

Juvenile Sentencing

Regular Possible Penalties	19-2.5-1103	<ul style="list-style-type: none"> - Probation (19-2.5-1106) - Detention up to 45 days (19-2.5-1113) - Out of home placement (19-2.5-1115) - DYS commitment up to 2 years (19-2.5-1117(1)(a)) - Hospital or other facility (19-2.5-1114) - Fine up to \$300 (19-2.5-1105) - Treatment program (19-2.5-1122) - Restitution (19-2.5-1104)
Over 18	19-2.5-1118	<ul style="list-style-type: none"> - Probation - DYS commitment up to 2 years if under 21 - Jail up to 6 months - Community Corrections up to 1 year
Mandatory Detention <ul style="list-style-type: none"> - Felony enumerated as a COV under 18-1.3-406 - used/possessed & threatened to use a firearm during the commission of a felony against a person (article 3, title 18) - offense involving a dangerous or illegal weapon (possess, carry, conceal, prohibited use, illegal discharge) 	19-2.5-1123	Minimum of 5 days detention
Aggravated Juvenile Offender <ul style="list-style-type: none"> - F1&F2 adjudication or probation revoked for F1&F2 - adjudicated for Felony and then subsequent COV adjudication or revocation for COV - adjudication or probation revocation for felonious unlawful sexual behavior under 18-3-4, incest 18-6-301, or aggravated incest 18-6-302 	petition 19-2.5-503 definition 19-2.5-1125 sentencing 19-2.5-1127	<ul style="list-style-type: none"> - F1 : 3-7 years DYS - F2 : 3-5 years DYS - Other than F1 & F2 : Up to 5 years DYS - For murder in 1st or 2nd Degree: Can sentence COVs CS or CC
Mandatory Sentence Offender <ul style="list-style-type: none"> - adjudicated delinquent twice OR - adjudicated delinquent and probation revoked for delinquent act AND - subsequently adjudicated delinquent OR - has probation revoked for delinquent act 	definition 19-2.5-1125 sentencing 19-2.5-1126	Out of home for minimum of 1 year - UNLESS the court finds that alternative sentence or commitment of less than 1 year would be more appropriate - EXCEPT if over 18 can sentence to jail or comcor up to 2 years (no min. see below)
Repeat Juvenile Offender <ul style="list-style-type: none"> - previously adjudicated a juvenile delinquent and is adjudicated a juvenile delinquent for a felony delinquent act or if probation is revoked for a felony delinquent act 	definition 19-2.5-1125 sentencing 19-2.5-1126	- OR may be released by committing judge on showing of exemplary behavior
Violent Juvenile Offender <ul style="list-style-type: none"> - A juvenile is a violent juvenile offender if the juvenile is adjudicated a juvenile delinquent for a delinquent act that constitutes a crime of violence as defined in section 18-1.3-406(2). 	definition 19-2.5-1125 sentencing 19-2.5-1126	Out of home for minimum of 1 year - EXCEPT if 10-12 years old and court finds that alternative sentence or commitment of less than 1 year would be more appropriate - if over 18 can sentence to jail or comcor up to 2 years (no min. see below) - if commit to DHS, can impose minimum where can't be released to residential without court written approval

MSO/RJO/VJO over 18- People v. T.O. 696 P.2d 811: Contrary to the juvenile court's interpretation, the imposition of jail sentences under subsection I is not an extension of mandatory one-year placements or commitments under the opening clause, but a separate and distinct alternative. Placements and commitments have distinct meanings under the Children's Code; a sentence to county jail is neither a "placement out of the home," § 19-1-103(21.5), 8 C.R.S. (1984 Supp.), nor a "commitment." See § 19-1-103(7), 8 C.R.S. (1978); § 19-3-113(3), 8 C.R.S. (1984 Supp.). Therefore, the mandatory minimum one year for the dispositional alternatives of placement and commitment does not extend to jail sentences imposed under subsection I. ((Talking about older version of statute, but logic still applies. If commitment- 1y min applies, if jail or comcor- no min.))