individuals who repeatedly steal cars and face no consequences; in fact, individuals who steal cars are rarely detailed pre-trial. Instead, they are almost immediately released on a promise they will not re-offend, after which many reoffend and are given the same offer. According to Lakewood, Colorado Police Commander Mike Greenwell, head of the Metropolitan Auto Theft Task Force, "I would say 95% of the people my team arrests have multiple prior arrests for auto theft."^{vii}

Coincident with the reduced penalties in 2014, the motor vehicle theft rate skyrocketed (see **Figure 19**). CSI estimated the expected rate of car theft based on data from 2008 to 2014 to be 227.4 per 100,000. The actual theft rate in 2022 was 801.2 per 100,000—252% higher than the expected rate as of 2014.

Figure 19 – Motor Vehicle Theft Rates



As a result, Colorado's motor vehicle theft rate surpassed all other states in 2021 and 2022. Approximately \$500 million worth of vehicles was stolen in 2022.

Reacting to public pressure to address the motor vehicle theft problem, the Colorado legislature passed SB23-097 in May 2023 which raised the penalties for motor vehicle theft. Under SB23-097, motor vehicle theft in the first degree is a class 3 felony, motor vehicle theft in the second degree is a class 4 felony, and motor vehicle theft in the third degree is a class 5 felony. The bill also creates the offense "unauthorized use of a motor vehicle" as a class 1 misdemeanor which increases to a class 5 felony upon a subsequent offense.

LEGISLATION IMPACTING THE PRISON POPULATION AND PAROLE ELIGIBILITY

Legislation pertaining to the Colorado Department of Corrections has had a profound impact on the prison population, the number of convicted criminals returning to society, and the ease at which they return; as a result, it arguably contributes to increases in all types of crime.

In recent years, Colorado's legislature has instituted several laws aimed at reducing the incarcerated population and increasing inmates' eligibility for parole. SB19-143 expanded the circumstances under which an inmate could receive parole, and HB19-1263 introduced sweeping reductions in sentencing for drug crimes. These, along with other pieces of legislation, have contributed in part to more inmates being released on discretionary parole as shown in Figure 20 and a rapid decline of the incarceration rate within Colorado as shown in Figure 21.

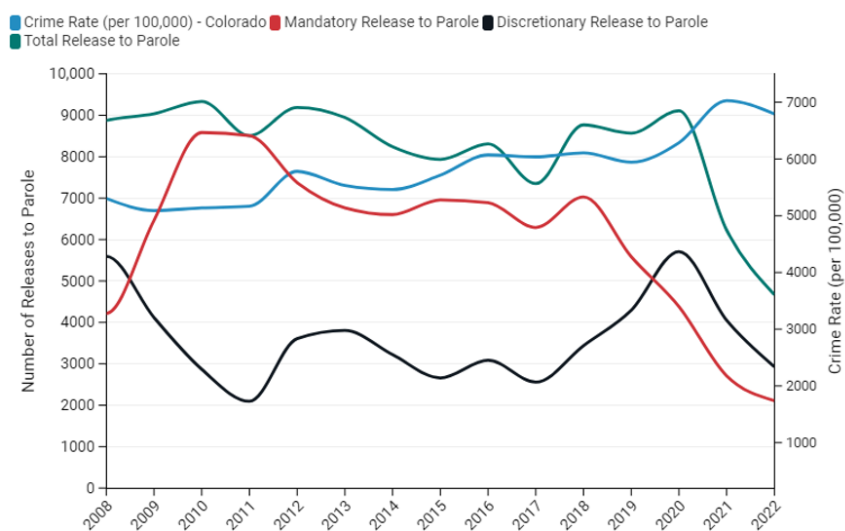
Figure 20 is somewhat misleading, as the number of inmates released for discretionary reasons decreased in 2021 and 2022 due to the precipitous decline of the number of prison inmates that began in 2020 (see Figure 21).

In the year before and the year of the pandemic, the state took action to change the parole process. SB19-143, "Concerning Changes Related to Parole

Release to Alleviate Prison Population Issues, and, in Connection Therewith, Making an Appropriation," and HB20-1019, "Concerning Measures to Manage the State Prison Population, and, in Connection Therewith, Making an Appropriation," significantly decreased the number of parole denials and increased the number of discretionary parole releases by severely limiting the circumstances under which a parolee could be returned to prison. The results can be seen in Figure 20. In 2020, the number of inmates released to parole for discretionary reasons increased dramatically.

Figure 20 – Releases to Parole

Releases to Parole and Crime Rate



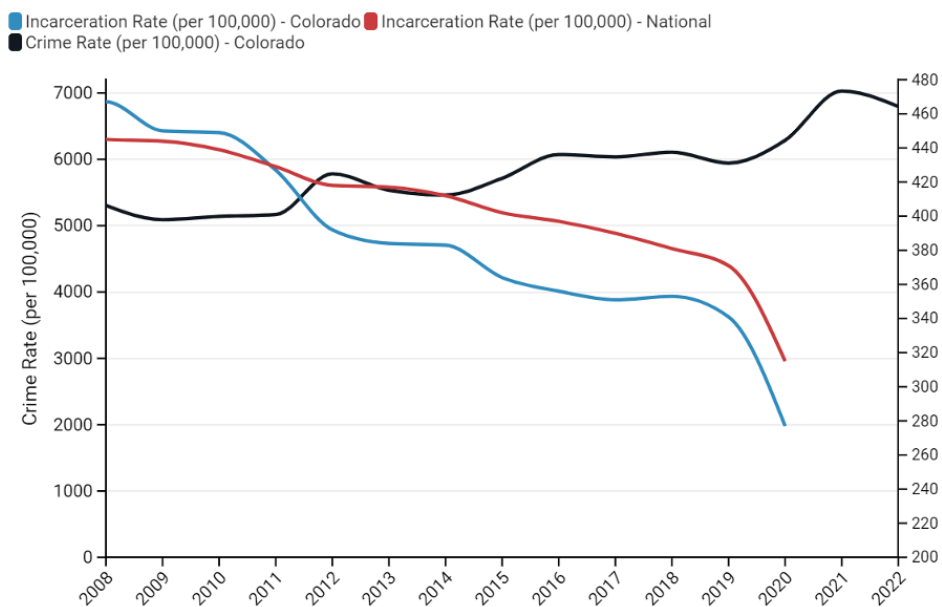
Source: Colorado Division of Criminal Justice and Colorado Crime Stats

At the same time, the state signaled to those on parole that, should they dishonor their responsibilities to remain in halfway houses, they will receive misdemeanor rather than felony charges.

While the crime rate in Colorado rose by 18.5% from 2008 to 2020, the incarceration rate fell by 29.2% to 277 per 100,000 (see **Figure 21**). Colorado's 2020 incarceration rate ranked 22nd among states; Massachusetts had the lowest at 103 per 100,000 and Mississippi had the highest at 584 per 100,000.

Figure 21 – Incarceration Rate

Incarceration Rate and Crime Rate



Source: Colorado Department of Corrections and Colorado Crime Stats

The legislature has directly contributed to the decrease of incarceration rates. Since 2010, there have been 14 bills intended to reduce prison populations. The full list of bills impacting the Department of Corrections, prison populations, and parole caseloads is provided in Appendix A. The prison population has declined by 29.8% since 2008 (see **Figure 22**). After increasing for decades, the prison population began to decline in FY2010, in part due to legislation passed in 2010 that diverted a significant number of offenders from prison and shortened sentence lengths. That group of legislation included HB10-1338, 1352, 1413, 1373, and 1374. The decline accelerated in FY2012 and 2013 as HB12-1223 and SB11-241 expanded earned time (reduced lengths of stay), shortened the lengths of prison stays for technical parole violators and guaranteed early parole of certain inmates. The population stabilized through FY2015 but began to decrease again in FY2016 as new legislation, HB14-1355 and SB15-124, led to a reduction of parole returns. The legislation directed the Department of Corrections to provide reentry services to offenders and required the use of alternative sanctions for parole violations prior to revocation.

In 2019, SB19-043 made many changes to parole. Specifically, the bill broadens the circumstances in which the Department of Corrections can refer inmates to the Parole Board for application hearings, requires a majority vote of the Parole Board to deny the parole applications of certain low-risk inmates, narrows the circumstances in which a parolee may be revoked for technical violations, requires that revoked parolees be returned to the Department of Corrections for the duration of their sentence, lengthens the allowable jail times for intermediate sanctions, and expands eligibility for participation in a parolee work-training program. The bill was expected to decrease the prison population and increase the parole caseload.

SB19-165 increases the number of Parole Board members from seven to nine. The expectation is that this will increase the parole caseload and the pace of parole hearings conducted, which will decrease the prison population.

In FY 2020, upon the onset of the COVID-19 pandemic, the prison population decline accelerated and, in the 12 months after March 2020, the population decreased by 19.0% (15,670 inmates). In 2021, it fell further to 15,434 inmates—the lowest prison population in Colorado since 1999. In FY 2022, the prison population grew by 2.7%.

HB20-2019 contains several provisions with the potential to impact the prison population. Specifically, it allows for a wider range of circumstances for which an inmate may be awarded earned time, removed the requirement that earned time be awarded in accordance with statutory categories, and allowed performance standards established by the Colorado Department of Corrections. This is expected to reduce the prison population and increase the parole caseload. Another provision in the bill created a new crime of unauthorized absence for an inmate on an intensive supervision program, in a community corrections program, or participating in a work release program. Offenders in these categories are no longer charged with the offenses of escape and attempted escape, which carry felony charges, but are charged instead with misdemeanors or low-level felonies. The expectation is that this will decrease the prison population and increase the parole caseload.

According to the Colorado Department of Corrections, recent legislation in FY 2021 further impacted the prison population. SB21-271 reclassifies various criminal offenses from felony to misdemeanor, leading to a possible reduction in new commitments and reducing lengths of stay. There are also provisions which reclassify class 3 misdemeanors to class 2 misdemeanors which may increase lengths of stay.

SB21-146 is focused on improving prison release outcomes. The bill is expected to reduce the prison population by expanding special needs parole, which will increase the parole caseload. In addition, the bill requires the Parole Board to schedule hearings for inmates serving sentence for escape crimes that now constitute the misdemeanor offense of unauthorized absence within 60 days, which will likely increase early releases.

Many of these measures reduce the prison population and return inmates and parolees back to society without investigating their recidivism impacts. Many police chiefs and District Attorneys have recognized that a significant number of the criminals they process are repeat offenders who are emboldened to commit crimes due to reduced penalties and sentences. Since 2010, the prison population has fallen by 9,499—a 28.4% decrease.

According to the Colorado Department of Corrections, recent legislation in FY 2021 further impacted the prison population.

Figure 22 – Prison Population

Prison Population

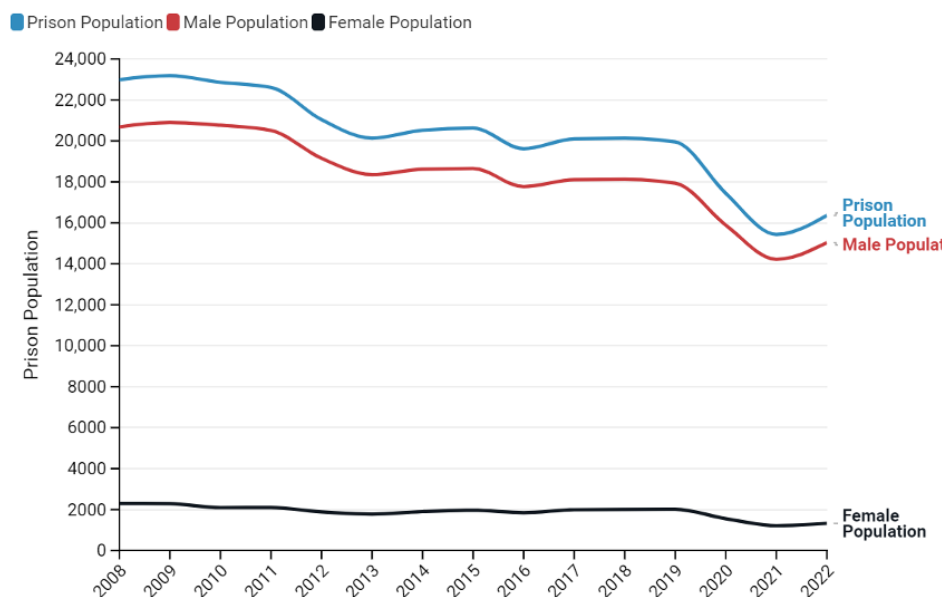
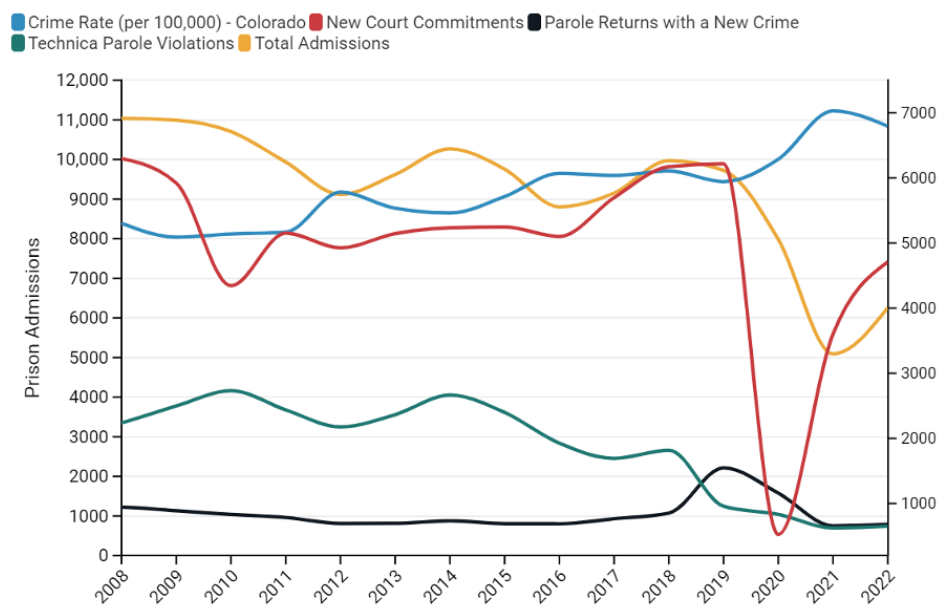


Figure 23 shows prison admissions by reason. Since 2010, total admissions have dropped by 4,448 (a 41.6% decrease). Admissions for technical parole violations have consistently trended downward while parole returns with a new crime has been fairly constant except in 2019 and 2020. The most dramatic change in admissions occurs in new court commitments. After increasing from 2010 to 2019, new court commitments have been lower every year since. The number of admissions from new court commitments is just slightly above what it was in 2010. Considering the large increase in crime, it is counterintuitive that new admissions to prison would not be increasing. Failure to remove offenders from society is most certainly a major contributing factor to the high crime rate.

Figure 23 - Prison Admissions

Prison Admissions



LEGISLATION IMPACTING PRISON LENGTH OF STAY

At the same time that the crime rate is rising in Colorado and new admissions to prison is down, the average length of prison stay has been decreasing from 2010 to 2021 by 16.5% on average for males and 40% for females. The length of stay for parole returns has decreased by 58.5% on average for males and increased for females by 20.8% (see **Figure 24**). Felony types with the “extraordinary” extension are for offenses defined by statute as “extraordinary risk of harm offenses.”

Despite the decrease, the 2023 Colorado legislature included HB23-1037, which requires the Department of Corrections to deduct earned time from an inmate’s sentence for each accredited degree or other credential awarded by an institution of higher education. This applies only to inmates convicted of nonviolent felony offenses and is expected to reduce the length of stay further.

Figure 24 – Length of Stay

Change FY 2010 to FY 2021 Estimated Length of Stay (Months)								
Felony Type	New Commitments				Parole Returns			
	Male		Female		Male		Female	
	Months	% Change	Months	% Change	Months	% Change	Months	% Change
F1	Life	N/A	Life	N/A	Life	N/A	Life	N/A
F2 Extraordinary Risk	-36.43	-17.4%	-36.82	-16.5%	-80.09	-52.6%	N/A	N/A
F2 Sex*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
F2 Other	-24.78	-25.1%	-34.99	-42.3%	-43.36	-46.0%	N/A	N/A
F3 Extraordinary Risk	43.71	63.9%	-2.70	-4.8%	-14.52	-20.7%	-13.40	-24.8%
F3 Sex	8.54	10.5%	8.30	12.7%	-130.97	-73.0%	N/A	N/A
F3 Other	-1.27	-2.3%	-16.27	-34.6%	-29.66	-42.9%	12.50	41.0%
F4 Extraordinary Risk	-4.09	-9.9%	3.39	10.4%	9.69	33.9%	7.25	33.7%
F4 Sex	-2.61	-6.4%	43.00	148.3%	13.58	55.9%	N/A	N/A
F4 Other	-12.23	-35.3%	-12.40	-39.4%	-9.84	-26.7%	-6.21	-24.6%
F5 Extraordinary Risk	-0.18	-1.0%	1.38	14.2%	15.88	149.8%	-0.57	-6.7%
F5 Sex	-12.56	-45.5%	N/A	N/A	-6.25	-24.1%	N/A	N/A
F5 Other	-7.31	-34.2%	-9.24	-47.1%	-4.01	-17.1%	-2.13	-11.1%
F6 Extraordinary Risk	-3.66	-27.7%	-15.37	-73.9%	2.15	16.4%	N/A	N/A
F6 Sex	-5.89	-49.1%	-11.60	-100.0%	1.01	8.6%	N/A	N/A
F6 Other	-4.96	-41.0%	-6.45	-47.4%	0.94	7.1%	2.60	30.2%
Average	-12.48	-16.5%	-30.73	-40.0%	-48.09	-58.5%	4.98	20.8%
Average Drug Felonies	-13.08	-32.3%	-16.86	-45.7%	5.46	18.4%	-9.52	-40.6%

*The Department of Corrections did not report historical Felony 2 Sex Sentence data. The most recent F2 Sex data point reported was for male new commitments in 2021, who were sentenced to an average of 280.7 months. No other group had sentencing data for this category in 2021.

LEGISLATION IMPACTING PAROLE

SB19-143 and HB20-1019 are two bills that warrant some reevaluation by the legislature to assess their impacts on crime.

SB19-143 makes a number of changes to parole. The bill broadens the circumstances in which the Colorado Department of Corrections (CDOC) can refer inmates to the Parole Board for application hearings, requires a majority vote of the Parole Board to deny the parole application of certain very low risk inmates, narrows the circumstances in which a parolee may be revoked for a technical parole violation, requires that revoked parolees be returned to the CDOC for the duration of their sentence, lengthens the allowable jail confinement period for intermediate sanctions, and expands eligibility for participation in a parolee work training program. The impact of the bill on the prison and parole population is bidirectional because it is expected to increase discretionary releases to parole, decrease revocations to the DOC, lengthen the evocations to the DOC, and lengthen the prison length of stay for revoked parolees. Aggregately, the bill is expected to decrease the prison population and increase the parole population.

HB20-1019 contains several provisions with potential impacts on the prison population. Specifically, the bill reopened the south campus of the Centennial Correctional Facility, allowed for a wider range of circumstances for which an inmate may be awarded earned time, removed the requirement that earned time be awarded in accordance with statutory categories, and allowed the application of performance standards established by the DOC, and created a new crime of an unauthorized absence for an inmate on an intensive supervision program, in a community corrections program, or participating in a work release program.

Lastly, SB21-271, "Misdemeanor Reform," decategorized and reduced sentences of misdemeanor and petty offenses. Reducing these charges increased the amount of personal recognizance bonds that were being issued, but it is unclear whether the bill achieved its intended outcome. Court data made available to the public is not readily available and did not allow for effective and efficient evaluation; focusing on funding to modernize the court's data systems should be a legislative priority. A study of reform efforts in New York found many promising outcomes, such as reduced recidivism for many non-violent offenders (except among a subgroup of bail-eligible offenders).^{viii} It is important to note that these findings are not generalizable to Colorado because of the differences in laws and other factors impacting the criminal justice system.

Colorado Department of Corrections Budget

Figure 25 shows the annual budget and spending per prisoner (inmates plus parolees) by the Colorado Department of Corrections. The budget, in nominal terms, has increased by 33.12% from \$747.8 million in 2010 to \$995.5 million in 2022. In 2022 dollars, the budget rose by 2.48% from \$971.67 million in 2010 to \$995.5 million in 2022.

The number of prison inmates decreased by 20.43% from 22,860 in 2010 to 16,361 in 2022. The number of prisoners on parole decreased by 49.98% from 9,334 in 2010 to 4,669 in 2020. The total number of prisoners decreased by 34.68% from 32,194 in 2010 to 21,030 in 2022.

The cost per prisoner, in 2022 dollars, increased by 56.84% from \$30,181 in 2010 to \$47,337 in 2022. This is rather astonishing, given that the average length of prison stay has decreased.

Figure 25 – DOC Budget and Spending per Prisoner

Colorado Department of Corrections Budget and Spending per Prisoner^{ix}							
	Budget in \$ Millions	Budget \$ Millions in 2022 Dollars	Inmates	Parole	Total Prisoners (Inmates and Parolees)	Cost per DOC Prisoner in 2022 Dollars	% Annual Change
2010	\$747.80	\$971.67	22,860	9,334	32,194	\$30,181.85	
2011	\$739.20	\$944.44	22,610	8,508	31,118	\$30,350.18	0.56%
2012	\$741	\$919.08	21,037	9,191	30,228	\$30,405.04	0.18%
2013	\$770.10	\$939.36	20,135	8,946	29,081	\$32,301.43	6.24%
2014	\$808.60	\$971.19	20,522	8,240	28,762	\$33,766.46	4.54%
2015	\$851.10	\$1,024.59	20,623	7,936	28,559	\$35,876.34	6.25%
2016	\$844.10	\$1,003.74	19,619	8,312	27,931	\$35,936.56	0.17%
2017	\$873.30	\$1,013.04	20,101	7,350	27,451	\$36,903.41	2.69%
2018	\$928	\$1,053.82	20,136	8,769	28,905	\$36,457.95	-1.21%
2019	\$998.10	\$1,116.11	19,951	8,569	28,520	\$39,134.43	7.34%
2020	\$949.60	\$1,035.98	17,441	9,110	26,551	\$39,018.33	-0.30%
2021	\$967.30	\$1,040.77	15,434	6,226	21,660	\$48,050.28	23.15%
2022	\$995.50	\$995.50	16,361	4,669	21,030	\$47,337.14	-1.48%

Concluding Remarks

In an era of increasing crime, it is important to evaluate why it is increasing and evaluate the criminal justice system to determine if there are areas that need adjustment. This report provides data on police departments and district attorneys for Colorado's two largest cities, Denver and Colorado Springs. It also contains information on the Colorado Department of Corrections including prison populations, the number of offenders on parole, and prison admissions, and it highlights legislation impacting the criminal justice system. This report intends to highlight concerning trends across all elements of the criminal justice system and elected officials can address the high crime rate.

In Denver, the number of uniformed officers per resident has fallen and crime clearance rates have decreased while the police budget has increased. The District Attorney has received large budget increases, but the number of filed cases has not increased accordingly. Taxable sales has grown very slowly as crime turns away customers and businesses leave the city.

Statewide, at a time when the crime rate is skyrocketing, the prison population has declined dramatically, total admissions to prison has fallen, and lengths of prison stays have shortened, all while the inflation-adjusted spending per prisoner by the Department of Corrections has increased by over half.

The legislature has passed multiple laws that reduced penalties for crime, lowered the prison population, increased credits towards earned time, and ultimately reduced the lengths of prison stays.

The public has the right to question all elements of the criminal justice system in Colorado in order to improve public safety.

Appendix A – Legislation Impacting Colorado Department of Corrections

Note: the following definitions and impacts for the list of legislation comes from the Colorado Department of Corrections Annual Statistical Reports.

LEGISLATION TO REDUCE SENTENCING:

1. **SB88-148** lowered sentencing ranges for crimes of violence and crimes with aggravating circumstances to at least the midpoint of the presumptive range.
2. **SB89-246** lowered several Class 5 felonies to a newly created felony Class 6 with a presumptive range of one to two years.
3. **HB06-1315** reduced sentences for juveniles convicted of Class 1 felonies from a term of life in prison without parole eligibility, to life with parole eligibility after 40 years.
4. **HB09-1122** expanded Youthful Offender System sentencing eligibility to include inmates who were 18 or 19 years old at the time of their offense and sentenced prior to their 21st birthday.
5. **HB10-1352** lowered the penalty for unlawful use of a controlled substance; separated the crime of possession of a controlled substance from the crime of manufacturing, dispensing, selling, distributing, or possessing with the intent to manufacture, dispense, sell, or distribute a controlled substance to a minor a Class 3 felony subject to enhanced sentencing. In addition, the bill increased the amount of a Schedule I or II controlled substance necessary to designate a special inmate and lowered the penalty for fraud and deceit in connection with controlled substances from a Class 5 to a Class 6 felony.
6. **HB10-1360** made inmates with Class 4 felonies eligible for the Community Return-to-Custody Program and limited the amount of time a technical parole violator can return to prison to 90 or 180 days based on an inmate's risk level.
7. **HB10-1373** reduced the penalty for escape from a Class 4 felony to a Class 5 felony and abolished the mandate that a sentence be served consecutively to any other sentence if the escape was from a community corrections facility or intensive- supervised parole.
8. **HB10-1413** changed the minimum age for being tried as an adult from 14 to 16 years of age, except in the case of first - and second - degree murder or certain sex offenses and allowed Class 2 felonies (excluding sex offenses) to be sentenced to Youthful Offender System except in the case of a second or subsequent sentence to CDOC or Youthful Offender System.
9. **HB12-1271** limited the offenses for which a juvenile may be subject to direct file to Class 1 felonies, Class 2 felonies, and crime-of-violence felonies or sex offenses if the juvenile has previous felony adjudication or violent sex offenses. It also limited instances in which juveniles were subject to certain previous district court proceedings. The act also limited direct file to juveniles 16 and older.

10. **SB13-216** reinstated certain provisions of HB09-1122 that were repealed on Oct. 1, 2012, relating to the sentencing of young adult inmates to Youthful Offender System. Provisions of this bill allowed certain young adult inmates to be sentenced to Youthful Offender System if they were 18 or 19 years old at the time a crime was committed and under 21 years old at the time of sentencing.
11. **SB13-250** created a new sentencing grid for drug crimes. This bill primarily decreased the seriousness of drug crimes and reduced penalties for those crimes.
12. **SB15-124** required parole officers to use intermediate sanctions to address noncompliance by parolees unless the nature of the violation mandates arrest or revocation. The bill narrowed the scope of behavior that warrants arresting a parolee for a technical violation. It is expected to decrease re-admissions to prison and increase parole caseload beginning in FY 2015-16 and continuing through the forecast period.
13. **HB17-1308** removed the mandatory imposition of certain parole conditions, including the manner of restitution, other regular urinalysis, other drug testing, and solicitation of a parole officer's permission to change residences or contact another person with a prior criminal history. The bill will result in fewer revocations for technical parole violations to the same extent that it will increase parole caseload and reduce the inmate population.
14. **HB19-1263** reclassifies several existing drug felonies as drug misdemeanors, reduces the fine penalties and jail terms for drug misdemeanors, and makes several other changes to sentencing for drug offenses. The bill is expected to substantially reduce felony filings for drug offenses, and to reduce the prison and parole population. Impacts on the prison population will be less significant the impact on felony filings, because offenders previously convicted for low-level drug felonies often did not receive prison sentences, and because those who were sentenced to CDOC remained incarcerated for an average of four to five months.
15. **SB19-211** extends a preexisting Mental Health Criminal Justice Diversion Grant Program in four judicial districts. To the extent that the bill allows for continued diversion of inmates who would otherwise be sentenced to the CDOC, the bill decreases admissions from new court commitments.
16. **SB20-100** repealed the death penalty in repealed in the state of Colorado. Because of the small number of death row inmates in Colorado (three at the time the bill was signed into three at the time the bill was signed into law), and death penalty cases tried each year (zero to three), this bill is expected to minimal impact on the prison population.
17. **SB21-271** reclassifies various criminal offenses from felony to misdemeanors, leading to a possible reduction in new commitments and reducing the length of stay. There are provisions which reclassify class 3 misdemeanors to class 2 misdemeanors which may increase the length of stay.
18. **SB21-124** reclassifies certain first-degree murder offenses to a class 2 felony, reducing a life sentence to a 16 to 48 year sentence with the possibility of parole. This reduces the expected length of stay from 40 years to 16.8 years and is not expected to have a measurable impact until FY 2038.

LEGISLATION TO INCREASE SENTENCING:

1. **HB81-1156** required sentences to be above the maximum of the presumptive range for offenses defined as “crimes of violence” and crimes with aggravating circumstances.
2. **SB90-117** raised life sentences from parole eligibility after 40 years to life without parole for Class 1 felonies committed on or after September 20, 1991.
3. **HB93-1302** lowered the presumptive ranges for certain non-violent Class 3-6 felonies and added a split sentence, mandating a period of parole for all crimes following a prison sentence. Habitual inmate sentencing was improved for felony Classes 2-5. For those with two previous convictions, sentences were mandated to three times the maximum of the presumptive range; three previous convictions, sentences were mandated to four times the maximum of the presumptive range. This bill also eliminated earned time awards while on parole.
4. **Special Fall Session SB93-09** created a new judicial sentencing provision for inmates between the ages of 14-18 for certain crimes and established Youthful Offender System.
5. **SB94-196** added a new habitual sentencing provision of life (40 years to parole eligibility) if a new crime conviction is for a Class 1 or 2 felony, or for a Class 3 felony crime of violence with two previous felony convictions within 10 years of commission of the new crime.
6. **HB96-1005** lowered the Youthful Offender System age limit from 14 to 12 years and broadened the offenses eligible for Youthful Offender System sentencing.
7. **HB98-1156** is the Colorado Sex Offender Lifetime Supervision Act of 1998. Under it, all offenders convicted of a felony sex offense committed on or after Nov. 1, 1998, receive an indeterminate sentence of at least the minimum of the presumptive range for the offense committed and a maximum of natural life. All inmates sentenced under this law must undergo evaluation and treatment to qualify for parole. The Colorado State Board of Parole determines when these inmates are supervised in the community.
8. **HB04-1189** increased time served before parole eligibility for certain violent offenses. Under this bill, first-time inmates convicted of these violent offenses must serve 75% of their sentence (less earned time awarded). If convicted of a second or subsequent violent offense, are not eligible for earned time.
9. **HB14-1260** required mandatory minimum sentences for certain sexual offenses involving a child.
10. **HB15-1043** created a felony penalty for repeat convictions of driving under the influence (DUI), DUI per se, or driving while ability impaired (DWAI), and reduced the felony penalty for aggravated driving with a revoked license to a misdemeanor. The bill is expected to increase court commitments to prison beginning in FY 2015-16 and continuing at increased rates through the forecast period.

11. **SB16-181** affected sentencing of individuals convicted of Class 1 felonies while the individual was a juvenile. This bill allows for a juvenile sentenced for a Class 1 felony committed on or after July 1, 1990, and before July 1, 2006, to be re-sentenced to life with the possibility of parole.
12. **HB19-1030** creates the crime of unlawful sexual communication with a minor by an adult in a position of trust, which is a Class 6 felony or a Class 5 felony if committed with the intent of engaging in sexual exploitation or sexual contact. To the extent that inmates are convicted and sentenced to prison for the new crime, and would not have otherwise been sentenced to prison, the bill could increase admissions from new court commitments.
13. **HB19-1155** expands the definition of sexual contact for the purpose of the preexisting crimes of unlawful sexual contact or sexual assault on a child. To the extent that inmates are convicted and sentenced to prison as a result of the expanded definition, and would not have otherwise been sentenced to prison, increasing admissions from new court commitments.
14. **HB19-1250** creates the criminal offense of unlawful sexual conduct by a peace officer. The bill is expected to increase new court commitment admissions to the DOC.
15. **SB19-172** creates offenses for unlawful abandonment or false imprisonment of an at-risk person. This offense is usually a Class 1 misdemeanor; however, false imprisonment of an at-risk person can become a Class 6 felony depending on the circumstances of the crime. The bill is expected to increase new court commitment admissions to the CDOC.

LEGISLATION TO INCREASE PAROLE/PROBATION:

1. **HB79-1589** changed sentences from indeterminate to determinate terms and made parole mandatory at 50% of an inmate's sentence.
2. **HB98-1160** applied to Class 2, 3, 4 and 5, or second or subsequent Class 6 felonies occurring on or after July 1, 1998. It mandated that every inmate completes a period of 12 continuous months of parole supervision after incarceration.
3. **HB10-1338** allowed a person who had been twice convicted of a felony charges separately brought — charges that had arisen out of separate and distinct criminal episodes — to be eligible for probation unless their current or a prior conviction was for first or second, manslaughter, or second degree assault, first or second degree kidnapping, sexual offenses, first degree arson, first or second degree burglary, robbery, aggravated robbery, theft from the person of another, a felony committed against a child, or any criminal attempt or conspiracy to commit the aforementioned offenses, if convicted on or after the effective date of the act.
4. **HB10-1374** determined that the Colorado Sex Offender Management Board would develop a sex offender release guideline instrument for the Parole Board to use when determining whether to release a sex offender on parole or revoke parole status. This bill required CDOC to work with the Parole Board to develop guidelines for use in determining to release a parolee or revoke parole. It also removed the statutory provision that required a parole officer to arrest a parolee as a parole violator if the parolee is located in a place without lawful consent. This bill redefined the criteria set

forth in HB09-1351 and made certain inmates serving sentences for lower Class, non-violent felonies eligible for more earned time awards per month inmates did.

5. **SB11-241** expanded the eligibility of inmates who meet criteria for special-needs parole and created presumptions in favor of parole for non-violent inmates with immigration detainers.
6. **HB11-1064** built upon HB10-1352 by creating a pilot program presumption in favor of granting parole to an inmate who is parole-eligible and serving a sentence for a drug-use or drug-possession crime that was committed prior to Aug. 11, 2011. The inmate must meet other criteria related to previous criminal and institutional behavior to be eligible for the presumption.
7. **SB16-180** created a specialized program in CDOC for juveniles convicted as adults. The bill required CDOC to develop and implement a program for inmates who were sentenced to an adult prison for a felony offense committed while the inmate was less than 18 years of age and who are determined to be appropriate for placement in the program. An inmate who successfully completes the program may apply to the governor for early parole.
8. **HB18-1109** expands the existing eligibility requirements for special needs parole and adds a third eligibility category for special needs parole consideration. The bill lowers the age requirement for one of the existing special needs inmate categories from 60 to 55 years and older and adds a category of special needs inmates to include those determined to be incompetent to complete any sentence and not likely to pose a risk to public safety.
9. **SB19-143** makes a number of changes to parole. The bill broadens the circumstances in which the CDOC can refer inmates to the Parole Board for application hearings, requires a majority vote of the Parole Board to deny the parole application of certain very low risk inmates, narrows the circumstances in which a parolee may be revoked for a technical parole violation, requires that revoked parolees be returned to the CDOC for the duration of their sentence, lengthens the allowable jail confinement period for intermediate sanctions, and expands eligibility for participation in a parolee work training program. The impact of the bill on the prison and parole population is bidirectional because it is expected to increase discretionary releases to parole, decrease revocations to the DOC, and lengthen the evocations to the DOC, and lengthen the prison length of stay for revoked parolees. On net, the bill is expected to decrease the prison population and increase the parole population.
10. **SB21-146** is focused on improving prison release outcomes. The bill is expected to reduce the population by expanding special needs parole, which will increase the parole caseload. In addition, the bill requires the Parole Board to schedule a hearing for an inmate serving a sentence for an escape crime that would now constitute the misdemeanor offense of unauthorized absence, within 60 days, and will likely increase early releases.

LEGISLATION TO DECREASE PAROLE/PROBATION:

1. **SB03-252** removed the 12 continuous months of parole supervision after incarceration, allowing the Parole Board to return a parolee who paroled on a non-violent Class 5 or 6 felony (except menacing or unlawful sexual behavior) to a community corrections program or pre-parole release-and-revocation center for up to 180 days. This bill limited the time a parolee may be returned to prison for a technical violation for non-violent offenses to 180 days.
2. **HB15-1122** stipulated that an inmate is ineligible for parole if they have been convicted of certain penal discipline violations or failed to participate in programs related to the original crime. This bill could result in a minimal prison population increase and parole caseload decrease through the forecast period.
3. **HB17-1326** lowered the period of time which a parolee who commits a technical parole violation may be revoked to DOC custody. The bill directs the Parole Board to conduct a parole release review in lieu of a hearing if the parolee is assessed to be a “low” or “very low” risk and victim notification is not required by law. This provision is expected to expedite discretionary parole releases, reducing the inmate population while increasing parole caseload.
4. **HB18-1029** lowers mandatory parole periods from five years to three years for Class 3 felony crimes committed on and after July 1, 2018, and for Class 2 felony crimes that are not crimes of violence. This will affect the size of the parole caseload, but not for approximately 8 years from implementation.

LEGISLATION TO INCREASE TIME EARNED:

1. **HB90-1327** raised the amount earned time from 5 to 10 days per month for inmates and allowed parolees to earn 10 days per month to reduce parole time served.
2. **HB95-1087** reinstated the ability of certain non-violent parolees to accumulate earned time while on parole.
3. **HB09-1351** increased the amount of earned time from 10 days to 12 days for those serving a sentence for certain Class 4, 5 or 6 felonies who are program-compliant and have never been convicted of specified offenses.
4. **HB09-1263** enabled those confined pending a parole revocation hearing to receive credit for the entire period of such confinement.
5. **SB11-176** allowed inmates housed in administrative segregation the opportunity to accrue earned time to be deducted from their sentences.
6. **HB12-1223** allowed inmates sentenced and paroled for a felony offense committed after July 1, 1993, to receive earned time while re-incarcerated after a parole revocation. It also allowed inmates who successfully complete a milestone or phase of an educational, vocational, therapeutic, or re-entry program, and/or who demonstrate exceptional conduct that promotes the safety of correctional staff, volunteers, contractors, or other persons, to be awarded as many as 60 days of earned time per accomplishment, up to 120 days per incarceration.

7. **HB20-1019** contains several provisions with potential impact on the prison population. Specifically, the bill reopened the south campus of the Centennial Correctional Facility, allowed for a wider range of circumstances for which an inmate may be awarded earned time, removed the requirement that earned time be awarded in accordance with statutory categories, and allowed the application of performance standards established by the CDOC, and created a new crime of an unauthorized absence for an inmate on an intensive supervision program, in a community corrections program, or participating in a work release program.

OTHER:

1. **HB85-1320** doubled the maximum penalties of the presumptive ranges for all felony classes and made parole discretionary.
2. **HB13-1160** modified theft-conviction penalties, basing them on the value of the goods or property stolen.
3. **HB14-1266** modified value-based offenses, basing them on the value of the loss.
4. **HB14-1355** directed DOC to develop and implement initiatives to decrease recidivism, enhance public safety, and increase each inmate's chances of achieving success upon his or her release. Subject to available appropriations, on and after July 1, 2014, these initiatives are to include programs to assist inmates in a correctional facility to prepare for release to the community; efforts to assist each inmate's transition from a correctional facility into the community; and operational enhancements, including equipment, training, and programs to supervise inmates in the community.
5. **HB18-1410** requires that DOC track the prison bed vacancy rate in DOC facilities and funded private prisons. If the vacancy rate falls below 2 percent for 30 consecutive days, DOC is required to notify other state government agencies and may request that other agencies take action to increase the vacancy rate.
6. **SB19-043** increases the number of district court judges. To the extent that the additional judges expedite the pace at which criminal cases are tried and sentenced, the bill could accelerate admissions to the DOC, which would increase the prison population.
7. **SB19-165** increases the number of Parole Board members from seven to nine. It is expected to accelerate the pace at which parole application hearings can be conducted, which will decrease the prison population and increase the parole population correspondingly.
8. **SB19-259** allows for the temporary use of the south campus of the Centennial Correctional Facility when the state male inmate vacant bed rate falls below 1 percent for two consecutive months. The bill is not expected to affect the prison population. If the male inmate vacant bed rate were to fall below 1 percent for two consecutive months, the bill could increase the share of jurisdictional inmates located at state-operated prisons and decrease the share located at private prisons, the jail backlog, or other locations.

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