

Colorado Division of Criminal Justice

Driving Under the Influence of Drugs and Alcohol Calendar Year 2023 Report

Pursuant to C.R.S. 24-33.5-520

June 2026

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Acknowledgments

This report would not be possible without the generous contributions of the below individuals who contributed their time and effort to ensure the accuracy and wide scope of this report. Despite this assistance, any errors and omissions are the sole responsibility of the Office of Research and Statistics researchers.

Vanessa Beall from the Colorado Bureau of Investigation provided toxicology data, extensive forensic science expertise and also reviewed final data tables for accuracy.

Jazmyn Gideon from the Behavioral Health Administration securely linked probation assessment data to court case filings, and reviewed data tables for accuracy.

Heather Krug from the Colorado State Public Health Laboratory, Justin Lee from Denver County Court, Raphael Terry from the Denver Police Forensics and Evidence Division, and the Colorado Justice Analytics Support Team provided datasets crucial to this report and reviewed data tables for accuracy.

Attorney Han Ng and Colorado Traffic Safety Resource Prosecutor Jennifer Knudsen provided a summary of the impaired driving legal process found in the DUI Criminal Justice Process section.

Internal staff assistance was also provided by Linda Harrison, Michael Phillips, and Morgan Cope.

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Executive Summary

The Division of Criminal Justice in the Colorado Department of Public Safety produces this annual report in accordance with C.R.S. 24-33.5-520 to highlight trends in impaired driving court cases, court case filings with at least one underage drinking and driving (UDD), driving while ability impaired (DWAI), driving under the influence (DUI), vehicular assault DUI, or vehicular homicide DUI charge - hereto referred to as either impaired driving or DUI charges - and their toxicology. This report provides findings from the court cases filed in calendar year (CY) 2023 and trends from CY 2016-2023 court case data.

Citations for Impaired Driving in Colorado

In 2023, there were 20,878 impaired driving case filings, or 435 case filings per 100,000 residents aged 16 or older. The number of case filings in 2023 remained consistent with the last three years, increasing by 63 case filings from 2022. The rate of DUI case filings per 100,000 residents aged over 16 has been stable over the last four years, but is 22% lower than the rate of case filings in 2019.

The rate of DUI case filings per 100,000 residents varied based on demographic characteristics including race and ethnicity, gender and age. Excluding Denver County court, there were 561 DUI case filings per 100,000 residents among Black Coloradans, compared to 320 DUI case filings per 100,000 residents among White Coloradans. The rate of DUI case filings for Hispanic Coloradans was 1.8 times higher than the rate of case filings for the total population. When further disaggregated by gender, Hispanic males tended to be the most overrepresented among DUI case filings at 1,204 per 100,000 residents.

Toxicology testing results

Thirty-nine percent of DUI court case filings in 2023 were matched to comprehensive alcohol and drugs of abuse testing, representing the highest percentage of comprehensive screenings for impaired driving since reporting began in 2016. This improvement in data quality is partially attributed to the Colorado Bureau of Investigation (CBI) offering comprehensive state funded testing services to law enforcement agencies since 2019, as well as an increase in the volume of testing performed by CBI since 2020.

Eighty-eight percent of screened DUI case filings were positive for any trace of alcohol in 2023. Alcohol positivity has risen 6% among DUI case filings since 2020 but remained mostly stable from 2022 to 2023, increasing by just 0.7%. Similarly, 79% of screened case filings tested at or above 0.08 blood/breath alcohol content (BAC) in 2023, consistent with 2022.

Unlike alcohol, marijuana positivity fell from 2020 through 2022. In 2020, marijuana was detected in 49% of screened DUI case filings, compared to 43% in 2023. The decline in marijuana positivity can partially be explained by the improved data quality that better represents the toxicology of all DUI case filings.

Consistent with previous reports, amphetamine/methamphetamine and cocaine, which are both stimulants, were the third and fourth most identified drugs in 2023. Polydrug detection (meaning more than one drug was detected) among screened DUI case filings was 33% in 2023 (21% among all DUI case filings), up slightly with polydrug detection in 2022. The most prevalent combination of substances in toxicology reports was alcohol and marijuana. Additionally, over 91% of DUI case filings associated with positive results for any stimulant, sedative, or opioid drug had polydrug results in 2023.

Time to Testing

In 2023, the median duration between time of offense and blood draw was 75 minutes, and the mean time was 88, generally consistent with blood draw times in 2022.

Convictions

Ninety-three percent of DUI cases filed in 2023 reached dispositions at the time of data extraction, consistent with the rate in 2022. The overwhelming majority of DUI case filings received either a deferred judgement or guilty finding (84%), however conviction rates varied by the type of final DUI charge. DUI charges had the lowest conviction rate at 72%, while DWAI and both DUI and DWAI with 1-2 priors all had conviction rates above 95%.

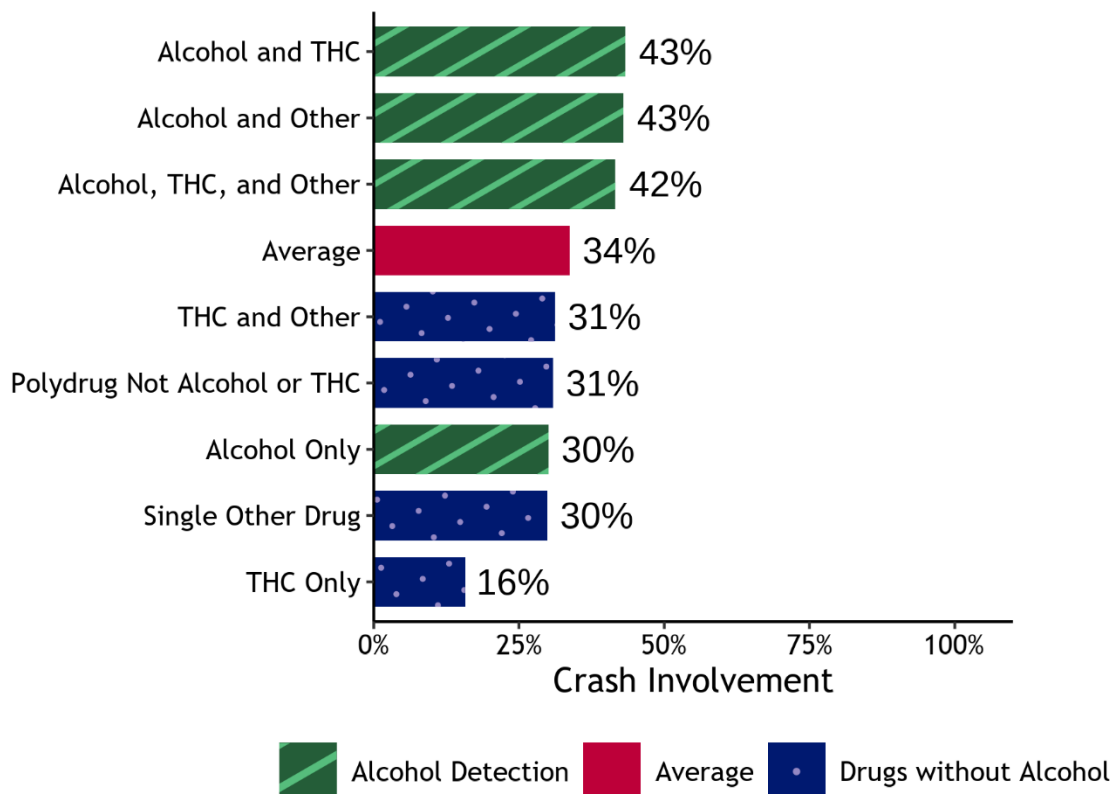
Although 84% of the impaired driving charges that reached a disposition received convictions in 2023, there were noted variations based on the toxicology profile of the individual charged. Conviction rates were higher in instances where the individual charged tested positive for alcohol (91%), had a BAC level above 0.08 (94%), or had a Delta-9 THC level above 5ng/mL (88%). Conviction rates for alcohol and Delta-9 THC includes every case filing positive for that

substance either alone or in combination with other drugs, unless otherwise stated. DUI charges associated with positive tests for multiple substances also had elevated conviction rates compared to all DUI charges.

Public Safety of Impaired Driving and Crash Involvement

Crash involvement was estimated using probation assessments records for individuals who were convicted of a DUI, and overall, one in three were involved in a crash (34%). Crash involvement rates were higher for those who had multiple drugs detected, particularly when alcohol was included. Forty-three percent of convicted drivers who tested positive for multiple drugs including alcohol were involved in a crash, compared to the convicted drivers who tested positive for only one substance (29%).

Figure 1. Percentage of Convicted drivers involved in a crash by drugs detected, CY 2023



Data Sources: Behavioral Health Administration. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Section One: Background and Overview

Purpose of this Report

In 2017, the Colorado General Assembly passed House Bill 17-1315 (C.R.S. 24-33.5-520) which directs the Colorado Department of Safety (CDPS), Division of Criminal Justice (DCJ), to “analyze the types of DUI offenses being committed by offenders” and issue an annual report. The bill calls for the report to include, among other things, the following:

- The number of citations for impaired driving
- The number of cases with indication of impairment by alcohol, marijuana, other drugs, or any combination of the these
- The number of convictions for impaired driving
- The number of convictions with evidentiary test results indicating impairment by alcohol, marijuana, Schedule I drugs (C.R.S. 18-18-203), other drugs, or any combination of these
- The elapsed time from law enforcement stop to biological sample

Overview: Driving Under the Influence

One of the goals of this report is to monitor the number of cases involving at least one driving under the influence (DUI) charge. A DUI represents a specific criminal charge and, in the context of this report, a broader grouping of charges that all relate to substance-affected driving. These charges, in order of severity include underage drinking and driving (UDD), driving while ability impaired (DWAI), DUI, vehicular assault DUI, and vehicular homicide DUI. The statute that governs DUI charges is located in C.R.S. 42-4-1301, and the definitions for DUI and DWAI specifically are provided below.

f. ‘Driving under the influence’ means driving a motor vehicle or vehicle when a person has consumed alcohol or one or more drugs, or a combination of alcohol and one or more drugs, that affects the person to a degree that the person is substantially incapable, either mentally or physically, or both mentally and physically, to exercise clear judgment, sufficient physical control, or due care in the safe operation of a vehicle.

g. ‘Driving while ability impaired’ means driving a motor vehicle or vehicle when a person has consumed alcohol or one or more drugs, or a combination of both alcohol

and one or more drugs, that affects the person to the slightest degree so that the person is less able than the person ordinarily would have been, either mentally or physically, or both mentally and physically, to exercise clear judgment, sufficient physical control, or due care in the safe operation of a vehicle. (C.R.S. 42-4-1301)

C.R.S. 42-4-1301 also sets a *per se* limit for DUI at 0.08 blood/breath alcohol content (BAC) and a permissible inference of impairment level for DWAI at 0.05 BAC. Additionally, Colorado statutes include a felony law for individuals who have had three or more impaired driving convictions.

Colorado policymakers identified marijuana impaired driving as a public health and safety concern to monitor in the post-legalization period, and recent survey data does show an encouraging pattern. In 2023, 6.7% of high school-aged drivers reported driving when they had been using marijuana, down 4.5 percentage points from 2019.¹ The perception of the ease of access to marijuana and marijuana use in the last month also declined for high schoolers from 2019 to 2023, and these patterns highlight a decline in risky substance use behaviors. This annual report on alcohol and drug impaired driving court case filings adds to the knowledge of the public safety impact of drug impaired driving.

In 2013, the legislature amended the impaired driving statute to create a section addressing driving under the influence of marijuana. The law established the following:

If at such time the driver's blood contained five nanograms or more of delta 9-tetrahydrocannabinol [...Delta-9 THC...] per milliliter in whole blood, as shown by analysis of the defendant's blood, such fact gives rise to a permissible inference that the defendant was under the influence of one or more drugs.²

Colorado's permissible inference level for Delta-9 THC reflects a compromise between inaction and declaring a *per se* limit. Underlying the difficulty of striking this balance, the scientific community has not found a direct relationship between blood concentrations of

¹ Colorado Department of Public Health and Environment (2023). [Dashboard]. [Marijuana Health Information: Healthy Kids Colorado Survey](#).

² (C.R.S. 42-4-1301 (6)(a)(IV))

Delta-9 THC and driving impairment.^{3,4} Due to the uncertainty concerning specific Delta-9 THC levels and impairment, in 2018 the International Association of Chiefs of Police adopted a resolution against the establishment of a *per se* level for marijuana, declaring that “there is no scientific basis for the adoption of Delta-9 THC *per se* legislation.”⁵

Challenges with Monitoring and Detecting Drug Impaired Driving in Colorado

Due in part to limitations with data infrastructure, it has historically been a significant challenge to measure the scope of driving under the influence of drugs (DUID) separately from alcohol impaired driving. In Colorado, there is no criminal charge specifying that the driver is drug impaired. The current statute, C.R.S. 42-4-1301, applies to driving under the influence of alcohol, drugs, or a combination of the two, making it difficult to delineate drug impairment court cases from alcohol-impaired driving.

Before July 2019, Colorado had one independent private laboratory and three public laboratories processing toxicology tests, and all had different reporting styles. After July 2019, the number of laboratories providing DUI testing services dropped to three public ones, and the Colorado Bureau of Investigation received state support to offer free drug and alcohol testing to law enforcement agencies. The CBI currently provides comprehensive state-funded alcohol and drugs of abuse screening for every suspected impaired driving case submitted by law enforcement agencies.

Despite this improvement, Colorado still must compile alcohol and drug screening testing results from three toxicology sources and link them with DUI case filings. Currently, all of these data systems lack a common identifier to facilitate data linking with court case filings.

In addition to facing challenges in roadside drug testing and sobriety testing, law enforcement agencies encounter difficulties acquiring toxicology evidence in drug impairment cases. In Colorado, a suspect can request to only provide a breath sample for alcohol-only testing or can refuse all alcohol and drug testing if an officer does not obtain a warrant. However, if the

³ Arkell, T. R., Spindle, T. R., Kevin, R. C., Vandrey, R., & McGregor, I. S. (2021). [The failings of per se limits to detect marijuana-induced driving impairment: Results from a simulated driving study](#). *Traffic Injury Prevention*, 22(2), 102-107.

⁴ Compton, R. (2017, July). *Marijuana-Impaired Driving - A Report to Congress*. (DOT HS 812 440). Washington, DC: National Highway Traffic Safety Administration.

⁵ International Association of Chiefs of Police (2018). [2018 Resolutions](#).

officer suspects impairment from substances beyond alcohol, the officer can direct the suspect toward a blood test with comprehensive drug testing. Even if an individual under investigation agrees to undergo blood testing, collecting the blood sample is more time-consuming for law enforcement agencies compared to a breath sample, which officers can obtain at their station or in a jail. In contrast, to collect a blood sample, the officer must transport the suspect to a location where blood can be drawn, usually a hospital or emergency room. This delay can also impact the usefulness of drug toxicology results. For example, Delta-9 THC levels in the blood decrease rapidly in the first hour after use.⁶ Furthermore, chronic and/or medical use of marijuana can also confound drug impairment testing. Detectable levels of Delta-9 THC have been found in blood samples collected as many as 30 days post-use.⁷

Contextualizing the Role of Linked DUI Court Case and Toxicology Data in Monitoring DUID in Colorado

In Colorado, state analysts have monitored impaired driving using arrest and court data, but these data systems do not include information on the drug toxicology of those involved. Colorado's National Incident-Based Reporting System (NIBRS) captures DUI arrest information, but does not collect BAC level results or other toxicology data. The court system's data are structured to capture BAC levels but do not have a consistent way to capture toxicology for other impairing drugs.

Impaired driving drug toxicology can be assessed with traffic fatality data. The National Highway Traffic Safety Administration (NHTSA) is the data steward for the Fatality Analysis Reporting System (FARS), which collects circumstantial information related to fatal crashes, including the toxicology results of drivers. However, FARS data only focuses on the subgroup of cases with a fatality. In 2023 Colorado recorded 720 fatalities⁸ on roadways compared to 16,846 DUI arrests.⁹ Additionally, despite CDOT's improvements to data collection, inconsistent screening practices prevents an accurate interpretation of substance prevalence

⁶ Toennes, S., Ramaekers, J., Theunissen, E., Moeller, M., & Kauert, G. (2008). Comparison of cannabinoid pharmacokinetic properties in occasional and heavy users smoking a marijuana or placebo joint. *Journal of Analytical Toxicology*, 32, 470-477

⁷ Bergamaschi, M., Karschner, E., Goodwin, R., Scheidweiler, K., Hirvonen, J., Queiroz, R., & Huestis, M. (2013). [Impact of prolonged cannabinoid excretion in chronic daily cannabis smokers' blood on per se drugged driving laws](#). *Clinical Chemistry*, 59, 519-526

⁸ Colorado Department of Transportation (2025). [Colorado Traffic Fatalities Dashboard](#).

⁹ Colorado Bureau of Investigation (2022). [Dashboard]. [Colorado Crime Statistics](#).

among suspected impairment in fatal crashes. The analysis presented in this report addresses the identified toxicology gap in Colorado's arrest and judicial data and also complements FARS data by examining trends across a larger sample of impaired drivers.

Section Two: The DUI Criminal Justice Process

Arrest Process

During a traffic stop, an officer might identify signs of impairment or recent substance use, including the smell of alcohol or marijuana, the sight of open containers, slurred speech, or slowed reactions. Once an officer has probable cause to suspect impairment, they might ask the individual to voluntarily perform a battery of psychophysical tests and, potentially, a preliminary breath alcohol test (PBAT) if the officer suspects alcohol impairment. If the officer is concerned about drug impairment, they might call a DRE trained officer to assist with behavioral testing and/or proceed with toxicological exams. Under normal operating conditions, the arresting officer then provides the person with a choice of a breath or blood test. Once the choice is made, the person cannot renege and choose the other test. If the individual has a breath alcohol test result at or above 0.08 or refuses the test, they then must surrender their license to law enforcement and have seven days to request an administrative hearing from the Division of Motor Vehicles. However, if the driver chose a blood test or the officer had reasonable grounds to suspect drug-related impairment and required a blood test, the individual does not have to surrender their license because the results of a blood test are not readily available. Generally, if the PBAT result is above the *per se* limit, the officer might choose not to test for additional drugs. If the arresting officer has probable cause to believe an individual committed any drug or alcohol related traffic offense, the arresting officer may obtain a warrant to collect an evidentiary biological sample for drug testing. The legal case unfolds differently depending on the type of case, and both paths are described below.

Legal Process

Misdemeanor

When the case is charged as a misdemeanor, the arresting officer completes the Uniform Summons and Complaint form when the defendant is arrested. The law enforcement agency then files the original copy with the court and provides copies to both the defendant and the district attorney's (DA's) office. The DA can add, amend or dismiss charges, either as part of a plea agreement or because such actions better reflect the facts of the case. Given that the case is a misdemeanor, the defendant is not entitled to a preliminary hearing. Rather, the defendant is advised of their rights by the judge either while in jail, or if they are released on

bond, before seeing a judge when they return to court. Thereafter, the case is set for either an appearance of counsel (for the defendant to hire a lawyer or apply for the services of a public defender) or an arraignment (where the defendant will enter a plea of guilty or not guilty). If the defendant enters a “not guilty” plea, a trial date is set and, most often, a date to litigate constitutional and/or evidentiary motions is set prior to trial. If the defendant enters a guilty plea (usually as part of a plea agreement), the court may sentence the defendant immediately or, more likely, sets the case for a sentencing hearing and directs the probation department to meet with the defendant and prepare a pre-sentence investigation report in time for the sentencing hearing.

Felony

If the case is a felony, the law enforcement officer arrests the defendant and submits a Warrantless Arrest Affidavit to the court and to the DA’s office. The judge then advises the defendant of their rights, sets a bond, and issues a return date for filing of charges. If the defendant is unable to post bond, this return date is usually set within three working days. If the defendant is able to post bond, a later date may be set. If the DA determines that misdemeanor charges are appropriate, a misdemeanor complaint is filed, and the case is thereafter treated as a misdemeanor. Otherwise, the case continues to be treated as a felony. Once the defendant obtains or waives counsel, the case is set for a preliminary hearing in the district court. Meanwhile, the DA and the defense attorney may negotiate an agreement. If they agree to a misdemeanor, the preliminary hearing is vacated and a date(s) for entering a plea and sentencing in county court is set. If they agree to a felony, the case is bound over to the district court for an arraignment where the defendant will enter a plea.

Dispositions

There are six common dispositions in impaired driving cases. A guilty disposition occurs when the defendant either pleads guilty to the charge or is found guilty at trial. In the case of a deferred judgment and sentence, the defendant enters a conditional guilty plea, but the final judgment is postponed. In these cases, the court sets a period of probation supervision, which includes written stipulations about the conditions of supervision, before sentencing or the entry of a conviction into the court record. If the defendant completes the supervision term successfully, the court may then dismiss the charges. However, if the defendant does not comply with the terms of the agreement then the individual will appear before the judge for a sentencing hearing, where the judge may choose to sentence the person under the original

conditional plea. A deferred dismissed disposition is entered into the court record after the successful completion of probation supervision. For the purposes of this report, guilty, deferred judgment, and deferred dismissed dispositions are considered “guilty” outcomes when discussing conviction rates.

If the prosecution or court does not believe that the evidence will support the charges beyond a reasonable doubt, then charges are dismissed. Dismissal of certain charges is often used as part of a plea deal, where the defendant pleads guilty to some charges in exchange for the dismissal of other charges. A not guilty disposition is entered when a defendant goes to trial and the jury or judge finds that the prosecution did not prove the charges beyond a reasonable doubt. Finally, a prosecutor may elect not to prosecute and instead offer a diversion program. This results in no charges filed as long as the defendant completes the terms of the diversion. For the purposes of this report, dismissed, not guilty, diversion, and not proven are categorized as “not guilty” outcomes.

Probation Assessment

Once convicted, the Alcohol and Drug Driving Safety (ADDs) program, administered by the Judicial Department’s Division of Probation Services, “provides pre-sentence and post-sentence alcohol and drug evaluations on all persons convicted of” DUI or DWAI.¹⁰ This includes administering assessment tools such as the Adult Substance Use and Driving Survey (ASUDS). This instrument provides information on the convicted individual’s prior substance use behaviors and other risk factors associated with re-offending. Probation officers use this assessment to provide a treatment recommendation to the sentencing judge and the Behavioral Health Administration for use by treatment providers.

¹⁰ Colorado Revised Statutes, 42-4-1301.3.

Section Three: Data and Methods

Data

C.R.S. 24-33.5-520 mandates that the Division of Criminal Justice (DCJ) report annually to the General Assembly regarding specific information relating to substance-affected driving citations that occurred in the previous year. The mandate requires linking information across multiple data sets to provide a comprehensive analysis of impaired driving. Data were obtained related to case filings in CY 2023 from the following entities:

- Colorado Bureau of Investigation, Toxicology Services (CBI)
- Denver Police Department, Denver Crime Lab (Denver PD)
- Colorado Department of Public Health and Environment, Laboratory Services Division (CDPHE)
- Colorado Judicial Branch via the Colorado Justice Analytics Support System (CJASS)
- Denver County Court
- Behavioral Health Administration (BHA)

Case Filings

In August 2025, the DCJ extracted traffic, misdemeanor, and felony case filings between 1/1/2023 and 12/31/2023 containing at least one DUI or DWAI charge.¹¹ Case filing data were obtained from the Colorado Judicial Branch and Denver County Court. The Denver County Court tracks misdemeanor cases in its own court management system, which is not available to the Judicial Branch data system. The number of case filings do not match with the information provided in Judicial reports due in part to different time periods examined, data cleaning procedures and DUI case definitions.

Alcohol-only Testing

Data were obtained from the CDPHE regarding breath alcohol tests conducted using Intoxilyzers, the specific type of breathalyzer device used for evidentiary breath testing in Colorado. Law enforcement officers administer the breath alcohol tests, either at a jail or

¹¹ Colorado Revised Statutes, 42-4-1301.

police department. The Denver Crime Lab, in the Denver Police Department, provided results for blood alcohol tests performed for Denver cases only.

Drug and Alcohol Testing

The CBI conducts both drug and alcohol toxicology screenings and confirmations on blood samples submitted. Some test reports only showed qualitative values, indicating that the drug's threshold for detection had been met, but not for quantification. Generally, these test results appeared on toxicology reports as values such as '< 1.0 ng/mL' indicating the presence of the substance, but with no corresponding quantitative value. These values were coded as positive results for the drug but were not included in the analyses involving quantified levels, such as calculations for the mean and median toxicology levels.

Since 2018, CBI has conducted a 14-panel drug screen on all blood vials that were submitted for a drug screen, with supplemental specialty testing upon request. The 14-panel drug screening includes: amphetamines, methamphetamine, barbiturates, benzodiazepines, buprenorphine, carisoprodol, cocaine, fentanyl, marijuana, methadone, opiates, oxycodone, tramadol and zolpidem.

Individual Assessment Data

The BHA shared probation assessment data from its Alcohol/Drugged Driving Safety Coordinated Data System (ADDSCODS). Due to the sensitive nature of this dataset and the important legal protections under 42 CFR Part 2 of the Federal Code, the BHA performed the data matching and provided de-identified data for analysis.

Methods

To undertake the analysis required in C.R.S. 24-33.5-520, it was necessary to match individual cases across data sets and engage in two phases of data preparation, (1) data cleaning and (2) data linking. These are discussed below.

Data Cleaning

The data obtained for this analysis lacked consistent formatting and operational definitions of the variables across datasets. The open-source software R was the primary tool used to perform data cleaning.

Judicial Case Filings

Data extracted August 2025 from the Colorado Judicial Branch included all charges for case filings that contained at least one charge within the DUI spectrum of charges during the 2023 calendar year, as explained in the previous section. One case filing, or case, typically contains multiple charges. For ease of presentation any charge of operating a vehicle under the influence or while ability impaired is referred to as “DUI” unless otherwise specified. Duplicate cases did occur and some of the more common reasons include the following:

- Cases were erroneously filed twice.
- DUI misdemeanors were re-filed as felonies.
- Duplicate tickets were submitted to the court by law enforcement.
- Charges from one case were consolidated to a different case.

Cases were matched on name, date of birth, and offense date to identify duplicates and were then manually reviewed. Duplicate cases were removed by matching law enforcement agency (LEA) name, LEA case numbers, arrest numbers, and offense dates. In 2023, 435 duplicate filings were removed from the analyses using this process.

Next, initial charges and amended charges were identified. Initial charges were mapped to the appropriate final charge. The presence of all charges, charge numbers, and charge sequences permitted the accurate mapping of initial charges to final amended charges. Finally, age was imputed based on dates of birth from other datasets, if available.

Denver Court Case Filings

The process of identifying and eliminating duplicates was the same as described above; 51 duplicate case records were removed. The Denver Court data were similar to the State Judicial data in many ways; however, this dataset lacked the critical variable of charge number, which complicated the mapping of initial to final charges. Consequently, mapping was accomplished manually.

Final Disposition Selection

Cases often contained multiple DUI charges. When this occurred, we identified the charge with the most serious disposition and analyzed these aggregated charges. For example, if a case had two final DUI charges with different dispositions of ‘dismissed’ and ‘guilty,’ the ‘guilty’ disposition was selected over the former regardless of severity of the charges (see Table 1 for a common example). Dispositions were ranked from highest to lowest in the following order: guilty, deferred, deferred dismissed, diversion, not guilty, not proven, and dismissed.

Table 1. Example of selection of maximum finding for multiple DUI charge in a case

Initial Charge	Final Charge	Disposition	Selected
DRIVING UNDER THE INFLUENCE	DRIVING WHILE ABILITY IMPAIRED	Guilty	Yes
DRIVING UNDER THE INFLUENCE PER SE	DRIVING UNDER THE INFLUENCE PER SE	Dismissed	No

Reporting Race & Ethnicity from Court Case Filings

DCJ analysts obtained race and ethnicity information from the Colorado Judicial Branch. Analysts sought to estimate trends regarding race and ethnicity, albeit with noted limitations; these data have been historically difficult to report due to inconsistent data quality in court filings. Court records in the Judicial Branch’s ICON system do not distinguish between race and ethnicity and only include one race for every individual. As a result, the Hispanic category underrepresents the true proportion of Hispanic people in the court data system. To improve upon the accuracy of the Hispanic designation, analysts employed a predictive model that the DCJ developed to classify Hispanic offenders more accurately in state court case

records.¹² While no predictive method is perfectly accurate, the DCJ determined that the model's output was an improvement over using the race and ethnicity designations in the original state court filings data. Race and ethnicity data from Denver County court was not included in this report because the statistical model used to estimate Hispanic ethnicity from ICON system case filings could not be reliably applied to the Denver County Court records. Please see the DCJ report on the Racial & Ethnic Disparity-Adult & Juvenile Justice for more information about the creation and use of this statistical model.¹³

Denver Crime Lab Alcohol Tests

The Denver Crime Lab provided data from toxicology results spanning from calendar year 2022 to 2023, ensuring results were available to match all cases filed in 2022.

CBI Toxicology Tests

The CBI provided data from toxicology reports spanning from calendar year 2022 to 2023, ensuring data were available to match all cases filed in 2023. As mentioned previously, the CBI utilized a 14-panel drugs-of-abuse screen and offered specialty tests available upon request. Any values that appeared for prescription drug screens generally appeared in a non-standard format and were manually corrected to better examine DUIs associated with prescription drugs. This dataset also contained positive test results for BAC.

Starting on July 1, 2019, the CBI began offering toxicology testing services without a fee for law enforcement that included both blood alcohol and drugs-of-abuse screening. Therefore, all CBI tests in 2022 and 2023 were marked as receiving both drug and alcohol screening. Additionally, some cases contained multiple test results for the same substance if there were multiple blood draws taken. For these cases, the test with the shortest time between the offense and blood draw was selected for analysis. If this information was not available, then the maximum value for the tested substance was used in the analysis.

¹² Phillips, M., & Waisanen, S. (2024). [Report on the C.L.E.A.R. Act Calendar Year 2022](#) Office of Research and Statistics, Colorado Department of Public Safety, vii.

¹³ Phillips, M., & Waisanen, S. (2024). [Report on the C.L.E.A.R. Act Calendar Year 2022](#) Office of Research and Statistics, Colorado Department of Public Safety, 58.

ChemaTox Toxicology Tests

ChemaTox provided data for toxicology tests completed between January 2016 - July 2019 when their toxicology testing services ended for DUI cases. Trend data in this report will still contain testing results from this laboratory. See prior reports for data methods.¹⁴

Drug Categories used by Drug Recognition Experts

The DRE training program categorizes substances involved in DUID cases into seven categories based on behavioral effects observed by the officer. The DRE course manuals describe these categories as follows:

- Marijuana. Interferes with the attention process and distorts the perception of time and distance. Signs of impairment can include reddening of conjunctiva, body and eyelid tremors, and relaxed inhibitions.
- Central Nervous System (CNS) Depressants. Causes slowed reaction time, slowed information processing, decreased anxiety and tension, and induced sedation or drowsiness. Examples of drugs in this category include alcohol, barbiturates, and benzodiazepines.
- CNS Stimulants. Impairment is exhibited as hyperactivity, increased heart rate, blood pressure, and body temperature, emotional excitement, and restlessness. Examples of drugs in this category include cocaine, methamphetamine, and pseudoephedrine.
- Dissociative Anesthetics. Inhibits the brain's perception of pain and can be exhibited as blank stares, disorientation, or a lack of communication. Examples of drugs in this category are ketamine, phencyclidine (PCP), and dextromethorphan.
- Hallucinogens. Distortion of the user's perception, which can result in synesthesia and hallucinations. Signs of impairment can include paranoia, body tremors, and disorientation. Examples of drugs in this category are psilocybin, MDMA, and LSD.
- Inhalants. These are any drugs that can be inhaled and generally produce mind-altering results. There are many subcategories and these produce effects that can be similar to

¹⁴ Bui, B., & Reed, J. K. (2018). [Driving Under the Influence of Drugs and Alcohol \(2018\)](#) Office of Research and Statistics, Colorado Department of Public Safety; Rosenthal, A., & Reed, J. K. (2020). [Driving Under the Influence of Drugs and Alcohol Driving Under the Influence of Drugs and Alcohol](#), Office of Research and Statistics, Colorado Department of Public Safety; Rosenthal, A., & Reed, J. K. (Jan, 2022). [Driving Under the Influence of Drugs and Alcohol Driving Under the Influence of Drugs and Alcohol](#). Office of Research and Statistics, Colorado Department of Public Safety, Rosenthal, A.

CNS depressants, stimulants, and hallucinogens. Toluene, paint thinners, and gasoline are a few examples of this drug category.

- Narcotic Analgesics. Drugs in this group relieve pain and produce euphoria. Signs of impairment include drowsiness, droopy eyelids, and depressed reflexes. The majority of drugs in this category are often referred to as opioids, and include codeine, heroin, and methadone.

These seven categories were used to group toxicology results provided in the next section. Additionally, prescription drugs and over the counter drugs, such as antidepressants, antihistamines, and anticonvulsants, among others, were included in the analysis. Note that some prescription drugs overlap with a DRE drug category. For example, sertraline is an antidepressant that could be categorized as a CNS depressant but given that it is not typically abused or impairing, it is categorized here as a prescription drug to avoid inflating the detection of potentially impairing CNS depressants. See Appendix A for a full list of drugs and their assigned categories.

Data Linking

DCJ researchers used a probabilistic linking method to match court case files with toxicology records due to the differences in identifiers across the various datasets. The following personal and incident identifiers were used in the linking process: name, date of birth, date of offense, gender, driver's license number, arresting agency, and arrest number. Senzing, an entity resolution software, was used to identify matches.¹⁵

Due to the sensitive nature of probation assessment data, the BHA linked probation assessment, toxicology, and judicial records internally before sharing de-identified data for analysis. Unlike the linking conducted between toxicology and judicial records, the BHA was able to use the court case number as the primary key between court and probation information, allowing them to deterministically link probation and DCJ data.

¹⁵ Senzing. (2020, February). [Entity Resolution Process](#).

Results

DCJ analysts performed descriptive analyses of the DUI court, toxicology, and ADDSCODS calendar year 2023 datasets, and made comparisons to findings from prior analyses.¹⁶ The case filings were analyzed by geographic region, demographics of the individual who was charged, and legal characteristics including: charge type, law classification, and charge amendment. The analysis of toxicology data involved examining the duration between offense time and blood draw for drug testing, alcohol and drug screening characteristics, and the quantification results for alcohol and Delta-9 THC. Using the linked toxicology data, analysts assessed the relationship between drug testing results and court outcomes including disposition and sentencing findings. The BHA's probation assessment data complemented these analyses and provided additional contextual information on the history of prior offenses, treatment track, and crash involvement.

DUI Case Filings

In 2023, Colorado prosecutors filed 20,878 cases with at least one DUI charge, which was 63 fewer cases compared to 2022. From 2021 to 2023 the number of court case filings remained mostly stable, decreasing by 1% over the three-year period. As shown in Table 2, 93% of cases filed in 2023 reached disposition by the time the data were extracted in August 2025, slightly higher than the two previous years. A total of 13,536 cases were matched with a toxicology record, or 65% of all cases in 2023. Sixty-one percent of 2023 cases had both a DUI disposition and a toxicology result match.

¹⁶ Colorado Department of Public Safety. (2026). [Driving Under the Influence Dashboard](#).

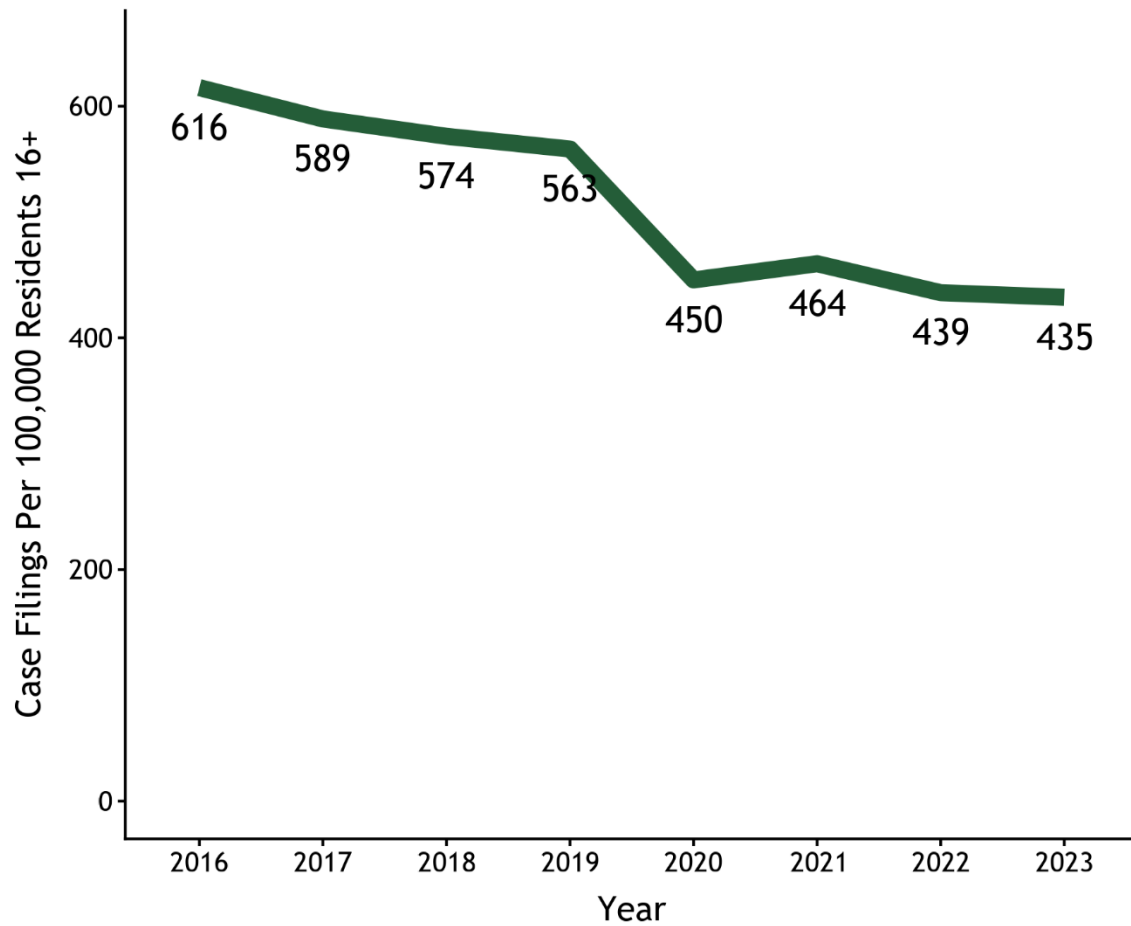
Table 2. DUI case filings and toxicology statistics, CY 2021-2023

Year	2021	2022	2023
Total DUI Filings	21,795	20,815	20,878
Toxicology Results	12,159	12,750	13,536
Dispositions Reached	19,788	19,220	19,484
Dispositions Reached and Toxicology Results	11,175	11,843	12,657
Percent of Filings with a Disposition	90.8%	92.3%	93.3%
Percent of Filings with Toxicology	55.7%	61.3%	64.8%
Percent of Filings with Toxicology and Disposition	51.3%	56.9%	60.6%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Population estimates for those aged 16 and older were obtained from the State Demography Office to calculate the state, county, and judicial district rates of impaired driving case filings per 100,000 residents aged 16 years or older. As seen in Figure 2, the estimated state DUI court filing rate declined by 29%, from 616 in 2016 to 435 in 2023, with the majority of the decrease occurring in 2020. The case filing rate after 2020 has been more stable, dropping less than 1% from 2022 to 2023.

Figure 2. Case filings per 100,000 residents aged 16 and older by year, CY 2016-2023

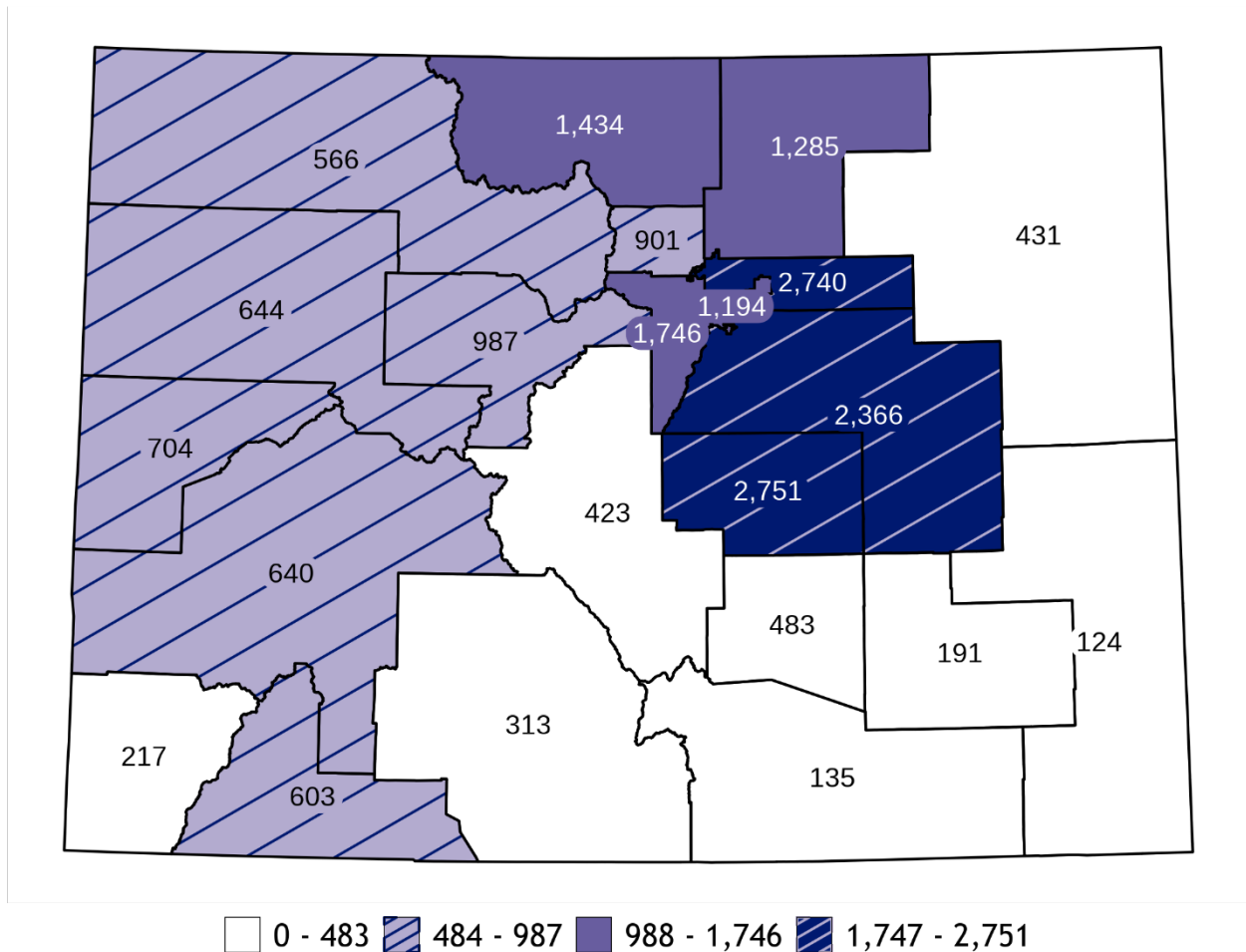


Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Demographics

Figure 3 displays the number of DUI case filings by county. El Paso (count=2,544), Adams (count=2,515), Jefferson (count=1,650), Larimer (count=1,420), and Arapahoe (count=1,397) had the most case filings in 2023 (Appendix B). Additionally, Appendix F lists the number of cases by arresting agency for 2019-2023. Colorado State Patrol was the arresting agency for 20% of case filings (count=4,194) and had the highest proportion of filings among all law enforcement agencies. The Colorado Springs Police Department (count=1,409) and the Denver Police Department (count=1,194) accounted for the second and third highest number of court case filings by law enforcement agency.

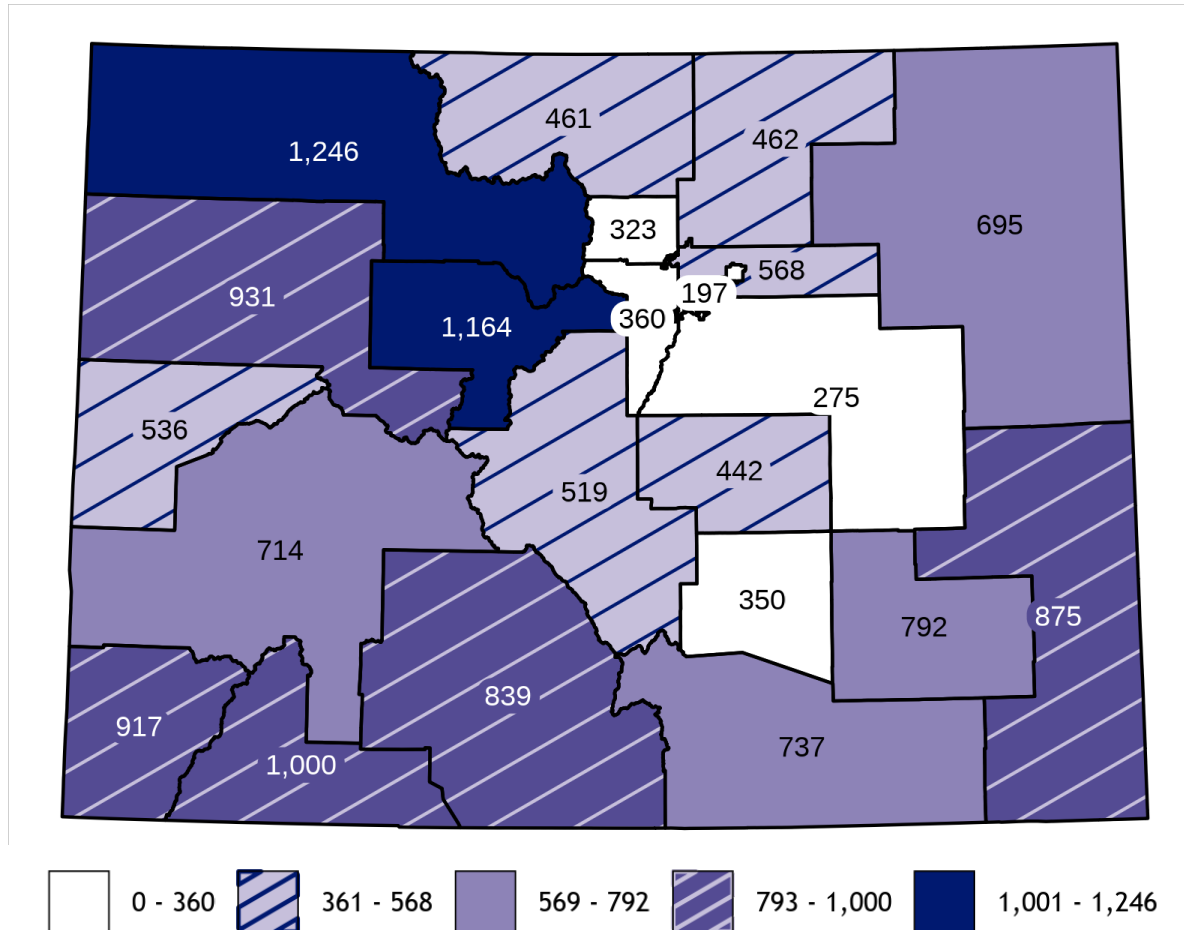
Figure 4. DUI cases filed, by judicial district, CY 2023



Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Unlike the frequency of DUI court case filings, case filing rates were the highest in rural counties (Figure 5). Gilpin, Moffat, Clear Creek, Summit, and Jackson counties had the highest filing rates in 2023 and represent a variety of communities primarily in central Colorado. Although Denver County had the seventh highest count of DUI case filings, it also had the lowest rate with 197 case filings per 100,000 residents aged 16 and older. The pattern of rural counties with higher filing rates compared to urban counties is a common outcome of examining specific crimes in jurisdictions with smaller populations or a seasonal influx of tourism. See Appendix C for the county rates in a table format from 2019-2023.

Figure 6. Rate of DUI case filings per 100,000 residents aged 16 and older, by judicial district, CY 2023



Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 3 shows racial and ethnic distribution in DUI case filings rates. Denver county was excluded due to limitations in the data analysis. There were 743 DUI case filings for every 100,000 Hispanic residents over age 16, which is 1.8 times higher than the rate of DUI case filings for the total population. Additionally, there were 561 filings for every 100,000 Black residents over 16, which is 1.4 times higher than the total population. The population labeled ‘Some Other Race’ includes Asian, American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and multiracial groups. This group had the lowest number of DUI case filings and the lowest rate of case filings (249). However, due to issues with collecting race and ethnicity information for this group, results should be interpreted with caution. Please see the subsection *Reporting Race & Ethnicity from Court Case Filings* (p. 23) for more information about the race and ethnicity information presented.

Table 3. Race & ethnicity of individuals with a DUI case filing, count and rates per 100,000 residents aged 16 and older, CY 2023

Race & Ethnicity	Population Estimate	Filings	Filings Rate
Black	197,259	1,106	561
Hispanic	984,602	7,317	743
Some Other Race	314,351	783	249
White	3,306,129	10,578	320
Total	4,802,341	19,784	412

Note: Case filings from Denver County court were excluded from this analysis. Population estimate includes individuals aged 16 or older. The per capita rate is calculated with population estimates from State Demography Office, and represents the ratio of DUI case filings to total population x 100,000. Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Males comprised the majority of individuals in all DUI charge categories and 76% of all DUI charges. Any small differences in charge distribution by gender can be seen in Table 4. The most common final charge for both reported genders was a DUI with no prior convictions, accounting for 50% of case filings with female defendants, and 48% of case filings with male defendants. A larger proportion of men were charged with a DUI with prior convictions, and females had a slightly higher proportion of DWAI charges compared to men.

Table 4. Final DUI charge by gender, CY 2023

Final Charge	Female	Male	Female Percent	Male Percent
UDD	18	82	0.4%	0.5%
DWAI	1,765	5,049	34.6%	32.0%
DWAI 1-2 Prior	186	702	3.7%	4.5%
DWAI 3+ Prior	7	37	0.1%	0.2%
DUI	2,529	7,600	49.6%	48.2%
DUI 1-2 Prior	404	1,363	7.9%	8.6%
DUI 3+ Prior	102	714	2.0%	4.5%
VEH ASSAULT	31	95	0.6%	0.6%
VEH HOMICIDE	8	29	0.2%	0.2%
Other	44	90	0.9%	0.6%
Total	5,094	15,761	100.0%	100.0%

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Males of any race and ethnicity were far more likely to have a DUI case filing than females, as shown in the male & female filings columns of Table 5. The rate of DUI filings among Hispanic males was 92% higher than filing rates among all Colorado males. The rate of DUI filings for Black males was 27% higher than that of all Colorado males in 2023. Meanwhile, females with the highest rate of case filings per 100,000 residents were Black (283), and females of Some Other Race had the lowest rate of case filings overall (148).

Table 5. DUI case filing count and rate per 100,000 residents over 16 and gender, race & ethnicity, CY 2023

Race & Ethnicity	Filings Female	Filings Male	Filings Rate Female	Filings Rate Male
Black	255	851	283	795
Hispanic	1,335	5,979	274	1,204
Some Other Race	246	525	148	354
White	2,951	7,619	178	463
Total	4,787	14,974	199	625

Note: Case filings from Denver County court were excluded from this analysis. Population estimate includes individuals aged 16 or older. The per capita rate is calculated with population estimates from State Demography Office, and represents the ratio of DUI case filings to total population x 100,000. Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Charge Maintenance and Associated Charges

Table 6 shows initial DUI charges and the rates of charge maintenance, or the percentage of initial DUI charges that were not amended in the case filing. The most common initial charge was DUI (count=16,768), and this was followed by DWAI (count=2,333). Over 90% of initial UDD, DWAI, DWAI with 1-2 prior and three or more prior convictions, DUI with three or more prior convictions, vehicular assault, and vehicular homicide were maintained (Table 6). In contrast, 60% of initial DUI charges were maintained. Appendix G displays how initial charges were modified as final charges, and as seen there, 27% of DUI charges with no noted priors (n = 4,567) were downgraded to a less severe charge and 12% (n = 1,995) were amended to a more severe charge. The most common amended DUI charges were DWAI or DUI with 1-2 prior charges.

Table 6. Initial DUI charges and maintained charge, 2023

Initial DUI Charge	Total	Maintained	Maintained %
UDD	76	71	93.4%
DWAI	2,333	2,249	96.4%
DWAI 1-2 Prior	125	123	98.4%
DWAI 3+ Prior	29	25	86.2%
DUI	16,768	10,098	60.2%
DUI 1-2 Prior	512	478	93.4%
DUI 3+ Prior	840	777	92.5%
VEH ASSAULT	128	126	98.4%
VEH HOMICIDE	36	36	100.0%
Total	20,878	13,983	67.0%

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

The three most common charges associated with DUI case filings in 2023 were careless driving, failure to display proof of insurance, and lane usage violation. See Appendix H for the frequency of the top 40 final associated charges.

Particular charges of interest from cases filed in 2019-2023 can be seen in Table 7, including child abuse, vehicular assault, and vehicular homicide. For the vehicular assault and vehicular homicide charges, these groupings included non-impaired driving charges such as reckless vehicular assault. Child abuse charges are generally brought when a driver is charged with committing an impaired driving offense with children present in the car. Child abuse charges were the most common amongst these particular charges associated with a DUI. The lowest number of child abuse charges was at 551 in 2022. Vehicular assault and vehicular homicide charges have generally increased from 2020-2023. The highest number of filings with vehicular assault charges was 287 in 2023, meanwhile vehicular homicide charges were consistent with 2022 but up 76% from 2020.

Table 7. DUI case filings with charges for child abuse, vehicular assault and vehicular homicide charges associated with DUI case filings, CY 2019-2023

Charge	2019	2020	2021	2022	2023
Child Abuse	668	564	575	551	573
Vehicle Assault	242	200	223	256	287
Vehicle Homicide	31	29	43	51	51

Note: The counts in this table represent DUI case filings with either an initial or final charge for child abuse, vehicular assault or vehicular homicide included in a case with one or more DUI charges.

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Dispositions

Data on dispositions were available for 93% (count=19,484) of DUI-related charges, which was similar to the disposition rate in 2022. Nearly all cases in 2023 (count=19,078) were adjudicated with a final impaired driving charge. The percentage of guilty (73%) and deferred judgment (12%) dispositions in 2023 was consistent with 2022 and 2021 (Table 8).

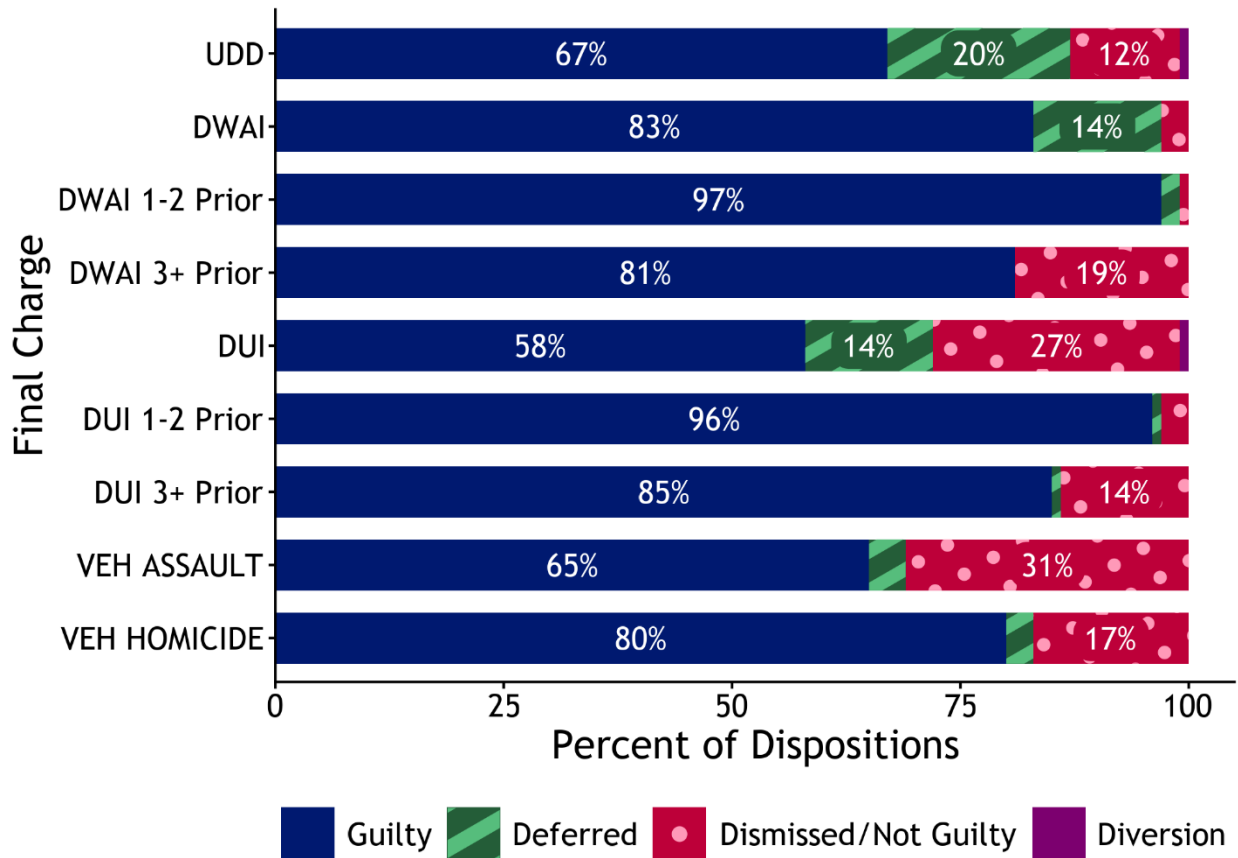
Table 8. Disposition of DUI charges, CY 2016-2023

Year	Guilty	Deferred Judgment	Deferred Dismissed	Diversion	Dismissed	Not Guilty	Non-DUI Disposition
2016	20,545	1,182	745	26	2,493	180	348
2017	19,846	1,185	548	53	2,363	193	280
2018	19,315	1,205	682	50	2,504	152	296
2019	18,458	1,824	4	86	2,380	94	320
2020	13,471	1,617	4	82	2,333	89	152
2021	14,378	2,346	1	98	2,697	119	151
2022	13,999	2,361	3	93	2,458	164	142
2023	14,161	2,254	8	57	2,703	167	134
2016 Percent	80.5%	4.6%	2.9%	0.1%	9.8%	0.7%	1.4%
2017 Percent	81.1%	4.8%	2.2%	0.2%	9.7%	0.8%	1.1%
2018 Percent	79.8%	5.0%	2.8%	0.2%	10.3%	0.6%	1.2%
2019 Percent	79.7%	7.9%	0.0%	0.4%	10.3%	0.4%	1.4%
2020 Percent	75.9%	9.1%	0.0%	0.5%	13.1%	0.5%	0.9%
2021 Percent	72.7%	11.9%	0.0%	0.5%	13.6%	0.6%	0.8%
2022 Percent	72.8%	12.3%	0.0%	0.5%	12.8%	0.9%	0.7%
2023 Percent	72.7%	11.6%	0.0%	0.3%	13.9%	0.9%	0.7%

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Figure 7 shows the variation in the distribution of disposition status by final DUI charge. This figure does not include cases with an initial DUI charge that was later amended to a non-DUI charge such as reckless driving. The dispositions were collapsed in the following categories to better report trends: deferred judgments and deferred dismissed were grouped as ‘deferred’, while dismissed and not guilty findings were combined. The proportion of guilty dispositions varied by the charge type, ranging from 58% for DUI to 97% for DWAI with 1 - 2 prior convictions. UDD had the highest rates of deferrals (20%), and roughly one in four DUI charges were found not guilty or dismissed (27%). Vehicular assault and vehicular homicide had a higher proportion of dismissed/not guilty charges than in 2022, however the low number case filings with these charge types can introduce some variability to the results from year to year.

Figure 7. Disposition by final DUI charge, CY 2023



Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

To examine the length of court proceedings, DCJ analysts examined the number of days between the case filing date and the disposition date (Table 9). Consistent with previous years, felony cases took the longest time to resolve (mean=273 days) and traffic case took the shortest amount of time (mean=129 days).

Table 9. Time to finding (days) by law class, CY 2023

Final Law Class	Total Number of Cases	Mean	Median
Felony	855	273	245
Misdemeanor	18,321	212	172
Traffic	96	129	111
Final Non-DUI Charge	134	263	189

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Toxicology

Screening

Sixty-five percent (count=13,536) of all DUI case filings (count=20,878) were linked to at least one toxicology breath or blood test result, as shown in Table 10. Thirty-nine percent of the case filings in 2023 matched with a combined drug and alcohol screen, representing a 3% increase from 2022. Filings that did not link to a toxicology report could have been due to limitations with the linking methodology, a lack of testing availability, or testing refusals from drivers. The Department of Revenue (DOR) oversees administrative hearings to determine whether drivers arrested for a DUI can retain their license. The DOR estimated that in 2023, 43% of individuals who were involved in administrative hearings regarding their driving privileges refused toxicology testing, down from 48% in 2022.¹⁷

Rates of DUI cases with matching toxicology results varied by county, as seen in Appendix I. Among rural counties, Sedgwick had the highest matching rate at 100% (count=6), and Broomfield had the lowest with 48% (count=225). Among larger counties, El Paso had the highest rate at 73% (count=2,544) and Mesa had the lowest toxicology matching rate (62% matching and count=704).

Table 10. Toxicology matching by year, CY 2020-2023

Screening Type	2020	2021	2022	2023	2020 Percent	2021 Percent	2022 Percent	2023 Percent
Alcohol Only	4,735	5,396	5,393	5,443	22.5%	24.8%	25.9%	26.1%
Drug and Alcohol	7,705	6,763	7,357	8,093	36.6%	31.0%	35.3%	38.8%
Any Toxicology Match	12,440	12,159	12,750	13,536	59.1%	55.8%	61.3%	64.8%
All DUI Case Filings	21,066	21,795	20,815	20,878	100.0%	100.0%	100.0%	100.0%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

¹⁷ Department of Revenue (2023). Aggregate Express Consent Records. [Unpublished data]. Division of Motor Vehicles, Driver Control Section

Alcohol Toxicology

The DCJ analyzed 12,741 DUI case filings in 2023 with alcohol test results obtained from the CDPHE, Denver Crime Lab, and the CBI. Eighty-eight percent of screened DUI case filings were positive for alcohol in 2023 (Table 11) consistent with 2022. Table 11 also indicates that 79% of case filings with alcohol screening had an alcohol level detected at or above 0.08 BAC in 2023.

Table 11. DUI case filings by Blood/Breath Alcohol Content (BAC) levels, CY 2020-2023

BAC Group	Not Detected	<0.05	0.05-0.079	0.08+	Total
2020	2,268	368	752	9,052	12,440
2021	1,850	326	752	9,231	12,159
2022	1,666	374	749	9,961	12,750
2023	1,690	413	795	10,638	12,741
2020 Percent	18.2%	3.0%	6.0%	72.8%	100.0%
2021 Percent	15.2%	2.7%	6.2%	75.9%	100.0%
2022 Percent	13.1%	2.9%	5.9%	78.1%	100.0%
2023 Percent	12.5%	3.1%	5.9%	78.6%	100.0%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

As shown in Table 12, the median blood alcohol concentration in 2023 was 0.152. Mean blood alcohol levels in DUI case filings have increased 8% from 2020 to 2023 while median alcohol levels increased 5% during the same time period.

Table 12. Median and mean alcohol toxicology, CY 2020-2023

Year	Median BAC	Mean BAC
2020	0.144	0.138
2021	0.148	0.143
2022	0.152	0.147
2023	0.152	0.149

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Cannabis Toxicology

In 2023, cannabinoid screens were conducted for 8,093 case filings, representing 39% of all DUI case filings, up from 7,357 filings in 2022. All case filings with drug and alcohol testing included a screen for cannabinoid analytes, while Delta-9 THC was only quantified after the initial cannabinoid screen is positive. As shown in Table 13, the positivity rate decreased by less than 2 percentage points from 2022 (44%) to 2023 (43%). Cases with a positive cannabinoid screen (count=3,451) were further confirmed for Delta-9 THC and other cannabinoid analytes.¹⁸

Table 13. Cannabinoid positivity among drivers screened for Delta-9 THC, CY 2020-2023

Screen Result	Cannabinoids Not Present	Cannabinoids Present	Total
2020	3,937	3,768	7,705
2021	3,596	3,167	6,763
2022	4,099	3,258	7,357
2023	4,642	3,451	8,093
2020 Percent	51.1%	48.9%	100.0%
2021 Percent	53.2%	46.8%	100.0%
2022 Percent	55.7%	44.3%	100.0%
2023 Percent	57.4%	42.6%	100.0%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety

Among all case filings with a positive cannabinoid screen (count=3,451), 87% tested positive for Delta-9 THC at some level (count=3,015, Table 14). The presence of Delta-9 THC may or may not indicate the driver's recent use of marijuana preceding the offense and/or impairment. The median value of Delta-9 THC among individuals screened was 5.4 ng/mL and the mean was 8.5 ng/mL in 2023, consistent with 2022's median of 5.4 ng/mL and up from the mean of 9.0 ng/mL.

¹⁸ The confirmation test is done via liquid chromatography-mass spectrometry (LC-MS).

Table 14 compares the various levels of Delta-9 THC detected among case filings that underwent confirmatory testing from 2020 through 2023. During this time period, 46% of all filings with confirmatory testing were positive at or above the 5 ng/mL permissible inference level, and 36% tested between 1-4.9 ng/mL. Detection of Delta-9 THC in 2023 was generally consistent with prior years, as 46% of screened case filings were at or above 5ng/mL and 37% were between 1-4.9 ng/mL.

Table 14. DUI case filings by Delta-9 THC levels in ng/mL, CY 2020-2023

THC Levels	None Detected	Present but <1.0	1.0 - 4.9	5.0+	Total
2020	411	287	1,282	1,788	3,768
2021	340	219	1,166	1,442	3,167
2022	359	144	1,194	1,561	3,258
2023	436	142	1,273	1,600	3,451
2020 Percent	10.9%	7.6%	34.0%	47.5%	100.0%
2021 Percent	10.7%	6.9%	36.8%	45.5%	100.0%
2022 Percent	11.0%	4.4%	36.6%	47.9%	100.0%
2023 Percent	12.6%	4.1%	36.9%	46.4%	100.0%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Time to Testing

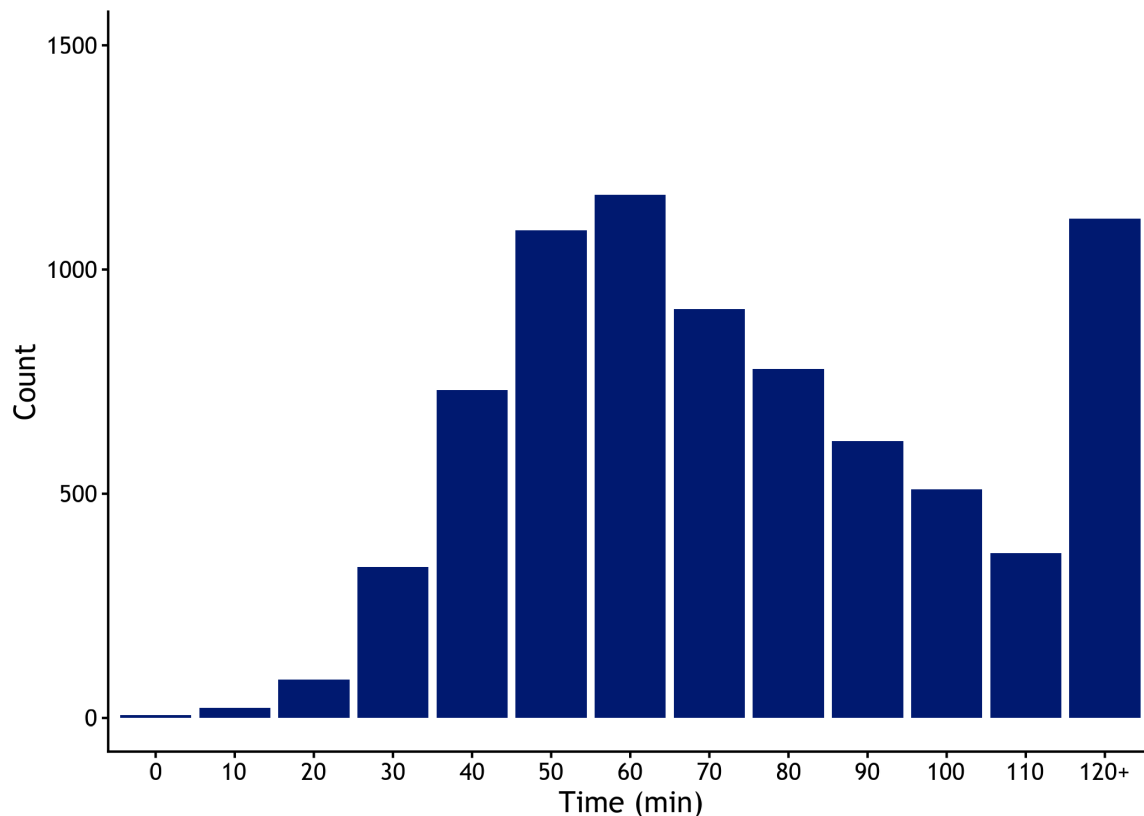
Since 2020, the CBI has included the variable of blood draw time in their standard laboratory query, which facilitated the analysis of time from the offense to blood sample collection. In 2023, 23 case filings that had a CBI toxicology record match were excluded because either the offense time or blood draw time was incomplete, or the time from offense to blood draw value was an outlier, either below zero or above 200 minutes. Table 15 shows the descriptive statistics used in the time-to-blood-draw analysis. The mean time from offense to blood draw was 88 minutes, and the median time was 75 minutes.

Table 15. Descriptive statistics and toxicology source for time-to-test in minutes by year, CY 2020-2023

Year	Mean	Median	Case Filings
2020	80.7	71.0	7,568
2021	80.6	71.0	6,725
2022	83.7	74.0	7,312
2023	88.3	75.0	8,007

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

The distribution in the duration between offense and blood draw is depicted in Figure 8. The time interval of 60-69 minutes (category 60 in Figure 8) had the greatest number of case filings (count=1,167), accounting for 15% of time to testing results. Fourteen percent of records exceeded an elapsed time of 120 minutes from time of offense to time of test.

Figure 8. Number of filings by offense to blood draw time increments CY 2023

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

In addition, DCJ analysts compared the mean and median time from offense to blood draw for each of the Delta-9 THC categories (Table 16). Higher Delta-9 THC levels had a lower mean time from offense. For case filings that tested at 5ng/mL, the mean time was 80 minutes and the median time was 70, which represented the shortest durations between the offense and blood draw for these toxicology categories. DUI case filings that were screened for Delta-9 THC and had less than 1.0 ng/mL present had the highest median time from offense to blood test at 81 minutes.

Table 16. Mean and median time (in minutes) from offense to blood draw by Delta-9 THC levels, CY 2023

THC Concentration	Mean	Median
None Detected	90	77
Present but <1.0	92	81
1.0 - 4.9	91	79
5.0+	80	70

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Other Drug Toxicology

DUI filings with positive testing results were examined by drug schedule, as defined in CRS-18-18-101; these drug schedule categories are not mutually exclusive because cases can involve multiple drugs. While Delta-9 THC is considered a Schedule I drug according to Colorado statute, we excluded it from this analysis to focus on other illicit substances, since marijuana findings have been previously discussed. See Appendix J for a full list of drugs associated with DUI case filings in each of the scheduling categories.

Identification of non-marijuana scheduled drugs is much less common than alcohol or marijuana detection. Schedule II drugs are defined as substances with high potential for misuse and use disorders, including methamphetamine and prescribed substances such as oxycodone. According to Table 17, Schedule II drugs were most frequently reported in case filings compared to all other scheduled drug categories. After Schedule II drugs, Schedule IV drugs, or drugs that have a low potential for misuse, were the second most frequent category and were present in 2% of all DUI cases filings. Drugs in this schedule include many prescription drugs such as alprazolam (more commonly known as Xanax) and tramadol, an opioid medication.

Table 17. Drugs detected by Colorado drug schedule CY 2020-2023

Schedule	2020	2021	2022	2023
I	234	195	119	74
II	1,970	1,846	1,779	1,853
III	8	NA	NA	7
IV	721	570	562	576

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Drugs identified in DUI toxicology results were categorized into the seven DRE drug categories (see Appendix A), which are grouped based on the common behavioral effects of the drugs and their potential for misuse. Although marijuana is a category in DRE classifications, marijuana results are not included here as they are presented in Table 13. Alcohol, which is a CNS depressant, was also excluded from these results due to its presence in other tables in this report. As seen in Table 18, CNS stimulants were the most common drug category in 2023 case filings after alcohol and cannabis (count=1,677). CNS depressants and narcotic analgesics were the second and third most frequent DRE categories in DUI case filings from 2020-2023.

Table 18. Other drugs detected by Drug Recognition Expert (DRE) categories, CY 2020-2023

DRE Category	2020	2021	2022	2023
CNS Depressant	736	581	574	588
CNS Stimulant	1,775	1,667	1,590	1,677
Hallucinogen	49	25	40	40
Dissociative Anesthetic	NA	NA	NA	NA
Narcotic Analgesic	579	546	556	551
Inhalant	NA	NA	NA	NA
Prescription or Over the Counter Drug	61	47	48	47

Notes: NA represents cell counts under five that were suppressed. The Drug Recognition Expert categories refer to groupings designed to assist law enforcement in identifying impairing drugs in the field based on behavioral screenings and physiological tests. To see the drugs included in each grouping, see Appendix A.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Polydrug Toxicology

From 2020 to 2023, polydrug detection as a percentage of screened DUI case filings has remained consistent with 33% (count=4,452) in 2023 and 30% from 2020-2023 (count=15,238). Alcohol-only toxicology remains the most common drug category (count=8,104) likely in part because of the 5,443 alcohol-only screens in 2023 (Table 19). The most prevalent combination of substances found was alcohol and Delta-9 THC, comprising 37% of polydrug results and 12% of all DUI case filings that had a matched toxicology screening in 2023. Additionally, 12% of DUI case filings detected alcohol and other drugs besides THC, up from 84% from 2022.

Table 19. Testing and drugs detected among DUI case filings by year, CY 2020-2023

Drug Category	None Detected	Alcohol Only	THC Only	Single Other Drug	Alcohol and THC	Alcohol and Other	THC and Other	Alcohol, THC, and Other	Polydrug Not Alcohol or THC
2020	205	7,360	831	398	1,471	842	556	499	278
2021	114	7,687	605	318	1,310	849	449	463	364
2022	137	8,084	567	257	1,531	1,007	339	462	366
2023	133	8,104	586	261	1,640	1,628	316	474	394
2020 Percent	1.6%	59.2%	6.7%	3.2%	11.8%	6.8%	4.5%	4.0%	2.2%
2021 Percent	0.9%	63.2%	5.0%	2.6%	10.8%	7.0%	3.7%	3.8%	3.0%
2022 Percent	1.1%	63.4%	4.4%	2.0%	12.0%	7.9%	2.7%	3.6%	2.9%
2023 Percent	1.0%	60.0%	4.4%	1.9%	12.2%	11.8%	2.2%	3.5%	2.9%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Overall, 80% of DUI case filings with a positive Delta-9 THC finding had toxicology results positive for more than one substance (polydrug) and 70% of Delta-9 THC filings detected alcohol, making it the most commonly detected substance in polydrug case filings. Table 20 looks more closely at alcohol and marijuana toxicology results, showing BAC levels crossed with cannabinoid screening results and Delta-9 THC level categories. Mean BAC levels were

highest in the case filings that underwent cannabinoid screening but Delta-9 THC was not present (0.194). For DUI case filings with positive Delta-9 THC results, mean BAC levels decreased as Delta-9 THC level increased. Filings with qualitative Delta-9 THC levels had a mean BAC of 0.178 versus those that tested positive at or above 5ng/mL, with a mean BAC of 0.157. Regardless of the different Delta-9 THC toxicology testing status and/or level, all of the mean BAC levels were above the 0.08 BAC *per se* level for impairment.

Table 20. Mean BAC by Delta-9 THC levels in ng/mL among case filings with drug screening, CY 2023

Cannabis Toxicology/ Delta-9 THC Group	Case Filings	Mean BAC	SD
Cannabinoids Not Present	3,373	0.191	0.08
Cannabinoids Present, Delta-9 THC Not Detected	932	0.194	0.08
Present but <1.0	113	0.178	0.08
1.0 - 4.9	984	0.173	0.07
5.0+	1,017	0.157	0.07

Note: SD refers to standard deviation and provides context to the variation in the data. A small SD relative to the mean indicates a tight clustering of values around the mean; a large SD relative to the mean indicates more variation making comparing different means more difficult.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 21 shows the relationship between polydrug detection and mean BAC levels. In 2023, mean BAC values increased in all polydrug case filings while mean BAC dropped slightly in alcohol only case filings. While all groupings had a mean BAC level between 2.0 and 2.3 times above the 0.08 *per se* level, case filings with alcohol and other substances besides THC had the highest mean BAC level (0.191).

Table 21. Mean BAC by drugs detected, CY 2020-2023

Year	Drugs Detected	Count	Mean BAC	SD
2020	Alcohol Only	7,360	0.169	0.07
2021	Alcohol Only	7,687	0.166	0.07
2022	Alcohol Only	8,084	0.169	0.07
2023	Alcohol Only	8,104	0.164	0.07
2020	Alcohol and Other	842	0.179	0.08
2021	Alcohol and Other	849	0.185	0.08
2022	Alcohol and Other	1,007	0.187	0.08
2023	Alcohol and Other	1,628	0.191	0.08
2020	Alcohol and THC	1,471	0.169	0.07
2021	Alcohol and THC	1,310	0.172	0.07
2022	Alcohol and THC	1,531	0.165	0.07
2023	Alcohol and THC	1,640	0.166	0.07
2020	Alcohol, THC, and Other	499	0.152	0.08
2021	Alcohol, THC, and Other	463	0.161	0.08
2022	Alcohol, THC, and Other	462	0.156	0.07
2023	Alcohol, THC, and Other	474	0.164	0.08

Note: SD refers to standard deviation and provides context to the variation in the data. A small SD relative to the mean indicates a tight clustering of values around the mean; a large SD relative to the mean indicates more variation making comparing different means more difficult.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 22 shows the drugs detected in case filings by the mean age of the individual who was charged. Defendants with only Delta-9 THC detected had the lowest mean age (28) while defendants with a single other drug had the highest mean age (41) in DUI case filings. In general, Delta-9 THC positivity in case filings tended to have a lower mean age compared to those with no drugs detected or with alcohol only detected.

Table 22. Drugs detected and mean age of those charged with a DUI, CY 2023

Drug/Drugs	Drugs Detected	Mean	SD
None Detected	None Detected	41.2	16.5
One Drug	Alcohol Only	35.4	13.4
One Drug	Single Other Drug	40.6	13.2
One Drug	THC Only	28.0	11.2
Polydrug	Alcohol and Other	36.8	13.2
Polydrug	Alcohol and THC	31.2	11.8
Polydrug	Alcohol, THC, and Other	32.0	10.8
Polydrug	Polydrug Not Alcohol or THC	38.6	11.8
Polydrug	THC and Other	35.2	12.2

Note: SD refers to standard deviation and provides context to the variation in the data. A small SD relative to the mean indicates a tight clustering of values around the mean; a large SD relative to the mean indicates more variation making comparing different means more difficult.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

DUI Dispositions and Toxicology

This dataset of court case filings linked with toxicology results is uniquely situated to provide insight into the relationship between toxicology and dispositions for impaired driving charges in Colorado. As seen in Table 2, 13,536 toxicology tests were matched to 20,878 case filings in 2023. Of the case filings with toxicology tests, 12,657 of the most serious DUI charges from each case filing had reached disposition at the time of data analysis; only one charge per case was identified and included in the analysis of charge dispositions. However, these 12,657 cases only represent 61% of all impaired driving case filings in 2022.

Screening

Table 23 shows the DUI charge disposition by the absence or presence of a matched toxicology test for the court case filing. DUI charges without a toxicology record match had a slightly lower percentage of guilty findings compared to those with a toxicology record match (70% and 74% respectively), and a higher percentage of dismissed/not guilty findings (20% vs. 12%). DUI case filings without a toxicology match also had a lower rate of deferrals (9% vs. 13%). These differences based on matching status suggest that subsequent analyses using DUI charges with a toxicology record match might not be representative of all DUI case filings.

Table 23. DUI charge disposition by toxicology testing, CY 2023

Disposition	Test	No Test	Test Percent	No Test Percent
Guilty	9,394	4,767	74.2%	69.8%
Deferred	1,675	587	13.2%	8.6%
Diversion	45	12	0.4%	0.2%
Dismissed/Not Guilty	1,474	1,396	11.6%	20.4%
Non-DUI Disposition	69	65	0.5%	1.0%
Total	12,657	6,827	100.0%	100.0%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Alcohol

Table 24 shows the number of DUI dispositions based on alcohol testing status and BAC level groups; this analysis highlights the influence of the alcohol *per se* level on convictions. Conviction rates represent the proportion of guilty and deferred findings compared to all dispositions. The DUI charges tied to a BAC level over the 0.08 level had a 94% conviction rate, which is higher than the overall conviction rate for all impaired driving charges. DUI charges associated with a BAC level below 0.05 had a 57% dismissal rate and represent the highest dismissal rate among the BAC testing levels.

Table 24. DUI charge dispositions by alcohol testing status and BAC levels, CY 2023

Dispositions	No BAC Test	Not Detected	<0.05	0.05-0.079	0.08+
Guilty	4,829	827	131	375	8,127
Deferred	589	216	35	222	1,205
Diversion	12	6	NA	NA	35
Dismissed/Not Guilty	1,397	519	217	157	581
Guilty Percent	70.7%	52.7%	34.2%	49.7%	81.7%
Deferred Percent	8.6%	13.8%	9.1%	29.4%	12.1%
Diversion Percent	0.2%	0.4%	NA	NA	0.4%
Dismissed/Not Guilty Percent	20.5%	33.1%	56.7%	20.8%	5.8%

Note: NA represents cell counts under five that were suppressed.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Cannabis

The overall conviction rate for DUI charges with detected Delta-9 THC was 83%. Table 25 shows the disposition of DUI charges by cannabinoid screening status and Delta-9 THC confirmation levels. The percentage of guilty & deferred dispositions, or conviction rate, for DUI charges involving Delta-9 THC was between 77% (Present <1.0) and 88% (5.0+), showing less variation than rates based on BAC levels. Charges associated with Delta-9 THC below 1.0 ng/mL had the highest dismissal rate (22%), while those with Delta-9 THC above 5.0 ng/mL had the lowest dismissal/not guilty rate (12%).

Table 25. DUI charge dispositions by cannabinoid testing status and Delta-9 THC levels, CY 2023

Dispositions	Guilty Percent	Deferred Percent	Diversion Percent	Dismissed/Not Guilty Percent
No Cannabinoid Screen	72.5%	11.8%	0.3%	15.4%
No Cannabinoids detected	77.2%	9.6%	0.3%	12.9%
No Delta-9 THC detected	75.7%	9.0%	0.0%	15.3%
Present but <1.0	68.4%	8.8%	0.7%	22.1%
1.0 - 4.9	72.8%	10.2%	0.2%	16.8%
5.0+	69.6%	18.1%	0.5%	11.7%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Polydrug

Conviction rates by BAC and Delta-9 THC level groups are displayed in Table 26. This analysis involved a smaller subset of DUI charges with toxicology testing information for Delta-9 THC and alcohol, as well as a disposition outcome (count=3,808). Charges with no alcohol and no Delta-9 THC detected had a conviction rate of 64%, but the lowest conviction rate in this grouping was alcohol not detected and Delta-9 THC less than 5.0 ng/mL (52%). Generally, conviction rates increased when alcohol was at or above the *per se* level (0.08+ BAC) or Delta-9 THC was at the permissible inference level (5 ng/mL), with DUI case filings above the alcohol *per se* level having the highest set of conviction rates and filings with Delta-9 THC above the permissible inference level having the second highest set of conviction rates. Generally, these findings convey the influence of either the *per se* or permissible inference level on convictions for both alcohol and marijuana polydrug related DUI cases.

Table 26. BAC and Delta-9 THC levels and conviction rates, CY 2023

BAC Levels	No THC Detected Count	<5.0 Count	5.0+ Count	No THC Detected CR	<5.0 CR	5.0+ CR
Not Detected	201	282	532	64.2%	51.8%	80.8%
<0.08	55	104	132	63.6%	72.1%	82.6%
0.08+	805	904	793	93.4%	94.4%	94.3%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

DCJ analysts also examined Delta-9 THC levels and the number of drugs detected with conviction rates (Table 27). Across all Delta-9 THC levels, conviction rates were lower for DUI charges with single drug positivity compared to charges with polydrug results. DUI charges with only Delta-9 THC present between 1.0 - 4.9 ng/mL had a 24% conviction rate, while polydrug DUI charges with that same toxicology level had a conviction rate over three times higher (90%). There were zero convictions among the 13 case filings with a disposition where Delta-9 THC alone was present less than 1.0 ng/mL, compared to 86% for charges with more than one drug detected. The polydrug vs. single drug conviction rate disparity dropped as the Delta-9 THC level increased above the 5 ng/mL. DUI charges that tested positive at or above 5 ng/mL of Delta-9 THC alone had an 80% conviction rate versus a 92% conviction rate for charges with polydrug results at that level.

Table 27. DUI charge dispositions by cannabinoid testing status and Delta-9 THC levels, CY 2023

Delta-9 THC Bin	Number of Drugs	Count	Conviction Rate
Present but <1.0	All	134	77.6%
Present but <1.0	One Drug	13	0.0%
Present but <1.0	Poly Drug	121	86.0%
1.0 - 4.9	All	1,156	83.9%
1.0 - 4.9	One Drug	111	24.3%
1.0 - 4.9	Poly Drug	1,045	90.2%
5.0+	All	1,457	88.3%
5.0+	One Drug	419	80.4%
5.0+	Poly Drug	1,038	91.5%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 28 shows drug categories and conviction rates for DUI charges from 2020 to 2023. Overall, DUI charges with positive alcohol results had higher conviction rates than charges with no alcohol detected. In 2023, DUI case filings with alcohol, Delta-9 THC and an additional drug had the highest conviction rate (94%) and filings with no drugs detected had the lowest (14%). Categories with the fewest DUI charges (none detected, single other drug, polydrug not alcohol or Delta-9 THC) had the most variation in conviction rates across the

four-year period. Among charges with drugs detected in 2023, positive results for a drug besides alcohol or THC alone had the lowest conviction rates at 64%. Other drugs alone, and Delta-9 THC alone have consistently had the two lowest conviction rates from 2020-2023 among charges associated with positive results. For information about the conviction rate by alcohol and Delta-9 THC concentrations, see Appendix O, Appendix P and Appendix Q.

Table 28. Conviction rate of DUI charges, by drug category, CY 2020-2023

Drugs Detected	2020	2021	2022	2023
None Detected	17.0%	12.3%	16.5%	14.5%
Alcohol Only	91.7%	90.9%	91.6%	91.3%
THC Only	72.1%	70.4%	68.3%	66.9%
Single Other Drug	77.2%	65.7%	74.7%	63.7%
Alcohol and THC	93.7%	93.3%	90.9%	92.0%
Alcohol and Other	89.9%	90.2%	92.1%	91.4%
THC and Other	81.4%	80.6%	81.3%	78.2%
Alcohol, THC, and Other	92.6%	93.0%	92.5%	93.5%
Polydrug Not Alcohol or THC	80.2%	77.2%	79.7%	79.7%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Other drug

DUI charges with a positive toxicology result for one or more scheduled drugs had conviction rates ranging from 83% to 88% (see Table 29). However, DUI charges in Table 29 may have also tested positive for alcohol or Delta-9 THC in addition to the scheduled drug, impacting the likelihood of a conviction. The presence of Schedule II was the most common among DUI charges, and these charges had a conviction rate of 88% in 2023. Schedule I drugs are typically considered the most dangerous, and DUI charges with Schedule I drugs identified in toxicology had a lower conviction rate compared to Schedule II drugs (83%). DUI charges with Schedule I drugs constituted only 69 case filings in 2023 making it difficult to draw conclusions about trends involving Schedule I drugs.

Table 29. Conviction rate by scheduled drug category, CY 2023

Schedule	Count	Conviction Rate
I	69	82.6%
II	1,623	88.0%
III	6	83.3%
IV	532	83.8%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 30 shows DUI charge convictions linked to positive toxicology results for the DRE drug categories. With the exception of the prescription drugs category, DUI charge convictions ranged from 84% to 89%. Charges linked to the presence of prescription or over-the-counter drugs had the lowest conviction rates (51%).

Table 30. Conviction rate by Drug Recognition Expert (DRE) category, CY 2023

DRE Category	Count	Conviction Rate
CNS Depressant	544	83.8%
CNS Stimulant	1,467	87.9%
Hallucinogen	36	88.9%
Narcotic Analgesic	497	84.9%
Prescription Drug	41	51.2%

Notes: The Drug Recognition Expert categories refer to groupings designed to assist law enforcement in identifying impairing drugs in the field based on behavioral screenings and physiological tests. To see the drugs included in each grouping, see Appendix A. The following categories were not included due to small numbers: Inhalants and Dissociative Anesthetics.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

In a related analysis, impaired driving case filings were examined with drug detection categories and the presence of a speeding-related charge in the filing, as shown in Appendix K. Overall, 10% of all DUI case filings with toxicology results had a speeding-related offense, and there was considerable variation depending on the toxicology profile. DUI case filings with polydrug results not involving alcohol or Delta-9 THC had the lowest prevalence of a speeding charge at 3%. Filings associated with Delta-9 THC positivity had the highest proportion with speeding violations at 26%, which was over double the rate among all impaired driving filings with toxicology results.

Sentencing

Only sentences from the filings in the State Judicial Branch dataset were examined as it was not possible to link Denver Court sentencing data to specific charges. Sentencing data is subject to change, as each sentence can be suspended, reduced, or amended before reaching a final resolution. To standardize the analyses, only initial sentences associated with the final DUI charge were used; the records were extracted in August 2025. One limitation throughout these analyses is the delay in court proceedings and the disproportionate impact on felony filings. For instance, 85% of vehicular assault DUI charges had reached a disposition compared to 99% of DWAI with no priors reaching a disposition. This discrepancy in the resolution by charge type might have skewed some of the findings below.

Table 31 shows the percentage of charges that received either a monetary sentence, including the issuance of fines, surcharges/fees, and/or restitution, or a supervision/incarceration sentence including the following penalties: community service, probation, jail, community corrections, or prison. In total, 96% of convicted DUI charges received a monetary or an incarceration or supervisory sentence. The DUI charge with the highest percentage of convictions receiving a monetary sentence was vehicular homicide (97%), and the charge category receiving the lowest percentage was DWAI with three or more priors (86%). The DUI charge with the highest percentage of convictions receiving a supervision/incarceration sentence was DWAI with 1-2 priors (98%), and the lowest was UDD (71%).

Table 31. Sentencing outcomes by final DUI charge, CY 2023

Final DUI Charge	Total Convictions	Percent with Monetary Sentences	Percent with Supervisory Sentences
UDD	83	94.0%	71.1%
DWAI	6,546	94.6%	94.5%
DUI	6,295	97.7%	97.3%
DWAI 1-2 Prior	875	97.7%	97.7%
DUI 1-2 Prior	1,594	95.8%	95.5%
DWAI 3+ Prior	35	85.7%	85.7%
DUI 3+ Prior	631	93.5%	92.6%
VEH ASSAULT	74	93.2%	97.3%
VEH HOMICIDE	29	96.6%	89.7%
Total	16,162	96.0%	95.7%

Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

The proportion of supervisory sentencing types is mostly stable among racial and ethnic groups in 2023 DUI data as shown in Table 32 below. These sentence outcomes are not mutually exclusive, as convicted drivers may receive more than one type of supervisory sentence. White convicted drivers represented 56% of community corrections sentences, slightly more than any other sentence type. For comparison, 54% of DUI case filings in 2023 had a white defendant (Table 3). Meanwhile, Black convicted drivers represented 7% of prison sentences and 6% of all DUI case filings.

Table 32. Supervisory Sentencing outcomes by race & ethnicity, CY 2023

Sentence	Black	Hispanic	Some Other Race	White	Total
Community Service	793	5,373	574	7,982	14,722
Probation	646	4,802	467	6,913	12,828
Jail	562	4,218	402	6,221	11,403
Community Corrections	7	54	10	89	160
Prison	10	55	10	78	153
Community Service Percent	5.4%	36.5%	3.9%	54.2%	100.0%
Probation Percent	5.0%	37.4%	3.6%	53.9%	100.0%
Jail Percent	4.9%	37.0%	3.5%	54.6%	100.0%
Community Corrections Percent	4.4%	33.8%	6.2%	55.6%	100.0%
Prison Percent	6.5%	35.9%	6.5%	51.0%	100.0%

Note: Case filings from Denver county court were excluded from this analysis. Convicted drivers can receive several sentence types, so individuals appear in multiple sentence categories.

Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Monetary Sentences

In delving more deeply into the types of monetary sentencing, DCJ analysts examined the frequency and average sentencing amounts by type of impaired driving charge. Again, convicted individuals can receive all three monetary sentence types including multiple fines, fees, and surcharges. Table 33 shows the number of distinct charges that received each type of monetary sentence. As seen in Table 33, over 96% of all impaired driving charges received at least one fine or surcharge/fee, compared to only 3% of charges that received a sentence involving restitution. Generally, the proportion of charges receiving restitutions tended to rise as the charge severity increased. Vehicular assault and vehicular homicide charges had the highest proportion requiring restitution payments (26% and 59% respectively).

Table 33. Monetary sentences by final DUI charge, CY 2023

Final DUI Charge	Convicted Charges	Fine	Fine Percent	Surcharge	Surcharge Percent	Restitution	Restitution Percent
UDD	83	63	75.9%	77	92.8%	NA	NA
DWAI	6,546	6,181	94.4%	6,187	94.5%	106	1.6%
DUI	6,295	6,114	97.1%	6,145	97.6%	210	3.3%
DWAI 1-2 Prior	875	854	97.6%	855	97.7%	12	1.4%
DUI 1-2 Prior	1,594	1,522	95.5%	1,527	95.8%	46	2.9%
DWAI 3+ Prior	35	29	82.9%	30	85.7%	NA	NA
DUI 3+ Prior	631	552	87.5%	590	93.5%	32	5.1%
VEH ASSAULT	74	NA	NA	69	93.2%	19	25.7%
VEH HOMICIDE	29	NA	NA	25	86.2%	17	58.6%
Total	16,162	15,320	94.8%	15,505	95.9%	446	2.8%

Note: NA represents cell counts under five that were suppressed.

Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

The total amount of initial sentencing fines, surcharges and restitution among all DUI convicted charges in 2023 was \$32,868,976, which was consistent with the previous year¹⁹ (see Appendix L). The most commonly issued surcharges/fee was the Victim's Assistance Fund, which amounted to 15,526 DUI charges and \$2,758,649 in fees. The most frequently issued fine was the Law Enforcement Assistance Fund (LEAF), representing 15,222 DUI charges with required payments totaling \$1,369,920. Finally, restitution from DUI charges in 2023 totaled \$2,368,102 (for more information, see Appendix L). Although these indicators provide some information about the financial burden of DUI charges, these totals represent the amounts imposed at sentencing, not the amount that individuals eventually paid.

Table 34 shows the median dollar amount per DUI charge receiving each monetary sentence type and the total of all monetary sentences. The median fine, surcharge and restitution amounts for impaired driving charges were \$690, \$1,230, and \$1,421, respectively; however, the median total financial penalty was \$1,868, reflecting that not every impaired driving charge received all three monetary sentence types. Vehicular homicide had the highest

¹⁹ Rochelle, R., & Rosenthal, A. (2024). [Driving Under the Influence of Drugs and Alcohol \(2022\)](#) Office of Research and Statistics, Colorado Department of Public Safety.

median financial penalty (\$7,024). The smaller median penalty for DUI with 3 or more previous convictions may be partially caused by the low number of case filings and more serious cases taking longer to process, leading to smaller than usual number of sentences to calculate median financial penalty.

Table 34. Mean monetary sentences in dollars by final DUI charge, CY 2023

Final DUI Charge	Fine \$	Surcharge \$	Restitution \$	Total Financial Penalty \$
UDD	100	90	2,186	1,940
DWAI	290	1,086	1,000	2,536
DUI	690	1,250	1,325	2,350
DWAI 1-2 Prior	690	1,830	1,500	1,376
DUI 1-2 Prior	690	1,850	1,000	2,520
DWAI 3+ Prior	90	2,548	1,020	2,350
DUI 3+ Prior	90	2,260	1,951	190
VEH ASSAULT	1,300	1,630	8,300	2,210
VEH HOMICIDE	5,000	436	9,912	7,024
Total	690	1,230	1,421	1,868

Note: NA represents cell counts under five that were suppressed.

Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Supervision and Incarceration Sentences

Table 35 shows the number of DUI charges that received the following sentences: community service, probation, jail, community corrections, or prison. Median sentence lengths (in days) are provided in Table 35. These supervision and incarceration categories are not mutually exclusive, and individuals can receive multiple sentences for a single charge. The most common sentence for these charges was community service (count=14,703). Probation (count=12,795) and jail (count=11,392) followed as the second and third most issued sentences. Generally, felony DWAI, felony DUI, vehicular assault, and vehicular homicide tended to have higher proportions receiving prison or community corrections sentences, whereas less severe charges tended to have a greater percentage receiving community service, probation, or jail sentences.

Table 35. Community Service (CS), Probation (P), Jail, Community Corrections (CC) and Prison sentences by final DUI charge, CY 2023

Final DUI Charge	Convicted Charges	CS	CS Percent	PRO	PRO Percent	Jail	Jail Percent	CC	CC Percent	Prison	Prison Percent
UDD	83	54	65.1%	26	31.3%	NA	NA	NA	NA	NA	NA
DWAI	6,546	6,092	93.1%	5,295	80.9%	4,542	69.4%	NA	NA	NA	NA
DUI	6,295	5,870	93.2%	4,773	75.8%	4,225	67.1%	6	0.1%	NA	NA
DWAI 1-2 Prior	875	835	95.4%	817	93.4%	795	90.9%	NA	NA	NA	NA
DUI 1-2 Prior	1,594	1,468	92.1%	1,458	91.5%	1,455	91.3%	NA	NA	NA	NA
DWAI 3+ Prior	35	18	51.4%	20	57.1%	14	40.0%	6	17.1%	NA	NA
DUI 3+ Prior	631	330	52.3%	362	57.4%	332	52.6%	132	20.9%	97	15.4%
VEH ASSAULT	74	32	43.2%	39	52.7%	24	32.4%	10	13.5%	24	32.4%
VEH HOMICIDE	29	NA	NA	5	17.2%	NA	NA	NA	NA	19	65.5%
Total	16,162	14,703	91.0%	12,795	79.2%	11,392	70.5%	160	1.0%	152	0.9%

Note: NA represents cell counts under five that were suppressed.

Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

In 2023, the mean sentence amounts for DUI charges were two days (approximately 48 hours) of community service, 540 days of probation, and 60 days of jail (Table 36). As expected, sentence times varied by the severity of the offense with vehicular homicide having the longest prison sentences, and UDD and DWAI charges having the shortest amount of time under probationary supervision. Note that some of the cells in Table 36 have few charges, and caution should be used when interpreting these findings. Similar to the analyses of monetary sentences above, the results may not reflect the actual time each individual served given the possibility of suspended sentences, credit for time served, good conduct time, parole, or other factors.

Table 36. Mean sentence lengths Community Service (CS), Probation (PRO), Jail, Community Corrections (CC) and Prison sentences in days, CY 2023

Final DUI Charge	CS	PRO	Jail	CC	Prison
UDD	1	360	NA	NA	NA
DWAI	1	360	5	NA	NA
DUI	2	540	35	725	NA
DWAI 1-2 Prior	2	720	375	NA	NA
DUI 1-2 Prior	2	720	385	NA	NA
DWAI 3+ Prior	3	1,095	120	1,095	NA
DUI 3+ Prior	3	1,095	120	1,460	1,460
VEH ASSAULT	3	1,095	52	1,642	1,460
VEH HOMICIDE	NA	1,460	NA	NA	3,650
Total	2	540	60	1,460	1,460

Data Sources: State Judicial Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Probation Assessments

The BHA provided probation assessment data containing information from the pre-sentence investigation or probation intake process for individuals who were convicted of a DUI. The assessment data provides contextual data not available in court case filings, including certain demographic characteristics, drug involvement, crash outcome, and DUI history. In 2023, 13,797 records from the Alcohol/Drugged Driving Safety Coordinated Data System (ADDSCODS) were linked to the 20,878 case filings and available for analysis or 66%. The 2023 matching rate was within the range seen in previous years (61% to 70% from 2016 to 2022).

Demographics

Educational attainment levels among individuals convicted of DUI were mostly consistent from 2016 to 2023. In 2023, 19% of individuals did not have a high school diploma or General Education Diploma (GED), and 51% earned a high school diploma or GED (see Table 37). The remaining 30% had some level of post-secondary education.

Table 37. Education levels of individuals convicted of a DUI, CY 2023

Education	Count	Percent
No HS Diploma/GED	2,622	19.0%
HS Diploma/GED	7,023	50.9%
Some College/College Graduate	4,152	30.1%
Total	13,797	100.0%

Data Sources: Behavioral Health Administration. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 38 shows marital history for individuals who received probation assessments in 2022. The majority (59%) were unmarried; an additional 5% were either separated, divorced, or widowed and 19% were married.

Table 38. Marital status of individuals convicted of a DUI, CY 2023

Marital Status	Count	Percent
Never married	7,908	58.6%
Married	2,573	19.1%
Separated	656	4.9%
Divorced	2,100	15.6%
Widowed	253	1.9%
Total	13,490	100.0%

Data Sources: Behavioral Health Administration. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Prior Arrests

Table 39 summarizes the history of prior DUI arrests from 2023 for individuals who received probation assessments. About one-third of individuals who were assessed had at least one prior DUI (34%), and 6% of individuals had three or more prior arrests for impaired driving.

Table 39. Prior arrests and individuals convicted of a DUI, CY 2023

Prior Arrests	Count	Percent
No Priors	8,901	64.5%
1-2 Prior(s)	3,994	28.9%
3 + Priors	902	6.5%
Total	13,797	100.0%

Data Sources: Behavioral Health Administration. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 40 shows findings from the linked DUI court case and toxicology data along with the probation dataset and describes the relationship between drug toxicology and prior arrests. Rates of prior arrests were higher in individuals who did not have toxicology results compared to all convicted drivers (45% vs 54%), which could mean that individuals who were arrested

previously were more likely to refuse toxicology testing. Additionally, individuals who tested positive for multiple drugs that were not alcohol or Delta-9 THC had the highest rate of prior arrests.

Table 40. Prior arrests and drugs detected, CY 2023

Drug/Drugs	Drugs Detected	Prior DUI Arrest	No Priors	Prior DUI Arrest Percent	No Priors Percent
Not Tested	Not Tested	1,982	2,376	45.5%	54.5%
None Detected	None Detected	NA	NA	NA	NA
One Drug	Alcohol Only	1,746	4,240	29.2%	70.8%
One Drug	THC Only	39	285	12.0%	88.0%
One Drug	Single Other Drug	43	71	37.7%	62.3%
Polydrug	Alcohol and THC	362	825	30.5%	69.5%
Polydrug	Alcohol and Other	431	665	39.3%	60.7%
Polydrug	THC and Other	67	103	39.4%	60.6%
Polydrug	Alcohol, THC, and Other	119	225	34.6%	65.4%
Polydrug	Polydrug Not Alcohol or THC	100	104	49.0%	51.0%
Total	Total	4,896	8,901	35.5%	64.5%

Note: NA indicates values where the cell count was under 30, or the percentage value could not be calculated due to censored values in the row.

Data Sources: Behavioral Health Administration State Judicial Department, Denver County Court, CBI, CDPHE, ChemaTox, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 41 shows the BAC levels stratified by prior impaired driving arrests. Individuals who tested between 0.05-0.079 BAC had the lowest rate of prior arrest compared individuals above the per se level or less than 0.05 BAC. Similar to Table 40, individuals who were not tested had the highest proportion of prior DUI arrests.

Table 41. Prior arrests and alcohol toxicology, CY 2023

BAC Level	Prior DUI Arrest	No Priors	Prior DUI Arrest Percent	No Priors Percent
Not Tested	1,982	2,376	45.5%	54.5%
Not Detected	256	570	31.0%	69.0%
<0.05	34	73	31.8%	68.2%
0.05-0.079	118	382	23.6%	76.4%
0.08+	2,506	5,500	31.3%	68.7%
Total	4,896	8,901	35.5%	64.5%

Data Sources: Behavioral Health Administration State Judicial Department, Denver County Court, CBI, CDPHE, ChemaTox, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Those with a prior DUI arrest tended to have lower levels of Delta-9 THC. As shown in Table 42 29% of individuals who tested at or above 5ng had a prior DUI arrest, lower than any other Delta-9 THC level.

Table 42. Prior arrests and Delta-9 THC toxicology, CY 2023

Delta-9 THC Level	Prior DUI Arrest	No Priors	Prior DUI Arrest Percent	No Priors Percent
Not Tested	1,982	2,376	45.5%	54.5%
Not Detected	256	568	31.1%	68.9%
Present but <1.0	NA	48	NA	NA
1.0 - 4.9	235	470	33.3%	66.7%
5.0+	217	532	29.0%	71.0%
Total	2,719	3,994	40.5%	59.5%

Data Sources: Behavioral Health Administration State Judicial Department, Denver County Court, CBI, CDPHE, ChemaTox, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Crash involvement

One in three DUI convicted drivers in 2023 were involved in a crash (34%). The 2023 rate is relatively consistent to the crash-involvement percentage reported in 2021 and 2022 (33% and 35% respectively) but is an increase from before the COVID-19 pandemic (25% in 2019). In 2023, 39% of the individuals involved in crashes did not report injuries or property damage from the event, as shown in Table 43. However, a total of 915 convicted individuals were involved in crashes with injuries and/or fatalities; these events illustrate the public safety harms of impaired driving.

Table 43. Crash involvement for individuals convicted of a DUI, CY 2023

Crash Involvement	Count	Percent
No Crash	9,141	66.3%
Crash with No Injuries or Property Damage	1,802	13.1%
Crash with Property Damage Only	1,939	14.1%
Crash with Fatality or Injury	915	6.6%
Total	13,797	100.0%

Note: Crash involvement is assessed independently from whether injury or property damage occurred; this meets the Department of Revenue's definition of a crash, as the traffic event involved substance impairment. See 'Department of Revenue. (2019). [Investigating Officer's Crash Reporting Manual](#). Data Sources: Behavioral Health Administration. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 44 assesses the relationship between crash involvement and drugs detected in drivers, which varied by substances identified. Crash involvement was lowest among drivers who tested positive for Delta-9 THC alone (16%). The highest crash involvement where a drug was detected was for alcohol and Delta-9 THC (43%). Generally, convicted drivers with polydrug toxicology findings had higher rates of crash involvement compared to convicted drivers who tested positive for only one substance. These results underscore the danger of impaired driving, particularly involving polydrug use.

Table 44. Crash involvement and drugs detected, CY 2023

Drugs Detected	Crash	No Crash	Crash Percent	No Crash Percent
Not Tested	1,518	2,840	34.8%	65.2%
None Detected	NA	NA	57.1%	42.9%
Alcohol Only	1,801	4,185	30.1%	69.9%
THC Only	51	273	15.7%	84.3%
Single Other Drug	34	80	29.8%	70.2%
Alcohol and THC	514	673	43.3%	56.7%
Alcohol and Other	471	625	43.0%	57.0%
THC and Other	53	117	31.2%	68.8%
Alcohol, THC, and Other	143	201	41.6%	58.4%
Polydrug Not Alcohol or THC	63	141	30.9%	69.1%
Total	4,656	9,141	33.7%	66.3%

Note: NA indicates values where the cell count was under 30, or the percentage value could not be calculated due to censored values in the row.

Data Sources: Behavioral Health Administration State Judicial Department, Denver County Court, CBI, CDPHE, ChemaTox, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Table 45 compares the crash involvement of convicted impaired drivers based on blood alcohol concentration level. In 2023, a blood alcohol level above the 0.08 *per se* limit had a higher crash involvement (35%) compared to a BAC less than 0.08 (23%).

Table 45. Crash involvement and alcohol toxicology, CY 2023

BAC Level	Crash	No Crash	Crash Percent	No Crash Percent
<0.08	138	469	23.0%	77.0%
0.08+	2,791	5,215	34.9%	65.1%

Data Sources: Behavioral Health Administration State Judicial Department, Denver County Court, CBI, CDPHE, ChemaTox, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Convicted drivers with higher Delta-9 THC toxicology levels were less frequently involved in a crash than drivers with lower Delta-9 THC levels, as shown in Table 46. Thirty-two percent of individuals who tested at or above 5 ng/mL were involved in crashes, which was lower than

the crash involvement rates of convicted drivers who had less than 1 ng of Delta-9 THC detected (41%). Polydrug involvement may be playing a role in higher crash involvement for drivers with a lower Delta-9 THC concentration. In 2023, 97% of DUI convicted drivers with a Delta-9 THC concentration less than 5 ng/ml were positive for multiple substances, while 75% of convicted drivers with a THC concentration above 5 ng/ml were positive for multiple substances.

Table 46. Crash involvement and Delta-9 THC toxicology, CY 2023

Delta-9 THC Level	Crash	No Crash	Crash Percent	No Crash Percent
None Detected	301	446	40.3%	59.7%
Present but <1.0	34	49	41.0%	59.0%
1.0 - 4.9	368	447	45.2%	54.8%
5.0+	359	768	31.9%	68.1%

Data Sources: Behavioral Health Administration State Judicial Department, Denver County Court, CBI, CDPHE, ChemaTox, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Treatment Track

Table 47 shows the treatment track assignments, which indicate the intensity of required therapy for impaired driving. These tracks were assigned based on risk factors identified in the probation assessment, history of impaired driving offenses, and toxicology testing results.²⁰ The levels are listed in order of intensity of treatment requirements with Track A requiring 42 hours of treatment over the course of at least 21 weeks to Track D, which has a requirement of 86 hours of treatment to be completed within a minimum of 43 weeks. Individuals placed into Track F were convicted of felony DUI. Track F is similar to the other tracks with stipulations for length of time in treatment, but it also demands that individuals in treatment demonstrate competencies tied to different phases.

The most common placement was Treatment Track B (28%), followed by Treatment Track D (16%). Approximately 2% were placed in Treatment Track F. About 40% of individuals did not have a treatment assignment in the probation assessment dataset; these individuals could

²⁰ Colorado Department of Human Services. (2021). Information for people with a DUI or DWAI Office of Behavioral Health.

have been assigned to a DUI treatment track, but the probation assessment data was not updated to reflect their placement, or they were intentionally not assigned to DUI treatment.

Table 47. Treatment track and individuals convicted of a DUI, CY 2023

Treatment Track	Count	Percent of Treatments
Track A: 42 Treatment hours, 21 weeks	1,237	9.0%
Track B: 52 Treatment hours, 26 weeks	3,890	28.2%
Track C: 68 Treatment hours, 34 weeks	509	3.7%
Track D: 86 Treatment hours, 43 weeks	2,221	16.1%
Track F/4+: 180 Treatment hours, 72 weeks	330	2.4%
Unassigned OR 12 hours Education	5,610	40.7%
Total	13,797	100.0%

Note: All treatment tracks also include a required 24 hours of education over 12 weeks. The treatment tracks are listed in order of intensity and are criteria for treatment is based on BAC and prior DUI offenses or refusals. Individuals who are not assigned are awaiting sentencing. NA indicates values where the cell count was under 30

Data Sources: Behavioral Health Administration. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Conclusion

The number of DUI court case filings in CY 2023 remained similar to 2022 but was also the lowest recorded rate of filings per 100,000 residents since this report began monitoring in 2016. Meanwhile, DUI arrests in 2023 increased just 2% from the previous year.²¹ For the first time since 2018, Colorado did not see a rise in traffic fatalities in 2023, with suspected impaired traffic fatalities dropping 21% from 2022.²² From 2023 through 2025, the incidence of fatal crashes has remained mostly stable which. While promising, this trend does not indicate traffic fatalities are returning to the levels seen before the COVID-19 pandemic and highlights a persistent threat to road safety.

Although the percentage of guilty dispositions in 2023 was similar to the previous year, it remained lower than the rates observed during the first three years of this report. Seventy-three percent of the DUI dispositions were guilty in 2023, compared to 81% in 2016. For additional context, some prosecutor offices provide public dashboards that examine court case outcomes. Data from many judicial districts indicate that among all prosecuted cases, including those not related to impaired driving, the percentage of guilty dispositions has been generally decreasing from 2020 through 2025, with dismissed dispositions generally increasing.²³ Therefore, a lower rate of guilty dispositions in DUI case filings may reflect changes to the entire judicial system during this time period that impact all court case filings.

The year 2023 had the highest proportion of impaired driving court case filings linked to a comprehensive drug and alcohol screen since reporting began in 2016 (39% in 2023). This represents a significant improvement in data quality for this DUI report, as well as a larger number of court proceedings with vital contextual information to handle impaired driving charges. Delta-9 THC positivity among all DUI case filings remains consistent with 2020-2022 trends, decreasing 1.5% from the previous year.

We observed concerning toxicology trends among DUI case filings in this 2023 report. Roughly 79% of individuals screened for alcohol and charged with a DUI had a BAC level over 0.08, and the mean BAC was well over the legal limit (0.152). In addition, 33% of screened DUI case filings tested positive for multiple substances, up from 30% in 2022. With enhanced

²¹ Colorado Bureau of Investigation (2022). [Dashboard]. [Colorado Crime Statistics](#).

²² Colorado Department of Transportation (2025). [Dashboard]. [Fatal Crash Data](#)

²³ See the multiple Case Resolution dashboards available for 15 judicial districts here: Colorado Prosecutorial Dashboards. [Dashboard]. [Colorado Judicial Districts](#) (updated 2025).

screenings, DCJ analysts can better characterize polydrug DUI case filings. In 2023, the most prevalent combination of substances found was alcohol and cannabis, representing 37% of polydrug results. The combination of alcohol and cannabis toxicology was associated with a higher prevalence of crash involvement, which aligns with findings in the literature on riskiness of polydrug impairment.²⁴ Stimulants were the most common type of drug detected in case filings besides alcohol and marijuana, and individuals charged with a DUI and who tested positive for stimulants overwhelmingly tested positive for an additional substance (92%).

Race and ethnicity information for 2023 DUI court case filings was analyzed and presented with consideration for the existing limitations and inconsistencies in Colorado court case files and arrest records. The rate of DUI case filings for Hispanic Coloradans was 1.8 times higher than the rate of case filings for the total population, and 1.4 times among Black Coloradans. When further disaggregated by gender, Hispanic males tended to be the most overrepresented among DUI case filings at 1,204 per 100,000 residents. Even with its imperfections and the use of a statistical model to improve Hispanic ethnicity estimates, this analysis has allowed for the identification of trends among populations that may otherwise be overlooked. This analysis underscores the ongoing need for improved data quality and consistency in DUI case filings to enhance future research and effectively inform public health strategies.

The main aim of this report is to provide the traffic safety community with data to inform impaired driving prevention efforts. Although Colorado is currently utilizing a variety of countermeasures to reduce impaired driving including media campaigns, high-visibility enforcement periods, treatment services, and ignition interlocks, there has been little attention given toward other environmental strategies to reduce the prevalence of binge drinking and other high-risk substance use behaviors. Some evidence suggests that alcohol use in the U.S. increased during the COVID-19 pandemic and was sustained in later years,²⁵ highlighting the need to address impaired driving from a prevention standpoint. The Community Prevention Services Task Force endorses increasing alcohol taxes and reducing

²⁴ Simmons, S. M., Caird, J. K., Sterzer, F., & Asbridge, M. (2022). [The effects of cannabis and alcohol on driving performance and driver behaviour: a systematic review and meta-analysis](#). *Addiction*, 117(7), 1843-1856.

²⁵ Divya Ayyala-Somayajula, Jennifer L. Dodge, Adam M. Leventhal, et al. [Trends in Alcohol Use After the COVID-19 Pandemic: A National Cross-Sectional Study](#). *Ann Intern Med*.2025;178:139-142

access to alcohol by maintaining limits on days of sale as well as hours of sale.²⁶ In addition, the National Academy of Sciences also endorses these strategies to reduce impaired driving.²⁷ Although not officially endorsed by the traffic safety community, similar approaches could be applied to marijuana to help reduce the threat of drug impaired driving.

²⁶ Community Prevention Services Task Force. (2013). [Preventing Excessive Alcohol Use | The Community Guide](#).

²⁷ National Academies of Sciences, Engineering, and Medicine. 2018. [Getting to Zero Alcohol-Impaired Driving Fatalities: A Comprehensive Approach to a Persistent Problem](#). Washington, DC: The National Academies Press.

Appendices

Appendix A. Drug Recognition Expert (DRE), Fatality Analysis Reporting System (FARS), Categories

Drug	Category	DRE	FARS	Schedule
Butabarbital	Barbiturates	CNS Depressant	Depressant	NA
Butalbital	Barbiturates	CNS Depressant	Depressant	NA
Pentobarbital	Barbiturates	CNS Depressant	Depressant	II
Phenobarbital	Barbiturates	CNS Depressant	Depressant	IV
Secobarbital	Barbiturates	CNS Depressant	Depressant	II
Cannabis	Cannabis	Cannabis	Cannabinoid	NA
Gamma-hydroxybutyrate (GHB)	Dissociative Anesthetics	CNS Depressant	Depressant	I
Ketamine	Dissociative Anesthetics	Hallucinogen	Anesthetics	III
Phencyclidine	Dissociative Anesthetics	Hallucinogen	Hallucinogen	II
Lysergic Acid Diethylamide (LSD)	Hallucinogens	Hallucinogen	Hallucinogen	I
Acetone	Inhalants	NA	Depressant	NA
Difluoroethane	Inhalants	Inhalant	Inhalant	NA
Polyfluorinated Ethane	Inhalants	Inhalant	NA	NA
Toluene	Inhalants	Inhalant	Inhalant	NA
Bupivacaine	Likely Administered in Hospital	Prescription Drug	Depressant	NA
Lidocaine	Likely Administered in Hospital	Prescription Drug	Other	NA
Propofol	Likely Administered in Hospital	Prescription Drug	NA	NA
Sevoflurane	Likely Administered in Hospital	Prescription Drug	NA	NA
Chlorcyclizine	Likely Non-Impairing	Prescription Drug	NA	NA
Citalopram/ Escitalopram	Likely Non-Impairing	Prescription Drug	Depressant	NA
Diltiazem	Likely Non-Impairing	Prescription Drug	Other	NA
Donepezil	Likely Non-Impairing	Prescription Drug	Depressant	NA
Ephedrine	Likely Non-Impairing	CNS Stimulant	Stimulant	II
Levamisole	Likely Non-Impairing	NA	Other	NA

Drug	Category	DRE	FARS	Schedule
Metoprolol	Likely Non-Impairing	Prescription Drug	Depressant	NA
Naltrexone	Likely Non-Impairing	Prescription Drug	Other	NA
Paroxetine	Likely Non-Impairing	NA	NA	NA
Pseudoephedrine	Likely Non-Impairing	OTC Drug	Stimulant	II
Sertraline	Likely Non-Impairing	Prescription Drug	Depressant	NA
Ticlopidine	Likely Non-Impairing	Prescription Drug	NA	NA
Venlafaxine/ Desvenlafaxine	Likely Non-Impairing	Prescription Drug	Depressant	NA
Verapamil	Likely Non-Impairing	Prescription Drug	Depressant	NA
Acetylfentanyl	Opioid	Narcotic Analgesic	Narcotic	NA
Buprenorphine	Opioid	Narcotic Analgesic	Narcotic	V
Codeine	Opioid	Narcotic Analgesic	Narcotic	I
Fentanyl	Opioid	Narcotic Analgesic	Narcotic	II
Hydrocodone/ Hydromorphone	Opioid	Narcotic Analgesic	Narcotic	II
Methadone	Opioid	Narcotic Analgesic	Narcotic	II
Mitragynine/Kratom	Opioid	Narcotic Analgesic	Narcotic	NA
Morphine/Heroin	Opioid	Narcotic Analgesic	Narcotic	I
Oxycodone/ Oxymorphone	Opioid	Narcotic Analgesic	Narcotic	II
Tapentadol	Opioid	Narcotic Analgesic	Narcotic	NA
Tramadol	Opioid	Narcotic Analgesic	Narcotic	NA
U47700	Opioid	Narcotic Analgesic	Narcotic	NA
Dextromethorphan	Other Potentially Impairing Drugs	Dissociative Anesthetic	Depressant	NA
Methorphan	Other Potentially Impairing Drugs	Dissociative Anesthetic	Depressant	NA
Amitriptyline	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Aripiprazole	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Brexpiprazole	Potentially Impairing Medications	Prescription Drug	NA	NA
Bupropion	Potentially Impairing Medications	Prescription Drug	Depressant	NA

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Drug	Category	DRE	FARS	Schedule
Carbamazepine	Potentially Impairing Medications	Prescription Drug	NA	NA
Clobazam	Potentially Impairing Medications	NA	Depressant	IV
Clomipramine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Clozapine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Desipramine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Doxepin	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Duloxetine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Fluoxetine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Gabapentin	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Imipramine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Lacosamide	Potentially Impairing Medications	Prescription Drug	NA	NA
Lamotrigine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Levetiracetam	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Lurasidone	Potentially Impairing Medications	Prescription Drug	Depressant	NA
MCPD	Potentially Impairing Medications	Hallucinogen	Other	NA
Mirtazapine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Olanzapine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Oxcarbazepine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Phenytoin	Potentially Impairing Medications	Prescription Drug	Depressant	NA

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Drug	Category	DRE	FARS	Schedule
Quetiapine	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Risperidone	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Topiramate	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Trazodone	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Valproic Acid	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Ziprasidone	Potentially Impairing Medications	Prescription Drug	Depressant	NA
Alprazolam	Sedatives	CNS Depressant	Depressant	IV
Carisoprodol	Sedatives	CNS Depressant	Depressant	IV
Cetirizine	Sedatives	OTC drug	Depressant	NA
Chlordiazepoxide/ Demoxepam	Sedatives	CNS Depressant	Depressant	IV
Chlorpheniramine	Sedatives	OTC drug	Depressant	NA
Clonazepam	Sedatives	CNS Depressant	Depressant	IV
Clonazepam	Sedatives	CNS Depressant	Depressant	NA
Cyclobenzaprine	Sedatives	Prescription Drug	Depressant	NA
Delorazepam	Sedatives	CNS Depressant	Depressant	IV
Diazepam/Oxazepam/ Temazepam	Sedatives	CNS Depressant	Depressant	IV
Diclazepam	Sedatives	CNS Depressant	Depressant	IV
Diphenhydramine	Sedatives	OTC drug	Depressant	NA
Doxylamine	Sedatives	OTC drug	Depressant	NA
Estazolam	Sedatives	CNS Depressant	Depressant	IV
Etizolam	Sedatives	CNS Depressant	Depressant	NA
Flualprazolam	Sedatives	CNS Depressant	NA	NA
Flubromazepam	Sedatives	CNS Depressant	Depressant	NA
Flubromazolam	Sedatives	CNS Depressant	Depressant	NA
Hydroxyzine	Sedatives	Prescription Drug	Depressant	NA
Lorazepam	Sedatives	CNS Depressant	Depressant	IV
Meprobamate/ Carisoprodol	Sedatives	CNS Depressant	Depressant	IV

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Drug	Category	DRE	FARS	Schedule
Midazolam	Sedatives	CNS Depressant	Depressant	IV
Orphenadrine	Sedatives	Prescription Drug	Depressant	NA
Promethazine	Sedatives	Prescription Drug	Depressant	NA
Suvorexant	Sedatives	CNS Depressant	NA	NA
Triazolam	Sedatives	CNS Depressant	Depressant	IV
Zolpidem	Sedatives	CNS Depressant	Depressant	IV
Zopiclone	Sedatives	CNS Depressant	Depressant	NA
Amphetamine/ Methamphetamine	Stimulants	CNS Stimulant	Stimulant	II
Atomoxetine	Stimulants	CNS Stimulant	Stimulant	NA
Cathinone	Stimulants	CNS Stimulant	Stimulant	NA
Cocaine	Stimulants	CNS Stimulant	Stimulant	II
Fladrafinil	Stimulants	CNS Stimulant	NA	NA
MDA/MDMA	Stimulants	Hallucinogen	Hallucinogen	I
Methylphenidate	Stimulants	CNS Stimulant	Stimulant	II
Modafinil	Stimulants	CNS Stimulant	Stimulant	IV
Phentermine	Stimulants	CNS Stimulant	Stimulant	IV
Phenylpropanolamine	Stimulants	CNS Stimulant	Stimulant	NA

Note: Drugs were grouped into the DRE categories based on the physiological effects of the drugs and feedback from the Colorado Bureau of Investigation. FARS drug categories are enumerated in the FARS manual. See: National Highway Traffic Safety Administration. (2022, March). 2020 FARS/CRSS coding validation manual (Report No. DOT HS, 813 251).

Appendix B. DUI Case Filings by County, CY 2019-2023

County	2019	2020	2021	2022	2023
Adams	2,817	2,053	1,947	2,079	2,515
Alamosa	127	150	194	142	149
Arapahoe	1,763	1,382	1,246	1,272	1,397
Archuleta	104	81	82	95	97
Baca	13	12	11	15	18
Bent	33	38	29	32	33
Boulder	1,063	722	796	854	901
Broomfield	206	145	207	190	225
Chaffee	153	149	186	168	132
Cheyenne	NA	6	18	5	10
Clear Creek	146	92	107	98	114
Conejos	37	32	37	25	27
Costilla	24	22	26	19	28
Crowley	18	32	45	34	43
Custer	52	16	26	7	26
Delta	155	122	124	122	125
Denver	1,817	1,345	1,298	1,102	1,194
Dolores	6	7	9	11	8
Douglas	936	888	832	843	856
Eagle	453	388	469	464	428
El Paso	3,616	3,262	3,344	2,748	2,544
Elbert	65	86	78	76	73
Fremont	262	247	216	166	158
Garfield	643	436	438	492	473
Gilpin	197	97	132	106	96
Grand	199	180	236	164	157

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County	2019	2020	2021	2022	2023
Gunnison	172	130	137	167	163
Hinsdale	NA	NA	5	5	8
Huerfano	106	95	57	101	45
Jackson	16	10	6	16	14
Jefferson	2,306	1,846	1,922	1,716	1,650
Kiowa	25	43	15	21	8
Kit Carson	39	32	36	67	42
La Plata	465	343	438	577	503
Lake	53	56	36	24	71
Larimer	2,344	1,787	1,873	1,495	1,420
Las Animas	112	101	96	109	90
Lincoln	59	63	54	51	40
Logan	128	106	119	94	95
Mesa	751	642	633	754	704
Mineral	9	5	7	11	5
Moffat	73	76	91	125	190
Montezuma	206	179	251	222	209
Montrose	288	210	208	241	265
Morgan	185	160	165	147	198
Otero	140	91	106	85	115
Ouray	42	30	19	25	29
Park	147	103	75	85	107
Phillips	25	19	19	13	14
Pitkin	153	81	139	134	155
Prowers	135	122	102	80	88
Pueblo	633	551	589	485	483
Rio Blanco	42	30	31	21	16

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County	2019	2020	2021	2022	2023
Rio Grande	64	56	62	64	70
Routt	218	129	164	219	219
Saguache	20	27	20	29	34
San Juan	8	12	9	6	NA
San Miguel	51	39	74	81	50
Sedgwick	14	17	13	NA	6
Summit	455	331	419	590	374
Teller	219	242	227	265	207
Washington	7	13	11	31	21
Weld	1,507	1,247	1,403	1,272	1,285
Yuma	35	50	31	54	55

Note: NA represents cell counts under five that were suppressed.

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix C. DUI Case Filing Rates by County, CY 2019-2023

County	2019 Rate	2020 Rate	2021 Rate	2022 Rate	2023 Rate
Adams	703	508	480	506	600
Alamosa	1,016	1,187	1,482	1,084	1,134
Arapahoe	338	265	239	243	264
Archuleta	885	722	706	806	809
Baca	453	429	393	542	670
Bent	652	785	632	690	692
Boulder	388	259	289	308	323
Broomfield	360	239	338	306	357
Chaffee	877	893	1,088	956	737
Cheyenne	347	441	1,317	365	739
Clear Creek	1,777	1,165	1,308	1,212	1,455
Conejos	588	560	632	426	471
Costilla	744	764	862	629	915
Crowley	336	614	870	671	857
Custer	1,170	388	590	151	541
Delta	599	470	477	464	472
Denver	301	226	219	185	197
Dolores	354	405	497	585	430
Douglas	333	305	288	285	283
Eagle	1,005	848	1,035	1,025	958
El Paso	636	564	572	466	423
Elbert	294	398	353	337	315
Fremont	642	589	510	389	364
Garfield	1,351	889	903	1,008	954
Gilpin	3,755	1,960	2,591	2,084	1,899
Grand	1,513	1,368	1,740	1,210	1,137

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

County	2019 Rate	2020 Rate	2021 Rate	2022 Rate	2023 Rate
Gunnison	1,175	916	930	1,138	1,109
Hinsdale	431	297	743	752	1,203
Huerfano	1,812	1,627	948	1,643	737
Jackson	1,373	858	512	1,416	1,242
Jefferson	479	383	399	358	344
Kiowa	2,207	3,632	1,288	1,858	744
Kit Carson	695	569	670	1,238	772
La Plata	995	739	929	1,213	1,057
Lake	827	954	596	400	1,189
Larimer	801	605	622	490	459
Las Animas	933	833	792	898	737
Lincoln	1,267	1,362	1,202	1,127	898
Logan	701	592	677	542	558
Mesa	601	509	493	580	536
Mineral	1,360	670	859	1,355	628
Moffat	712	737	885	1,209	1,824
Montezuma	979	857	1,175	1,028	959
Montrose	829	600	589	671	727
Morgan	836	721	743	656	872
Otero	973	617	718	583	803
Ouray	990	710	428	557	637
Park	918	697	493	555	695
Phillips	740	530	539	370	400
Pitkin	981	531	930	920	1,078
Prowers	1,459	1,325	1,098	869	973
Pueblo	466	404	431	353	350
Rio Blanco	841	577	614	406	307

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

County	2019 Rate	2020 Rate	2021 Rate	2022 Rate	2023 Rate
Rio Grande	720	609	675	700	777
Routt	1,029	627	784	1,045	1,034
Saguache	364	522	371	528	610
San Juan	1,278	1,951	1,391	852	424
San Miguel	761	587	1,083	1,188	744
Sedgwick	756	857	670	210	313
Summit	1,681	1,220	1,585	2,254	1,421
Teller	1,018	1,149	1,065	1,243	976
Washington	181	330	282	801	546
Weld	604	486	539	473	462
Yuma	459	657	411	719	727

Note: Rates per 100,000 were calculated based on the population aged 16 and older in each county.
 Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix D. DUI Case Filings by Judicial District, CY 2019-2023

Judicial District	2019	2020	2021	2022	2023
District 1	2,503	1,943	2,054	1,822	1,746
District 2	1,817	1,345	1,298	1,102	1,194
District 3	218	196	153	210	135
District 4	3,835	3,504	3,571	3,013	2,751
District 5	1,107	867	1,031	1,176	987
District 6	577	436	529	678	603
District 7	708	531	567	641	640
District 8	2,360	1,797	1,879	1,511	1,434
District 9	838	547	608	647	644
District 10	633	551	589	485	483
District 11	614	515	503	426	423
District 12	281	292	346	290	313
District 13	433	397	394	410	431
District 14	490	385	491	508	566
District 15	173	183	146	121	124
District 16	191	161	180	151	191
District 17	3,023	2,198	2,154	2,269	2,740
District 18	2,823	2,419	2,210	2,242	2,366
District 19	1,507	1,247	1,403	1,272	1,285
District 20	1,063	722	796	854	901
District 21	751	642	633	754	704
District 22	212	186	260	233	217

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix E. DUI Case Filing rates by Judicial District, CY 2019-2023

Judicial District	2019 Rate	2020 Rate	2021 Rate	2022 Rate	2023 Rate
District 1	515	399	422	377	360
District 2	309	226	219	185	197
District 3	1,203	1,091	844	1,149	737
District 4	646	584	589	493	442
District 5	1,288	997	1,199	1,375	1,164
District 6	994	746	891	1,129	1,000
District 7	823	613	644	721	714
District 8	804	606	621	493	461
District 9	1,226	787	887	944	931
District 10	467	404	431	353	350
District 11	798	662	636	531	519
District 12	775	801	926	775	839
District 13	688	632	635	662	695
District 14	1,128	872	1,097	1,133	1,246
District 15	1,217	1,251	999	836	875
District 16	757	649	734	622	792
District 17	659	472	461	480	568
District 18	341	288	264	265	275
District 19	606	486	539	473	462
District 20	386	259	289	308	323
District 21	600	508	493	580	536
District 22	945	823	1,122	993	917

Note: Rates per 100,000 were calculated based on the population aged 16 and older in each county.
 Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix F. DUI cases by arresting agency, CY 2019-2023

Agency	2019	2020	2021	2022	2023
Adams County Sheriff	492	202	184	237	187
Adams District Attorney	3	0	0	0	0
Adams State Campus Police	1	1	4	1	3
Aguilar PD	0	0	0	1	0
Alamosa County Sheriff	19	27	42	24	19
Alamosa PD	47	45	61	70	63
Alma PD	0	1	0	0	0
Antonito PD	0	1	3	0	0
Arapahoe Campus Police	0	0	0	0	1
Arapahoe District Attorney	1	1	0	1	2
Arapahoe Sheriff/Centennial Police*	304	295	246	231	257
Archuleta County Sheriff	29	34	40	34	37
Arvada PD	429	340	367	407	381
Aspen PD	67	31	47	25	33
Ault PD	2	3	9	15	11
Aurora PD	983	649	630	640	786
Avon PD	99	69	93	103	80
Baca County Sheriff	3	3	1	1	2
Basalt PD	19	22	26	18	39
Bayfield PD	9	9	10	10	8
Bent County Sheriff	19	21	18	12	14
Berthound PD	3	1	0	0	0
Blackhawk PD	25	19	26	34	27
Blanca PD	2	0	0	2	1
Blue River PD	2	1	5	8	12
Boulder County Sheriff	148	93	88	86	109

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Agency	2019	2020	2021	2022	2023
Boulder District Attorney	2	2	0	8	1
Boulder PD	180	123	156	146	150
Breckenridge PD	41	28	67	73	37
Brighton PD	168	230	228	242	271
Broomfield County Sheriff	202	143	204	179	219
Brush PD	24	9	15	10	17
Buena Vista PD	19	16	19	22	29
Burlington PD	11	11	8	11	19
Calhan Marshals Office	2	2	2	3	0
Campo PD	0	0	0	0	0
Canon City PD	42	48	40	39	53
Carbondale PD	92	40	40	35	36
Castle Rock PD	97	99	104	106	68
Cedaredge Marshals Office	5	4	9	3	7
Center PD	2	4	12	9	15
Chaffee County Sheriff	39	35	39	49	42
Cherry Hills PD	24	14	12	31	34
Cheyenne County Sheriff	5	4	13	3	8
Clear Creek County Sheriff	27	19	22	23	29
CO Division Of Wildlife	35	41	23	26	36
CO State Campus Police	112	58	69	27	37
Collbran Marshals Office	0	0	0	0	0
Colorado Attorney General	0	0	0	0	0
Colorado Springs PD	1,808	1,671	1,771	1,619	1,409
Colorado State Patrol	5,242	4,747	4,917	4,555	4,194
Columbine Valley PD	4	6	8	7	5
Commerce City PD	304	286	228	264	392

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Agency	2019	2020	2021	2022	2023
Conejos County Sheriff	5	10	4	5	7
Cortez PD	124	73	96	94	100
Costilla County Sheriff	6	15	17	7	13
Craig PD	31	31	57	84	105
Creede PD	0	0	0	1	0
Crested Butte Marshals Office	16	7	10	18	5
Crested Butte PD	38	31	23	23	15
Cripple Creek PD	31	51	44	25	7
Crowley County Sheriff	13	20	37	29	36
Custer County Sheriff	50	15	24	7	19
Dacono PD	39	24	17	11	14
Debeque PD	2	4	4	1	2
Del Norte PD	6	4	1	5	8
Delta County Sheriff	17	32	15	35	39
Delta District Attorney	0	0	0	0	0
Delta PD	39	23	53	43	33
Denver PD	1,815	1,346	1,298	1,102	1,194
Dillon PD	27	12	43	55	38
Dinosaur PD	3	1	1	6	1
Dolores County Sheriff	5	3	5	4	5
Douglas County Sheriff	373	400	330	337	397
Douglas District Attorney	2	0	0	0	3
Durango PD	186	141	232	296	225
Eagle County Drug Task Force	0	0	0	0	0
Eagle County Sheriff	78	65	83	83	113
Eagle PD	23	23	30	39	28
Eaton PD	5	14	28	32	28

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
Edgewater PD	49	33	33	26	66
El Paso County Sheriff	836	693	579	226	239
El Paso District Attorney	46	8	19	17	20
Elbert County Sheriff	45	68	64	53	51
Elizabeth PD	7	4	3	6	8
Empire PD	0	0	0	2	0
Englewood PD	146	94	91	90	118
Erie PD	95	68	84	75	57
Estes Park PD	55	25	27	40	22
Evans PD	135	95	71	84	72
Fairplay PD	4	3	4	5	4
Federal Heights PD	56	23	18	71	88
Firestone PD	34	23	25	18	33
Florence PD	17	32	41	13	14
Fort Collins PD	505	393	511	471	431
Fort Lewis College Campus Police	3	1	3	4	6
Fort Lupton PD	87	96	145	124	75
Fort Morgan PD	85	57	57	61	98
Fountain PD	132	143	177	171	142
Fowler PD	0	0	5	12	4
Frederick PD	48	23	27	22	23
Fremont County Sheriff	89	75	30	31	33
Fremont District Attorney	0	17	0	0	0
Frisco PD	28	17	49	176	50
Fruita PD	21	0	24	30	20
Garden City PD	13	11	13	22	31
Garfield County Sheriff	153	83	57	48	83

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
Garfield District Attorney	0	1	0	0	0
Georgetown PD	9	5	2	9	2
Gilpin County Sheriff	120	48	44	24	27
Glendale PD	15	15	13	13	12
Glenwood Springs PD	130	57	130	189	150
Golden PD	122	72	103	63	66
Granby PD	10	9	9	21	5
Grand County Sheriff	65	45	77	54	72
Grand District Attorney	1	0	2	1	0
Grand Junction PD	296	246	272	336	350
Greeley PD	444	367	337	267	341
Green Mountain Falls Marshals Office	0	0	1	0	0
Greenwood Village PD	114	81	89	96	135
Gunnison County Sheriff	29	18	27	51	40
Gunnison PD	68	51	56	57	88
Haxtun PD	1	3	4	2	2
Hayden PD	8	4	3	6	6
Hinsdale County Sheriff	3	2	4	5	8
Holyoke PD	9	6	11	10	7
Hotchkiss PD	1	2	1	3	4
Hudson Municipal Court	0	1	0	0	0
Hudson PD	20	8	14	8	16
Huerfano County Sheriff	59	49	28	55	18
Huerfano District Attorney	0	0	0	0	0
Hugo Marshals Office	2	2	4	3	3
Idaho Springs PD	42	28	37	16	32
Ignacio PD	7	1	2	1	1

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
Jackson County Sheriff	15	8	5	14	13
Jefferson County Sheriff	297	206	216	161	181
Jefferson District Attorney	0	0	0	0	0
Johnstown PD	45	35	39	27	34
Keenesburg PD	1	3	2	3	11
Kersey PD	5	7	6	10	19
Kiowa County Sheriff	20	42	13	18	4
Kiowa PD	0	0	0	0	0
Kit Carson County Sheriff	15	6	22	41	9
Kremmling PD	6	8	13	8	13
La Jara PD	7	1	0	0	0
La Junta PD	47	23	25	20	26
La Plata County Sheriff	97	63	88	155	190
La Plata District Attorney	0	0	0	0	1
La Salle PD	17	9	11	18	25
La Veta Marshals Office	0	1	0	0	0
Lafayette PD	73	45	49	57	76
Lake County Sheriff	17	20	19	19	59
Lakeside PD	16	8	23	7	7
Lakewood PD	487	469	566	475	428
Lamar PD	62	63	48	40	33
Larimer County Sheriff	725	547	534	419	477
Larimer District Attorney	4	1	1	1	1
Las Animas County Sheriff	11	5	9	15	10
Leadville PD	28	23	8	3	6
Limon PD	20	25	13	8	3
Lincoln County Sheriff	9	10	20	21	22

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
Littleton PD	109	75	46	87	55
Lochbuie PD	20	55	17	12	34
Log Lane PD	1	5	2	0	0
Logan County Sheriff	57	44	31	31	35
Lone Tree PD	79	53	48	79	80
Longmont PD	323	246	226	316	383
Louisville PD	75	36	33	40	43
Loveland PD	605	523	413	243	192
Manassa PD	2	0	0	4	0
Mancos PD	5	13	8	11	9
Manitou Springs PD	128	73	99	71	114
Manzanola PD	0	0	0	0	0
Mead PD	8	11	20	14	17
Meeker PD	4	7	5	4	2
Mesa County Sheriff	134	103	64	94	82
Mesa District Attorney	9	6	2	10	8
Metro Task Force	4	1	0	0	0
Milliken PD	18	8	16	20	16
Mineral County Sheriff	0	3	0	1	1
Mineral PD	0	0	0	0	1
Moffat County Sheriff	7	15	8	16	60
Moffat District Attorney	2	1	1	0	0
Monte Vista PD	27	22	29	14	13
Montezuma County Sheriff	18	19	55	42	32
Montezuma District Attorney	0	0	0	0	1
Montrose County Sheriff	47	45	56	55	70
Montrose PD	132	81	65	111	130

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
Monument PD	23	24	29	61	40
Morgan County Sheriff	20	21	14	17	22
Morrison PD	106	50	23	20	22
Mountain View PD	19	7	24	38	21
Mountain Village PD	4	3	4	6	2
Nederland Marshals Office	1	7	8	1	0
New Castle PD	13	10	10	13	11
Northglenn PD	196	184	248	234	209
Norwood PD	0	2	3	0	0
Nunn PD	2	0	4	0	3
Oak Creek PD	3	6	2	1	4
Olathe PD	7	7	14	12	3
Otero County Sheriff	3	1	4	8	10
Other Campus Police	51	28	25	11	16
Ouray County Sheriff	12	12	7	10	11
Ouray PD	0	1	2	2	2
Pagosa Springs PD	35	17	20	38	38
Palisade PD	15	12	12	16	14
Palmer Lake PD	1	4	6	9	3
Paonia PD	8	7	0	2	0
Parachute PD	16	8	8	2	4
Park County Sheriff	85	64	30	36	30
Park District Attorney	0	0	0	0	0
Parker PD	143	91	102	77	108
Phillips County Sheriff	16	8	5	0	6
Pikes Peak Community College Campus Police	0	0	0	0	0

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
Pitkin County Sheriff	56	22	65	84	81
Pitkin District Attorney	0	0	0	0	0
Platteville PD	33	17	27	21	25
Prowers County Sheriff	34	26	12	2	9
Pueblo Community College Campus Police	0	0	0	0	0
Pueblo County Sheriff	158	146	148	91	104
Pueblo Mental Health Institute Campus Police	0	0	0	0	1
Pueblo PD	317	227	261	216	257
Rangely PD	8	6	10	6	3
Red Rocks Community College Campus Police	2	0	0	0	0
Ridgway Marshals Office	5	3	0	3	0
Rifle PD	72	99	66	51	44
Rio Blanco County Sheriff	15	6	7	6	4
Rio Grande County Sheriff	8	10	8	5	9
Rocky Ford PD	9	10	6	8	6
Routt County Sheriff	24	22	43	73	91
Saguache County Sheriff	1	7	5	3	4
Salida PD	51	56	86	69	27
San Juan County Sheriff	7	10	5	6	2
San Miguel County Sheriff	25	20	39	64	40
San Miguel District Attorney	0	0	0	0	0
School of Mines Campus Police	0	0	1	0	0
Sedgwick County Sheriff	13	12	11	1	3
Severance PD	7	13	6	11	13
Sheridan PD	80	30	37	23	23

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
Silt PD	35	16	10	15	22
Silverthorne PD	35	31	32	30	31
Simla PD	0	1	0	0	1
Snowmass Village PD	8	12	6	3	16
South Fork PD	0	4	0	1	1
Southern Ute Tribal PD	1	0	0	0	0
Springfield PD	3	3	3	1	9
Steamboat Springs PD	90	59	67	93	88
Sterling PD	42	31	58	46	38
Stratton PD	0	0	0	0	0
Summit County Sheriff	192	134	124	142	140
Teller County Sheriff	93	95	72	88	87
Teller District Attorney	0	0	0	3	0
Telluride Marshals Office	13	7	14	11	5
Thornton PD	571	398	378	342	441
Timnath PD	5	2	7	16	21
Trinidad PD	32	42	46	52	37
Two Rivers Drug Enforcement Task Force	0	1	0	0	0
UC Denver Campus Police	21	8	6	4	3
UCCS Campus Police	24	12	3	6	3
UNC Campus Police	4	1	1	11	5
Vail PD	38	20	45	50	44
Walsh PD	1	0	0	0	0
Washington County Sheriff	2	9	6	6	7
Weld County Sheriff	148	84	117	119	105
Weld District Attorney	0	0	0	0	0

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Agency	2019	2020	2021	2022	2023
West Metro Task Force	48	26	2	15	8
Westminster PD	488	297	250	233	283
Wheat Ridge PD	111	122	91	114	99
Wiggins PD	3	4	5	2	4
Windsor PD	71	57	95	71	79
Winter Park PD	78	53	78	55	37
Woodland Park PD	48	51	48	88	75
Wray PD	3	0	1	7	10
Yuma County Sheriff	16	28	17	9	7
Yuma PD	8	10	5	30	33

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix G. Final DUI charges by initial charge, CY 2023

Final Charge (below)	UDD	DWAI	DUI	DWAI 1-2 Prior	DUI 1-2 Prior	DWAI 3+ Prior	DUI 3+ Prior	VEH ASSAULT	VEH HOMICIDE	Other
UDD	71	6	22	0	0	0	0	0	0	1
DWAI	2	2,249	4,545	0	3	0	1	0	0	17
DUI	1	17	10,098	0	5	0	15	0	0	7
DWAI 1-2 Prior	0	41	701	123	15	2	5	0	0	2
DUI 1-2 Prior	0	3	1,260	0	478	2	25	0	0	2
DWAI 3+ Prior	0	0	2	0	0	25	17	0	0	0
DUI 3+ Prior	0	0	32	0	8	0	777	0	0	1
VEH ASSAULT	0	0	0	0	0	0	0	126	0	0
VEH HOMICIDE	0	0	0	0	0	0	0	0	36	1
Other	2	17	108	2	3	0	0	2	0	0
Total	76	2,333	16,768	125	512	29	840	128	36	31

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix H. Common final charges, excluding DUI charges, CY 2023

Final Charge	Count
CARELESS DRIVING	6,388
FAILURE TO DISPLAY PROOF OF INSURANCE	3,431
LANE USAGE VIOLATION	2,931
ALCOHOL-OPEN CONTAINER/DRINK IN VEHICLE	2,510
DRIVER'S LICENSE-DRIVING W/OUT	1,838
DRIVING UNDER RESTRAINT	1,661
RECKLESS DRIVING	1,533
SPEEDING 10-19 OVER LIMIT	897
DRIVING UNDER RESTRAINT-ALCOHOL-RELATED	782
NO INSURANCE-DRIVER	733
FAILING TO REPORT ACCIDENT-CALL POLICE	713
CONTROLLED SUB-POSS SCH I/II/III/IV/V	694
LICENSE PLATES-EXPIRED	684
DRUG PARAPHERNALIA-POSSESS	604
WEAPON-PROHIBITED USE-DRUNK W/GUN	593
NO INSURANCE-OWNER	558
LEAVING SCENE/ACCIDENT-DAMAGE ONLY	531
VIOLATION P/O-CRIMINAL	516
ALCOHOL-UNDER 21- POSSESS/CONSUMP	511
OBSTRUCTING A PEACE OFFICER	503
MARIJUANA-POSSESS OPEN CONTAINER IN VEH	483
CHILD ABUSE-KNOWINGLY/RECKLESS-NO INJURY	461
HEADLAMPS-FAILURE TO DISPLAY	434
CARELESS DRIVING RESULTING IN INJURY	392
SPEEDING 25-39 OVER LIMIT	389

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Final Charge	Count
SEAT BELT NOT USED	384
LEAVING SCENE/ACCIDENT-UNATTENDED VEH	364
RED LIGHT-FAIL TO STOP	350
DRIVING AFTER REVOCATION PROHIBITED (HTO	349
SPEEDING 20-24 OVER LIMIT	331
REGISTRATION-FICTITIOUS PLATE	288
RESISTING ARREST	282
REGISTRATION-UNREGISTERED VEHICLE	274
FAIL OBEY TRAFFIC CONTROL DEVICE	267
RECKLESS ENDANGERMENT	251
SIGNALING VIOLATION	235
VEHICULAR ELUDING	232
LICENSE PLATES-EXPIRED TEMP PERMIT	212
TURNING IMPROPERLY	212
ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	202

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix I. Percent of DUI case filings with matching toxicology reports, CY 2023

County	Case Filings	Percent with Any Toxicology Record Match	Percent with Alcohol Screening Record Match	Percent with Drugs of Abuse Screening Record Match
Adams	2,515	59.2	59.2	33.8
Alamosa	149	61.7	61.7	35.6
Arapahoe	1,397	61.7	61.7	39.8
Archuleta	97	57.7	57.7	32.0
Baca	18	72.2	72.2	50.0
Bent	33	57.6	57.6	39.4
Boulder	901	65.7	65.7	38.8
Broomfield	225	48.4	48.4	28.9
Chaffee	132	66.7	66.7	29.5
Cheyenne	10	80.0	80.0	70.0
Clear Creek	114	64.0	64.0	46.5
Conejos	27	63.0	63.0	51.9
Costilla	28	53.6	53.6	39.3
Crowley	43	72.1	72.1	51.2
Custer	26	73.1	73.1	38.5
Delta	125	50.4	50.4	29.6
Denver	1,194	63.5	63.5	50.3
Dolores	8	75.0	75.0	NA
Douglas	856	87.3	87.3	58.2
Eagle	428	62.1	62.1	27.8
El Paso	2,544	72.8	72.8	50.0
Elbert	73	68.5	68.5	49.3
Fremont	158	63.9	63.9	32.9
Garfield	473	59.0	59.0	32.1

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

County	Case Filings	Percent with Any Toxicology Record Match	Percent with Alcohol Screening Record Match	Percent with Drugs of Abuse Screening Record Match
Gilpin	96	67.7	67.7	36.5
Grand	157	65.6	65.6	30.6
Gunnison	163	68.7	68.7	38.7
Hinsdale	8	NA	NA	NA
Huerfano	45	68.9	68.9	53.3
Jackson	14	71.4	71.4	57.1
Jefferson	1,650	64.8	64.8	38.4
Kiowa	8	NA	NA	NA
Kit Carson	42	76.2	76.2	42.9
La Plata	503	59.0	59.0	25.4
Lake	71	63.4	63.4	28.2
Larimer	1,420	69.9	69.9	40.1
Las Animas	90	60.0	60.0	38.9
Lincoln	40	65.0	65.0	32.5
Logan	95	60.0	60.0	40.0
Mesa	704	62.4	62.4	37.4
Mineral	5	NA	NA	NA
Moffat	190	70.5	70.5	31.6
Montezuma	209	55.5	55.5	26.8
Montrose	265	56.6	56.6	26.4
Morgan	198	67.2	67.2	34.8
Otero	115	66.1	66.1	42.6
Ouray	29	75.9	75.9	58.6
Park	107	64.5	64.5	42.1
Phillips	14	50.0	50.0	NA

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

County	Case Filings	Percent with Any Toxicology Record Match	Percent with Alcohol Screening Record Match	Percent with Drugs of Abuse Screening Record Match
Pitkin	155	58.7	58.7	27.7
Prowers	88	55.7	55.7	25.0
Pueblo	483	57.1	57.1	31.3
Rio Blanco	16	62.5	62.5	37.5
Rio Grande	70	64.3	64.3	41.4
Routt	219	59.4	59.4	28.3
Saguache	34	67.6	67.6	26.5
San Juan	NA	NA	NA	NA
San Miguel	50	60.0	60.0	40.0
Sedgwick	6	100.0	100.0	NA
Summit	374	61.8	61.8	27.3
Teller	207	64.7	64.7	39.6
Washington	21	85.7	85.7	66.7
Weld	1,285	62.1	62.1	31.7
Yuma	55	72.7	72.7	34.5

Note: NA represents cell counts under five that were suppressed.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix J. Case Filings and Drugs Detected, CY 2019-2023

Drugs	2019	2020	2021	2022	2023
ALCOHOL	13,900	10,172	10,309	11,084	11,846
DELTA-9 THC	2,848	3,357	2,827	2,899	3,016
AMPHETAMINE/METHAMPHETAMINE	700	1,110	1,101	959	917
COCAINE	551	768	680	740	858
FENTANYL	52	151	230	295	334
ALPRAZOLAM	188	231	187	150	156
MORPHINE/HEROIN	144	192	172	78	38
DIAZEPAM/OXAZEPAM/TEMAZEPAM*	169	195	145	147	146
CLONAZEPAM	153	181	131	143	124
LORAZEPAM	127	104	96	100	112
OXYCODONE/OXYMORPHONE	6	78	80	57	63
ZOLPIDEM	77	75	60	48	52
BUPRENORPHINE	32	80	55	43	56
METHADONE	49	50	46	44	49
PHENOBARBITAL	15	37	32	58	65
HYDROCODONE/HYDROMORPHONE	43	56	31	45	32
MDA/MDMA	16	40	30	33	33
TRAMADOL	52	39	26	41	37
BUTALBITAL	12	11	13	7	10
MEPROBAMATE/CARISOPRODOL	12	14	12	10	11
PSEUDOEPHEDRINE	NA	13	12	16	NA
QUETIAPINE	NA	15	11	5	11
CHLORDIAZEPOXIDE/DEMOXEPAM*	27	33	10	30	36
CARISOPRODOL	10	8	9	9	9
GABAPENTIN	NA	6	5	7	6

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Drugs	2019	2020	2021	2022	2023
KRATOM	NA	21	22	28	19
KETAMINE	NA	8	NA	5	7
BUPROPION	NA	6	NA	NA	NA
CODEINE	48	6	NA	NA	NA
ETIZOLAM	NA	6	NA	NA	NA
MIDAZOLAM	8	NA	NA	NA	NA
TRAZODONE	6	NA	NA	NA	NA
VENLAFAXINE/DESVENLAFAXINE	NA	NA	NA	5	NA
CLONAZOLAM	NA	NA	NA	7	NA
ARIPIPRAZOLE	NA	NA	NA	NA	7

Note: Drug classifications were changed for some benzodiazepines to reduce double counting, and categories marked with an `\*` were unable to be recalculated. `NA` represents cell counts under five that were suppressed.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix K. Toxicology and Speeding-Related DUI, CY 2023

Drugs Detected	Total Filings	Filings with Speeding Charge	Percent with Speeding Charge
Not Tested	7,342	583	7.9%
None Detected	133	7	5.3%
Alcohol Only	8,104	906	11.2%
THC Only	586	152	25.9%
Single Other Drug	261	16	6.1%
Alcohol and THC	1,640	161	9.8%
Alcohol and Other	1,628	130	8.0%
THC and Other	316	24	7.6%
Alcohol, THC, and Other	474	49	10.3%
Polydrug Not Alcohol or THC	394	11	2.8%
Total	20,878	2,039	9.8%

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix L. Monetary Sentences for Offenders, CY 2023

Sentence Description	Sentence Type	Number of DUI Cases	Total Dollar Amount	Average Dollar Amount
Victims Assistance Fund	Surcharges	15,526	\$2,758,649	\$177.60
LEAF Assessment	Fine	15,222	\$1,369,920	\$90.00
Rural Youth Alc/Sub Abuse Surc	Surcharges	15,212	\$77,555	\$5.10
Alcohol Eval Fee	Surcharges	15,114	\$3,027,250	\$200.14
Brain Injury Trust Fund	Surcharges	15,110	\$376,514	\$24.92
Genetic Testing Surcharge	Surcharges	15,012	\$37,540	\$2.50
Persistent Drunk Driving Schg	Surcharges	14,959	\$1,565,760	\$104.61
Victim Compensation Fund	Surcharges	14,897	\$625,584	\$41.98
Restorative Justice Surcharge	Surcharges	14,843	\$148,473	\$10.00
Court Costs	Surcharges	13,220	\$295,282	\$22.33
Court Security Cash Fund	Surcharges	13,168	\$65,845	\$5.00
Subst Affect Driving Data Surc	Surcharges	13,090	\$26,180	\$2.00
Probation Supervision Fee	Surcharges	10,660	\$10,280,241	\$954.88
E-Discovery	Surcharges	9,921	\$50,220	\$5.06
Public Defender Accts Rcvable	Surcharges	3,291	\$82,339	\$24.95
Cost of Prosecution-Crg Agncy	Surcharges	3,006	\$163,886	\$54.34
Request for Time to Pay	Surcharges	1,297	\$32,450	\$25.00
Cost of Care - Probation/Adult	Surcharges	962	\$2,079,388	\$2,159.28
Restitution	Restitution	414	\$1,871,641	\$4,292.76
Cost of Prosecution-Sheriff	Surcharges	265	\$25,438	\$92.84
Family Friendly Surcharge	Surcharges	139	\$139	\$1.00
Traffic Fine	Fine	105	\$24,651	\$226.16
Drug Standardized Assessment	Surcharges	102	\$4,770	\$46.76
Drug Test - Cost Recovery	Surcharges	73	\$1,249	\$17.10
Misdemeanor Fine	Fine	73	\$33,400	\$451.35

Sentence Description	Sentence Type	Number of DUI Cases	Total Dollar Amount	Average Dollar Amount
District Atty Cost Recovery	Surcharges	51	\$12,076	\$236.79
Cost of Prosecution - Other	Surcharges	48	\$4,401	\$91.68
Address Confidentiality Fund	Surcharges	40	\$1,117	\$27.92
REST-Insurance Co	Restitution	25	\$313,777	\$12,551.08
REST-Victims Compensation	Restitution	22	\$182,684	\$8,303.82
Warrant/Extradition Fee Sherif	Surcharges	21	\$6,242	\$260.06
Cost of Care - Jail	Surcharges	17	\$25,640	\$1,508.24
Felony Fine	Fine	14	\$28,525	\$1,677.94
Cost of Prosecution-Jud Pd Cst	Surcharges	12	\$1,383	\$115.27
Drug Offender Surcharge	Surcharges	5	\$2,590	\$518.00
Alt Def Counsel Cost Recovery	Surcharges	4	\$100	\$25.00
Minor in Poss of Alcohol	Fine	3	\$225	\$75.00
Sex Offender Evaluation Fee	Surcharges	3	\$3,600	\$1,200.00
County Traffic Fine	Fine	2	\$225	\$112.50
Req to Transfer Probation Fee	Surcharges	2	\$200	\$100.00
Assessed Costs - Sheriff	Surcharges	1	\$89	\$89.10
Cost of Proceedings	Surcharges	1	\$16	\$16.00
Juvenile Fine	Fine	1	\$600	\$600.00
Late Fee	Surcharges	1	\$10	\$10.00
Offender Identification Fund	Surcharges	1	\$128	\$128.00

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix M. Time to finding by disposition and year, CY 2016-2023

Disposition	Year	Total Number of Cases	Mean	Median
Guilty	2016	20,545	161.7	135.0
Guilty	2017	19,846	161.3	134.0
Guilty	2018	19,308	154.1	132.0
Guilty	2019	18,451	175.8	139.0
Guilty	2020	13,466	217.5	185.0
Guilty	2021	14,372	226.0	182.8
Guilty	2022	13,994	201.2	166.8
Guilty	2022	13,994	201.2	166.8
Guilty	2023	14,155	220.2	176.7
Deferred	2016	1,927	305.6	250.0
Deferred	2017	1,733	251.8	198.0
Deferred	2018	1,887	274.2	233.0
Deferred	2019	1,828	173.4	138.0
Deferred	2020	1,621	219.4	190.0
Deferred	2021	2,346	221.9	203.7
Deferred	2022	2,364	183.5	169.8
Deferred	2022	2,364	183.5	169.8
Deferred	2023	2,260	171.8	160.2
Diversion	2016	26	136.3	124.0
Diversion	2017	53	134.5	92.0
Diversion	2018	50	84.8	64.0
Diversion	2019	86	84.8	71.0
Diversion	2020	82	138.1	127.0
Diversion	2021	98	113.9	103.7
Diversion	2022	93	107.1	93.8

Driving Under the Influence of Drugs and Alcohol: CY 2023 Report

Disposition	Year	Total Number of Cases	Mean	Median
Diversion	2022	93	107.1	93.8
Diversion	2023	57	127.8	100.8
Dismissed/ \Not Guilty	2016	2,673	197.2	155.0
Dismissed/Not Guilty	2017	2,556	206.4	153.0
Dismissed/Not Guilty	2018	2,654	171.8	145.0
Dismissed/Not Guilty	2019	2,474	197.7	158.0
Dismissed/Not Guilty	2020	2,421	235.9	220.0
Dismissed/Not Guilty	2021	2,767	237.1	202.8
Dismissed/Not Guilty	2022	2,552	216.4	189.7
Dismissed/Not Guilty	2022	2,557	216.6	189.8
Dismissed/Not Guilty	2023	2,800	221.3	180.8
Non-DUI Disposition	2016	348	192.6	165.5
Non-DUI Disposition	2017	280	174.4	144.5
Non-DUI Disposition	2018	293	149.8	220.0
Non-DUI Disposition	2019	320	204.1	168.0
Non-DUI Disposition	2020	152	211.3	176.5
Non-DUI Disposition	2021	149	222.8	182.7
Non-DUI Disposition	2022	142	211.8	163.8
Non-DUI Disposition	2022	142	211.8	163.8
Non-DUI Disposition	2023	134	263.5	189.2

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix N. Case filings per 100,000 residents aged 16 and older by year, CY 2016-2023

Year	Rate
2016	616
2017	589
2018	574
2019	563
2020	450
2021	464
2022	439
2023	435

Data Sources: State Judicial Department and Denver County Court. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety

Appendix O. DUI/DWAI Charge Conviction Rate for Alcohol Only Filings by BAC Toxicology Level, CY 2023

Final Charge	BAC Level	Count	Conviction Rate
DUI	0.05-0.079	82	28.0%
DUI	0.08+	3,891	90.3%
DWAI	0.05-0.079	440	85.5%
DWAI	0.08+	2,772	99.9%

Note: DUI refers to a DUI or DUI with any prior designation. DWAI refers to DWAI or DWAI with any prior designation. Only one charge was selected from each DUI case filing, and the charge needed to be the most serious disposition.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix P. DUI/DWAI Charge Conviction Rate for Delta-9 THC Only Filings by Delta-9 THC Toxicology Level, CY 2023

Final Charge	Delta-9 THC Level	Count	Conviction Rate
DUI	1.0 - 4.9	83	6.0%
DUI	5.0+	158	53.2%
DWAI	1.0 - 4.9	24	79.2%
DWAI	5.0+	247	97.2%

Note: DUI refers to a DUI or DUI with any prior designation. DWAI refers to DWAI or DWAI with any prior designation. Only one charge was selected from each DUI case filing, and the charge needed to be the most serious disposition.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.

Appendix Q. DUI/DWAI Charge Conviction Rate for Polydrug Delta-9 THC Filings by Delta-9 THC Toxicology Level, CY 2023

Final Charge	Delta-9 THC Level	Count	Conviction Rate
DUI	1.0 - 4.9	654	85.8%
DUI	5.0+	616	87.2%
DWAI	1.0 - 4.9	357	98.6%
DWAI	5.0+	398	99.2%

Note: DUI refers to a DUI or DUI with any prior designation. DWAI refers to DWAI or DWAI with any prior designation. Only one charge was selected from each DUI case filing, and the charge needed to be the most serious disposition.

Data Sources: State Judicial Department, Denver County Court, CBI, CDPHE, and Denver Crime Lab at Denver Police Department. Analyzed by the Office of Research and Statistics, Division of Criminal Justice, Colorado Department of Public Safety.