

Be it enacted by the People of the State of Colorado:

SECTION 1. Legislative declaration. The people of Colorado find and declare that public safety is best protected when violent crime is reduced and liberty is preserved. Since 2012, prison populations have declined in Colorado while violent crime has increased. The people intend to create a balanced approach that lowers violent crime without returning to mass incarceration. The single subject of this initiative is enhancing public safety through targeted reforms to violence prevention, community supervision, reentry support, and victim restitution.

SECTION 2. In title 17 of the Colorado Revised Statutes, add article 35 as follows:

ARTICLE 35
BALANCE IN PUBLIC SAFETY AND JUSTICE

17-35-101. Short title. The short title of this article 35 is the "Balance in Public Safety and Justice Act".

17-35-102. Legislative purpose. The purpose of this article 35 is to reduce violent crime through prevention, strong community supervision, and support for victims, while keeping incarceration levels low.

17-35-103. Definitions. As used in this article 35, unless the context otherwise requires:

(1) "Community-based violence intervention program" means a local program, limited in scope to a region, community, or neighborhood and run by a nonprofit, local government, faith-based group, or private entity, including a national or international entity with a local chapter, that provides outreach, mediation, mentorship, or counseling to prevent violent acts.

(2) "Division of criminal justice" means the division of criminal justice in the department of public safety.

(3) "Restitution" means any pecuniary loss suffered by a victim, including but not limited to the examples in section 18-1.3-602 (3)(a), C.R.S.

(4) "Technical violation" means failing to follow a probation or parole rule that does not involve a new crime. This includes conditions such as alcohol or drug use that are prohibited by supervision rules, whether or not the use is otherwise unlawful.

17-35-104. Violence intervention grants. (1) The division of criminal justice must administer a grant program to fund community-based violence intervention programs. The division has responsibility because of its expertise in violence prevention funding. The director of the division is responsible for determining recipients and award amounts through a competitive application process. Not every applicant will receive an award. Awards are based on merit, with priority to programs in communities with violent crime rates above the state average.

(2) Eligible applicants include nonprofits, local governments, faith-based groups, and private entities. Grants may pay for outreach staff, mediation, mentorship, counseling, and related costs. No more than five percent of each grant award may be used by the recipient for administration. The program must align with other state and federal violence-prevention funding to avoid duplication where possible, coordinating with existing programs and prioritizing complementary activities if conflicts arise.

(3) The division must issue requests for proposals by February 1, 2027, and by January 1 each year thereafter. Applications are due March 1, and awards must be announced by June 1. Funds must be distributed within sixty days of award. The division may keep up to five percent of the total appropriated funds for its administration. Recipients must file annual reports showing how money was spent and what outcomes were achieved. If appropriations are insufficient, the division must administer the program to the extent possible with available resources, prioritizing high-crime areas. No grant recipient may receive more than two hundred fifty thousand dollars per year.

17-35-105. Probation and parole reform. (1) No individual may be returned to prison or jail solely for a first technical violation of probation or parole, unless a court finds by clear and convincing evidence that the violation poses an immediate risk to public safety. If there is no such finding, the individual must receive a graduated sanction instead of incarceration. Return to prison or jail under this section applies only to the underlying offense for which the person is on supervision.

(2) By July 1, 2027, the department of corrections and the judicial department must adopt a single system of graduated sanctions and earned compliance credits for all probation and parole, consistent with and expanding upon section 16-11.5-102, C.R.S., to apply statewide beyond substance abuse cases. This system does not change sentencing ranges, penalties, earned time, or parole eligibility. Compliance credits reduce supervision length for each month of full compliance as an incentive after sentencing, without altering the original sentence, provided that the supervision length must not be reduced below any minimum period required by law.

17-35-106. Reentry support. (1) The department of corrections must ensure that every person released from prison has a plan for housing, job assistance, and identification documents. If the plan is not complete at release, it must be finished within thirty days, but release cannot be delayed.

(2) A reentry support fund is created in the state treasury. Money in the fund is continuously appropriated to the department of corrections to provide up to two thousand dollars in temporary housing, transportation, or job-related support per person. Need is determined by the department using a standardized risk-needs assessment that considers barriers such as housing or employment history. Eligible recipients are persons released from prison who demonstrate need. Temporary housing, transportation, or job-related support includes short-term rent or shelter payments, bus passes or vehicle repairs, and tools or training costs for initial employment.

(3) This section adds to and does not replace existing reentry programs. Unspent money stays in the fund at the end of each year. Interest earned stays in the fund. If this article 35 is repealed, remaining money, excluding encumbered amounts, goes to the state general fund.

17-35-107. Victim restitution. (1) This section is added to title 17 to integrate victim restitution with the department of corrections' reentry and supervision programs, ensuring coordinated support for victims alongside offender accountability.

(2) Courts must require restitution and community service in sentencing for non-homicide offenses, to the extent practicable.

(3) In cases of sexual assault, human trafficking, serious assault, or other violent crimes causing bodily or psychological injury, including attempts to commit such crimes, restitution must include the cost of trauma-informed care such as counseling, psychiatric treatment, therapy, or physical health care. This may cover current and future treatment with documentation from a licensed provider. "Serious assault" means felony assault under section 18-3-203 or 18-3-204, C.R.S. "Psychological injury" means a diagnosed mental health condition resulting from the crime, proven by the prosecuting attorney with provider documentation.

(4) In domestic violence cases, restitution must include relocation costs, security upgrades, and long-term counseling, with documentation from a licensed provider, victim advocate, or law enforcement.

(5) In non-felony traffic cases, restitution must cover costs not paid by insurance, such as deductibles, co-pays, out-of-network care, and medical or mental health treatment, including damages not recoverable in civil actions.

(6) In juvenile cases, restitution is limited to losses not covered by insurance or other sources, consistent with section 19-2.5-1104 (3), C.R.S. Courts must coordinate with victim compensation boards so victims can receive help immediately. Juvenile restitution may combine community service with small payment plans, and this option is also available in non-juvenile cases. Community service may count as an in-kind equivalent toward restitution.

(7) In homicide cases, restitution must include funeral and burial expenses, including cremation or other final disposition services, travel and wage losses for court attendance, and survivor counseling for immediate family or dependents.

(8) A restitution enforcement unit is created in the judicial department to help victims collect restitution. The unit must be funded through appropriations pursuant to section 17-35-109. The unit must coordinate with victim compensation boards and the division of criminal justice to avoid duplication and speed payments. Collected funds must be paid to victims within thirty days.

17-35-108. Transparency and reporting. (1) The division of criminal justice must publish an online dashboard within sixty days after the end of each quarter, reflecting data for the preceding quarter and year-to-date. The dashboard must include:

(a) Violent crime rates, defined as index crimes under the uniform crime reporting program, statewide and by judicial district.

(b) Prison population levels and admissions, broken down by new crimes and supervision violations, with violations further divided into technical versus new crimes.

(c) Probation and parole outcomes, including caseloads, completions, revocations, sanctions, credits earned, and supervision lengths.

(d) Restitution metrics, including orders entered, dollars ordered, collected, and paid, time to first payment, percentage paid within thirty days, and mental health restitution by case type.

(e) Community violence grant data, including applications, awards, service areas, and outcomes.

(2) The dashboard must protect privacy and comply with state and federal privacy laws. The department of corrections, judicial department, and division of criminal justice must provide data within thirty days after the quarter ends. Each must submit an annual report to the joint judiciary committee of the general assembly by January 31. Reports must include trends, accounting of savings and reinvestments, and any evaluations completed. The division must also publish open data files in machine-readable formats and may issue guidance to standardize reporting.

17-35-109. Funding. The general assembly may appropriate funds each year to carry out this article 35, subject to section 20 of article X of the state constitution. At least fifty percent of savings from reduced prison use, measured by the department of corrections as the difference in incarceration costs compared to the average of fiscal years 2025 and 2026, must go into the reentry support fund and violence intervention grants, with the split decided by the general assembly. If appropriations are insufficient, agencies must prioritize implementation using existing resources, with the division of criminal justice responsible for grants and the department of corrections for reentry support.

17-35-110. Sunset review. This article 35 is repealed on July 1, 2036, unless reauthorized by the general assembly after review by the division of criminal justice. The review must include analysis of impacts on violent crime, prison populations, supervision, and victim support, and must be submitted to the general assembly by January 1, 2036. Probation and parole conditions and credits earned under this article 35, and restitution orders entered pursuant to this article 35, remain valid after repeal.

SECTION 3. Effective date. This act takes effect on the date of the official declaration of the vote thereon by the governor's proclamation, or January 1, 2027, whichever is later, and applies to offenses committed, supervision beginning, and restitution orders entered on or after that date.