

**HOUSE BILL 21-1309**

**CONCERNING MEASURES RELATED TO PERMITTING CONTINUING  
A CRIMINAL TRIAL BECAUSE OF THE COVID-19 PANDEMIC**



**Report Date:** May 31, 2022

**SUMMARY:**

Under existing law, a criminal defendant must be brought to trial within 6 months after the date of the entry of a plea of not guilty. However, there are circumstances that exclude a period of time when computing the time within which a defendant must be brought to trial. These exclusions extend the length of time within which the defendant must be brought to trial.

The act permits the court to exclude a period of delay caused by the COVID-19 pandemic, not to exceed 6 months if the defendant is not in custody for the case pending a jury trial or not to exceed 3 months if the defendant is in custody for the case pending a jury trial, if certain considerations are satisfied. The court may grant only one continuance due to a period of delay caused by the COVID-19 pandemic.

**REPORT INFORMATION:**

The Judicial Department shall collect the following data for each continuance granted:

- (I) The judicial district where the continuance was granted; and
- (II) The highest class offense charged in the defendant's case that was continued.

*Denver County Court is not included in this report.*

**Number of Jury Trials Continued  
Due to COVID-19 by Judicial District  
as of April 29, 2022**

<b>Judicial District</b>	<b>Number of Jury Trials Continued Due to COVID-19</b>
2	41
4	94
5	6
6	33
8	5
9	10
10	13
11	2
14	6
17	41
18	6
19	1
22	4
<b>Grand Total</b>	<b>262</b>

**Number of Jury Trials Continued due to COVID-19 as of April 29, 2022  
By the Highest Class Offense Charged in the Defendant's Case that was Continued**

Judicial District	Law Class																Grand Total	
	DF2	DF3	DF4	DM1	F1	F2	F3	F4	F5	F6	M	M1	M2	M3	T1	T2		TIA
2	3	1	0	0	1	4	9	10	11	2	0	0	0	0	0	0	0	41
4	0	0	1	1	1	0	2	16	8	4	31	22	4	2	1	1	0	94
5	0	0	0	0	0	0	1	0	0	0	0	3	1	0	0	1	0	6
6	0	0	0	0	0	0	1	5	2	0	11	10	3	0	0	1	0	33
8	0	0	0	0	0	0	0	1	1	0	1	1	0	0	0	0	1	5
9	0	0	0	0	0	0	1	4	1	0	2	2	0	0	0	0	0	10
10	0	0	0	0	0	3	3	3	2	0	2	0	0	0	0	0	0	13
11	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
14	0	0	0	0	0	0	0	2	3	0	0	0	0	1	0	0	0	6
17	0	0	0	0	0	0	3	0	2	1	14	15	1	3	1	1	0	41
18	0	0	0	0	0	0	1	3	1	0	0	1	0	0	0	0	0	6
19	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
22	0	0	0	0	0	0	0	0	0	0	0	1	1	2	0	0	0	4
<b>Grand Total</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>7</b>	<b>22</b>	<b>44</b>	<b>31</b>	<b>7</b>	<b>61</b>	<b>57</b>	<b>10</b>	<b>8</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>262</b>

**Number of Jury Trials Continued due to COVID-19 as of April 29, 2022  
By the Highest Class Offense Charged in the Defendant's Case that was Continued**

Judicial District	Law Class	Law Number	Law Description	Number of Cases	
2	DF2	18-18-405(1),(2)(b)(I)(A)	CONTROLLED SUB-POSS W/I-SCH 1/2 14-225G	1	
		18-18-405(1),(2)(b)(I)(B)	CONTROLLED SUB-POSS W/INT M/H/K/C 7-112G	1	
		18-18-406(2)(b)(I),(III)(B)	MARIJUANA-CONC-DIST: 5-50 LBS/2.5-25 LBS	1	
	DF3	18-18-405(1),(2)(c)(II)	CONTROLLED SUBS-DIST-MT/HR/KT/CT	1	
	F1	18-3-102(1)(a)	MURDER 1-AFTER DELIBERATION	1	
	F2	18-3-102(1)(a)	MURDER 1-AFTER DELIBERATION-ATT	2	
		18-3-102(1)(d)	MURDER 1-EXTREME INDIFFERENCE-ATT	1	
		18-3-302(1),(3)	KIDNAPPING 2-VIC-SEX OFFENSE &/OR ROBBERY	1	
	F3	18-3-202(1)(a)	ASSAULT 1-SBI W/ DEADLY WEAPON	3	
		18-3-402(1)(a),(4)	SEX ASSLT-SUBMIT-FORCE/THREAT/OTHER	1	
		18-3-405.3(1),(2)(a)	SEX ASSAULT/CHILD/POSTRUST-VICT UNDER 15	1	
		18-4-203(1),(2)(a)	BURGLARY 2-OF DWELLING	1	
		18-4-302(1)(b)	ROBBERY/AGG-MENACE VICTIM W/DEADLY WEAPN	1	
		18-8-208(2)	ESCAPE FROM FELONY CONVICTION NOT F1,2	1	
		18-8-706	WITNESS/VICTIM-RETALIATION AGAINST	1	
		F4	18-3-203(1)(b)	ASSAULT 2-CAUSE INJURY W/ DEADLY WEAPON	3
	18-3-203(1)(c)		ASSAULT 2-PEACE OFFICER	2	
	18-3-203(1)(g)		ASSAULT 2-CAUSE SERIOUS BODILY INJURY	3	
	18-3-402(1)(a)		SEX ASSAULT-OVERCOME VICTIM'S WILL	1	
	18-4-203(1)		BURGLARY 2-OF BUILDING	1	
	F5		18-3-203(1)(b)	ASSAULT 2-CAUSE INJ W/ DEADLY WEAP-ATT	1
		18-12-108(3),(4)(c)	WEAPON-POSS PREV JUV OFFEN-BURG/ARSON/FO	1	
		18-3-203(1)(b)	ASSAULT 2-CAUSE INJ W/ DEADLY WEAP-ATT	1	
		18-3-203(1)(i)	ASSAULT 2-STRANGULATION-ATT	1	
		18-3-206(1)(a)/(b)	FELONY MENACING-REAL/SIMULATED WEAPON	4	
		18-3-412.5(1),(2)	SEX OFF REG (FEL)-FAIL COMP. TITLE 16-2D	1	
		18-4-501(1),(4)(e)	CRIMINAL MISCHIEF-\$5000-\$20,000	1	
		18-6-801(7)	DOMESTIC VIOLENCE-HABITUAL OFFENDER	1	
		F6	18-12-108(1)	WEAPON-POSS/PREVIOUS OFFEND-ANY PRIOR FE	1
	18-4-501(1),(4)(d)		CRIMINAL MISCHIEF-\$1000-\$5000	1	
		DF4	18-18-403.5(1),(2)(a)	CONTROLLED SUB-POSS >4 G SCH 1/2	1
		DM1	18-18-403.5(1),(2)(c)	CONTROLLED SUB-POSS SCH I/II/III/IV/V	1
F1		18-3-102(1)(a)	MURDER 1-AFTER DELIBERATION	1	
F3		18-4-302(1)(b)	ROBBERY/AGG-WOUND/STRIKE W/WEAPON	1	

	18-4-302(1)(d)	ROBBERY-AGG-POSSESS REAL/SIMULATED WEAPN	1
<b>F4</b>	18-3-203(1)(b)	ASSAULT 2-CAUSE INJURY W/ DEADLY WEAPON	1
	18-3-203(1)(c)	ASSAULT 2-PEACE OFFICER	2
	18-3-203(1)(g)	ASSAULT 2-CAUSE SERIOUS BODILY INJURY	1
	18-3-203(1)(i)	ASSAULT 2-STRANGULATION	4
	18-3-207(1)(a),(b)(I)	EXTORTION-UNLAWFUL ACT	1
	18-3-304(1),(2.5)	VIOLATION OF CUSTODY-REMOVE FROM USA	1
	18-4-301(1)	ROBBERY	1
	18-4-409(2),(3)(a.5)	MOTOR VEHICLE THEFT/AGG 1 20K-100K	1
18-6-403(3)(b.5),(5)	SEX EXPLOIT CHILD-VIDEO/20+ ITEMS	1	
18-8-203(1)(a)	CONTRABAND-INTRODUCTION 1-INTRODUCE	1	
18-8-306	PUBLIC SERVANT-ATTEMPT TO INFLUENCE	1	
42-4-1601(1),(2)(b)	LEAVING SCENE/ACCIDENT INVOLVING SBI	1	
<b>F5</b>	18-12-108(1),(2)(C)	WEAPON-POSS/PREV OFFENDER-BURG/ARSON/FOR	1
	18-3-206(1)(a)/(b)	FELONY MENACING-REAL/SIMULATED WEAPON	4
	18-4-409(2),(3)(a)	MOTOR VEHICLE THEFT/AGG 1-LESS \$20K	1
18-4-409(4)(a)	MOTOR VEHICLE THEFT/AGG 2-OVER \$20,000	1	
18-6.5-103(5);18-4-401(1)	AT-RISK-THEFT-LESS THAN \$500	1	
<b>F6</b>	18-4-501(1),(4)(d)	CRIMINAL MISCHIEF-\$1000-\$5000	1
	18-8-610(1)(a)	TAMPERING W/ PHYSICAL EVIDENCE-DESTROY	1
18-9-202(1.5)(b)	CRUELTY TO ANIMALS-AGGRAVATED	1	
29-11.9-103(1);29-11.9-104(5)	PAWNBROKER-FALSE INFO BY SELLER	1	
<b>M</b>	18-3-412.6(1),(3)	SEX OFFENDER-FAIL TO VERIFY LOCATION	1
	42-2-138(1)(a)	DRIVING UNDER RESTRAINT	5
	42-2-138(1)(d)	DRIVING UNDER RESTRAINT-ALCOHOL-RELATED	2
42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE	21	
42-4-1301(1)(b)	DRIVING WHILE ABILITY IMPAIRED	2	
<b>M1</b>	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	9
	18-3-412.5(1)(a),(3)	SEX OFFENDER (MISD)-FAIL TO REGISTER	1
	18-4-401(1),(2)(e)	THEFT-\$750-\$2,000	1
	18-6.5-103(6)(a)	AT-RISK NEGLECT	1
	18-6-401(1)(a),(7)(a)(V)	CHILD ABUSE-KNOWING/RECKLESS-BODILY INJ	2
	18-6-803.5(1)(a)	VIOLATION P/O-CRIMINAL	2
18-9-202(1)(a)	CRUELTY/ANIMALS-NEGLECT/MISTREAT	2	
18-9-306.5	TELEPHONE-OBSTRUCT SERVICE	2	
42-2-206(1)(a)	DRIVING AFTER REVOCATION PROHIBITED (HTO	1	

		42-2-206(1)(b)	DRIVING W/REVOKED LICENSE-AGG	1
	<b>M2</b>	18-4-501(1),(4)(b)	CRIMINAL MISCHIEF-\$300-\$750	1
		18-6-401(1)(a),(7)(a)(VI)	CHILD ABUSE-NEGLIGENTLY CAUSE BODILY INJ	1
		18-6-401(1),(7)(b)(I)	CHILD ABUSE-KNOWINGLY/RECKLESS-NO INJURY	1
		18-6-803.5(1)(a)	VIOLATION P/O-CIVIL	1
		18-4-501(1),(4)(a)	CRIMINAL MISCHIEF-UNDER \$300	1
	<b>M3</b>	18-9-111(1)(a)	HARASSMENT-STRIKE/SHOVE/KICK	1
	<b>T1</b>	42-4-1409(3)	FAILURE TO DISPLAY PROOF OF INSURANCE	1
	<b>T2</b>	42-4-1402(1),(2)(a)	CARELESS DRIVING	1

5	<b>F3</b>	18-3-402(1)(h)	SEX ASSAULT-VICTIM HELPLESS	1
	<b>M1</b>	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	1
		18-9-306.5	TELEPHONE-OBSTRUCT SERVICE	1
		42-2-206(1)(a)	DRIVING AFTER REVOCATION PROHIBITED (HTO	1
	<b>M2</b>	18-8-104(1)(a)	OBSTRUCTING A PEACE OFFICER	1
	<b>T2</b>	42-4-1402(1),(2)(a)	CARELESS DRIVING	1

6	<b>F3</b>	18-3-405(1),(2)(d)	SEX ASSAULT/CHILD-PATTERN OF ABUSE	1
	<b>F4</b>	18-3-203(1)(i)	ASSAULT 2-STRANGULATION	2
		18-4-203(1)	BURGLARY 2-OF BUILDING	1
		18-8-706	WITNESS/VICTIM-RETALIATION AGAINST-ATT	1
		42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE-W/ 3+PRIORS	1
	<b>F5</b>	18-3-206(1)(a)/(b)	FELONY MENACING-REAL/SIMULATED WEAPON	1
		18-4-409(2),(3)(a)	MOTOR VEHICLE THEFT/AGG 1-LESS \$20K	1
	<b>M</b>	42-2-138(1)(a)	DRIVING UNDER RESTRAINT	1
		42-2-138(1)(d)	DRIVING UNDER RESTRAINT-ALCOHOL-RELATED	1
		42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE	6
		42-4-1301(1)(b)	DRIVING WHILE ABILITY IMPAIRED	3
	<b>M1</b>	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	5
		18-3-404(1)(a)	SEXUAL CONTACT-NO CONSENT	1
		18-6-803.5(1)(a)	VIOLATION P/O-CRIMINAL	2
		18-9-111(1)(h),(2)	HARASSMENT-INSULTS/TAUNTS-ETHNIC INTIMID	1
		18-9-202(1.5)(a)	CRUELTY/ANIMALS-NON-AGG TORT/MUTIL/KILL	1
	<b>M2</b>	18-12-106(1)(a)	WEAPON-PROHIBITED USE-AIM FIREARM	1
		18-6-803.5(1)(a)	VIOLATION P/O-CIVIL	1
		18-8-104(1)(a)	OBSTRUCTING A PEACE OFFICER	1
	<b>T2</b>	42-4-1413	ELUDING A POLICE OFFICER	1

	<b>F4</b>	18-4-203(1)	BURGLARY 2-OF BUILDING	1
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8	F5	18-12-107.5	FIREARM-ILLEGAL DISCHARGE	1
	M	42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE	1
	M1	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	1
	TIA	42-2-101(1)	DRIVER'S LICENSE-DRIVING W/OUT	1
9	F3	18-4-203(1),(2)(a)	BURGLARY 2-OF DWELLING	1
	F4	18-3-203(1)(c)	ASSAULT 2-PEACE OFFICER	1
		42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE-W/ 3+PRIORS	3
	F5	18-4-502	TRESPASS 1-DWELLING	1
	M	42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE	1
		42-4-1301(1)(b)	DRIVING WHILE ABILITY IMPAIRED	1
	M1	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	2
	10	F2	18-17-104(3)	COCCA-PATTERN OF RACKETEERING
18-3-102(1)(a)			MURDER 1-AFTER DELIBERATION-ATT	2
F3		18-4-202(1)	BURGLARY 1-ASSAULT/MENACE	1
		18-4-203(1),(2)(a)	BURGLARY 2-OF DWELLING	1
		18-4-302(1)(d)	ROBBERY-AGG-POSSESS REAL/SIMULATED WEAPN	1
F4		18-3-203(1)(g)	ASSAULT 2-CAUSE SERIOUS BODILY INJURY	1
		18-3-203(1)(i)	ASSAULT 2-STRANGULATION	1
		18-4-401(1),(2)(h)	THEFT-\$20,000-\$100,000	1
F5		18-12-107.5	FIREARM-ILLEGAL DISCHARGE	1
		18-3-203(1)(i)	ASSAULT 2-STRANGULATION-ATT	1
M		42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE	1
		42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE	1
11		M1	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY
	18-7-302(1)(a)		INDECENT EXPOSURE-EXPOSE GENITALS	1
14	F4	18-3-203(1)(i)	ASSAULT 2-STRANGULATION	1
		18-3-602(1)(c),(5)	STALKING-EMOTIONAL DISTRESS-PROT ORDER	1
	F5	18-3-206(1)(a)/(b)	FELONY MENACING-REAL/SIMULATED WEAPON	2
		18-5-102(1)(d)	FORGERY-PUBLIC RECORD/FILED W/PUBLIC OFF	1
	M3	18-9-111(1)(e)	HARASSMENT-TELEPHONE-THREAT/OBSCENE	1
	F3	18-3-202(1)(a)	ASSAULT 1-SBI W/ DEADLY WEAPON	1
		18-3-402(1)(h)	SEX ASSAULT-VICTIM HELPLESS	1
		18-6.5-103(4)	AT-RISK PERSON: ROBBERY	1
	F5	18-4-409(4)(a)	MOTOR VEHICLE THEFT/AGG 2-OVER \$20,000	1
		18-9-116.5	VEHICULAR ELUDING	1
	F6	18-4-501(1),(4)(d)	CRIMINAL MISCHIEF-\$1000-\$5000	1



17	M	42-2-138(1)(a)	DRIVING UNDER RESTRAINT	2
		42-4-1301(1)(a)	DRIVING UNDER THE INFLUENCE	10
		42-4-1301(1)(a);42-4-1307(6)	DRIVING UNDER THE INFLUENCE -W/2+ PRIORS	1
		42-4-1301(1)(b)	DRIVING WHILE ABILITY IMPAIRED	1
	M1	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	10
		18-4-401(1),(2)(e)	THEFT-\$750-\$2,000	1
		18-6-803.5(1)(a)	VIOLATION P/O-CRIMINAL	2
		18-7-302(1)(a)	INDECENT EXPOSURE-EXPOSE GENITALS	2
	M2	18-6-803.5(1)(a)	VIOLATION P/O-CIVIL	1
	M3	18-4-501(1),(4)(a)	CRIMINAL MISCHIEF-UNDER \$300	1
		18-9-111(1)(a)	HARASSMENT-STRIKE/SHOVE/KICK	1
		18-9-111(1)(e)	HARASSMENT	1
	T1	42-4-1402(1),(2)(b)	CARELESS DRIVING RESULTING IN INJURY	1
T2	42-4-1602	LEAVING SCENE/ACCIDENT-DAMAGE ONLY	1	
18	F3	18-6.5-103(5);18-4-401(1)	AT-RISK-THEFT-\$500/MORE	1
	F4	18-3-203(1)(b)	ASSAULT 2-CAUSE INJURY W/ DEADLY WEAPON	1
		18-3-203(1)(g)	ASSAULT 2-CAUSE SERIOUS BODILY INJURY	1
		18-4-301(1)	ROBBERY	1
	F5	18-3-206(1)(a)/(b)	FELONY MENACING-REAL/SIMULATED WEAPON	1
	M1	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	1
19	F3	18-3-202(1)(g)	ASSAULT 1-STRANGULATION	1
22	M1	18-3-204(1)(a)	ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	1
	M2	18-6-803.5(1)(a)	VIOLATION P/O-CIVIL	1
	M3	18-3-208	RECKLESS ENDANGERMENT	2
<b>Grand Total</b>				262