



HOUSE JUDICIARY COMMITTEE

Chairman Jim Jordan

COLORADO: THE DANGEROUS CONSEQUENCES OF SANCTUARY POLICIES

Interim Staff Report

Committee on the Judiciary
Chairman Jim Jordan

Subcommittee on Immigration Integrity, Security, and Enforcement
Chairman Tom McClintock

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EXECUTIVE SUMMARY

Democrats' open-borders policies at the federal level and sanctuary policies at the state and local level allow millions of illegal aliens to pour into the country and ensure that criminal aliens, after encountered by local law enforcement, are released back into American communities. For four years, the Biden-Harris Administration's open borders allowed over eight million illegal aliens to enter the United States, including six million aliens who were released into the country and another two million "gotaways" who avoided apprehension entirely.¹ Once in the country, sanctuary policies in Democrat-run jurisdictions like Colorado allow criminal aliens to stay, hurting public safety and endangering law-abiding Americans.

Many Democrat-run state and local jurisdictions prohibit law enforcement from cooperating with Immigration and Customs Enforcement (ICE) to ensure that criminal aliens are transferred to ICE custody and removed from the United States. Led by far-left officials and guided by radical immigration policies, these sanctuary jurisdictions provide a safe haven for criminal aliens. Democrat prosecutors in certain sanctuary jurisdictions provide foreign national criminals preferential prosecutorial treatment—leniency that similarly situated Americans do not receive—so that the criminal aliens may avoid immigration consequences for their criminality and can remain in the United States indefinitely.

The American people elected President Donald Trump and Congressional Republicans with a mandate to secure the border, restore immigration enforcement, and reverse Democrats' immigration agenda. President Trump's border enforcement agenda has worked, and illegal alien apprehensions at the southwest border are at historic lows.² Congressional Democrats, however, oppose the President's commonsense solutions to improve border security and immigration enforcement. To thwart this law-and-order approach and to protect criminal and illegal aliens, Democrats at the federal level shut down the federal government for months in 2025 and 2026. Their obstruction ensured that many of the hardworking men and women of the Department of Homeland Security were unpaid and unable to fully carry out their mission to protect the homeland.

¹ Info. provided to the H. Comm. on the Judiciary by U.S. Dep't of Homeland Sec., Table 1: Detention Histories of CBP Encounters, January 20, 2021 – March 31, 2024 (Aug. 16, 2024); U.S. Customs and Border Prot., *Custody and Transfer Statistics*, U.S. DEP'T OF HOMELAND SEC. (last accessed July 8, 2025); Camilo Montoya-Galvez, *Biden-Harris Administration has admitted more than 1 million migrants into U.S. under parole policy Congress is considering restricting*, CBS NEWS (Jan. 22, 2024); *Latest UC Data, Total Monthly Discharges to Individual Sponsors Only*, U.S. DEP'T OF HEALTH AND HUMAN SERVS. (last accessed Aug. 7, 2026); Off. of Refugee Resettlement, *Unaccompanied Children Released to Sponsors by State*, U.S. DEP'T OF HEALTH AND HUMAN SERVS. (last accessed Aug. 7, 2026); U.S. Customs and Border Prot., *CBP Releases December 2024 Monthly Update*, U.S. DEP'T OF HOMELAND SEC. (Jan. 14, 2025); Immigr. and Customs Enf't, *Daily SWB Placemat*, U.S. DEP'T OF HOMELAND SEC. (May 2024-Jan. 2025) (on file with Comm.); Off. of Homeland Sec. Statistics, *Immigr. Enf't and Legal Processes Monthly Tables – Apr. 2024*, U.S. DEP'T OF HOMELAND SEC. (last accessed Aug. 7, 2026); Casey Harper, *Border crisis creates national security threat for U.S., observers say*, WASH. EXAMINER (Aug. 7, 2023); Bill Melugin (@BillMelugin), X (June 20, 2024, 10:22 AM).

² See, e.g., Press Release, Trump Administration Delivers 14 Straight Months of Zero Releases at the Border (July 16, 2026), <https://www.dhs.gov/news/2026/07/16/trump-administration-delivers-14-straight-months-zero-releases-border>.

Meanwhile, at the state and local level, Democrats' sanctuary policies continued to wreak havoc on American communities. Because sanctuary jurisdictions routinely refuse to cooperate with ICE, officials in these sanctuary jurisdictions release criminal aliens onto the streets instead of transferring them to ICE for removal from the country. According to ICE information, between October 2022 and early 2026, sanctuary jurisdictions declined to honor at least 41,085 detainers from ICE.³ A detainer is the formal request that a state or local law enforcement agency notify ICE before releasing a criminal alien or that the agency maintain custody of a criminal alien for a short period until ICE is able to arrest them in a secure setting.⁴ By refusing to honor ICE detainers, state and local jurisdictions guarantee that dangerous foreign national criminals—even illegal aliens who have been convicted of serious, violent crimes—are released into American communities and free to reoffend.

Sanctuary jurisdictions pose a significant threat to public safety and the enforcement of federal immigration law. The Committee on the Judiciary, with its Subcommittee on Immigration Integrity, Security, and Enforcement, has been conducting oversight of these sanctuary policies. Since January 2026, the Committee and Subcommittee have requested information relating to jurisdictions that restrict or prohibit cooperation with federal immigration officials, including their policies' devastating effects on public safety. To date, the Committee and Subcommittee have requested relevant material from 40 officials in 13 sanctuary jurisdictions across the country.

This interim staff report focuses on Colorado, which has obstructed federal law enforcement with its sanctuary policies for years. Nonpublic documents and data obtained by the Committee and Subcommittee reveal the startling extent to which the cities of Denver and Boulder actively obstruct the enforcement of federal immigration law and shield foreign national criminals from accountability. The Committee and Subcommittee's oversight reveals:

- **Because of Colorado's sanctuary policies, repeat and dangerous criminals have been released onto the streets of Denver and Boulder.** In 2026 alone, the Denver Sheriff Department (DSD) has ignored detainers for aliens with criminal charges ranging from felony assault with a deadly weapon to sexual assault on a child.⁵ The Boulder County Sheriff's Office has ignored detainers for aliens with criminal histories that include aggravated assault, child abuse, domestic violence, and bribery.⁶
- **Denver's status as a sanctuary city has attracted violent criminals from around the world.** In the first five months of 2026 alone, DSD detained foreign nationals with pending charges for crimes ranging from attempted murder to motor vehicle theft to

³ Info. provided to the H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Feb. 6, 2026) (on file with Comm.). The number of declined detainers is likely higher, given that ICE may not be aware that a detainer was declined until the agency encounters an alien who had previously been released.

⁴ See Immigr. Detainers, U.S. Immigr. and Customs Enf't, <https://www.ice.gov/immigration-detainers> (last accessed Aug. 7, 2026).

⁵ See *infra* notes 61-80 and accompanying text.

⁶ See *infra* notes 107-112 and accompanying text.

strangulation.⁷ In 2026, DSD ignored detainers for aliens from countries including Venezuela, India, Honduras, Mexico, Nicaragua, Romania, Guatemala, and Somalia.⁸

- **The chief prosecutors for Denver and Boulder treat illegal aliens differently than similarly situated American citizens.** The policies of Denver District Attorney John Walsh and Boulder District Attorney Michael Dougherty ensure that prosecutors in their offices give preferential treatment to foreign nationals based solely on their immigration status—all so that criminal aliens can avoid deportation and remain in the United States indefinitely.⁹

Colorado’s sanctuary policies threaten public safety and undermine the safe and effective enforcement of federal immigration law. In just one case from 2025, Carissa “Luu” Aspnes was permanently disabled when an unlicensed, uninsured illegal alien from Venezuela ran a stop sign, hit Carissa, and caused her to slam “headfirst into a concrete barrier.”¹⁰ In testimony to the Subcommittee in September 2026, Carissa’s mother championed strong interior immigration enforcement: “If immigration enforcement is justified only after someone becomes one of the ‘worst of the worst,’ what happens to the American citizen who has to become that person’s first catastrophic victim? Public safety cannot operate exclusively in hindsight.”¹¹

This interim report provides evidence of the ways in which just one state has implemented policies that allow dangerous foreign nationals to reoffend and avoid deportation. But Denver, Boulder, and their leaders are not outliers. They are indicative of a modern, radical, socialist Democrat Party that seeks to erase national borders and place illegal alien criminals ahead of law-abiding American citizens. The policies supported by these Democrats, including sanctuary policies, will have negative and lasting consequences for Americans. The Committee and Subcommittee will continue to conduct oversight of these sanctuary policies to inform potential legislative reforms to better protect American communities.

⁷ See *infra* note 81 and accompanying text.

⁸ See *infra* notes 61-80 and accompanying text.

⁹ See *infra* notes 115-123 and accompanying text.

¹⁰ See *infra* note 129 and accompanying text.

¹¹ *Sanctuary Policies, Tragic Consequences: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf’t, of the H. Comm. on the Judiciary*, 119th Cong. (Sept. 1, 2026) (statement of Patricia Fox).

SANCTUARY JURISDICTIONS

A “sanctuary city” or “sanctuary jurisdiction” is a city or jurisdiction that refuses to cooperate, or limits cooperation, with federal authorities in the enforcement of federal immigration law.¹² Under the principle that “illegal aliens do not have the right to remain in the U.S. undetected and unapprehended,”¹³ Congress has explicitly prohibited any restriction on communication between state or local entities and federal immigration authorities relating to an individual’s immigration status.¹⁴

Despite the statute’s clear prohibition on cities, counties, and states from restricting communication with federal immigration authorities, there are, according to an estimate from the Center for Immigration Studies, upward of 200 such sanctuary jurisdictions in the United States. These jurisdictions:

[H]ave laws, ordinances, regulations, resolutions, policies, or other practices that obstruct immigration enforcement and shield criminals from [U.S. Immigration and Customs Enforcement (ICE)]—either by refusing to or prohibiting agencies from complying with ICE detainers, imposing unreasonable conditions on detainer acceptance, denying ICE access to interview incarcerated aliens, or otherwise impeding communication or information exchanges between their personnel and federal immigration officers.¹⁵

Sanctuary jurisdictions range from entire states—such as Colorado, California, New York, and Illinois—to major cities—such as Chicago; New Orleans; New York, Newark, New Jersey; Washington, D.C.; Baltimore; and Seattle—to entire counties like Arlington County, Virginia.¹⁶

Sanctuary jurisdictions’ refusal to cooperate with ICE, including by not honoring ICE detainers, means that dangerous aliens are released back onto American streets. To ensure that criminal aliens are safely apprehended and deported, ICE issues detainers for aliens who have been arrested and who ICE has “probable cause to believe . . . [are] removable” from the United States.¹⁷ With a detainer, ICE “sends a formal request to a law enforcement agency or correctional facility that has custody of a potentially dangerous alien” and asks the law enforcement agency to notify ICE “as early as possible before [the agency] release[s] a removable alien” and to “[h]old the alien for up to 48 hours beyond the time they would

¹² See WILLIAM A. KANDEL, CONG. RSCH. SERV., IFI14328, “SANCTUARY” JURISDICTIONS: POLICY OVERVIEW (2020); see also SARAH PECK, CONG. RSCH. SERV., R44795, “SANCTUARY” JURISDICTIONS: FEDERAL, STATE, AND LOCAL POLICIES AND RELATED LITIGATION 3-4 (2019).

¹³ H. Rep. No. 104-469, part 1, at 277 (1996).

¹⁴ See 8 U.S.C. § 1373(a).

¹⁵ Jessica M. Vaughan, *Map: Sanctuary Cities, Counties, and States*, CENTER FOR IMMIGR. STUDIES (June 29, 2026), <https://cis.org/Map-Sanctuary-Cities-Counties-and-States> (last accessed Aug. 7, 2026). The list of sanctuary jurisdictions compiled by the Center for Immigration Studies is broader than the Justice Department’s list.

¹⁶ *Id.*

¹⁷ *Immigr. Detainers*, U.S. Immigr. and Customs Enf’t, <https://www.ice.gov/immigration-detainers> (last accessed Aug. 28, 2026).

ordinarily release them so DHS has time to assume custody in accordance with federal immigration law.”¹⁸ Notably, these aliens are in the custody of a state or local law enforcement agency for a criminal offense—not because they entered the country illegally or otherwise lack lawful status.

Despite the effectiveness of detainers, in the first 12 months of President Trump’s second term, state and local law enforcement agencies declined at least 17,864 ICE detainers, including for aliens charged with crimes ranging from sexual assault to murder, according to ICE data.¹⁹ In its 2019 report, ICE again warned that sanctuary jurisdictions were “[o]ne of the biggest impediments to [ICE Enforcement and Removal Operations] public safety efforts.”²⁰ In addition to harming communities, refusing to honor ICE detainers also endangers law enforcement officers as they must resort to taking custody of the alien in an uncontrolled environment.²¹

The Biden-Harris Administration worked to weaken the first Trump Administration’s efforts to hold sanctuary jurisdictions accountable for undermining immigration enforcement.²² In addition to dropping federal litigation relating to sanctuary jurisdictions’ policies,²³ the Biden-Harris Administration’s Justice Department, beginning in April 2021, no longer required jurisdictions to cooperate with ICE as a condition of receiving federal grant funding.²⁴ The number of ICE detainers fell precipitously as a result, from a monthly average of 13,000 to 14,000 during the first Trump Administration to a mere 2,200 detainers in March 2021—just two months after President Biden took office.²⁵ Although the Biden-Harris Administration gradually increased its use of immigration detainers in response to public pressure against its immigration policies, it still issued 31 percent fewer detainers than the first Trump Administration.²⁶

¹⁸ *Id.*

¹⁹ Info. provided to the H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf’t, (Feb. 6, 2026) (on file with Comm.). The number of declined detainers is likely higher, given that ICE may not be aware that a detainer was declined until the agency encounters an alien who had previously been released.

²⁰ See U.S. Immigr. and Customs Enf’t, Fiscal Year 2019 Enf’t and Removal Operations Rep., at 17 (2020), <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>; see also U.S. Immigr. and Customs Enf’t, Fiscal Year 2020 Enf’t and Removal Operations Rep., at 17-18 (2021), <https://www.ice.gov/doclib/news/library/reports/annual-report/eroReportFY2020.pdf> (emphasizing the impact of non-cooperative jurisdictions).

²¹ See U.S. Immigr. and Customs Enf’t, Q&A: U.S. Immigr. and Customs Enf’t Declined Detainer Outcome Rep. (DDOR) (Mar. 20, 2017), <https://www.dhs.gov/news/2017/03/20/qa-us-immigration-and-customers-enforcement-declined-detainer-outcome-report>.

²² See Sarah N. Lynch, *U.S. Justice Department ends Trump-era limits on grants to 'sanctuary cities'*, REUTERS (Apr. 28, 2021, 8:31 AM), <https://www.reuters.com/world/us/exclusive-us-justice-department-ends-trump-era-limits-grants-sanctuary-cities-2021-04-28/>.

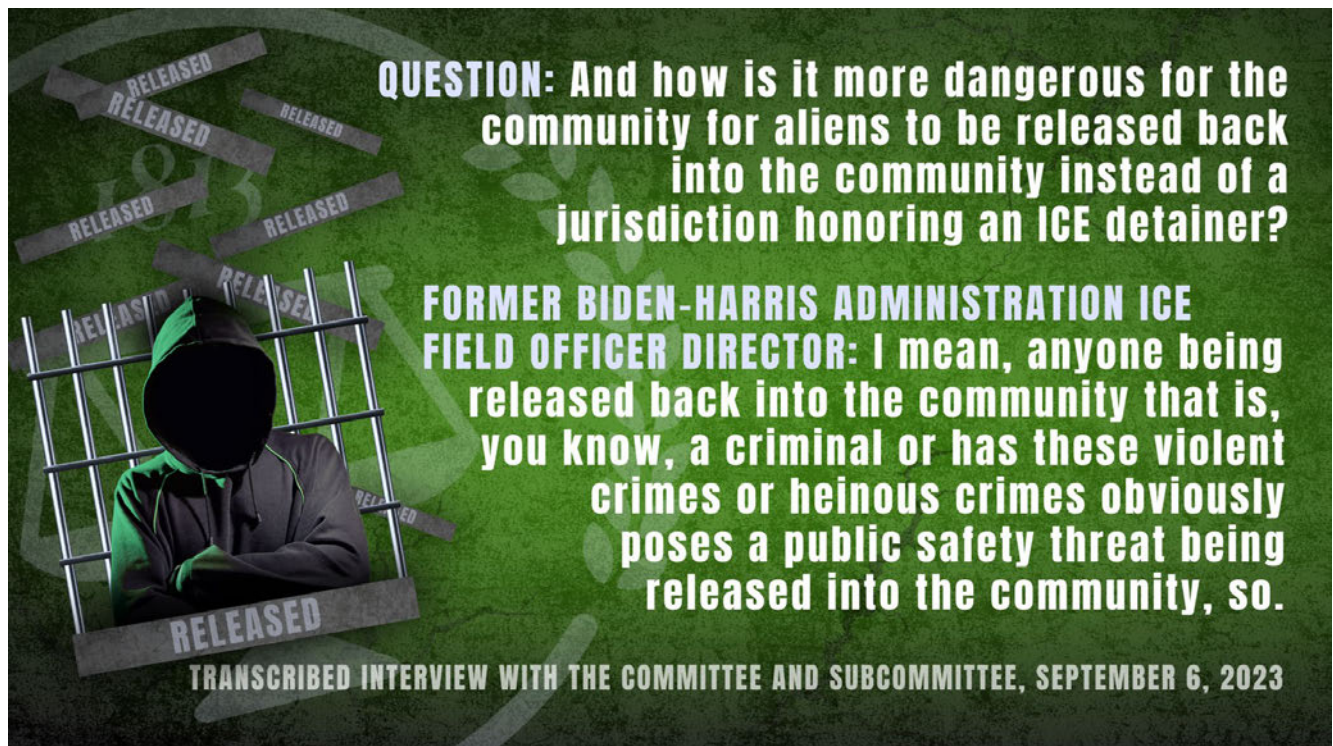
²³ Amy Howe, *Court dismisses “sanctuary cities” petitions*, SCOTUS BLOG (Mar. 5, 2021, 10:58 AM), <https://www.scotusblog.com/2021/03/court-dismisses-sanctuary-cities-petitions/>; see City Att’y of San Francisco, *Final victory for San Francisco in sanctuary city case against Trump administration* (Mar. 4, 2021), <https://www.sfcityattorney.org/2021/03/04/final-victory-for-san-francisco-in-sanctuary-city-case-against-trump-administration/>.

²⁴ See Lynch, *supra* note 22.

²⁵ *New Data on ICE Immigration Detainers Show Sharp Drop Since Start of Biden Administration*, TRAC IMMIGR. (June 20, 2023), <https://trac.syr.edu/reports/719/>.

²⁶ See U.S. Immigr. and Customs Enf’t, Fiscal Year 2024 ICE Enf’t and Removal Operations Rep., at 21 (Dec. 19, 2024), <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2024.pdf>; U.S. Immigr. and Customs Enf’t, Fiscal Year 2018 ICE Enf’t and Removal Operations Rep., at 9, <https://www.ice.gov/doclib/about/offices/ero/pdf/eroFY2018Report.pdf>.

Even Biden-Harris Administration ICE officials criticized sanctuary policies for endangering the public and law enforcement alike. In a transcribed interview with the Committee in 2023, one former high-ranking ICE official testified that sanctuary jurisdictions' refusal to honor ICE detainers endangers ICE officers and undermines ICE's mission.²⁷ Another Biden-Harris Administration ICE official told the Committee how detainer noncompliance for violent criminals "poses a public safety threat being released into the community."²⁸ One former ICE official even attributed sanctuary policies to potentially undermining national security.²⁹ Another Biden-Harris Administration ICE official testified that ignoring ICE detainers endangers officers and the public because ICE is then forced to arrest criminal aliens at large in the community rather than in the secure setting of a jail or prison.³⁰



Since the start of President Trump's second term, the federal government has acted swiftly against sanctuary policies. In an executive order signed on January 20, 2025, President Trump directed the Attorney General and DHS Secretary to "evaluate and undertake any lawful actions to ensure that so-called 'sanctuary' jurisdictions, which seek to interfere with the lawful exercise of Federal law enforcement operations, do not receive access to Federal funds."³¹

²⁷ Transcribed Interview of Former ICE Official 1, U.S. Immigr. & Customs Enf't, at 79-80 (Sept. 22, 2023) (on file with Comm.).

²⁸ Transcribed Interview of Former ICE Official 2, U.S. Immigr. & Customs Enf't, at 36 (Sept. 6, 2023) (on file with Comm.).

²⁹ Transcribed Interview of Former ICE Official 3, U.S. Immigr. & Customs Enf't, at 23 (June 27, 2023) (on file with Comm.).

³⁰ Transcribed Interview of Former ICE Official 4, U.S. Immigr. & Customs Enf't, at 87-88 (Oct. 10, 2023) (on file with Comm.).

³¹ Exec. Order No. 14159, Protecting the American People Against Invasion, 90 Fed. Reg. 8443 (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>.

President Trump also instructed the Attorney General and DHS Secretary to “undertake any other lawful actions, criminal or civil, that they deem warranted based on any such jurisdiction’s practices that interfere with the enforcement of Federal law.”³² On February 19, 2025, President Trump signed an additional executive order to “ensure[] that Federal funds to states and localities will not be used to support ‘sanctuary’ policies or assist illegal immigration.”³³

On April 28, 2025, President Trump signed another executive order that directed the Attorney General to “publish a list of States and local jurisdictions that obstruct the enforcement of Federal immigration laws,” “notify each sanctuary jurisdiction regarding its defiance of Federal immigration law enforcement and any potential violations of Federal criminal law,” and “pursue all necessary legal remedies and enforcement measures to end these violations and bring such jurisdictions into compliance” with federal law.³⁴ The Justice Department produced its initial list of sanctuary jurisdictions in August 2025.³⁵ The most recent list from October 2025 identified 11 states, the District of Columbia, three counties, and 18 cities—meaning that, conservatively, about one-third of the U.S. population lives under dangerous sanctuary policies.³⁶ The number of Americans living under sanctuary policies may actually be much higher, however, as the Center for Immigration Studies estimates that the number of sanctuary jurisdictions is closer to 200.³⁷

SANCTUARY POLICIES IN COLORADO

Colorado’s Sanctuary Policies

Under Colorado law, “[a] law enforcement officer shall not arrest or detain an individual on the basis of a civil immigration detainer request.”³⁸ Although ICE already requires that a detainer include either (1) a warrant for arrest of an alien or (2) a warrant of removal or deportation of an alien,³⁹ Colorado law deems such warrants insufficient, because “[n]one of the civil immigration detainer requests received from the federal immigration authorities are reviewed, approved, or signed by a judge as required by Colorado law.”⁴⁰ Colorado’s sanctuary law also prohibits probation officers from providing criminal aliens’ personal information to

³² *Id.*

³³ Fact Sheet, President Donald J. Trump Ends Taxpayer Subsidization of Open Borders, WHITE HOUSE (Feb. 19, 2025), <https://www.whitehouse.gov/fact-sheets/2025/02/fact-sheet-president-donald-j-trump-ends-taxpayer-subsidization-of-open-borders/>.

³⁴ Exec. Order No. 14287, Protecting American Communities from Criminal Aliens, 90 Fed. Reg. 18761 (Apr. 28, 2025), <https://www.federalregister.gov/documents/2025/05/02/2025-07789/protecting-american-communities-from-criminal-aliens?>.

³⁵ Press Release, Justice Department Publishes List of Sanctuary Jurisdictions, U.S. DEP’T OF JUSTICE (Aug. 5, 2025), <https://www.justice.gov/opa/pr/justice-department-publishes-list-sanctuary-jurisdictions>.

³⁶ U.S. Sanctuary Jurisdiction List Following Executive Order 14287: Protecting American Communities From Criminal Aliens, U.S. Dep’t of Justice, <https://www.justice.gov/ag/us-sanctuary-jurisdiction-list-following-executive-order-14287-protecting-american-communities> (last accessed Jan. 20, 2026).

³⁷ See Vaughan, *supra* note 15.

³⁸ Colo. Rev. Stat. Ann. § 24-76.6-102(2).

³⁹ U.S. Immigr. and Customs Enf’t, Issuance of Immigr. Detainers by ICE Immigr. Officers, Policy No. 1007.2 (Mar. 24, 2017), <https://www.ice.gov/sites/default/files/documents/Document/2017/10074-2.pdf>.

⁴⁰ Colo. Rev. Stat. Ann. § 24-76.6-102(1)(b).

federal immigration authorities.⁴¹ Moreover, if federal immigration officials request an interview with a criminal alien in state or local custody in Colorado, state law requires that the alien be advised, “in the [alien’s] language of choice,” that “[t]he interview is being sought by federal immigration authorities,” [t]he individual has the right to decline the interview and remain silent,” “[t]he individual has the right to speak to an attorney before submitting to the interview,” and “[a]nything the individual says may be used against him or her in subsequent proceedings, including in a federal immigration court.”⁴² In 2025, Democrat Governor Jared Polis signed into law additional sanctuary policies,⁴³ including a prohibition on Colorado jails “delaying a defendant’s release for the purpose of immigration enforcement.”⁴⁴

Democrat officials in Colorado misleadingly claim that state and local law enforcement entities cooperate with ICE. These claims are misleading, at best. This “cooperation” with ICE is limited to circumstances in which a warrant is “issued by a federal judge or magistrate,” meaning that Colorado’s sanctuary officials view the overwhelming majority of valid immigration detainers as insufficient.⁴⁵ Judicial warrants are not required under federal law and are not possible in the overwhelming majority of immigration cases unless a foreign national is charged with a *federal* crime.⁴⁶ In testimony to the Immigration Subcommittee in May 2026, former Virginia Attorney General Jason Miyares explained the impossibility of obtaining a judicial warrant for most criminal aliens:

Q: Well, is a federal judicial warrant possible to obtain in a state crime?

A: No, it’s not, and they know this.

Q: And if deportation is a civil matter, how does one get a federal judicial warrant?

A: You can’t. Again, they know this.

Q: So, they’re basically lying to the public? They are counting on the public not understanding that what they are asking for is legally impossible?

⁴¹ Colo. Rev. Stat. Ann. § 24-76.6-103(1).

⁴² Colo. Rev. Stat. Ann. § 24-76.6-103(2).

⁴³ See Alayna Alvarez & John Frank, *Legal pressure mounts against Gov. Polis over ICE data disclosure*, AXIOS (June 9, 2025), <https://www.axios.com/local/denver/2025/06/09/colorado-jared-polis-ice-lawsuit>; Savana Kascak, *Gov. Polis signs expanded protections for illegal immigrants in Colorado*, COMPLETE COLORADO (June 9, 2025), <https://completecolorado.com/2025/06/09/gov-polis-signs-expanded-protections-illegal-immigration/>.

⁴⁴ Karin Brulliard, *New Colorado law enhances state protections for at-risk immigrants*, WASH. POST (May 23, 2025), <https://www.washingtonpost.com/nation/2025/05/23/colorado-immigration-laws-sanctuary-polis/>.

⁴⁵ See *A Hearing with Sanctuary Mayors: Hearing Before the H. Comm. on Oversight and Government Reform*, 118th Cong. (Mar. 5, 2025) (Statement of Mike Johnston, Mayor, Denver, Colo.), <https://oversight.house.gov/wp-content/uploads/2025/03/Johnston-Denver-Written-Testimony.pdf>.

⁴⁶ See *Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf’t of the H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (testimony of former Va. Att’y Gen. Jason Miyares).

A: It's legally impossible, yes, Mr. Chair.⁴⁷

Colorado also has targeted local law enforcement officers who have cooperated with federal immigration officials. In July 2025, Colorado's Attorney General, Democrat Phil Weiser, sued a county sheriff's deputy for "his cooperation with federal immigration agents on a drug task force."⁴⁸ The lawsuit came after "two deputies used a Signal chat to offer information to federal agents in an effort to assist immigration enforcement."⁴⁹ In addition to the lawsuit, two deputies and two supervisors were disciplined, with one supervisor being "suspended without pay for two days," "another receiving a letter of reprimand," and "[a] third supervisor receiv[ing] counseling."⁵⁰

Denver's city budget has suffered because of its sanctuary policies. A study from 2024 estimated that the city had spent \$356 million on the housing, education, childcare, and transportation of illegal aliens since the Biden-Harris border crisis began.⁵¹ The city reportedly spent eight percent "of its 2025 budget caring for the roughly 45,000 migrants who arrived since 2022."⁵²

Denver's Sanctuary Policies

Because of Colorado's sanctuary laws, the Denver Sheriff Department (DSD) is prohibited from honoring ICE detainers, meaning that local law enforcement is unable to hold dangerous criminal aliens in custody for a short period to allow federal immigration officers to arrest them in a secure facility. In practice, this means that ICE is forced to arrest criminal aliens at-large outside the jail, risking injury to officers, or at-large in the community, where the aliens are free to reoffend. Internal DSD policies obtained by the Committee and Subcommittee show that instead of honoring ICE detainers, DSD is forced to implement a multistep process that eventually results in the alien being released to the Denver streets.⁵³ That bureaucratic procedure includes an officer giving a criminal alien "a written advisement in the inmate's language of choice" that warns the alien that:

- a. The inmate has the right to refuse to speak to federal immigration enforcement authorities and remain silent.
- b. The inmate has the right to speak to an attorney before speaking to federal immigration enforcement authorities.
- c. Anything the individual says may be used against him or her in

⁴⁷ *Id.*

⁴⁸ Landon Mion, *Colorado deputies violated new state law when sharing information with federal immigration agents*, FOX NEWS (Aug. 1, 2025, 6:01 AM), <https://www.foxnews.com/us/colorado-deputies-violated-new-state-law-when-sharing-information-federal-immigration-agents>.

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ Jared Downing, *Sanctuary city Denver has spent almost \$8,000 for each of the 45,000 migrants that have come to the city — and now the mayor says he'll risk jail to stop them being deported*, N.Y. POST (Dec. 1, 2024), <https://nypost.com/2024/12/01/us-news/denver-spent-356-million-taxpayers-money-on-illegal-migrants/>.

⁵² *Id.*

⁵³ See Denver Sheriff Dep't Procedure Manual, Immigration/Foreign Nationals (Feb. 2025), provided to H. Comm. on the Judiciary by Denver Sheriff Dep't (on file with Comm.).

subsequent proceedings, including in federal immigration court.⁵⁴

Although DSD is allowed to notify ICE prior to criminal aliens' release from custody, the notification often does not allow ICE sufficient time to arrest the alien safely. For example, in the case of Abraham Smith Gonzalez, an illegal alien and suspected Tren de Aragua gang member from Venezuela, DSD gave ICE between one and two hours' notice to take him into custody.⁵⁵ As a result, when ICE officers attempted to arrest Gonzalez outside a Denver jail in 2025, he assaulted one officer.⁵⁶ Gonzalez had been in DSD custody for nearly a year after he was charged with aggravated assault, motor vehicle theft, felony menacing, and other crimes.⁵⁷ Despite his dangerousness, including paperwork showing he was considered "violent to staff," DSD paperwork reflects that Denver authorities released this violent criminal to the "streets."⁵⁸ If state law allowed DSD to honor immigration detainers, ICE officers could have taken custody of Gonzalez in a controlled environment instead of at-large in the Denver community.

Please be advised, Immigration and Customs Enforcement (ICE) has requested notification of your release date and may be investigating your immigration status. If contacted by an ICE agent you may choose to either accept or decline the interview. This document is provided to you to inform you of your rights.

You have the following rights regarding your interaction with ICE:

- You have the right to refuse to speak with ICE if you have not had your first appearance in court for local charges and been advised of your constitutional rights at this appearance.
- You have the right to remain silent and may refuse to talk to an agent(s) of ICE.
- You have the right to speak to an attorney before talking with an agent(s) of ICE.
- Anything you say may be used against you in immigration court.

Above: The warnings the Denver Sheriff Department gives to criminal aliens, including a dangerous illegal alien gang member after ICE lodged a detainer against him in 2025. Info. provided to H. Comm. on the Judiciary staff by U.S. Immigr. and Customs Enf't (Mar. 3, 2025) (on file with Comm.).

⁵⁴ *Id.*

⁵⁵ Peter Pinedo, 'Sanctuary' city mayor confronted after gang member allegedly assaults federal officers, FOX NEWS (Mar. 5, 2025, 3:03 PM), <https://www.foxnews.com/politics/sanctuary-city-mayor-confronted-allowing-gang-member-assault-federal-officers>; Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Mar. 4, 2025) (on file with Comm.).

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

Denver Sheriff Department
ICE Notification
 Being released to streets
 Date 02/28/25 Approx. Time after 16:35
 Name and Serial# [REDACTED]

GONZALEZ, ABRAHAM SMITH



LEVEL 3 - MEDIUM HIGH

UNSENTENCED





Information ▼

Alerts ▼

Flags:

CLEARED

VIOLENT TO STAFF

Above: Documents obtained by the Committee and Subcommittee in 2025 show that DSD noted a suspected Tren de Aragua gang member was “[b]eing released to streets” despite an ICE detainer and his documented history of being “violent to staff.” Info. provided to H. Comm. on the Judiciary staff by U.S. Immigr. and Customs Enf’t (Mar. 3, 2025) (on file with Comm.).

From January 20, 2025, to September 17, 2026, ICE issued 313 detainers to the Denver County Jail,⁵⁹ which is managed by DSD.⁶⁰ Because of Colorado law, so far in 2026 alone, DSD has ignored detainers for aliens with crimes ranging from felony assault with a deadly weapon to sexual assault on a child, including detainers for the following 20 criminal aliens:

- **Royker Rizo-Jimenez**, a Venezuelan national arrested for felony menacing, assault, and domestic violence. His criminal history also includes arrests for theft and felony assault.⁶¹

⁵⁹ Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf’t (Sept. 21, 2026) (on file with Comm.).

⁶⁰ See Denver Sheriff Dep’t, About, <https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Sheriff-Department/About> (last accessed Sept. 21, 2026).

⁶¹ Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf’t (Sept. 21, 2026) (on file with Comm.).



- **Diego Cano-Diaz**, a Venezuelan national arrested for aggravated assault with a weapon, resisting arrest, and assault. His criminal history also includes arrests for burglary, trespassing, theft, and multiple protection order violations.⁶²
- **M Prasant Rao**, an Indian national arrested for a controlled substance offense and failure to appear. His criminal history also includes arrests for possession of drug paraphernalia, making a false report, and carrying a concealed weapon.⁶³
- **Juan Andres Holguin-Mendez**, a Mexican national arrested for damage to property. His criminal history also includes arrests for willful cruelty to a child, DUI, malicious mischief, possession of a controlled substance, trespassing, disturbing the peace, and evading a peace officer.⁶⁴
- **Sergio Valle-Banegas**, a Honduran national arrested for assault and manufacturing/distribution of a controlled substance.⁶⁵

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

- **Jocksan Aniel Perez-Adams**, a Nicaraguan national arrested for domestic violence, criminal mischief, and damaging property. His criminal history also includes an arrest for assault, causing serious bodily injury with a deadly weapon.⁶⁶
- **Manuel Figueroa-Lopez**, a Mexican national arrested for vehicle theft and failure to appear. His criminal history also includes arrests for aggravated motor vehicle theft, resisting arrest, and traffic violations.⁶⁷
- **Wilmer Contreras-Navarro**, a Honduran national arrested for a controlled substance offense and making a false report. His criminal history includes “arrests in numerous states” for multiple controlled substance offenses.⁶⁸
- **Fernando Barrios-Ramirez**, a Venezuelan national arrested for sexual assault on a child – position of trust, harassment, and kidnapping/false imprisonment.⁶⁹
- **Odalys Aguiar-Chajon**, a Guatemalan national arrested for violating a domestic violence-related court order. His criminal history includes armed burglary, felony menacing, and assault.⁷⁰
- **Ronaldinio Mihai**, a Romanian national arrested for possession of burglary tools, possession of forged instruments, and obstructing a peace officer. His criminal history includes arrests “for illegal use of credit cards and identity theft in multiple states.”⁷¹
- **Delvis Larosa-Carvajal**, a Venezuelan national arrested for assault and domestic violence. His criminal history includes arrests for “wrongs to minors and violation of a court order.”⁷²
- **Hussen Haji Hassan**, a Somali national whose criminal history “includes numerous convictions for possession and distribution of dangerous drugs, fraud-criminal impersonation, vehicle theft, driving under the influence,” and assault.⁷³
- **Wilber Guarecuco-Ochoa**, a Venezuelan national arrested for assault and “kidnapping/false imprisonment domestic violence.”⁷⁴
- **Enderson Hernandez-Duran**, a Venezuelan national arrested for “weapon offense-large capacity magazine,” felony menacing, and theft with a firearm.⁷⁵

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

- **Marco Antonio Lopez-Curiel**, a Mexican national arrested for failure to appear. His criminal history also includes arrests for strangulation, assault, kidnapping, and fraud, and convictions for possession of a false driver's license and assault.⁷⁶
- **Anastacio Mares Herrera**, a Mexican national whose criminal history includes sexual assault, theft, assault, motor vehicle theft, and burglary.⁷⁷
- **Petra Vazquez Perez**, a Mexican national arrested for assault.⁷⁸
- **Jose Lopez Fraire**, a Mexican national arrested for a controlled substance offense and trespassing. His criminal history also includes arrests for vehicle theft and a controlled substance offense.⁷⁹
- **Omar Mosqueda Cordoba**, a Mexican national arrested for failure to appear. His criminal history also includes arrests for vehicle theft, theft, a controlled substance offense, and obstructing police.⁸⁰



Additional documents obtained by the Committee and Subcommittee reveal that there is no shortage of criminal aliens in DSD custody who could be held for ICE to safely arrest them while they *remain* in DSD custody. In the first five months of 2026 alone, DSD detained aliens

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Id.*

with pending charges for crimes ranging from attempted murder to motor vehicle theft to strangulation, including:

- A criminal alien charged with attempted murder in Oregon;
- A criminal alien charged with child abuse and assault with a deadly weapon;
- A criminal alien charged with more than a dozen crimes, including racketeering, controlled substance offenses, money laundering, and distribution of fentanyl;
- A criminal alien charged with multiple counts of possession of a controlled substance, unlawful possession of a dangerous weapon, and possession of drug paraphernalia;
- A criminal alien charged with intent to manufacture, dispense, sell, or distribute fentanyl;
- A criminal alien charged with possession of fentanyl with intent to distribute; and
- A criminal alien charged with felony menacing with a real or simulated weapon.⁸¹

If Denver authorities cooperated with federal immigration enforcement, these dangerous criminals would be transferred to ICE custody instead of released onto Denver streets. The Committee and Subcommittee’s oversight has also revealed that Colorado’s sanctuary policies have attracted criminal aliens, including:

- **Victoriano Cayetano-Leon**,⁸² a criminal alien who was arrested in December 2025 and “charged with felony theft and conspiracy along with third-degree burglary and driving under a suspended or revoked license.”⁸³ Law enforcement suspected Cayetano Leon of stealing “around 500 gallons of fuel” from a Steamboat Springs gas station.⁸⁴ In Denver, his criminal charges have included stalking, violation of a protection order, and criminal mischief.⁸⁵
- **Jose Daniel Gimenez-Chacin**,⁸⁶ a criminal alien who was arrested for his role in a “rolling gunfight” that happened “between a black SUV and a white pickup” in

⁸¹ See Public Safety Enf’t Priorities Act, Immigr. and Customs Enf’t Notifications of Release Requests, provided to H. Comm. on the Judiciary by Denver Sheriff Dep’t (Aug. 28, 2026) (on file with Comm.).

⁸² See Documents provided to H. Comm. on the Judiciary by Denver District Att’y John Walsh (Sept. 11, 2026) [hereinafter Walsh Production] (on file with Comm.).

⁸³ Emma Pilger, *Routt County judge issues arrest warrant for man accused in fuel theft*, STEAMBOAT PILOT (Jan 8, 2025), <https://www.steamboatpilot.com/news/routt-county-judge-issues-arrest-warrant-for-man-accused-in-fuel-theft/>; Jesse Sarles, *More than \$30,000 worth of diesel fuel stolen in Colorado’s high country, 3 suspects in custody*, CBS NEWS (Dec. 20, 2024, 9:14 PM), <https://www.cbsnews.com/colorado/news/diesel-fuel-stolen-colorado-mountains-steamboat-springs/>.

⁸⁴ *Id.*

⁸⁵ Walsh Production, *supra* note 82.

⁸⁶ *Id.*

Aurora in July 2024.⁸⁷ Gimenez-Chacin was charged with criminal attempt to commit murder in the first degree, multiple counts of felony menacing, and assault in the first degree.⁸⁸

- **Jose Hernandez Gamon**, a criminal alien whose criminal charges in Denver have included first-degree burglary, felony menacing, assault in the third degree, and child abuse.⁸⁹
- **Fernando Rodriguez-Dasilva**,⁹⁰ a criminal alien from Venezuela who targeted elderly men in an upscale Denver neighborhood and “demanded that the victims give up their pricey watches.”⁹¹ Rodriguez Dasilva was charged with multiple attempts to commit aggravated robbery.⁹² Immigration officials removed him to El Salvador in March 2025.⁹³
- **Idianay Hernandez-Jorin**,⁹⁴ a criminal alien from Cuba who was arrested at a “an illegal after-hours nightclub in Colorado Springs” in April 2025.⁹⁵ In Denver, Hernandez-Jorin’s criminal charges have included felony assault and theft of something valued at more than \$100,000 but less than \$1 million.⁹⁶
- **Walmer O. Garcia-Hernandez**, a criminal alien whose criminal charges in Denver have included vehicular assault and driving under the influence.⁹⁷
- **Sergio J. Chavira-Munoz**, a criminal alien whose criminal charges in Denver have included possession of a defaced firearm and violation of a protection order.⁹⁸ He has also been convicted of felony sexual assault and, as of May 31, 2025, had “pending charges for criminal impersonation and failure to register as a sex offender.”⁹⁹ ICE arrested the Mexican national on May 20, 2025.¹⁰⁰

⁸⁷ Jeff Gurney, *3 suspects charged in Colorado in connection with “rolling gunfight” that affected at least 6 people in Aurora*, CBS NEWS (Dec. 10, 2024, 3:55 PM), <https://www.cbsnews.com/colorado/news/three-suspects-charged-rolling-gunfight-6-people-aurora-south-havana-street/>.

⁸⁸ Walsh Production, *supra* note 82.

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ Brian Maass, *Suspected gunman in Colorado “Rolex robberies” arrested in Detroit*, CBS NEWS (Dec. 30, 2025, 5:57 PM), <https://www.cbsnews.com/colorado/news/suspected-gunman-in-colorado-rolex-robberies-arrested-out-of-state/>.

⁹² Walsh Production, *supra* note 82.

⁹³ *See* Maass, *supra* note 91.

⁹⁴ Walsh Production, *supra* note 82.

⁹⁵ Virginia Allen, *EXCLUSIVE: Meet 6 Illegal Aliens Arrested in Raid at Underground Nightclub*, DAILY SIGNAL (May 2, 2025), <https://www.dailysignal.com/2025/05/02/exclusive-meet-6-of-the-illegal-aliens-arrested-in-mass-raid-at-underground-nightclub-in-colorado/>.

⁹⁶ *See* Walsh Production, *supra* note 82; *see* Colo. Rev. Stat. § 18-4-401(1), (2)(i).

⁹⁷ Walsh Production, *supra* note 82.

⁹⁸ *Id.*

⁹⁹ ICE ERO Denver (@ERODenver), X (May 31, 2025, 12:30 PM), <https://x.com/ERODenver/status/1928851467919675495>.

¹⁰⁰ *Id.*

- **Javier Nava-Hernandez**, a criminal alien charged with multiple counts of felony sexual assault on a child, pattern of abuse.¹⁰¹
- **Enrique Aranda-Pena**, a criminal alien from Mexico with convictions for “sexual assault – drug induced and aggravated assault – strong arm.”¹⁰² ICE arrested Aranda-Pena in July 2026.¹⁰³ He faces additional charges in Denver for sexual assault, contributing to the delinquency of a minor, criminal attempt to commit sexual assault, and assault in the second degree.¹⁰⁴



Boulder’s Sanctuary Policies

Like local law enforcement in Denver, the Boulder County Sheriff’s Office (BCSO) is forbidden from holding aliens in its custody to await an ICE arrest in a controlled environment. BCSO’s policies make clear that the Boulder County Jail, which BCSO manages, “**will not** deny or delay release of an inmate based solely on an Immigration Detainer or Immigration Arrest Warrant.”¹⁰⁵ Although the policy permits notification of ICE if a criminal alien “receives a

¹⁰¹ Walsh Production, *supra* note 82.

¹⁰² Walsh Production, *supra* note 82; Press Release, WORST OF THE WORST: ICE Arrests Murderers, Pedophiles, Rapists, and Other Criminal Illegal Aliens Over Independence Day Weekend, U.S. Dep’t of Homeland Sec. (July 6, 2026), <https://www.dhs.gov/news/2026/07/06/worst-worst-ice-arrests-murderers-pedophiles-rapists-and-other-criminal-illegal>.

¹⁰³ See Press Release, WORST OF THE WORST: ICE Arrests Murderers, Pedophiles, Rapists, and Other Criminal Illegal Aliens Over Independence Day Weekend, *supra* note 102.

¹⁰⁴ Walsh Production, *supra* note 82.

¹⁰⁵ See Holds for Immigr. and Customs Enf’t (I.C.E.), Boulder Cnty. Sheriff’s Off. Jail Division (July 28, 2025) provided to H. Comm. on the Judiciary by Boulder Cnty. Sheriff’s Off. (July 8, 2026) (on file with Comm.) (emphasis in original).

personal recognizance bond or posts a bond,” it emphasizes that “the inmate will be released as soon as the paperwork is processed.”¹⁰⁶ So far in 2026, BCSO has ignored detainers for aliens with crimes ranging from child abuse to bribery, including detainers for the following criminal aliens:

- **Mario Hernandez-Quiroz**, a Mexican national arrested for child abuse and failure to appear. His criminal history includes previous arrests for bribery, habitual domestic violence, trespassing, driving under the influence, obstructing police, and harassment.¹⁰⁷
- **Jorge Luis Verde-Matheus**, a Venezuelan national arrested for contempt of court. His criminal history includes previous arrests for aggravated assault, child abuse, and obstructing police.¹⁰⁸
- **Theophile Kalenzi**, a national of the Democratic Republic of the Congo whose criminal history includes multiple violations of court orders and arrests for DUI, obstructing police, assault, damage to property, and shoplifting.¹⁰⁹

BCSO has released other criminal aliens from its custody instead of honoring ICE detainers, including:

- **Juan Curi Lizana**, a criminal alien who was charged with “one count of first-degree assault – serious bodily injury with a deadly weapon; and one count of first-degree burglary – assault or menace” after he “stabbed [a] man in the back multiple times, sending the man to the hospital.”¹¹⁰ Curi Lizana went to the man’s apartment with his mother and brother because the man “owed him and his mother money for rides and cleaning services.”¹¹¹

¹⁰⁶ *Id.*

¹⁰⁷ Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf’t (Sept. 21, 2026) (on file with Comm.).

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ See ICE Holds Rep. Jan. 1, 2023 – July 7, 2026, Boulder Cnty. Sheriff’s Off., provided to H. Comm. on the Judiciary by Boulder Cnty. Sheriff’s Off. (July 8, 2026) (on file with Comm.); Abigail Ankeney, *Mother, 2 sons stabbed Longmont man for revealing her alleged affair, police say*, DAILY TIMES-CALL (Nov. 6, 2025, 4:47 PM), <https://www.yahoo.com/news/articles/mother-2-sons-stabbed-longmont-214700071.html>.

¹¹¹ *Id.*

- **Marlon Ronaldo Pena Contreras**, a criminal alien whose criminal history includes an arrest for sexually assaulting a minor “multiple times between February 2023 and April 2024.”¹¹²

PROCEDURE II—Processing Receipt of “Immigration Detainer-Notice of Action” form (I-247A) accompanied by an “Immigration Arrest Warrant” (I-200 or I-205).

1. The Jail will not deny, or delay release of an inmate based solely on an Immigration Detainer or Immigration Arrest Warrant.
2. Upon receipt of an Immigration Detainer-Notice of Action (Form I-247A) accompanied by a signed Immigration Arrest Warrant (Form I-200 or I-205), jail booking staff shall enter an “Immigration Detainer – Notice (Form I247A)” (immigration hold event) into the Jail Management System with the date and time of receipt of this notification. Signed copies of I-247A and I-200 or I-205 will be added to the Hold Reason.
3. If the inmate has no other holds, I.C.E. will be notified that if the individual receives a personal recognizance bond or posts a bond, the inmate will be released as soon as the paperwork is processed.

Above: Colorado’s sanctuary laws mean that the Boulder County Sheriff’s Office cannot honor ICE detainers and must release criminal aliens back into Colorado communities “as soon as the [release] paperwork is processed.” See Holds for Immigr. and Customs Enf’t (I.C.E.), Boulder Cnty. Sheriff’s Off. Jail Division (July 28, 2025) provided to H. Comm. on the Judiciary by Boulder Cnty. Sheriff’s Off. (July 8, 2026) (on file with Comm.).

Meanwhile, multiple criminal aliens remain in BCSO custody with active ICE detainers, including Denisa Barbu, Felicia Ciuciu, Ion Ciuciu, Romario Ciuciu, Ionel Iancu, and Marcel Velcu, foreign nationals who were arrested for their role in a massive card skimming operation that involved “install[ing] skimming devices on ATMs and point-of-sale machines at several 7-Eleven locations and other convenience stores” in Colorado.¹¹³ The crime ring is linked “to at least 447 victims whose EBT cards were compromised, resulting in 236 cloned cards and more than \$301,000 stolen or attempted [to be] stolen from their accounts.”¹¹⁴

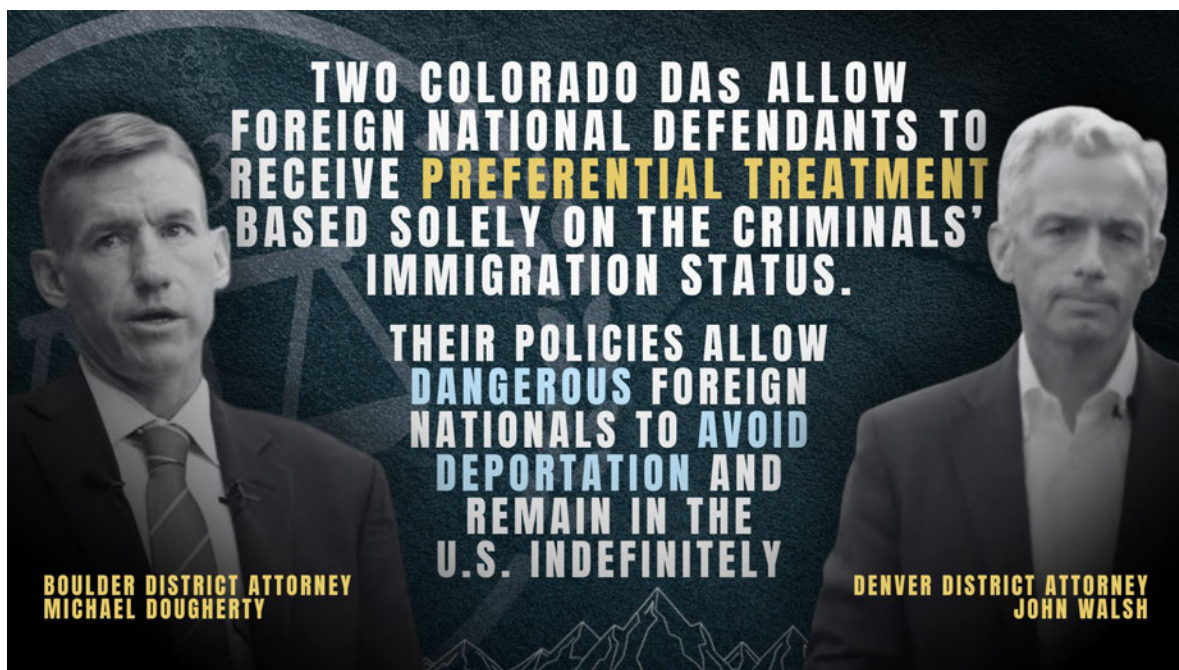
¹¹² See Nicole Dorfman, *Lafayette man suspected of sexually assaulting girl multiple times*, DAILY CAMERA (Mar. 1, 2025, 10:38 PM), <https://www.dailycamera.com/2025/03/01/lafayette-man-suspected-sexually-assaulting-girl-multiple-times/>.

¹¹³ Robert Garrison, *Major crime ring busted after skimmers hit hundreds across Front Range*, DENVER 7 NEWS (May 13, 2026, 3:20 PM), <https://www.denver7.com/news/crime/major-crime-ring-busted-after-skimmers-hit-hundreds-across-front-range/>; Press Release, Operation Quick Cash – Superseding Indictments, Boulder Cnty., Colo. (June 16, 2026), <https://bouldercounty.gov/news/press-release-operation-quick-cash-superseding-indictments/>; Abigail Ankeney, *3 arrested, 6 more indicted in Boulder County in \$300,000 Front Range card-skimming scheme*, DENVER POST (June 16, 2026, 2:29 PM), <https://www.denverpost.com/2026/06/16/theft-fraud-lafayette-crime-ring/>.

¹¹⁴ See Garrison, *supra* note 113.

Denver's and Boulder's Preferential Prosecution of Criminal Aliens

Under the direction of Denver District Attorney John Walsh and Boulder District Attorney Michael Dougherty, prosecutors in Denver and Boulder give preferential treatment to aliens based solely on their immigration status—all so that criminal aliens can avoid deportation and remain in the United States indefinitely. For years, the Denver District Attorney's Office has openly given preferential treatment to aliens based solely on their immigration status. In 2019, Walsh's predecessor implemented a policy to consider a criminal defendant's immigration status when making prosecution decisions.¹¹⁵ Noting that "[d]ifferent individuals charged with the same crime may face markedly different consequences depending upon various factors, including an individual's immigration status," the former District Attorney directed the office to "take reasonable steps to mitigate [immigration] consequences" for criminal aliens.¹¹⁶ The policy even permits consideration of immigration consequences in cases involving violent felonies.¹¹⁷ Like his predecessor, Walsh committed the district attorney's office to continuing the policy of "weighing the collateral consequences of charging decisions—particularly their potential to accelerate deportation."¹¹⁸ Instead of cooperating with ICE, Walsh has vilified federal law enforcement, claiming without evidence that federal immigration enforcement has led to an increase in domestic violence.¹¹⁹



¹¹⁵ Memorandum from Beth McCann, District Att'y, to All Denver DA Personnel, "Denver District Att'y's Internal Off. Policy Regarding Immigr. Collateral Consequences" (Apr. 23, 2019), <https://denverimmigrationlawyer.com/wp-content/uploads/2019/04/Immigration-Collateral-Consequences-Final-Policy-April-2019.pdf>.

¹¹⁶ *Id.*

¹¹⁷ *See id.*

¹¹⁸ Alayna Alvarez & Esteban L. Hernandez, *How Denver won't — and will — cooperate with ICE*, AXIOS (Jan. 27, 2025), <https://www.axios.com/local/denver/2025/01/28/denver-immigration-ice-cooperation-investigation>.

¹¹⁹ *See* Colette Bordelon, *Denver DA develops two new units in response to 12% increase in domestic violence cases last year*, DENVER ABC 7 (June 19, 2025, 9:30 AM), <https://www.denver7.com/news/front-range/denver/denver-da-develops-two-new-units-in-response-to-12-increase-in-domestic-violence-cases-last-year>.

In Boulder, District Attorney Dougherty prohibits information sharing with ICE and is even “willing to move court dates for a defendant if there is a fear that immigration officials will use the time of the court date to attempt to locate an individual.”¹²⁰ His office openly gives preferential treatment to aliens based solely on their immigration status, even admitting that the Boulder County District Attorney’s Office “consider[s] the immigration and other collateral consequences to a defendant in recommending dispositions,” including the crime of conviction and the “[l]anguage used in disposition documents.”¹²¹ This policy allows for criminal aliens to be released from custody early, given that “the length of both a suspended sentence and a total sentence imposed, regardless of time actually served, in some cases determines whether a particular offense triggers specific immigration consequences.”¹²² Dougherty even permits the consideration of immigration consequences in cases involving violent offenses, vehicular fatalities, and “[a]ggravated or violent sexual factual basis offenses.”¹²³

Accordingly, it is the policy of the District Attorney’s Office that our attorneys consider the immigration and other collateral consequences to a defendant in recommending dispositions, to the extent they are aware of such, including:

1. Crime of conviction
2. Language used in disposition documents (such as *mens rea* language e. recklessly vs. knowingly; specifying particular weapons, i.e. ballistic knife; specifying particular controlled substances, i.e. morphine), and
3. Length of any suspended sentence or sentence imposed (the length of both a suspended sentence and a total sentence imposed, regardless of time actually served, in some cases determines whether a particular offense triggers specific immigration consequences). (Note also length of maximum possible sentence for a crime may trigger immigration consequences, even if the maximum is not imposed by the court. This is one reason why the state legislature changed the maximum penalty for a class 1 misdemeanor to 364 days.)

Above: The Boulder District Attorney’s Office’s Policy Regarding Immigration Collateral Consequences is designed to thwart the enforcement of federal immigration law and allow dangerous foreign national criminals to remain in the U.S. indefinitely.

¹²⁰ Immigr. Rights in the Boulder Cnty. Justice System, Boulder Cnty. District Att’y’s Off., <https://bouldercounty.gov/district-attorney/immigrant-rights-in-the-boulder-county-justice-system/> (last accessed Oct. 6, 2026).

¹²¹ District Att’y Policy Regarding Immigr. Collateral Consequences, Boulder Cnty. District Att’y’s Off., <https://bouldercounty.gov/district-attorney/district-attorney-policy-immigration-collateral-consequences/> (last accessed Oct. 6, 2026).

¹²² *Id.*

¹²³ *Id.*

Documents obtained by the Committee and Subcommittee reveal the extent to which Dougherty protects criminal aliens in Boulder from federal immigration enforcement. Before President Trump even took office in January 2025, Dougherty e-mailed Boulder defense attorneys to remind them of his office’s pro-illegal alien policies, including his office’s consideration of collateral immigration consequences.¹²⁴ He also noted that his office had been “working with law enforcement and community organizations to develop a Know Your Rights document so people can be informed as to what protections there are (and are not) in regards to traffic stops, crime victims, jails, detainers, criminal convictions, courthouses, probation offices, and so forth.”¹²⁵ In late September 2026, Dougherty led a presentation at the Colorado District Attorneys’ Council Fall Conference in which he discussed “immigrant protection and the possible plea offer considerations of immigration consequences.”¹²⁶

Dougherty has also worked to make ICE’s role more difficult in Boulder. In a January 2025 presentation to the Democratic Women of Boulder County titled “Questions and Concerns on Immigration: What Can we Do?”, Dougherty explained Boulder County’s sanctuary policies and boasted about Colorado “reduc[ing] the maximum sentence for misdemeanors to 364 days, thereby shielding some undocumented people from the deportation trigger under federal law.”¹²⁷ Dougherty’s office also produced a Know Your Rights document that encourages criminal aliens to remain silent during interactions with ICE, advises people to not open their doors “unless ICE present a federal warrant approved by a judge,” and advises that individuals “are permitted to film and voice record ICE activity.”¹²⁸

Carissa “Luu” Aspnes

Colorado’s sanctuary policies have deadly results. On March 28, 2025, “an unlicensed and uninsured illegal alien” from Venezuela “r[an] a stop sign, cross[ed] three lanes of traffic without looking[,] and collide[d] with” 22-year-old Carissa “Luu” Aspnes in Parker, Colorado, causing Carissa to slam “headfirst into a concrete barrier.”¹²⁹ The driver, Valeria De Los Angeles Bermudez Marcano, “then fled the scene with her boyfriend and aunt,” not knowing if Carissa was alive or dead.¹³⁰ Marcano had entered the U.S. illegally in 2023 and was released into the

¹²⁴ E-mail from Boulder Cnty. District Att’y’s Off. (Jan. 3, 2025), provided to H. Comm. on the Judiciary (on file with Comm.).

¹²⁵ *Id.*

¹²⁶ Colo. District Att’y’s Council Fall Conference Speaker Packet, provided to H. Comm. on the Judiciary (on file with Comm.).

¹²⁷ Questions and Concerns on Immigr.: What Can We Do?, Dist. Att’y Michael Dougherty and Hans Meyer (Jan. 15, 2025), provided to H. Comm. on the Judiciary (on file with Comm.).

¹²⁸ Know Your Rights in Colo., Boulder Cnty. District Att’y’s Off., provided to H. Comm. on the Judiciary (on file with Comm.).

¹²⁹ See Press Release, THIS IS OUR WHY: DHS Releases Video Honoring Carissa Aspnes Who Was Severely Injured in a Hit-and-Run by an Illegal Alien Who Ran a Stop Sign, U.S. Dep’t of Homeland Sec. (May 7, 2026), <https://www.dhs.gov/news/2026/05/07/our-why-dhs-releases-video-honoring-carissa-aspnes-who-was-severely-injured-hit-and>; *The Human Toll of Sanctuary Policies: Stories from Victims and Families: Hearing Before the Subcomm. Oversight, of the H. Comm. on the Judiciary*, 119th Cong. (Apr. 16, 2026) (statement of Patricia Fox) [hereinafter Testimony of Patricia Fox].

¹³⁰ Testimony of Patricia Fox, *supra* note 129.

country by the Biden-Harris Administration.¹³¹ Within two days of the crash, Marcano was released on a \$500 bond.¹³² ICE arrested Marcano on January 21, 2026, and removed her from the United States on April 2, 2026.¹³³

In testimony to the Oversight Subcommittee in April 2026, Patricia “Patti” Fox, Carissa’s mom, described Carissa as an “ambitious” esthetician student who “quickly rose to the top of her class, landed jobs with high-end salons,” and “smile[d] with confidence as she talked about her dreams of opening a skincare line based on beauty secrets around the world.”¹³⁴ Carissa’s goal “was to make

quality
skincare
affordable for
everyone
because
everyone
deserved to
feel
beautiful.”¹³⁵
After the
crash, Carissa
is “minimally
conscious,
nonverbal, . . .
wheelchair
bound, . . .
eats through a
feeding tube,”
and “has very
little cognitive
control over
her body.”¹³⁶
Patti



described her daughter as “communicat[ing] discomfort through grunts and moans” and calling out to her at night.¹³⁷ In her testimony to the Immigration Subcommittee in September 2026, Patti described the need for robust borders and strong immigration enforcement to prevent similar tragedies, saying, “If immigration enforcement is justified only after someone becomes

¹³¹ See Press Release, THIS IS OUR WHY: DHS Releases Video Honoring Carissa Aspnes Who Was Severely Injured in a Hit-and-Run by an Illegal Alien Who Ran a Stop Sign, *supra* note 129.

¹³² Olivia Young, *Colorado family shares road to recovery, assistance after crash involving undocumented immigrant*, CBS NEWS (Apr. 11, 2026, 12:31 PM), <https://www.cbsnews.com/colorado/news/colorado-family-voice-assistance-crash-involving-undocumented-immigrant/>.

¹³³ See Press Release, THIS IS OUR WHY: DHS Releases Video Honoring Carissa Aspnes Who Was Severely Injured in a Hit-and-Run by an Illegal Alien Who Ran a Stop Sign, *supra* note 129.

¹³⁴ Testimony of Patricia Fox, *supra* note 129.

¹³⁵ *Id.*

¹³⁶ *Id.*

¹³⁷ *Id.*

one of the ‘worst of the worst,’ what happens to the American citizen who has to become that person’s first catastrophic victim? Public safety cannot operate exclusively in hindsight.”¹³⁸ Patti also questioned why ensuring the safety of American citizens does not receive bipartisan support:

Policies determine how immigration law is enforced, when jurisdictions cooperate with federal authorities, what information is shared, and under what circumstances immigration authorities can act. Those choices carry consequences even when the policymakers who make them never meet the people who ultimately bear those consequences. This should not be a partisan proposition. The death of an American citizen should matter to Republicans and Democrats. The catastrophic and permanent injury of an American citizen should matter to Republicans and Democrats. Protecting Americans should not become more or less important depending upon which party controls the presidency.

CONCLUSION

Democrats’ open-borders policies and sanctuary jurisdictions have had devastating consequences for U.S. citizens. Even after the American people resoundingly rejected Democrats’ pro-illegal alien policies in November 2024, Democrats across the country reinforced sanctuary policies to ensure that the millions of illegal aliens who entered the U.S. are never removed from the country. Colorado is just one example of Democrats’ efforts to erase national borders and undermine immigration enforcement. Meanwhile, President Trump and House and Senate Republicans continue to work on commonsense solutions to secure the border, enforce federal immigration law, and protect American communities.

On March 5, 2026, the Committee favorably reported H.R. 7640, the Shut Down Sanctuary Policies Act. The Shut Down Sanctuary Policies Act protects American communities by prohibiting state and local laws and policies that restrict cooperation with federal immigration officials. The bill also would defend cooperative jurisdictions from frivolous lawsuits from sanctuary officials, allow jurisdictions to receive federal funding if they do not thwart federal law, and give much-needed relief to victims of sanctuary policies. The Committee will continue its oversight into sanctuary jurisdictions that prioritize the comfort of illegal alien criminals over the safety of U.S. citizens.

¹³⁸ *Sanctuary Policies, Tragic Consequences: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf’t, of the H. Comm. on the Judiciary*, 119th Cong. (Sept. 1, 2026) (statement of Patricia Fox).