

STATEMENT

Yadira Caraveo Has A Record Of Being Anti-Police And Even Voted To End Qualified Immunity For Police Officers, A Move Experts Have Said Has Led To A Police Shortage In Our Communities In Colorado, Leaving Us Less Safe When Violent Crime Is Reaching Crisis Levels.

Verification

Yadira Caraveo Praised SB20-217 As “Critical For Our State To Move Forward” Even Though The Bill Would Make It Easier To Sue Police Officers Individually, Ban Chokeholds, And Limit When Officers Can Use Force

During The 2020 Session, Yadira Caraveo Was A Sponsor Of SB20-217, An Act To “Enhance Law Enforcement Integrity.” (SB20-217 – Enhance Law Enforcement Integrity, [Colorado General Assembly](#), Introduced 6/3/20)

- **On June 12, 2020, Yadira Caraveo Voted For SB20-217.** ([SB20-217](#), Passed House 52-13, Caraveo Voted Aye, 6/12/20)

NOTE: *Nearly a dozen Republicans [joined](#) all Democrats in voting for SB20-217.*

In October 2020, Yadira Caraveo Praised SB20-217 As “Critical For Our State To Move Forward” And Begin To Address Police Misconduct And Structural Racism. “Have your views on policing and racism in Colorado changed this year? If so, how? Growing up as a Latina, I know firsthand how many communities have experienced racism and marginalization through various forms, whether on the job, in a medical clinic, or during a traffic stop. The protests this year have demonstrated how police misconduct and structural racism have reached a boiling point, and the fact that the legislature listened by passing SB20-217 was critical for our state to move forward and begin to address these issues. I will continue to push for systemic policy changes to address racism in its many forms, whether its health inequities, economic disparities, or racial violence.” (The Denver Post Staff, “Colorado State House District 31 Candidate Q&A,” [The Denver Post](#), 10/8/20)

SB20-217 Made Colorado The First State In The Country To Eliminate Qualified Immunity For Police Officers Via Legislation. “Through SB20-217, Colorado became the first state to eliminate qualified immunity for police officers. Qualified immunity is a legal defense that states some government officials — including law enforcement — cannot be sued in their individual capacity unless they violated a person’s rights in a manner already determined unconstitutional by the courts.” (Elise Schmelzer & Seth Klamann, “3 Years After Colorado’s Landmark Police Accountability Bill, What’s Changed? And Has Push For Further Reform Slowed?,” [The Denver Post](#), 7/2/23, Accessed Via The Internet Archive’s Wayback Machine)

NOTE: *While Colorado would be the first state to eliminate qualified immunity for police officers via legislation, Montana did eliminate qualified immunity for police officers in the [2002 Supreme Court of Montana decision of Dorwart v. Caraway](#). Nationwide information on eliminating qualified immunity for police can be found [here](#).*

SB20-217 Would Make It Easier To Sue Police Officers Individually, Bans Chokeholds, And Limits When Officers Can Use Force. “The calls for change have included bans on chokeholds, limits when officers can use force, and more transparency around when officers shoot or kill someone on duty. Those measures are included in SB 20-217, the bill to Enhance Law Enforcement Integrity. It would also be easier now to sue cops individually and easier to decertify them under the Police Officer Standards and Training if they have been found guilty of violating new rules.” (Allison Sherry, “Here’s How Policing May Change Under Colorado’s Police Reform Bill,” [Colorado Public Radio News](#), 6/12/20)

- **Under The Provisions Of SB20-217, Police Officers Responding To A Protest Or Demonstration Will Not Be Allowed To Use Chemical Agents Such As Tear Gas Without Warning And Will Not Be Allowed To Fire Rubber Or Foam Bullets Indiscriminately Into A Crowd.** “In response to a protest or a demonstration, cops can't use

chemical agents, namely tear gas, without warning. They can't fire rubber or foam bullets indiscriminately into a crowd.” (Allison Sherry, “Here’s How Policing May Change Under Colorado’s Police Reform Bill,” [Colorado Public Radio News](#), 6/12/20)

SB20-217 Generated Controversy Over Provisions To Have Officers Pay Up To \$25,000 Of A Settlement Or Judgement From A Lawsuit, However As Of July 2023 These Provisions Have Not Been Implemented. “One of the most controversial sections of the bill allows local governments to decide whether an officer should have to pay up to \$25,000 of a settlement or judgment from a lawsuit if the officer acted in bad faith or should have known the action was unlawful. The law change sparked conversations about officers enrolling in insurance programs to shield them from financial liability. [...] Despite the fear around financial liability, that part of the law hasn’t been utilized yet. No Colorado law enforcement associations or organizations representing local governments were aware of a case where a government decided to make an officer pay.” (Elise Schmelzer & Seth Klamann, “3 Years After Colorado’s Landmark Police Accountability Bill, What’s Changed? And Has Push For Further Reform Slowed?,” [The Denver Post](#), 7/2/23, Accessed Via The Internet Archive’s Wayback Machine)

In The Weeks After SB20-217’s Passing, More Than 200 Police Officers Across Colorado Resigned Or Retired, With Some Departments Noting They Were Experiencing “More Than The Normal Number Of Resignations And Retirements,” With State Officials Saying They Were Seeing A “Slightly Higher” Average Than The Norm. “Between June 13, the day the legislature passed the bill, and Aug. 7, agencies statewide reported 241 officers have left their department, including those who were fired, according to the Colorado Police Officer Standards and Training board that certifies them. The number includes sworn police officers and sheriff’s deputies, as well as some officers who are not POST-certified. Law enforcement agencies are required to notify POST within 15 days of an officer’s separation, but not the reason behind it or the position they held, so it’s possible some officers merely transferred to another department within the state, officials say. ‘No doubt there’s an impact (from SB 217), but we can’t put numbers on it yet,’ said Mike Violette, executive director of the Colorado State Fraternal Order of Police and a Denver sheriff’s deputy. ‘We’re hearing the officers are concerned about being in the profession and what’s happening. That’s why we running a statewide survey: to find out.’ Individually, police departments say since the bill became law, they’ve had more than the normal number of resignations and retirements, but none is able to conclude it’s the direct result of SB 217. The number of separations since the bill became law is slightly higher than the average number POST usually sees over the same time period, officials said. The state attorney general’s office declined to provide specific numbers.” (David Migoya, “More Than 200 Police Officers Have Resigned Or Retired Since Colorado’s Police Reform Bill Became Law,” [The Denver Post](#), 8/18/20, Accessed Via The Internet Archive’s Wayback Machine)

In 2022, A Survey Of Colorado Police And Sheriffs Listed SB20-217 As A Top Reason For Officers Leaving The Force, And Highlighted How Widespread The Officer Shortage Was In The State. “Colorado law enforcement agencies continue to have trouble recruiting and retaining officers, according to the results of a new survey Tuesday by the Colorado Association of Chiefs of Police, the County Sheriffs Association and the Colorado Fraternal Order of Police. Members who responded to the survey most often ranked officer morale and recruitment and retention top concerns, with nearly 80% of survey respondents listing them as ‘extremely important.’ Some sentiments expressed by officers in the report — though none of the officers are quoted by name — include frustrations that policies around policing are made by lawmakers who haven’t worked in law enforcement themselves. There’s also concerns that officers face increased liability for line-of-duty actions. Legislative changes have led to officers having concerns about their safety and their peers’ safety, according to the report. [...] Colorado’s legislature passed a policing reform law in June 2020 dubbed Enhance Law Enforcement Integrity Act in the midst of protests sparked by George Floyd’s murder in Minneapolis. Those new laws, the survey reports, remain a top reason for officers leaving the force.” (Julia Cardi, “Recruitment, Morale Continuing Concerns For Colorado Law Enforcement Agencies, Survey Says,” [The Denver Gazette](#), 10/25/22)

- **The Survey Also Highlighted How A Vast Majority Of Police Departments And Sheriffs Were Facing Shortages Of Staff Across The State.** “The report expands on the

findings of a similar study released last year in which Colorado's agencies reported challenges with filling open positions and fewer people choosing careers in law enforcement. About 70% of agencies with 50 or fewer employees reported a shortage of between 1 to 6 officers. About 90% of agencies with 250 or more employees reported shortages of 16 or more officers. More than 60% of respondents from the sheriffs' association said their staff shortages have worsened compared to a year ago, while about 51% of respondents from the police chiefs' association said their shortages have stayed about the same." (Julia Cardi, "Recruitment, Morale Continuing Concerns For Colorado Law Enforcement Agencies, Survey Says," [The Denver Gazette](#), 10/25/22)

Since SB20-217's Implementation, There Has Been An Increase In Officers Leaving The Police Across Colorado From 2020 To 2023 Compared To Prior Years, With Surveys And Former-Denver Chief Of Police, Paul Pazen, Indicating That The Bill Has Been A Top Reason For Officers Leaving. "Law enforcement leaders have often cited the changes to qualified immunity and indemnification as reasons they have struggled to recruit and retain officers. [...] The number of certified officers leaving positions in Colorado did increase after 2020, according to employment data collected by the Peace Officers Standards and Training Board. Between 2020 and 2013 [sic], an average of 1,876 officers left their positions – up from an average of 1,646 in the previous three years. A survey of 232 officers released in 2022 found that concerns about SB20-217 and other legislative changes were the top reason for officers leaving their jobs. Paul Pazen, who was Denver police chief from 2018 to 2022, said the bill may not have been the sole reason officers left, but it was a contributing factor. Criticism of police from elected leaders and calls to defund or abolish the department also hurt morale, he said. Officers outside of Colorado are hesitant to move here and lose qualified immunity, he said, and officers already here are taking jobs elsewhere. SB20-217 was crafted and passed too quickly, he said. 'If doing what Colorado did was such a great idea, why didn't it catch on?' Pazen said." (Elise Schmelzer & Seth Klamann, "3 Years After Colorado's Landmark Police Accountability Bill, What's Changed? And Has Push For Further Reform Slowed?," [The Denver Post](#), 7/2/23, Accessed Via The Internet Archive's Wayback Machine)

NOTE: *The article notes that "The number of certified officers leaving positions in Colorado did increase after 2020, according to employment data collected by the Peace Officers Standards and Training Board. Between 2020 and 2013, an average of 1,876 officers left their positions – up from an average of 1,646 in the previous three years." Based on the language of "The number of certified officers leaving positions in Colorado did increase **after 2020**" and "up from an average of 1,646 in **the previous three years**," we believe that the writing of "Between 2020 and 2013" was made in error, and that the article should read "Between 2020 and 2023, [...]."*