

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

SECTION 1. Declaration.

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.

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

Article 35

Balance in Public Safety and Justice

17-35-100. Short title.

This article shall be known as the “Balance in Public Safety and Justice Act.”

17-35-101. Purpose.

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

17-35-102. Definitions.

(1) “Community-based violence intervention program” means a local program run by a nonprofit, local government, faith-based group, or private entity 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 money damages as defined in section 18-1.3-602 (3)(a) or service by an offender to a victim as ordered by a court.

(4) “Technical violation” means failing to follow a probation or parole rule that does not involve a new criminal offense. This includes conditions such as alcohol or drug use that are prohibited by supervision rules.

17-35-103. Violence intervention grants.

The division of criminal justice will run a grant program to fund community-based violence intervention programs. Grants will be awarded once a year through a competitive application. Eligible applicants include nonprofits, local governments, faith-based groups, and private entities. Grants may pay for outreach staff, mediation, mentorship, counseling, and related costs, with no more than five percent for administration. The grant program will align with other state and federal violence-prevention funding to avoid duplication. Requests for proposals must be issued by January 1 each year, applications are due March 1, and awards announced by June 1. Priority goes to programs in communities with violent crime rates above the state average. Funds must be distributed within sixty days of award. The division may retain up to five percent for administrative costs. Recipients must file annual reports showing how money was spent and what outcomes were achieved.

17-35-104. Probation and parole reform.

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. The department of corrections and the judicial department must adopt by July 1, 2027 a single system of graduated sanctions and earned compliance credits for all probation and parole, consistent with section 16-11.5-102, C.R.S. This system does not change sentencing ranges, penalties, earned time, or parole eligibility standards. Compliance credits reduce supervision length for each month of full compliance.

17-35-105. Reentry support.

The department of corrections, in addition to its existing reentry program, must ensure every person released from prison has a plan for housing, job assistance, and identification documents. If the plan is incomplete at release, it must be finished within thirty days without delaying release. The reentry support fund is created in the state treasury and receives money under section 17-35-108 (2). 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, based on need. This article supplements and does not replace the reentry program in article 33. Unspent money remains in the fund at year end. Interest earned stays in the fund. When this article is repealed, remaining money transfers to the general fund.

17-35-106. Victim restitution.

Courts must prioritize restitution and community service in sentencing, in addition to any other sentence, for non-homicide offenses.

In cases involving sexual assault, human trafficking, serious assault, or other violent crimes causing bodily or psychological injury, restitution must include the cost of trauma-informed care such as counseling, psychiatric treatment, or therapy. This can cover both current and future treatment with documentation from a licensed provider. Orders may extend for multiple years and allow annual updates.

In domestic violence cases, restitution must include relocation costs, locks and security upgrades, and long-term counseling when documented as necessary for safety and recovery.

In traffic cases under title 42 that are not felonies, restitution must cover costs not paid by insurance, including deductibles, co-pays, out-of-network care, and mental health or medical treatment, to the extent not otherwise recoverable in a civil action.

In juvenile cases, restitution is limited to losses not covered by insurance or other sources, consistent with section 19-2.5-1104, C.R.S. Courts must coordinate with victim compensation boards so victims can receive therapy, counseling, or relocation immediately. Juvenile restitution may combine community service with small payment plans.

In homicide cases, restitution must include funeral and burial expenses, travel and wage losses for court attendance, and survivor counseling, consistent with section 24-4.1-302, C.R.S. Counseling may be ordered for multiple years with annual updates.

A restitution enforcement unit is created in the judicial department to help victims collect restitution. It will coordinate with victim compensation boards and the office for victims programs in the division of criminal justice to prevent duplication and speed payments. Funds collected must be paid to victims within thirty days.

17-35-107. Transparency and reporting.

The division of criminal justice must publish an online dashboard within sixty days after the end of each quarter. The dashboard must show quarterly and year-to-date numbers.

The dashboard must include:

- violent crime rates statewide and by judicial district;
- prison population levels and admissions, separated into new crimes and supervision violations, with violations further broken down into technical versus new crimes;
- probation and parole outcomes including caseloads, completions, revocations, sanctions, credits earned, and supervision lengths;
- restitution metrics including orders entered, dollars ordered, collected, and paid, median time to first payment, percentage paid within thirty days, and mental health restitution details such as number of cases, amounts, and treatment duration. Mental health restitution must be broken out by case type, including sexual assault, trafficking, violent assaults, domestic violence, homicide survivors, DUI injury, identity theft, and juvenile cases;
- community violence grant data including applications, awards, service areas, and outcomes.

The dashboard must protect privacy, suppress small numbers that could identify victims or defendants, and comply with HIPAA and section 24-72-701, C.R.S. Agencies must provide data within thirty days after the quarter ends.

The department of corrections, judicial department, and division of criminal justice must each submit an annual compliance report by January 31, covering the prior year. Reports must include trends, accounting of savings and reinvestments, and any evaluations completed.

The division must publish open data files with definitions and may issue guidance to standardize reporting. The general assembly may provide a one-time appropriation to cover startup costs.

17-35-108. Funding.

The general assembly may appropriate funds each year to carry out this article, subject to TABOR limits. At least fifty percent of savings from reduced prison use 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 as much as possible.

17-35-109. Sunset review.

This article is repealed 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, submitted by January 1, 2036. Probation and parole conditions and credits earned under this article remain valid after repeal.

SECTION 3. Effective date.

This act takes effect January 1, 2027, and applies to offenses committed, supervision beginning, and restitution orders entered on or after that date.