

SUPREME COURT OF COLORADO

People v. M.B.

90 P.3d 880 (Colo. 2004) · No. Nos. 04SA37, 04SA38, 04SA39, 04SA40, 04SA41 · Decided May 24, 2004

SUMMARY

The Colorado Supreme Court held that Colorado Revised Statutes section 18-8-210.1 does not violate article XVIII, section 4 of the Colorado Constitution. The statute permissibly authorizes felony escape charges against certain adjudicated juvenile delinquents without redefining juvenile adjudications as felony convictions.

CASE DETAILS

COURT	Supreme Court of Colorado
WRITING FOR THE COURT	Justice Bender
JURISDICTION	Colorado
DECIDED	May 24, 2004
DOCKET	Nos. 04SA37, 04SA38, 04SA39, 04SA40, 04SA41
DISPOSITION	writ_granted
PROCEDURAL POSTURE	The Colorado Supreme Court issued a rule to show cause in five consolidated juvenile felony-escape cases after the trial court declared section 18-8-210.1 facially unconstitutional and unconstitutional as applied.
STANDARD OF REVIEW	Statutes are presumed constitutional, and the party challenging a statute must prove its unconstitutionality beyond a reasonable doubt. A statute is facially unconstitutional only if no conceivable set of circumstances exists under which it may be applied constitutionally; courts must adopt a constitutional construction when one is available.
PRECEDENTIAL VALUE	Published en banc opinion of the Supreme Court of Colorado; precedential.
PARTIES	The People of the State of Colorado v. M.B., Tyler Dwayne Edmunds, R.P., N.A.P., T.R.

TOPICS

- statutory interpretation
- constitutional law
- criminal procedure

PRACTICE AREAS

criminal law

juvenile justice

constitutional law

statutory interpretation

QUESTIONS PRESENTED

1. Whether section 18-8-210.1 violates article XVIII, section 4 of the Colorado Constitution on its face by allowing certain adjudicated juvenile delinquents to be charged with felony escape.
2. Whether section 18-8-210.1 is unconstitutional as applied to these juvenile defendants because it allegedly expands or redefines the constitutional meaning of felony.

HOLDINGS

1. Section 18-8-210.1 is not facially unconstitutional under article XVIII, section 4 of the Colorado Constitution because it does not redefine felony or convert a juvenile adjudication into a felony conviction; it merely authorizes felony escape charges for a specified class of juvenile offenders.
2. Section 18-8-210.1 is not unconstitutional as applied to the five defendants because applying it to authorize felony escape charges does not impermissibly modify the constitutional definition of felony.

KEY QUOTATIONS

“However, section 18-8-210.1 does not re-classify adjudicated delinquents as felons. Rather, it authorizes the People to bring felony escape charges against a sub-set of juvenile offenders who committed acts which, if committed by an adult, would be a felony.” (90 P.3d at 882)

“Hence, we conclude that section 18-8-210.1 does not conflict with article XVIII, section 4, because the statute's sole effect is to criminalize certain behavior (escape) when it is committed by an adjudicated juvenile delinquent who is confined because she committed an offense that would be a felony if committed by an adult.” (90 P.3d at 882)

FACTUAL BACKGROUND

All five defendants had been adjudicated juvenile delinquents for offenses that would have been felonies if committed by adults. They later fled from the Oasis youth correction facility, the Weld County Jail work release program, or other detention facilities. The People charged them with felony escape under section 18-8-208(2), relying on section 18-8-210.1 because each juvenile had been detained for conduct that would constitute a felony if committed by an adult.

PROCEDURAL HISTORY

Each defendant had been adjudicated a juvenile delinquent for an offense that would have been a felony if committed by an adult and was later charged with felony escape under section 18-8-208(2). Defendant M.B. challenged section 18-8-210.1, which permits certain felony charges against juveniles, and the trial court granted the motion, ruling that the statute impermissibly modified the constitutional definition of felony. The Supreme Court granted a rule to show cause and made it absolute in all five cases.

DISPOSITION

writ_granted

CASES CITED

- People v. Vasquez, 84 P.3d 1019, 1021-22 (Colo. 2004)
- Woldt v. People, 64 P.3d 256, 266 (Colo. 2003)
- People v. Lowrie, 761 P.2d 778, 782 (Colo. 1988)
- Gorman v. People, 19 P.3d 662, 665 (Colo. 2000)
- Copeland v. People, 2 P.3d 1283, 1286 (Colo. 2000)
- People v. Low, 732 P.2d 622 (Colo. 1987)
- People v. Childs, 199 Colo. 436, 610 P.2d 101 (Colo. 1980)

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