

Special Offender Categories for Juveniles

Special Offender Category, § 19-2-908, C.R.S. (2020)	Definitions	Sentence or Commitment Details
Mandatory Sentence Offender	<p>§ 19-2-516(1), C.R.S. A juvenile is a mandatory sentence offender if:</p> <ol style="list-style-type: none"> 1) Adjudicated a juvenile delinquent twice, or 2) Adjudicated a juvenile delinquent and probation revoked for delinquent act, and <ol style="list-style-type: none"> a) Subsequently adjudicated a juvenile delinquent, or b) Probation revoked for a delinquent act 	<p>§ 19-2-908(1)(a), C.R.S. Juvenile shall be placed out of the home for not less than 1 year, unless the court finds an alternative sentence is more appropriate.</p> <p>If 18 years or older on the date of sentencing for an offense that occurred prior to their 18th birthday, sentence could be:</p> <ol style="list-style-type: none"> 1) not less than 2 years in the county jail, or community correctional facility or program, or 2) released upon a showing of exemplary behavior.

Repeat Juvenile Offender	<p>§ 19-2-516(2), C.R.S. A juvenile is a repeat juvenile offender if:</p> <ol style="list-style-type: none"> 1) Previously adjudicated a juvenile delinquent, and 2) Adjudicated a juvenile delinquent for a felony, or 3) Probation revoked for a felony 	<p>§ 19-2-908(1)(b), C.R.S. Juvenile shall be placed out of the home for not less than 1 year, unless the court finds an alternative sentence is more appropriate.</p> <p>If 18 years or older on the date of sentencing for an offense that occurred prior to their 18th birthday, sentence could be:</p> <ol style="list-style-type: none"> 1) not less than 2 years in the county jail, or community correctional facility or program, or 2) released upon a showing of exemplary behavior.
Violent Juvenile Offender	<p>§ 19-2-516(3), C.R.S. A juvenile is a violent juvenile offender if adjudicated a juvenile delinquent for a crime of violence.</p> <p>§ 18-1.3-406(2), C.R.S. Crime of violence:</p> <ol style="list-style-type: none"> 1) involves a deadly weapon 2) caused serious bodily injury or death 3) crime against at-risk adult or at-risk juvenile 4) first or second degree assault 5) kidnapping 6) sexual offense 7) aggravated robbery 8) first degree arson 9) first degree burglary 	<p>§ 19-2-908(1)(c), C.R.S. Juvenile shall be placed out of the home for not less than 1 year, unless the juvenile is between the ages of 10 and 12 and the court finds an alternative sentence is more appropriate.</p> <p>If 18 years or older on the date of sentencing for an offense that occurred prior to their 18th birthday, sentence could be not less than 2 years in the county jail, or community correctional facility or program.</p> <p>The court may commit the juvenile to the Department of Human Services (DHS) for a minimum sentence during which the juvenile shall not be released without written approval of the committing court.</p>

	<ul style="list-style-type: none"> 10) escape 11) criminal extortion, or 12) first or second degree unlawful termination of pregnancy 	
<p>Aggravated Juvenile Offender</p>	<p>§ 19-2-516(4), C.R.S. A juvenile is an aggravated juvenile offender if:</p> <ul style="list-style-type: none"> 1) Adjudicated a juvenile delinquent or probation is revoked for a class 1 or class 2 felony, or 2) Adjudicated a juvenile delinquent or probation is revoked for a crime of violence (see § 18-1.3-406(2) above), or 3) Adjudicated a juvenile delinquent or probation is revoked for felonious unlawful sexual behavior, incest, or aggravated incest 	<p>§ 19-2-601, C.R.S. For an offense that would constitute a class 1 felony if committed by an adult, commitment to DHS shall be at least 3 but not more than 7 years.</p> <p>For an offense that would constitute a class 2 felony if committed by an adult, commitment to DHS shall be at least 3 but not more than 5 years.</p> <p>For an offense other than one constituting a class 1 or class 2 felony if committed by an adult, commitment to DHS may be up to 5 years.</p> <p>For first or second degree murder, sentence may be consecutive or concurrent for any crime of violence (see § 18-1.3-406(2), C.R.S.) or for an act for which the juvenile is an aggravated juvenile offender.</p>