

# Exploring the increase in district court filings in Colorado, 2013-2018

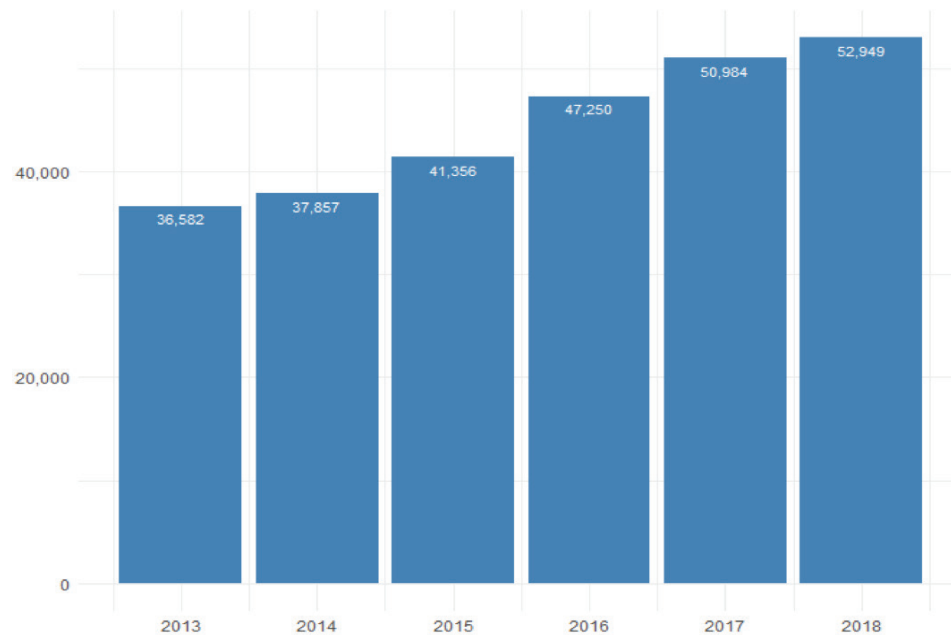


Figure 1: Total district court felony filings in Colorado, 2013-2018

## *Prepared By*

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OCTOBER 2019



**COLORADO**  
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The Division of Criminal Justice, Office of Research and Statistics, convened a study group to review and discuss data related to the increase in district court filings. We are grateful for the insights and perspectives offered by our colleagues:

**Jessica Brill**, State Court Administrator's Office

**Maureen Cain**, Office of the State Public Defender

**Heather Champeau**, State Demographer's Office

**Todd Fahlsing**, Lakewood Police Department and West Metro Drug Task Force

**Linda Harrison**, Division of Criminal Justice

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**Jessica Zender**, State Court Administrator's Office

## Introduction

In recent years, felony<sup>1</sup> filings have increased significantly in Colorado's district courts. Between calendar years 2013 and 2018, the total number of statewide felony filings increased by 44.7 percent, from 36,582 filings in 2013 to 52,949 in 2018. The rate of growth was most pronounced between 2014 and 2017; it appears to have slowed in 2018 (see Figure 1). The overall state population also increased during this time, but the increase in filings has substantially outpaced population growth. The felony filing rate was 907 per 100,000 adult state residents in 2013, and grew to 1,190 per 100,000 adult state residents in 2018 (see Table 1). Thus, controlling for the growth in the adult population, the rate of felony district court filings still increased by 31.2 percent between 2013 and 2018.

*Controlling for the growth in the adult population, the rate of felony district court filings still increased by **31.2 percent** between 2013 and 2018.*

This trend is important to understand because of the pressure it puts on multiple facets of the state's criminal justice system. A larger number of filings intensifies caseload pressures in court, requiring more time and effort on the part of judges, district attorneys, and public defenders. Additional personnel may even need to be hired to cope with these pressures. Burdens also increase on state and local correctional systems that are already near or at capacity. At midyear 2019, the state prison population stood at 17,932<sup>2</sup> and the Colorado Division of Criminal Justice's (DCJ) population projections anticipate a period of negative growth over the next two years, followed by a return to growth in 2020. This expectation of negative growth comes on the heels of a period of strong growth—driven in part by the increase in filings—during which the prison population reached 98.6 percent of capacity with only 250 vacant beds across all facilities at the end of 2018.<sup>3</sup> Probation and parole caseloads may also be strained by the high rate of felony filings. These effects thus reflect an array of financial and institutional pressures that are placed on state and county governments.

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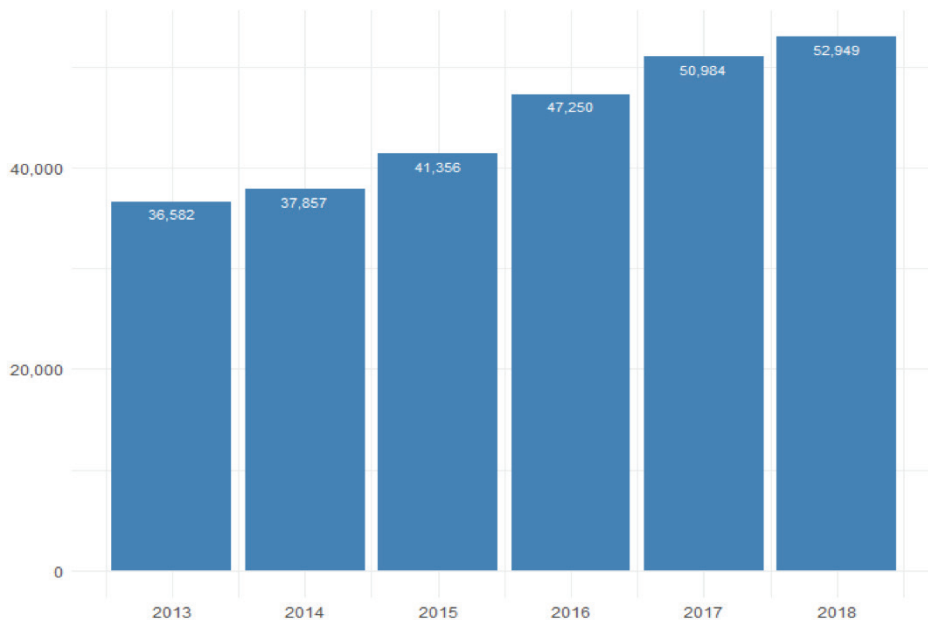
<sup>1</sup> This analysis reviewed filings in Colorado's district courts. While the vast majority of filings involved cases whose most serious crime was a felony, 4% of cases had misdemeanor or lower charges.

<sup>2</sup> Prison population data obtained from the Colorado Division of Criminal Justice's quarterly correctional population reports online: <https://www.colorado.gov/dcj-ors/ors-corrpops> (accessed on August 13, 2019).

<sup>3</sup> See Colorado Division of Criminal Justice, Summer 2019 Interim Prison Population and Parole Caseload Projections: [https://cdpsdocs.state.co.us/ors/data/PPP/2019\\_PPP-interim.pdf](https://cdpsdocs.state.co.us/ors/data/PPP/2019_PPP-interim.pdf) (accessed on July 31, 2019).

This report explores the recent increase in Colorado felony district court filings, presenting data that identifies specific areas of growth and factors that are contributing to that growth. While we cannot fully account for the rise in filings, as this is a complex dynamic that involves multiple interactions between demographic, behavioral, and institutional factors, we are able to document the case types that have increased the most during this time period and elucidate patterns that speak to underlying factors that may be driving filings growth.

**Figure 1: Total district court felony filings in Colorado, 2013-2018**



Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

**Table 1: District court felony filing rate per 100,000 adult residents, 2013-2018**

Year	Rate per 100,000 adult residents
2013	907
2014	921
2015	986
2016	1,104
2017	1,168
2018	1,190

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

Available data reveal that the increase in filings between 2013 and 2018 involved a larger number of people whose felony cases were filed in district court, and a higher percentage of these people appearing multiple times per year in court. Table 2 displays the number of people whose felony cases were filed in district court between 2013 and 2018; this number increased by 35.8 percent between 2013 and 2018, from 30,515 individuals to 41,434 individuals. Table 3 shows the percentage of people who had more than one case per year filed in district court. In 2013, 14.4 percent of individuals had multiple felony cases filed; by 2018, this had increased to 19.7 percent.

**Table 2: Number of people per year with felony district court filings**

Year	Number of people
2013	30,515
2014	31,343
2015	33,623
2016	37,532
2017	40,470
<b>2018</b>	<b>41,434</b>

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

**Table 3: Percent of people per year with multiple felony filings**

Year	Percent of people	Number of people
2013	14.4	4,394
2014	15.2	4,764
2015	16.9	5,682
2016	18.4	6,906
2017	18.4	7,391
<b>2018</b>	<b>19.7</b>	<b>8,163</b>

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

## “Upstream” possibilities: Population and arrest rate increases

The most straightforward explanations for the higher number of felony filings in Colorado would seem to involve growth in “upstream” contributors—the overall state population and the overall number of people arrested in the state. If state population growth and/or increases in arrests matched the growth in filings, the filings increase could be attributed to either or both of these factors. According to our analyses, however, neither of these possibilities fully explains the increase in district court filings.

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The increase in filings has substantially outpaced state population growth. Between 2013 and 2018, Colorado’s overall population increased by 8.2 percent and its adult population grew by 10.4 percent, making it one of the fastest growing states in America.<sup>4</sup> However, as shown above, the number of felony filings increased by 44.7 percent during this period, and the rate of felony filings increased by 31.2 percent, so overall population growth does not appear to be a significant contributor to this dynamic. However, population growth is not evenly distributed. Criminal behavior tends to be concentrated within certain demographic groups—specifically, young men. Thus, if this group grew at a particularly high rate between 2013 and 2018, this change could help explain the growth in felony

filings. The data do not support such a view. The population of young adults (ages 18-34) did increase at a higher rate than overall population growth, but at a much lower rate than the increase in felony filings. The number of people between the ages of 18 and 34 in Colorado grew by 10.2 percent between 2013 and 2018, and there are no identifiable gender differences in this growth. The number of men between 18 and 34 also grew by 10.2 percent during this time.<sup>5</sup> Note also that the growth in Colorado’s population of young adults and young adult males (10.2 percent each) roughly matched the growth in the state’s overall adult population (10.4 percent), showing that adult population growth has not been driven by young adults or young men. Thus, population changes may have contributed somewhat to a larger number of felony filings, but they are not likely to be the main driver, as the rise in filings was substantially higher than population changes would account for and, as discussed above, the rate of filings increased significantly.

Another “upstream” possibility for the increase in felony filings could be an increase in statewide arrests, which would directly contribute to growth in the filing rate through the creation of more criminal cases. Available data do not support the possibility that an overall increase in statewide arrestees explains the growth in felony filings. Table 4 shows the number of adult arrestees in Colorado between 2013 and 2018, as well as state-wide arrest rates per 100,000 adults. The number of adult arrestees did rise between 2013 and 2017, and dropped slightly in 2018. The statewide adult arrest rate rose between 2013 and 2016, then declined in 2017 and 2018. Figure 2 visually displays this arrest rate trend over time.

<sup>4</sup> State population data obtained from the State Demography Office, Colorado Department of Local Affairs (<https://demography.dola.colorado.gov/population/population-totals-colorado-substate/#population-totals-for-colorado-and-sub-state-regions>) and the U.S. Census Bureau (<https://www.census.gov/quickfacts/co>).

<sup>5</sup> State population data by age and gender obtained from the State Demography Office, Colorado Department of Local Affairs (<https://demography.dola.colorado.gov/population/data/sya-regions/>).

Here we must note some important caveats about the arrest data cited in this report. Most importantly, arrest data count arrestees (i.e., people) while filings data count cases. Thus, there is not a “one-to-one” correspondence between the arrest data and filings data. Moreover, there is not a perfect correspondence between what a person is arrested for and what they are charged with in court. Charges change between these two reporting points, so the comparison between arrests for a particular offense and filings for that offense should be considered in the context of this dynamic. Finally, 2018 arrest data may be incomplete, as law enforcement agencies have until June 2019 to report their data. Thus, arrest patterns for 2018 should be interpreted with caution.

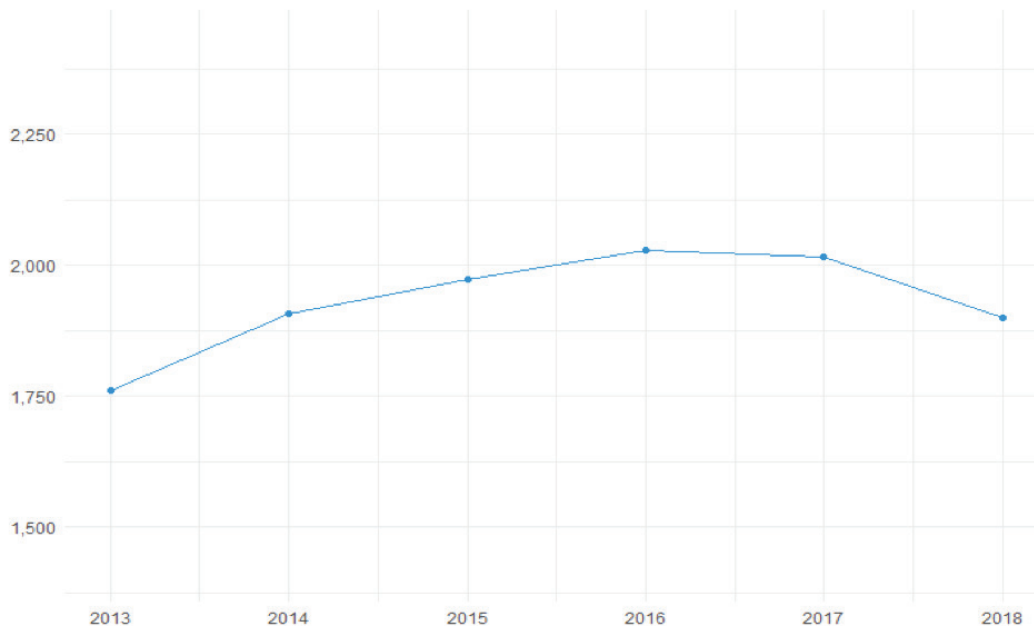
**Table 4: Number and rate of adult arrestees in Colorado, 2013-2018**

Year	Number of arrestees	Arrest rate per 100,000 adults
2013	71,022	1,761.2
2014	78,297	1,905.7
2015	82,734	1,972.0
2016	86,788	2,028.5
2017	87,928	2,014.7
2018	84,537	1,899.5

Source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/2019.

**Figure 2: Arrest rate per 100,000 adults in Colorado, 2013-2018**

Source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/2019.



The adult arrest rate in Colorado in 2018 appears to have declined slightly compared to recent years. (Again, however, 2018 arrest data may be incomplete at this time.) Even at its peak in 2016, the adult arrest rate was only about 15 percent higher than it was in 2013, so the growth in felony filings has significantly outpaced overall arrest rate increases. Furthermore, arrest rates and felony filing rates in district courts are not completely related, as not all arrests are filed in district courts. Many arrests—especially those involving less severe

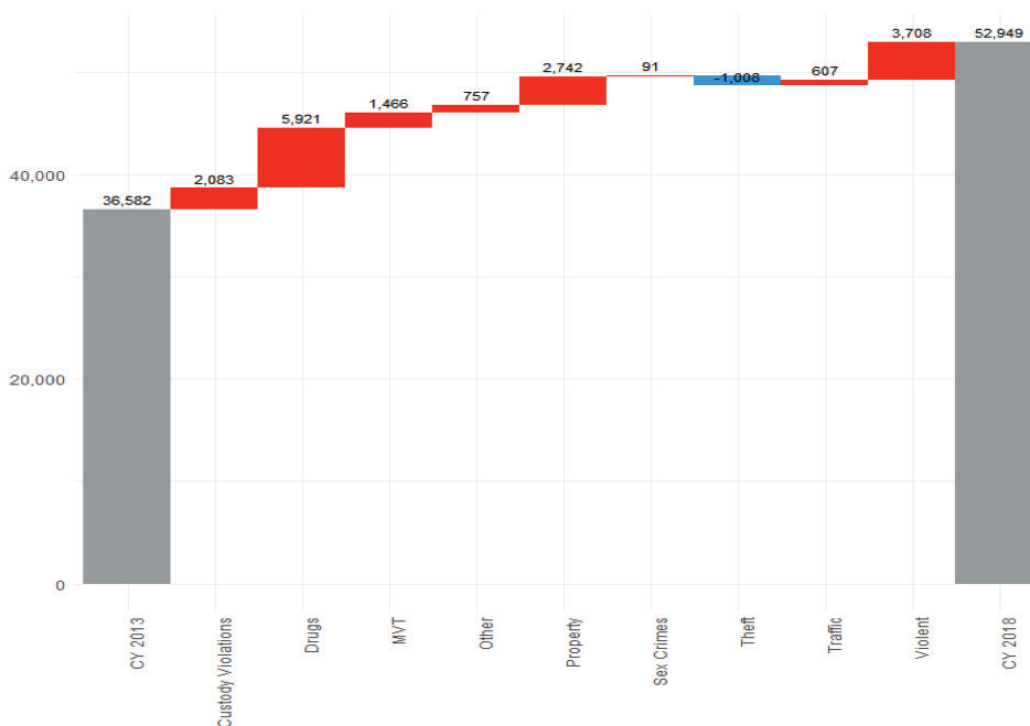
charges—would be processed through municipal or county courts. This fact actually further reduces the potential contribution of arrest rate changes to the growth in felony filings, as increases in the rate of arrests would not be fully translated into increases in filings in district courts. That said, in subsequent sections of this report we will show that significant increases in certain types of arrests—namely, drug possession, forgery/fraud, motor vehicle theft, and assault—may partially explain higher rates of felony filings for these offenses.

## Breaking down charge types that contribute to the rise in felony filings

The increase in felony filings has not been evenly distributed across court case types; some types of cases have contributed more to the increase than others. Thus, we next explore data on the types of court cases that have driven the increase in felony

filings between 2013 and 2018. Figure 3 displays a waterfall chart that shows the increase by various charge types. Note that this figure indicates the most serious charge in each case, not all charges.<sup>6</sup>

**Figure 3: Charge types accounting for felony filing increase, 2013-2018**



Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

<sup>6</sup> For this information by judicial district, please see [http://cdpsdocs.state.co.us/ors/docs/impact/2019-09\\_District\\_Court\\_Filings\\_by\\_JD-2013-2018.pdf](http://cdpsdocs.state.co.us/ors/docs/impact/2019-09_District_Court_Filings_by_JD-2013-2018.pdf)



As shown in Figure 3, the most significant contributor to the increase in felony filings during this period has been drug cases—particularly drug possession (see next section). Of the 17,375 additional filings in 2018 compared to 2013, 34.1 percent of them had a drug offense as the most serious charge (5,921 cases). Violent offenses also contributed considerably; 21.3 percent of the increase were cases with a violent offense as the top charge (3,708 cases). Property offenses such as forgery/fraud and theft contributed 15.7 percent to the increase (2,742 cases), and a specific type of property crime—motor vehicle theft—independently contributed 8.4 percent (1,466 cases). Finally, custody violations were also a substantial component of the growth in filings, contributing 12.0 percent (2,083 cases). Here it should be noted that custody violations—which include bond

violations, escape, and other violations that are largely contraband-related—are driven in large part by local charging practices and other institutional factors. In recent years, for example, there have been more people on bond in Colorado, so we would expect custody violations to have increased. Colorado House Bill 2013-1236 directed the court to presume that persons in pretrial custody should be released under the least restrictive conditions consistent with public safety, which has increased the number of people on bond, and thus the number of custody violations.

Next, we will empirically explore these contributing case types and provide additional context for the dynamics that may be driving the recent growth in felony filings.

## Drug offense filings: Trends and context

As noted above, over a third of the increase in felony filings between 2013 and 2018 involved a drug offense as the top charge (36.2 percent). In this section, we will show that not only do drug

*Over a third of the increase in felony filings between 2013 and 2018 involved a drug offense as the top charge (36.2 percent).*

offenses—particularly drug possession—comprise a disproportionate share of the growth in filings, but that drug possession offenses are appearing more frequently across cases in district court. And while growth in the *overall* number and rate of arrestees in Colorado cannot explain the increase in felony filings, the number of *arrests for drug possession* has risen at a particularly high rate, which may significantly account for the sharp rise in filings for drug offenses.

Drug possession and drug distribution are distinct offense types, so we analyze them separately. Table 5 shows the number of arrestees for drug possession and drug distribution in Colorado between 2013 and 2018, and the rate per 100,000 adults (the drug offense can be any charge, not just the most serious charge). Figure 4 displays drug possession and drug distribution arrest and filing rates per 100,000 adults

visually over time. The number of people arrested for drug possession increased by 58.1 percent between 2013 and 2018—from 13,052 to 20,637. The rate of drug possession arrestees increased by 43.2 percent during this time—from 323.7 per 100,000 adults to 463.7 per 100,000 adults in 2018. The number of drug distribution arrestees increased by 32.8 percent between 2013 and 2018—from 1,932 to 2,566. The rate of drug distribution arrestees increased by 20.5 percent during this time—from 47.9 per 100,000 adults to 57.7 per 100,000 adults. Thus, drug possession arrests have increased more than drug distribution arrests—by both number and by rate. Moreover, there were far more arrests for possession than for distribution during the study period, meaning that changes to the drug possession arrest rate affected felony filings more significantly than changes to the drug distribution arrest rate.

*The number of people arrested for drug possession increased by 58.1 percent between 2013 and 2018.*

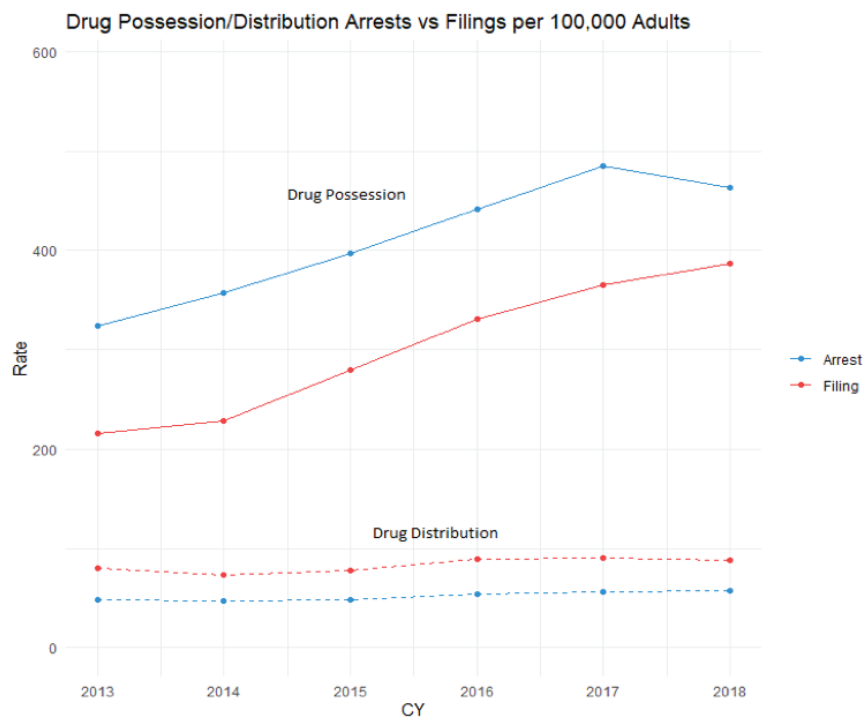
*The rate of drug possession arrestees increased by 43.2 percent during this time.*

**Table 5: Drug offense arrests in Colorado, 2013-2018**

Year	Drug possession		Drug distribution	
	Number of arrestees	Rate per 100,000 adults	Number of arrestees	Rate per 100,000 adults
2013	13,052	323.7	1,932	47.9
2014	14,686	357.5	1,953	47.5
2015	16,683	397.6	2,012	48.0
2016	18,908	441.9	2,328	54.4
2017	21,171	485.1	2,462	56.4
<b>2018</b>	<b>20,637</b>	<b>463.7</b>	<b>2,566</b>	<b>57.7</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/19.

**Figure 4: Drug possession and drug distribution arrest and filing rates, 2013-2018**



Data sources: Arrests: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/19. District Court Filings: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

As noted above, over a third of the increase in felony filings between 2013 and 2018 involved a drug offense as the top charge (36.2 percent). Filings for drug distribution remained relatively stable between 2013 and 2018, while filings for drug possession increased substantially during this period. Table 6 displays the overall number of filings for drug distribution and possession from 2013 to 2018, alongside the rates per 100,000 adults and the percentages of all filings that contain each offense type. Figures 5 and 6 visually display changes to the rates per 100,000 adults and the percentages of all filings containing each offense type for drug distribution and drug possession charges.

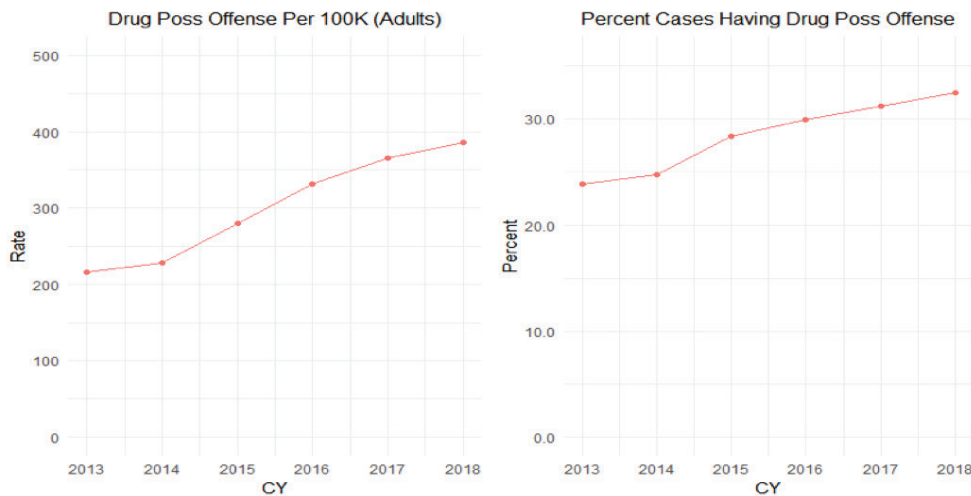
*Filings for drug distribution remained relatively stable between 2013 and 2018.*

**Table 6: District court filings for drug distribution and drug possession, 2013-2018**

Year	Drug possession			Drug distribution		
	Number of cases	Rate per 100,000 adults	Percent of cases containing offense	Number of cases	Rate per 100,000 adults	Percent of cases containing offense
2013	8,728	216.4	23.9	3,238	80.3	8.9
2014	9,375	228.2	24.8	3,024	73.6	8.0
2015	11,731	279.6	28.4	3,269	77.9	7.9
2016	14,159	330.9	30.0	3,809	89.0	8.1
2017	15,928	365.0	31.2	3,953	90.6	7.7
<b>2018</b>	<b>17,195</b>	<b>386.4</b>	<b>32.5</b>	<b>3,929</b>	<b>88.3</b>	<b>7.4</b>

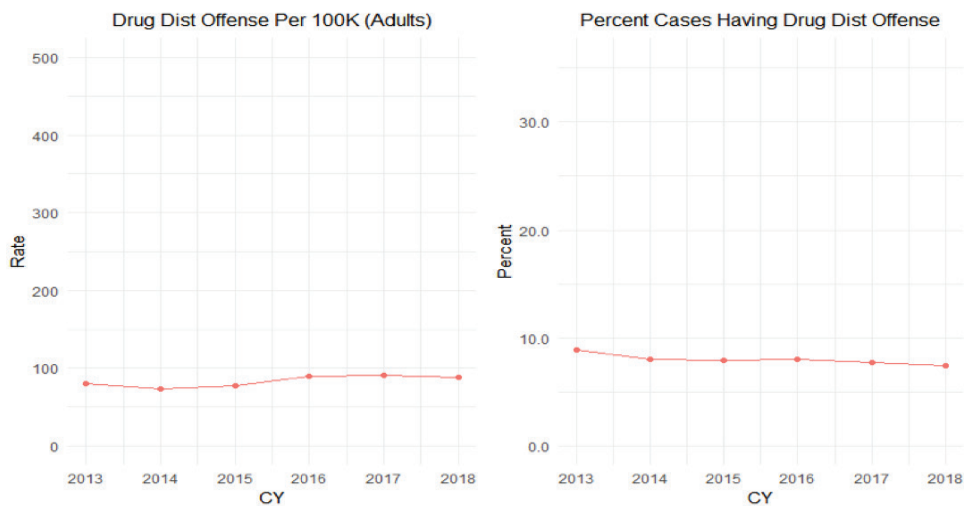
Source: Data extracted from the Colorado Judicial Branch’s information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

**Figure 5: Filing rate and percentage of cases containing drug possession offenses**



Source: Data extracted from the Colorado Judicial Branch’s information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

**Figure 6: Filing rate and percentage of cases containing drug distribution offenses**



Source: Data extracted from the Colorado Judicial Branch’s information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

The rate of drug distribution filings increased by 10.0 percent between 2013 and 2018, while the rate of drug possession filings increased by 78.6 percent during this time. The percentage of cases containing drug distribution charges declined by 16.9 percent between 2013 and 2018, while the percentage of cases containing drug possession charges increased by 36.0 percent. We also note that there were many more drug possession cases overall than drug distribution cases, making their contribution to the total increase in felony filings even more significant; in 2018, for example, there were over four times as many drug possession filings in district court as drug distribution filings.

There have also been a number of potentially important shifts in the case characteristics of those charged with drug possession. One key reason for the substantial growth in drug possession filings has been the growing tendency of individuals charged with drug possession to have multiple cases in the same year. In other words, their frequency of contact with district court has increased. In 2013, 23.7 percent of individuals charged with drug possession had more than one case; by 2018, this percentage had gone up to 32.8 percent.<sup>7</sup> An increasing proportion of those charged with drug possession are women: In 2013, 28.3 percent of drug possession cases involved female defendants; by 2018, this number had gone up to 30.8 percent.<sup>8</sup> There is also evidence that drug possessors are distinguishing themselves from drug distributors. In 2013, 23.2 percent of cases involving drug possession also contained a charge of drug distribution; by 2018, this had declined to 13.4 percent.<sup>9</sup> Thus, in recent years, those charged with drug possession are appearing more frequently in district court, and they are less often also accused of distributing drugs—potentially signaling shifts in drug use, enforcement and charging patterns in Colorado. However, data on past-month illicit (non-marijuana) drug use in Colorado do not indicate a sharp rise in the number of people using drugs during the study period. Figure 7 below shows that past month illicit drug use has remained relatively flat in recent years. These data, combined with the fact that individuals charged with drug possession are appearing more frequently in district court in recent years, suggest that the *number* of drug users is not increasing, but perhaps the *severity* of use among those who do use drugs may be.

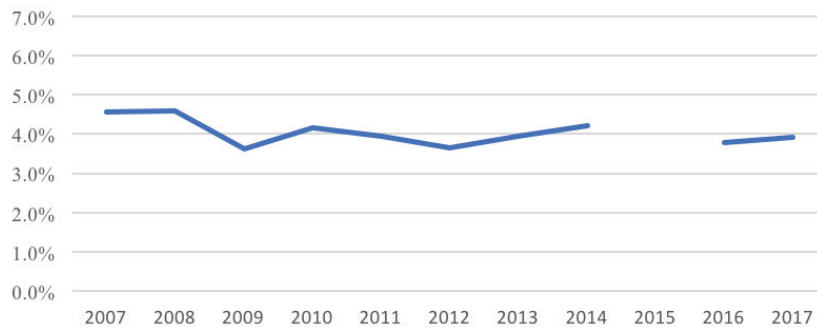
*Data on past-month illicit (non-marijuana) drug use in Colorado do not indicate a sharp rise in the number of people using drugs during the study period.*

<sup>7</sup> Source: Data extracted from the Colorado Judicial Branch’s information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

**Figure 7: Past month illicit drug use (non-marijuana)\* in Colorado, 12 years or older**



Source: Substance Abuse and Mental Health Services Administration, National Survey on Drug Use and Health.

\*These drugs include cocaine/crack, heroin, hallucinogens (LSD, PCP, ecstasy, inhalants), methamphetamine, misuse of psychotherapeutics (pain relievers, tranquilizers, stimulants, sedatives); for more information see <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHDetailedTabs2017/NSDUHDetailedTabs2017.htm#ftn3>

Another trend that informs the sharp rise in felony drug filings involves the types of drugs contained in these cases. Court filings data only indicate that drug charges involve schedule I or schedule II substances, so we turn to arrest data to better understand the type of drugs that may be involved in the drug possession cases. Table 7 shows the number of drug arrests in Colorado between 2013 and 2018 by the type of drugs seized during those arrests for the top six most common drugs seized. Figure 8 displays these trends visually. Between 2013 and 2018, there was considerable growth in methamphetamine seizures, which increased by 156.0 percent. Heroin seizures also increased

*Between 2013 and 2018, there was considerable growth in methamphetamine seizures*

during this time; these were 179.5 percent higher in 2018 than in 2013. Marijuana seizures have understandably declined, given the legalization of marijuana in Colorado. Seizures of cocaine and other narcotics have increased slightly, but not on the scale of methamphetamine and heroin.

*Heroin seizures also increased during this time.*

**Table 7: Number of adult arrests by drugs seized, 2013-2018**

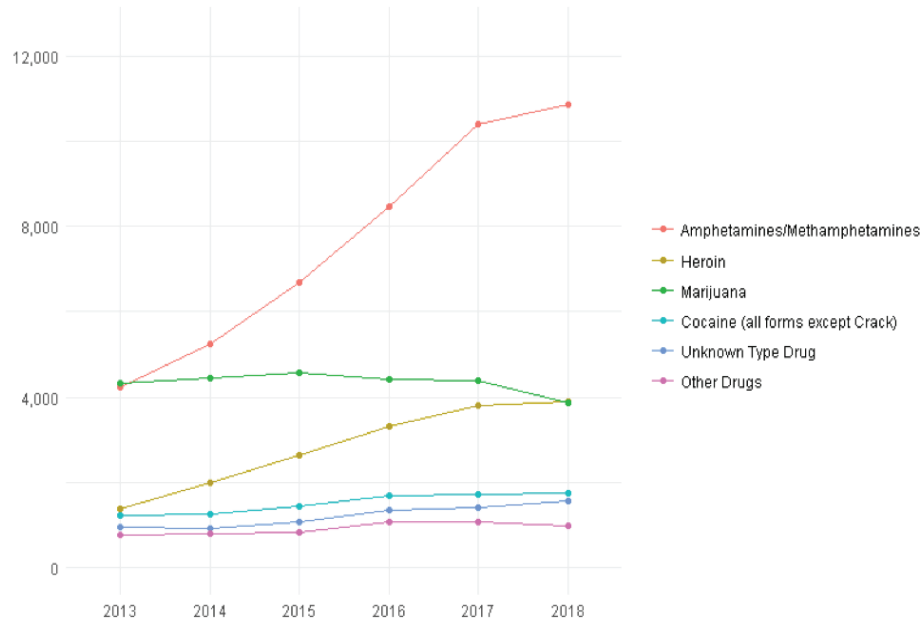
	2013	2014	2015	2016	2017	2018
Amphetamines/methamphetamines	4,234	5,254	6,681	8,451	10,403	10,841
Marijuana	4,319	4,459	4,565	4,426	4,386	3,852
Heroin	1,395	1,997	2,654	3,318	3,806	3,899
Cocaine (not including crack)	1,243	1,265	1,447	1,678	1,710	1,748
Unknown drug type	960	930	1,070	1,341	1,421	1,569
Other drugs	775	792	846	1,067	1,079	974

Source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/2019.

Here we must note that we cannot definitively link drug seizures to drug possession filings because drug seizure does not necessarily indicate that a particular arrestee was using the drugs, and because polydrug use is common. In fact, there

may be multiple drugs in any given seizure. For example, DCJ reports that almost half (48.2 percent) of positive DUI alcohol/drug screenings indicated polydrug use.

**Figure 8: Drugs seized during arrests, 2013-2018**



Source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/2019.

Drug possession cases are a large component of the increase in felony filings. Furthermore, the arrest seizure data presented above (Figure 8) suggest that methamphetamine and heroin are the specific drugs that are driving these cases. This point is further supported by treatment data provided by the Colorado Office of Behavioral Health. Between 2013 and 2016, treatment admission rates for methamphetamine grew by 33 percent, and treatment admissions for heroin roughly doubled. Still, in 2016 the rate of treatment admissions for methamphetamine was about 25 percent higher than for heroin.<sup>11</sup> Data on drug poisoning deaths provided by the Colorado Department of Public Health and Environment also underscore the increasing problems of methamphetamine and heroin use in the state. In 2013, there were 96 documented deaths from methamphetamine in Colorado;

in 2017, there were 299. In 2013, there were 118 documented deaths from heroin in Colorado; in 2017, there were 224.<sup>12</sup>

The higher prevalence of methamphetamine and heroin in Colorado could also be related to shifts in drug availability, pricing, and potency. The Denver Field Division of the U.S. Drug Enforcement Administration reports that methamphetamine availability in the region was “high” in the first half of 2017. The agency also reports that the price per gram of methamphetamine decreased 13.6 percent

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<sup>11</sup> Source: Drug/Alcohol Coordinated Data System, Office of Behavioral Health, Colorado Department of Human Services.

<sup>12</sup> Source: Vital Statistics Program, Colorado Department of Public Health and Environment.

between 2012 and 2017, and that purity increased six percent during this time. The agency reports that heroin availability in the region was “moderate” in the first half of 2017, but higher than the second half of 2016. Between 2013 and 2016, the price of heroin fluctuated but went up slightly overall; purity

remained relatively stable during this time.<sup>13</sup> Thus, there is some evidence that availability, price, and potency could be driving the increasing prevalence of methamphetamine, but this evidence is mixed with regard to heroin.

## Property offense filings: Trends and context

As discussed above, property offenses comprised 16.8 percent of the increase in felony filings between 2013 and 2018 (2,742 additional cases)—the most common of which were forgery/fraud, burglary, and “other property” crimes.<sup>14</sup> Table 8 shows the growth in the numbers and rates of forgery/fraud, burglary and other property filings from 2013 to 2018. During

this period, the number of forgery/fraud filings increased by 37.0 percent and the rate per 100,000 adults increased by 24.2 percent. The number of burglary filings increased by 18.4 percent and the rate grew by 7.2 percent. The number of other property filings increased by 37.4% and the rate by 24.8% at its height in 2017.

**Table 8: District court filings for selected property offenses, 2013-2018**

Year	Forgery/Fraud		Burglary		Other Property	
	Number of cases containing offense	Rate per 100,000 adults	Number of cases containing offense	Rate per 100,000 adults	Number of cases containing offense	Rate per 100,000 adults
2013	4,904	121.6	3,396	84.2	5,229	129.7
2014	5,103	124.2	3,530	85.9	5,485	133.5
2015	5,417	129.1	3,583	85.4	5,737	136.7
2016	6,510	152.2	3,949	92.3	6,589	154.0
2017	6,627	151.8	3,893	89.2	7,065	161.9
<b>2018</b>	<b>6,719</b>	<b>151.0</b>	<b>4,020</b>	<b>90.3</b>	<b>7,184</b>	<b>161.4</b>

Source: Data extracted from the Colorado Judicial Branch’s information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

Filings for property offenses have clearly been increasing. We next explore the extent that this growth may be due to an increase in arrestees for these offenses. Table 9 shows numbers of arrests and arrest rates for forgery/fraud and burglary between 2013 and 2018. Arrests for forgery/fraud have increased during this time, but arrests for burglary have not. In 2013 there were 4,427 arrests for forgery/fraud; by 2018 this number had increased to 6,349—peaking at 6,753 in 2017. The rate of forgery/fraud arrests increased by 40.9

percent between 2013 and its peak in 2017. In contrast to forgery/fraud, the number and rate of burglary arrests remained relatively flat between 2013 and 2018. Arrests for other property increased by 30.7% at its peak in 2017, declining in 2018. The arrest rate for other property<sup>15</sup> increased by 20.8% in 2017 at its peak. Thus, the rise in district court filings for property offenses has likely been contributed to by an increase in arrests for forgery/fraud and other property offenses, but not burglary.

<sup>13</sup> Source: U.S. Department of Justice, Drug Enforcement Administration, *2018 National Drug Threat Assessment*.

<sup>14</sup> “Other property” crimes are primarily criminal mischief and trespassing.

<sup>15</sup> Other Property include arrests for destruction of property and trespassing.

**Table 9: Forgery/fraud and burglary offense arrests in Colorado, 2013-2018**

	Forgery/Fraud		Burglary		Other Property	
Year	Number of arrestees	Rate per 100,000 adults	Number of arrestees	Rate per 100,000 adults	Number of arrestees	Rate per 100,000 adults
2013	4,427	109.8	2,841	70.5	8,616	213.7
2014	4,804	116.9	3,148	76.6	9,217	224.3
2015	5,310	126.6	2,849	67.9	10,017	238.8
2016	6,475	151.3	3,260	76.2	10,729	250.8
2017	6,753	154.7	3,141	72.0	11,262	258.1
<b>2018</b>	<b>6,349</b>	<b>142.7</b>	<b>2,840</b>	<b>64.5</b>	<b>10,608</b>	<b>238.4</b>

Source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/2019.

While we cannot identify all the behavioral and institutional reasons why filings for certain property crimes have been on the rise, the available data do reveal an important dynamic throughout these property offense types: **they are increasingly paired with drug possession charges in district court.** Table 10 shows the percentage of forgery/fraud burglary filings, and other property offenses that also contained a drug possession charge between 2013 and 2018.

**Table 10: Percent of property crime filings that also contain a drug possession charge, 2013-2018**

	Forgery/Fraud	Burglary	Other Property
2013	11.7	4.8	5.8
2014	13.2	4.4	8.0
2015	13.8	6.4	9.6
2016	17.1	5.9	10.5
2017	21.1	7.4	11.5
<b>2018</b>	<b>23.5</b>	<b>7.7</b>	<b>12.1</b>

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

While the vast majority of cases do not involve drug possession (fully 76.5 percent of forgery/fraud cases, 92.3 percent of burglary cases, and 87.9 percent of other property cases did not in 2018), drug possession has become increasingly paired with these three property offense filings in recent years. While this does not provide evidence of a definitive link between drug use and property crimes, the data do suggest that drug use and certain types of property offending have been co-occurring in charging decisions more frequently in recent years, and/or that law enforcement agents are increasingly finding drugs on those committing property crimes. Prior research has documented the link between these offense types, and specifically the dynamic of committing property crimes to obtain money for drugs.<sup>16</sup> While this is not the only way that drug and property offending are related, it may be part of the explanation for the increasing covariance of property offending and drug possession, especially in the context of the DEA drug threat assessment data presented earlier. Again, however, note that most property crime filings do not involve drug possession (only 23.5 percent of forgery/fraud, 7.7 percent of burglary cases and 12.1% of other property cases in 2018).

<sup>16</sup> See, for example, Bennett, Holloway, and Farrington (2008); Karberg and James (2005); Mumola and Karberg (2007).



# Motor vehicle theft filings: Trends and context

The specific property crime of motor vehicle theft independently contributed 9.0 percent to the growth in filings between 2013 and 2018 (1,466 additional cases). During this period, the number of motor vehicle theft filings increased by 120.7 percent and the rate doubled (see Table 11).

**Table 11: District court filings for felony motor vehicle theft, 2013-2018**

Year	Number of cases	Rate per 100,000 adults
2013	1,742	43.2
2014	2,060	50.1
2015	2,556	60.9
2016	3,320	77.6
2017	3,669	84.1
<b>2018</b>	<b>3,844</b>	<b>86.4</b>

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

We next explore the extent that this growth may be due to an increase in motor vehicle theft arrests. Table 12 shows the number of motor vehicle theft arrests and arrest rates between 2013 and 2018. In 2013 there were 1,586 arrests for motor vehicle theft; this number grew steadily through 2017 and declined slightly in 2018. The number of arrests for motor vehicle theft in 2017 was more than double the number in 2013. The rate of motor vehicle theft arrests roughly doubled between 2013 and its peak in 2017. Thus, the rise in district court filings for motor vehicle theft has likely been contributed to by an increase in arrests for this offense.

**Table 12: Motor vehicle theft arrests in Colorado, 2013-2018**

Number of arrestees	Rate per 100,000 adults
1,586	39.3
1,873	45.6
2,393	57.0
3,142	73.4
3,445	78.9
3,094	69.5

Source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/2019.

Like forgery/fraud cases, felony motor vehicle theft charges are more often paired with drug possession charges in district court in recent years. Table 13 shows the percent of motor vehicle theft filings that also contained a drug possession charge between 2013 and 2018; over this period, this percentage increased from 9.6 percent to 20.7 percent—peaking at 21.0 percent in 2017. *Again, however, note that 79.3 percent of motor vehicle theft filings did not involve associated drug possession charges in 2018.*

**Table 13: Percent of motor vehicle theft filings that also contain a drug possession charge, 2013-2018**

Year	Percent
2013	9.6
2014	14.3
2015	16.3
2016	18.0
2017	21.0
2018	20.7

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

## Violent offense filings: Trends and context

Violent offenses have also contributed to the overall growth in felony filings: 22.6 percent of the cases comprising the filings increase between 2013 and 2018 had a violent offense as the top charge (3,708 cases). Table 14 presents the number and rates of the three most common violent crimes—simple assault, aggravated assault, and robbery—between 2013 and 2018. Table 14 shows that the growth in violent offense filings has been primarily driven by an increase in simple and aggravated assault cases. The number of simple assaults filed in district court was 52.2 percent higher in 2018 than in 2013; the rate was 37.9 percent higher. The number of aggravated assaults filed in district court was 56.2 percent higher in 2018 than in 2013; the rate was 41.5 percent higher. The incidence and rate of robbery, on the other hand, has remained flat over this period. Between 2013 and 2018, there was little

change in the number of robbery filings in Colorado, or the robbery filing rate per 100,000 adult residents.

One reason for the rise in aggravated assault filings in recent years may have to do with a statutory change that occurred in 2016 in Colorado. That year, the state legislature implemented a specific statute that provided prosecutors with the ability to charge strangulation as a felony (second degree aggravated assault). Prior to the modification, this behavior could be charged as a misdemeanor or a felony. Note that the number and rate of aggravated assaults jumped sharply between 2015 and 2016 (see Table 14), and these figures remained high through 2018. Thus, the change to strangulation charging practices is likely to be an important factor in understanding the increase in aggravated assault filings.

**Table 14: District court filings for selected violent offenses, 2013-2018**

Year	Simple Assault		Aggravated Assault		Robbery	
	Number of cases	Rate per 100,000 adults	Number of cases	Rate per 100,000 adults	Number of cases	Rate per 100,000 adults
2013	6,564	162.8	6,128	152.0	1,115	27.6
2014	6,937	168.8	6,422	156.3	1,092	26.6
2015	7,803	186.0	7,048	168.0	1,207	28.8
2016	8,924	208.6	8,213	192.0	1,287	30.1
2017	10,043	230.1	9,394	215.2	1,329	30.5
<b>2018</b>	<b>9,992</b>	<b>224.5</b>	<b>9,574</b>	<b>215.1</b>	<b>1,280</b>	<b>28.8</b>

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

Next, we explore the extent to which the increase in felony filings for violent crimes can be linked to higher numbers of arrests for these crimes. Table 15 displays the number and rate of arrests for simple assault, aggravated assault, and robbery between 2013 and 2018. Aggravated assault arrests increased at a higher rate than those for simple assault and robbery. The number of arrestees for simple assault was 17.5 percent higher in 2018 compared to 2013, but the rate only increased by 6.5 percent (the rate was 14.6 percent higher at its peak in 2016). The number of arrests for robbery was 24.5 percent higher in 2018 than in 2013, and the rate increased by 13.0 percent (the rate was 20.7 percent higher at its peak in 2017). Note that there were also far fewer arrests and filings for robbery compared to simple and aggravated assault, so the impact of robbery cases on filings growth is limited relative to assault. Compared to arrests for simple assault and robbery, arrests for

*The increase in violent felony filings is disproportionately due to an increase in arrests for aggravated assault, and less so to increases in arrests for simple assault and robbery.*

aggravated assault have gone up considerably. Compared to 2013, the number of aggravated assault arrests in 2018 was 49.5 percent higher, and the arrest rate was 35.5 percent higher. Thus, the increase in violent felony filings is disproportionately due to an increase in arrests for aggravated assault, and less so to increases in arrests for simple assault and robbery—though these arrest rates have also increased somewhat.

**Table 15: Violent offense arrests in Colorado, 2013-2018**

Year	Simple Assault		Aggravated Assault		Robbery	
	Number of arrestees	Rate per 100,000 adults	Number of arrestees	Rate per 100,000 adults	Number of arrestees	Rate per 100,000 adults
2013	16,994	421.4	4,991	123.8	1,053	26.1
2014	18,994	462.3	5,226	128.2	1,039	25.3
2015	20,237	482.4	5,606	133.6	1,188	28.3
2016	20,663	482.9	6,325	147.8	1,165	27.2
2017	20,737	475.1	7,101	162.7	1,376	31.5
<b>2018</b>	<b>19,971</b>	<b>448.7</b>	<b>7,464</b>	<b>167.7</b>	<b>1,311</b>	<b>29.5</b>

Source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted on 4/11/2019.

Unlike property offenses, filings for aggravated assault and robbery offenses were not often paired with drug possession charges. Table 16 shows that filings for aggravated assault and robbery rarely contained an associated drug possession charge,

and that these numbers did not change substantially between 2013 and 2018. However, 14.7 percent of cases with a simple assault charge in 2018 also contained a drug possession charge, an increase from 9.0 percent in 2013.

**Table 16: Percent of violent crime filings that also contain a drug possession charge**

	Simple assault	Aggravated assault	Robbery
2013	9.0	2.3	3.2
2014	10.1	3.0	4.2
2015	11.8	3.4	4.9
2016	12.7	3.6	4.5
2017	13.1	3.4	4.4
<b>2018</b>	<b>14.7</b>	<b>3.9</b>	<b>4.4</b>

Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

## Discussion and recommendations

In this report we have empirically explored the recent increase in felony district court filings in Colorado. The total number of statewide felony filings increased by 44.7 percent between 2013 and 2018, and the rate increased by 31.2 percent, which significantly outpaced growth in the state population, growth in the state's population of young men, and increases in the number of people arrested in the state. While there are many reasons for the filings increase that remain unknown, our analyses have identified important characteristics of cases that have contributed the most to the growth.

A key theme that runs through all of the case types that have driven the filings growth is the increased presence of drugs, *even though drug use rates have remained relatively flat* during the study period. Arrest seizure data reflect a significant increase in methamphetamine and, to a lesser extent, heroin. Drug type is not available in district court data, but arrest data suggest that methamphetamine and heroin are driving the increase in drug possession cases. The district court data analyzed here also showed that between 2013 through 2018, 39.6 percent of defendants in district courts were *drug-involved* (n=64,212). In this context, drug-involved means having any drug-related charge

*A key theme that runs through all of the case types that have driven the filings growth is the increased presence of drugs, even though drug use rates have remained relatively flat during the study period.*

during that six-year period. During this period, nearly half (44.5 percent) of women defendants and 38.1 percent of men were drug-involved. This sizable proportion of drug-involved defendants presents significant challenges for the justice system which sets clear behavioral expectations for individuals under supervision. Individuals struggling with drug addiction are likely to face significant challenges complying with these expectations.

Drug-involved individuals often fail criminal justice placements. In fact, this analysis of felony filings revealed that, in 2018, among persons charged with a bond violation, 49.2 percent were also charged with drug possession, suggesting that drug misuse

*The district court data analyzed here also showed that between 2013 through 2018, 39.6 percent of defendants in district courts were drug-involved. In this context, drug-involved means having any drug-related charge during that six-year period.*

was involved among the nearly half of defendants who failed pretrial supervision in 2018. Additionally, individuals on pretrial release with a drug charge, compared to cases without a drug charge, were more likely to fail to appear in court.<sup>17</sup> Also, while overall 26 percent of individuals under supervision for a deferred judgment or probation sentence in 2018 were revoked in adult district court, 35 percent of women and 33 percent of men with a drug offense as the most serious charge were revoked.<sup>18</sup> In 2018, 47 percent of technical violations in the community corrections halfway house system were substance abuse related (and 43 percent of these violations were linked to amphetamines).<sup>19</sup> These types of justice system failures are likely to result in harsher consequences and deeper penetration into the system.

To complicate matters further, many of those with substance use disorders also suffer from mental illnesses, including psychological trauma and traumatic brain injury, and may begin abusing drugs as a form of self-medication. This combination of issues—substance use disorders, mental illness, a history of trauma, and individual responsibility—requires a knowledgeable and multidisciplinary response when an individual’s behavioral health problems result in criminal behavior.

The complicated nature of addressing substance misuse is not well suited to criminal justice system processes. And the scope of the drug problem far exceeds the boundaries of the criminal justice system: The National Survey on Drug Use and Health (NSDUH) estimates that nearly 400,000

*This analysis of felony filings revealed that, in 2018, among persons charged with a bond violation, 49.2 percent were also charged with drug possession, suggesting that drug misuse was involved among the nearly half of defendants who failed pretrial supervision in 2018.*

Coloradoans ages 12 and older needed but did not receive treatment for substance use disorders in 2016-2017, the most recent year of available data.<sup>20</sup> Best practices indicate that substance misuse should be addressed by a large community of local stakeholders that includes representatives from law enforcement and prosecution, but also—and perhaps most importantly—providers of public health, treatment, primary health care, and human services, among others. This group should identify the types of individuals who require a criminal justice system response and clearly divert the others into specialized treatment with the expectation that multiple episodes of treatment may be necessary. It is important to remember that treatment needs vary. Indeed, research has shown that some drug-involved individuals will stop using drugs without intervention.<sup>21</sup> The stakeholder group should attempt to identify those with low or no levels of treatment need and direct resources elsewhere.

*This combination of issues—substance use disorders, mental illness, a history of trauma, and individual responsibility—requires a knowledgeable and multidisciplinary response when an individual’s behavioral health problems result in criminal behavior.*

<sup>17</sup> See [https://cdpsdocs.state.co.us/ors/docs/impact/2018-03\\_ORIS-BondReformImpact-HB13-1236.pdf](https://cdpsdocs.state.co.us/ors/docs/impact/2018-03_ORIS-BondReformImpact-HB13-1236.pdf)

<sup>18</sup> Note that nearly half of revocations result in reinstatement. Data extracted from the Colorado Judicial Branch’s information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. These data are from DCJ’s 2019 CLEAR Act report, *in progress*.

<sup>19</sup> See <https://cdpsdocs.state.co.us/occ/Reports/FY18-AnnualReport-FINAL-AsPublished-070919.pdf>

<sup>20</sup> Source: <https://www.samhsa.gov/data/report/2016-2017-nsduh-state-specific-tables>

<sup>21</sup> According to a substance use epidemiology survey of more than 42,000 American adults, by age 35, half of all individuals who qualified for active alcoholism or addiction diagnoses during their teens and 20s desisted from substance misuse (nicotine, cannabis, cocaine and alcohol). This study found that only one-quarter of individuals who recovered sought assistance in doing so, including 12-step programs. See <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3227547/> and <https://www.drugfoundation.org.nz/matters-of-substance/november-2014/ageing-out-of-addiction/>

**Therefore, our key recommendation is to convene local stakeholders who can review data, identify gaps in the community’s response to behavioral health problems, and implement evidence-based solutions.** This stakeholder group should provide leadership and vision in supporting a science-based approach to addressing substance-use related health issues, and it should customize solutions specific to the local community, including discussions and activities based on the following additional recommendations.

- Recognize that substance use disorders are chronic medical conditions and not moral failings.
- Ensure that funding for evidence-based treatment and workforce development is prioritized by policy makers.
- Evidence-based treatment for substance misuse should be widely available and easily accessed; promote early intervention for substance misuse and substance use disorders.
- Individuals must be assessed for substance misuse, mental health problems, and physical health problems. Treatment plans must address the entire person. Treatment plans must be meaningful and well-implemented.
- Mandate training for criminal justice professionals in the science of addiction. This training should include specific methods for assisting drug-involved individuals in complying with justice system requirements (i.e., speaking slowly, writing down appointments, help set priorities, etc.)
- Fund and expand diversion and deflection programs, such as L.E.A.D. (Law Enforcement Assisted Diversion) and co-responder programs, to immediately provide individuals who might otherwise become engaged in the criminal justice system with community support and treatment.

Many resources are available to assist stakeholders in addressing this issue. In 2016, for example, the Surgeon General released *Facing Addiction in America*, summarizing information about what works in prevention, treatment and recovery.<sup>22</sup> This comprehensive report includes a myriad of science-based recommendations that can guide the work of community stakeholders who have convened to address the problem of substance misuse and addiction.

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<sup>22</sup> Available at <https://addiction.surgeongeneral.gov/sites/default/files/surgeon-generals-report.pdf>

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# Appendix A

## STATUTE CATEGORY DETAILS

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### ■ Arson

First degree arson  
Second degree arson  
Fourth degree arson  
Third degree arson

### ■ Bond Violation

Violation of bail bond conditions

### ■ Burglary

Second degree burglary  
Possession of burglary tools  
First degree burglary  
Third degree burglary

### ■ Drug Dist

Drug Distribution  
Special Offender  
Marijuana  
Extraction of marijuana concentrate  
Imitation controlled substances -- violations – penalties  
Unlawful distribution manufacturing synthetic cannabinoids  
Unlawful use of marijuana in a detention facility  
Child abuse  
Unlawful possession of materials to make methamphetamine and amphetamine  
Unlawful acts – licenses – penalties  
Distribution of materials to manufacture controlled substances  
Controlled substances – inducing consumption by fraudulent means  
Drug Dist  
Manufacture of drug paraphernalia – penalty  
Medical use of marijuana by persons diagnosed with debilitating medical conditions  
Property for unlawful distribution or manufacture of controlled substances  
Unlawful distribution of cathinones

### ■ Drug Poss

Drug Possession  
Possession of drug paraphernalia – penalty  
Drug Use  
Marijuana  
Illegal possession or consumption of ethyl alcohol by underage person  
Fraud and deceit  
Abusing toxic vapors – prohibited  
Drug Distribution  
Unlawful use or possession of synthetic cannabinoids

Authorized possession of controlled substances  
Manufacture of drug paraphernalia – penalty  
Property for unlawful distribution or manufacture of controlled substances  
Unlawful acts – licenses – penalties  
Drug Poss  
Imitation controlled substances – violations – penalties  
Distribution of methamphetamine precursor drugs  
Unlawful possession of cathinones  
Unlawful use of marijuana in a detention facility

### ■ Escape

Escape  
Attempt to escape  
Aiding escape from civil process  
Assault during escape  
Holding hostages

### ■ Felony Assault

Assault in the second degree  
Menacing  
Assault in the first degree  
Stalking – penalty – definitions  
Crimes against at-risk adults and at-risk juveniles  
Domestic violence – sentencing  
Vehicular assault  
Retaliation against a witness or victim  
Child abuse  
Bias-motivated crimes  
Aggravated intimidation of a witness or victim  
Retaliation against a judge  
Retaliation against a juror

### ■ Forgery/Fraud

Criminal impersonation  
Identity theft  
Forgery  
Criminal possession of an identification document  
Criminal possession of a forged instrument  
Unauthorized use of a financial transaction device  
Second degree forgery  
Fraud by check - definitions - penalties  
Computer crime  
Money laundering - illegal investments -  
Criminal possession of forgery devices  
Insurance Fraud  
Forgery/Fraud  
Offering a false instrument for recording  
Criminal possession or sale of a blank financial device  
Crimes against at-risk adults and at-risk juveniles  
Criminal possession of second degree forged instrument  
Issuing a false financial statement



Identification number - altering - possession  
Defrauding a secured creditor or debtor  
Issuance of bad check  
Equity skimming of a vehicle  
Use of forged academic record  
Bait advertising  
Commercial bribery and breach of duty  
Concealment or removal of secured property  
Controlled substances - inducing consumption by fraudulent means  
Criminal possession of a financial transaction  
Criminal simulation  
Failure to pay over assigned accounts  
Failure to pay over proceeds unlawful  
Fraud in effecting sales  
Obtaining signature by deception  
Purchase on credit to defraud  
Second degree forgery (Repealed)  
Trademark counterfeiting  
Unlawful activity concerning the selling of land

## ■ Homicide

Murder in the first degree  
Murder in the second degree

## ■ Kidnapping

Second degree kidnapping  
False imprisonment  
First degree kidnapping  
Violation of custody order or order relating

## ■ Misc Felony

Vehicular eluding  
Attempt to influence a public servant  
Contributing to the delinquency of a minor  
Tampering with physical evidence  
Tampering with a witness or victim  
Misc Felony  
Intimidating a witness or victim  
Accessory to crime  
Organized Crime  
Criminal extortion - aggravated extortion  
Disarming a peace officer  
Cruelty to animals - aggravated cruelty to  
Impersonating a peace officer  
Human Trafficking - Sex  
Pimping  
Endangering public transportation  
Bribery  
Bribing a witness or victim  
Firing woods or prairie  
Embezzlement of public property  
Perjury in the first degree  
Animal fighting - penalty  
Failure or refusal to leave premises or property  
Fighting by agreement - dueling  
Bigamy  
Engaging in a riot  
Inciting destruction of life or property

Intentionally setting wildfire  
Issuing a false certificate  
Misuse of official information  
Bribe-receiving by a witness  
Hazardous waste violations  
Human Trafficking - Labor  
Jury-tampering  
Computer crime  
Criminal attempt  
Inciting riot  
Prostitution with knowledge of being infected  
Smuggling of humans  
Tampering with a witness (Repealed)  
Telecommunications crime  
Trafficking in adults  
Trafficking in children  
Trafficking in children (Repealed)  
Wiretapping prohibited - penalty

## ■ Misc Misd

Obstructing a peace officer, firefighter, emergency  
Resisting arrest  
False reporting to authorities  
Obstruction of telephone or telegraph service  
Disorderly conduct  
Obstructing government operations  
Illegal possession or consumption of ethyl alcohol by underage person  
Perjury in the second degree  
Cruelty to animals - aggravated cruelty to  
Accessory to crime  
Misc Misd  
Failure or refusal to leave premises or property  
Computer crime  
Sale of secondhand property - record  
Littering of public or private property  
False report of explosives, weapons, or harmful substances  
First degree official misconduct  
Obstructing highway or other passageway  
Prostitution prohibited  
Unlawful conduct on public property  
Harboring a minor  
Soliciting for prostitution  
Throwing missiles at vehicles - harassment of bicyclists  
Interference with staff, faculty, or students of educational institution  
Abuse of a corpse  
Hindering transportation  
Firing woods or prairie  
Criminal invasion of privacy  
Concealing death  
Dissemination of false information to obtain hospital care  
Gambling - professional gambling - offenses  
Keeping a place of prostitution  
Unlawful ownership of dangerous dog  
Abandonment of a motor vehicle  
Engaging in a riot  
Gambling premises  
Impersonating a public servant  
Possession of a gambling device or record

- Public buildings – trespass, interference
- Abuse of public records
- Eavesdropping prohibited – penalty
- Furnishing cigarettes or tobacco products to minors
- Refusing to aid a peace officer
- Second degree official misconduct
- Telecommunications crime
- Criminal use of a noxious substance
- Fighting by agreement – dueling
- Inciting riot
- Patronizing a prostitute
- Wiretapping and eavesdropping devices prohibited
- Abuse of property insurance
- Abuse of telephone and telegraph service
- Compounding
- Conspiracy
- Criminal attempt
- Desecration of venerated objects
- Disobedience of public safety orders
- Disrupting lawful assembly
- Duty to report use of force by peace officers
- Failing to disclose a conflict of interest
- False swearing
- Gambling information
- Loitering – definition – legislative declaration
- Marrying a bigamist
- Misuse of official information
- Mutilation – contempt of flag – penalty
- Official oppression
- Personal information on the internet – law enforcement official
- Promoting sexual immorality
- Prostitute making display
- Purchases of commodity metals – violations
- Refusal to permit inspections
- Refusal to yield party line
- Soliciting unlawful compensation
- Unauthorized release of an anima – penalty
- Vehicular eluding
- Wiretapping prohibited – penalty

### ■ Misd Assault

- Assault in the third degree
- Crime of violation of a protection order
- Harassment
- Child abuse
- False imprisonment
- Menacing
- Reckless endangerment
- Crimes against at-risk adults and at-risk juveniles
- Bias-motivated crimes
- Misd Assault
- Assault in the first degree
- Assault in the second degree
- Domestic violence – summons and complaint
- Habitual child abusers – indictment or information
- Stalking – penalty – definitions

### ■ MVT

- Aggravated motor vehicle theft

### ■ Other Custody Violations

- Introducing contraband in the first degree
- Possession of contraband in the first degree
- Introducing contraband in the second degree
- Possession of contraband in the second degree
- Riots in detention facilities
- Aiding escape from an institution for mental illness
- Aiding escape
- Unauthorized residency by an adult offender from another state
- Inducing prisoners to absent selves
- Other Custody Violations
- Violation of bail bond conditions

### ■ Other Homicide

- Vehicular homicide
- Child abuse
- Manslaughter
- Criminally negligent homicide
- Crimes against at-risk adults and at-risk juveniles

### ■ Other Property

- Criminal mischief
- First degree criminal trespass
- Second degree criminal trespass
- Third degree criminal trespass
- Second degree criminal tampering
- First degree criminal tampering
- Tampering with a utility meter – penalty
- Defacing property – definitions
- Tampering with equipment associated with oil and gas
- Criminal extortion – aggravated extortion
- Defacing or destruction of written instruments
- Rights in stolen property
- Defacing, destroying, or removing landmarks
- Concealment of goods

### ■ Other Sex Crime

- Sexual exploitation of a child
- Unlawful sexual contact
- Internet luring of a child
- Indecent exposure
- Internet sexual exploitation of a child
- Public indecency
- Soliciting for child prostitution
- Enticement of a child
- Invasion of privacy for sexual gratification
- Patronizing a prostituted child
- Other Sex Crime
- Pandering of a child
- Obscenity
- Inducement of child prostitution
- Pandering

Pimping of a child  
Procurement of a child  
Keeping a place of child prostitution  
Patronizing a prostitute  
Criminal invasion of privacy

## ■ Robbery

Aggravated robbery  
Robbery  
Crimes against at-risk adults and at-risk juveniles  
Aggravated robbery of controlled substances

## ■ SE

SE  
Habitual sex offenders against children  
Habitual child abusers – indictment or information  
Domestic violence – sentencing  
Acquired immune deficiency syndrome testing  
Habitual burglary offenders – punishment

## ■ Sex Assault

Sexual assault on a child  
Sexual assault  
Sexual assault on a child by one in a position of trust  
Unlawful sexual contact  
Sexual exploitation of a child  
Aggravated incest  
Crimes against at-risk adults and at-risk juveniles  
Incest  
Sexual conduct in a correctional institution  
Inducement of child prostitution  
Pimping of a child  
Child abuse  
Internet luring of a child  
Pandering of a child  
Procurement of a child  
Sexual assault on a client by a psychotherapist  
Soliciting for child prostitution  
Definitions  
Keeping a place of child prostitution  
Procurement of a child for sexual exploitation  
Sexual assault in the second degree

## ■ SOFailtoReg

Failure to register as a sex offender

## ■ Theft

Theft  
Criminal possession of a financial device  
Crimes against at-risk adults and at-risk juveniles  
Unlawful acts – theft detection devices  
Possession of identity theft tools  
Gathering identity information by deception  
Identity theft  
Theft of medical records or medical information  
Fuel piracy  
Theft by receiving  
Theft of cable service – definitions  
Theft of rental property  
Theft of trade secrets – penalty  
Unlawful recording of a live performance

## ■ Traffic Felony

Traffic Felony

## ■ Traffic Misd

Traffic Misd

## ■ Weapons

Possession of weapons by previous offenders  
Prohibited use of weapons  
Possessing a dangerous or illegal weapon  
Unlawfully carrying a concealed weapon  
Illegal discharge of a firearm – penalty  
Possession of a defaced firearm  
Possession use or removal of explosives  
Weapons  
Unlawfully carrying a weapon – school,college  
Possession of handguns by juveniles  
Use of stun guns  
Unlawful purchase of firearms  
Unlawfully providing or permitting a juvenile to possess a handgun  
Defacing a firearm  
Firearms, explosives, or incendiary devices in public transport



**COLORADO**  
**Division of Criminal Justice**  
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