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ADVANCE SHEET HEADNOTE
June 1, 2026

2026 CO 39

No. 26SA25, *People v. Lawrence* – Statutory Interpretation – Equal Protection – Transfer of Custody when Defendant Turns Eighteen.

In this C.A.R. 21 proceeding, the defendant, who was charged as an adult for crimes committed when he was a minor and who was initially held in the custody of the Division of Youth Services (“DYS”), asserts that the district court unlawfully and unconstitutionally ordered that he be transferred from DYS custody to a county jail when he turned eighteen years old.

The supreme court concludes that, under the plain and unambiguous language of section 19-2.5-305(4)(g), C.R.S. (2025), of the Children’s Code, the defendant was properly transferred from DYS custody to the county jail when he turned eighteen. The court further concludes that the defendant’s right to equal protection of the laws was not violated by the transfer because, contrary to his assertions, he was not similarly situated to another defendant who was allowed to remain in DYS custody.

Accordingly, the court discharges its order to show cause and remands this case to the district court for further proceedings consistent with this opinion.

The Supreme Court of the State of Colorado
2 East 14th Avenue • Denver, Colorado 80203

2026 CO 39

Supreme Court Case No. 26SA25
Original Proceeding Pursuant to C.A.R. 21
La Plata County District Court Case No. 24CR372
Honorable Kim S. Shropshire, Judge

In Re
Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Issac James Lawrence.

Order Discharged

en banc

June 1, 2026

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JUSTICE GABRIEL delivered the Opinion of the Court, in which **CHIEF JUSTICE MÁRQUEZ, JUSTICE BOATRIGHT, JUSTICE HOOD, JUSTICE SAMOUR, JUSTICE BERKENKOTTER,** and **JUSTICE BLANCO** joined.

JUSTICE GABRIEL delivered the Opinion of the Court.

¶1 In this C.A.R. 21 proceeding, Issac James Lawrence, who was charged as an adult for crimes committed when he was a minor and who was initially held in the custody of the Division of Youth Services (“DYS”), asserts that the district court unlawfully and unconstitutionally ordered that he be transferred from DYS custody to a county jail when he turned eighteen years old.

¶2 We now conclude that, under the plain and unambiguous language of section 19-2.5-305(4)(g), C.R.S. (2025), of the Children’s Code, Lawrence was properly transferred from DYS custody to the county jail when he turned eighteen. We further conclude that Lawrence’s right to equal protection of the laws was not violated by the transfer because, contrary to his assertions, he was not similarly situated to another defendant who was allowed to remain in DYS custody.

¶3 Accordingly, we discharge our order to show cause, and we remand this case to the district court for further proceedings consistent with this opinion.

I. Facts and Procedural History

¶4 When Lawrence was a minor, he was arrested and charged by direct filing in district court with (1) first degree murder, (2) attempted first degree murder, (3) first degree assault, (4) second degree motor vehicle theft, (5) reckless driving, and (6) duty upon striking an unattended vehicle (i.e., leaving the scene of an

accident). At the time of his arrest, Lawrence was not serving a sentence in any other juvenile case, and he had no other juvenile cases pending.

¶5 Over one year later, and while his case was pending, Lawrence turned eighteen years old. On the evening of his eighteenth birthday, deputies from the La Plata County Sheriff's Office transported him from the DYS facility in which he was being held to the La Plata County Jail. The following day, Lawrence filed an objection to that confinement, asserting that his transfer was done without a motion having been filed by the People or an order entered by the district court. According to Lawrence, he had been thriving in the DYS facility but was now facing an environment in the county jail that was dramatically different and would cause him to suffer potential harm that was real and significant.

¶6 Lawrence further argued that the district court had discretion under section 19-2.5-305(4)(g) to keep him in DYS custody despite the statutory language providing, in pertinent part, that an adult who is being detained for a crime over which the juvenile court has jurisdiction or for whom charges are pending in district court pursuant to a direct filing or transfer "must be detained in the county jail." According to Lawrence, (1) section 19-2.5-1118(1), C.R.S. (2025), allows for commitment to DYS until the age of twenty-one; (2) section 19-2.5-101, C.R.S. (2025), emphasizes liberal construction of the Children's Code to protect the best

interests of a child; and (3) section 19-2.5-801(4)(a), C.R.S. (2025), allows a juvenile charged as an adult to seek transfer of the case to the juvenile court.

¶7 Lastly, Lawrence contended that his placement in the county jail violates his right to equal protection because he is now subject to harsher conditions of confinement than a similarly situated defendant who was serving a sentence for unrelated acts in a juvenile case when he was charged by direct file in district court with other crimes but who was not transferred to the county jail when he turned eighteen. According to Lawrence, because he, unlike the other defendant, did not have a prior juvenile record unrelated to the current charges, he should not have been treated more harshly than the other defendant, who was permitted to remain in DYS custody.

¶8 The following day, the People filed a motion to transfer Lawrence to the La Plata County Jail, arguing that section 19-2.5-305(4)(g) mandates that he be so transferred and affords a district court no discretion to order otherwise. The People further contended that the transfer did not violate equal protection principles.

¶9 The district court conducted a hearing on the People's motion and then granted that motion. In the court's view, section 19-2.5-305(4)(g) mandated Lawrence's transfer and provided no grounds to allow the court to rule differently. The court thus ordered that Lawrence be transferred to the county jail as the

statute requires. The court, however, expressed discomfort with this result, noting that it wished it could come to a different conclusion and that it would welcome a different opinion from a higher court on this issue.

¶10 Lawrence then sought relief in this court pursuant to C.A.R. 21, and we issued an order to show cause.

II. Analysis

¶11 We begin by discussing our jurisdiction under C.A.R. 21 and the applicable standard of review and principles of statutory construction. Next, we address the pertinent statutes and Lawrence’s claims thereunder. Finally, we consider Lawrence’s equal protection argument.

A. Original Jurisdiction

¶12 The exercise of our original jurisdiction under C.A.R. 21 is a matter within our sole discretion. *People v. Tafoya*, 2019 CO 13, ¶ 13, 434 P.3d 1193, 1195. An original proceeding under C.A.R. 21 is an extraordinary remedy that is limited in its purpose and availability. *Id.* We have exercised our jurisdiction under C.A.R. 21 to address a district court’s abuse of discretion or ruling in excess of its jurisdiction when no other adequate appellate remedy exists. *People v. Jones*, 2015 CO 20, ¶ 6, 346 P.3d 44, 46. We have also exercised our discretion under C.A.R. 21 to hear matters that present issues of significant public importance that we have not previously considered. *Tafoya*, ¶ 13, 434 P.3d at 1195.

¶13 Here, the district court’s order raises a question as to what, if any, discretion courts have in applying section 19-2.5-305(4)(g). This is a substantial question because, as Lawrence has argued, other provisions of the Children’s Code reflect a legislative intent to give courts some leeway in dealing with juvenile offenders, thus tending to undermine a rigid reading of section 19-2.5-305(4)(g). In addition, the question presented raises an issue that we have not previously addressed and is of significant public importance considering its constitutional implications and application to juveniles turning eighteen years old across the state. Indeed, as noted above, although the district court ruled against Lawrence on the issue presented, the court expressed discomfort with the result that it reached and invited a higher court’s opinion on this subject.

¶14 Accordingly, we deem it appropriate to exercise our discretion under C.A.R. 21 to consider this matter.

B. Standard of Review and Principles of Statutory Construction

¶15 We review questions of statutory interpretation de novo. *People in Int. of B.C.B.*, 2025 CO 28, ¶ 24, 569 P.3d 74, 79. When interpreting a statute, we seek to discern and effectuate the legislature’s intent. *Id.* In doing this, we apply words and phrases in accordance with their plain and ordinary meanings, and we consider the entire statutory scheme in order to give consistent, harmonious, and sensible effect to all of its parts. *Id.* Moreover, we must avoid interpretations that

would render any statutory words or phrases superfluous or that would lead to illogical or absurd results. *Id.*

¶16 In interpreting a statute, we respect the legislature’s choice of language. *Id.* at ¶ 25, 569 P.3d at 79. Accordingly, we may not add words to a statute or subtract words from it. *Id.*

¶17 If the statutory language is unambiguous, then we will apply it as written and need not resort to other rules of statutory construction. *Id.* at ¶ 26, 569 P.3d at 79.

C. Section 19-2.5-305(4)(g)

¶18 Section 19-2.5-305(4)(g) provides:

A person who is eighteen years of age or older who is being detained for a delinquent act or criminal charge over which the juvenile court has jurisdiction, or for which charges are pending in district court pursuant to a direct filing or transfer if the person has not already been transferred to the county jail pursuant to subsection (3)(c)(IV) of this section, must be detained in the county jail in the same manner as if such person is charged as an adult.

¶19 Here, when Lawrence turned eighteen, he indisputably was a person who was eighteen years of age or older and was being detained on charges pending in the district court pursuant to a direct filing. Accordingly, under the statute’s plain language, he “*must* be detained in the county jail” in the same manner as if he had been charged as an adult. *Id.* (emphasis added). “Must” means, in pertinent part, “is required by law, custom, or moral conscience to.” *Must*, Webster’s Third New

International Dictionary (2002). Accordingly, as the district court found, the statute afforded it no discretion, and Lawrence was required to be detained in the county jail.

¶20 We are not persuaded otherwise by the contrary arguments that Lawrence has presented in his petition to us.

¶21 First, Lawrence asserts that the legislature intended that the Children's Code, of which section 19-2.5-305(4)(g) is a part, be "liberally construed to serve the welfare of children and the best interests of society." § 19-1-102(2), C.R.S. (2025). Although the legislative declaration to the Children's Code does express such an intent, that general expression of legislative purpose does not allow us to disregard the mandatory language that the legislature employed when it enacted section 19-2.5-305(4)(g).

¶22 Second, Lawrence contends that because the Children's Code contains multiple provisions reflecting the legislature's recognition that young adults do not suddenly become fully assimilated into the adult criminal justice system at eighteen years of age, he should be returned to DYS custody. Again, however, we may not disregard section 19-2.5-305(4)(g)'s plain and unambiguous language in favor of general principles found elsewhere in the Children's Code.

¶23 Third, Lawrence asserts that section 19-2.5-1117(1)(a), C.R.S. (2025), and section 19-2.5-1118(1) authorize courts to continue DYS custody of young adults

beyond age eighteen. Section 19-2.5-1117(1)(a) provides, in pertinent part, that a court “may commit a juvenile to the department of human services for a determinate period of up to two years if the juvenile is adjudicated for an offense that would constitute a felony or a misdemeanor if committed by an adult.” Section 19-2.5-1118(1), in turn, states, in pertinent part, that a court “may commit a person eighteen years of age or older but less than twenty-one years of age to the department of human services if the person is adjudicated a juvenile delinquent for an act committed prior to the person’s eighteenth birthday or upon revocation of probation.” In the instant case, however, Lawrence has not been adjudicated a juvenile delinquent. Indeed, because charges were direct filed against him in the district court, he has never faced charges in the juvenile court. Accordingly, by their very terms, neither section 19-2.5-1117(1)(a) nor section 19-2.5-1118(1) applies in this case.

¶24 Fourth, Lawrence argues that section 19-2.5-103(6), C.R.S. (2025), preserves jurisdiction in juvenile court over young persons past eighteen years of age. That section provides:

The juvenile court may retain jurisdiction over a juvenile until all orders have been fully complied with by such person, or any pending cases have been completed, or the statute of limitations applicable to any offense that may be charged has run, regardless of whether such person has attained the age of eighteen years, and regardless of the age of such person.

Id.

¶25 Again, however, Lawrence was never subject to the jurisdiction of the juvenile court in this case because the charges were direct filed against him in district court. Specifically, article VI, section 9 of the Colorado Constitution declares district courts to be courts of general jurisdiction. *People v. Juv. Ct.*, 915 P.2d 1274, 1276 (Colo. 1996). As such, district courts generally have authority over criminal and juvenile matters. *Flakes v. People*, 153 P.3d 427, 436 (Colo. 2007). In contrast, juvenile courts have only limited jurisdiction as established by the legislature. *Juv. Ct.*, 915 P.2d at 1277. Accordingly, a juvenile court has no jurisdiction to order a juvenile to be placed in the custody of the Department of Human Services when a district court orders that the juvenile be held in the county jail pending trial on charges filed against the juvenile as an adult. *Id.* at 1275; *see also People v. Sandoval*, 2016 COA 57, ¶ 53, 383 P.3d 92, 102 (“Because direct file cases charge crimes, as opposed to delinquent acts, the enumerated crimes constitute a class or type of criminal cases and thus fall within the district courts’ subject matter jurisdiction.”). As a result, the district court is the only court that has had jurisdiction over the charges at issue, and section 19-2.5-103(6), which addresses when a juvenile court may *retain* jurisdiction over a juvenile, does not apply.

¶26 Finally, Lawrence argues that section 19-2.5-801(4) allows a juvenile charged as an adult to seek to transfer the case to juvenile court. As Lawrence contends,

section 19-2.5-801(4)(a) provides, in pertinent part, “After a juvenile case has been charged by direct filing of information or by an indictment in district court, the juvenile may file in district court a motion to transfer the case to juvenile court.” Upon the filing of such a motion, the district court then determines whether to transfer the case to juvenile court, based on the factors set forth in section 19-2.5-801(4)(b). The question of this type of reverse transfer, however, is not before us. Nor has Lawrence explained why the potential availability of a reverse transfer petition should inform our interpretation of section 19-2.5-305(4)(g).

¶27 For these reasons, we conclude that, under section 19-2.5-305(4)(g)’s plain and unambiguous language, Lawrence was properly transferred to the county jail when he turned eighteen years old. Any arguments as to the perceived harshness of the result of applying the statute’s express language are better made to our General Assembly.

D. Equal Protection Challenge

¶28 Lawrence next contends that the district court violated his right to equal protection by treating him differently from an allegedly similarly situated criminal defendant named Hevon Martinez. Assuming without deciding that Lawrence properly preserved this issue, we are not persuaded.

¶29 The Equal Protection Clause of the Fourteenth Amendment provides that no state shall “deny to any person within its jurisdiction the equal protection of

the laws.” U.S. Const. amend. XIV, § 1. Although the Colorado Constitution does not contain an equal protection clause, we have construed our constitution’s due process clause, Colo. Const. art. II, § 25, to imply a similar guarantee. *Dean v. People*, 2016 CO 14, ¶ 11, 366 P.3d 593, 596. “Equal protection of the laws assures the like treatment of all persons who are similarly situated.” *Id.*

¶30 When a party raises an equal protection challenge regarding a statute, the level of judicial scrutiny varies according to the type of classification used and the nature of the right affected. *People v. Diaz*, 2015 CO 28, ¶ 25, 347 P.3d 621, 626–27. When, as here, the challenged law does not impact a traditionally suspect class or implicate a fundamental right, we apply rational basis review. *Dean*, ¶ 12, 366 P.3d at 597. Under this standard, the party challenging a statute’s constitutionality “must prove beyond a reasonable doubt that the classification bears no rational relationship to a legitimate legislative purpose or government objective, or that the classification is unreasonable, arbitrary, or capricious.” *Diaz*, ¶ 25, 347 P.3d at 627. Simply because a statutory classification creates a harsh result in one instance, however, does not mean that the statute fails to satisfy the rational basis standard. *Id.*

¶31 In light of the foregoing principles, the threshold question in the equal protection challenge before us is whether the classes allegedly created by the statute at issue are similarly situated. *See People v. Young*, 859 P.2d 814, 816 (Colo.

1993). To establish an equal protection violation, “the classification must ‘arbitrarily single out a group of persons for disparate treatment,’ without singling out others who are similarly situated.” *People v. Hernandez*, 2021 CO 45, ¶ 38, 488 P.3d 1055, 1064 (quoting *Indus. Claim Appeals Off. v. Romero*, 912 P.2d 62, 66 (Colo. 1996)). An equal protection challenge will generally fail if persons alleging disparate treatment are not similarly situated. *People v. Black*, 915 P.2d 1257, 1260 (Colo. 1996).

¶32 Here, notwithstanding Lawrence’s assertion to the contrary, he and Martinez were not similarly situated.

¶33 When Martinez was seventeen years old, he was adjudicated delinquent in a juvenile proceeding in Montezuma County, No. 24JD54. Five days later, he was charged by direct file with first degree murder in Archuleta County District Court, No. 24CR103. And a few weeks after that, he was committed to a DYS facility for eighteen months in his juvenile case.

¶34 Approximately one month after his DYS commitment, Martinez was charged in another direct file case in Archuleta County District Court, No. 25CR16, with second degree assault causing serious bodily injury. Martinez thereafter turned eighteen, and the People filed a motion to transfer him to county jail.

¶35 The district court, however, denied that motion. The court began its analysis by noting that section 19-2.5-305(4)(g) did not address a scenario like that before

it, where a defendant who had been sentenced on a juvenile offense was simultaneously awaiting trial as an adult for a charged felony. After noting what it perceived to be a dearth of applicable case law in this area, the court relied on (1) section 19-2.5-1118(1), which allows a person adjudicated a juvenile delinquent to be committed to the DYS until the age of twenty-one; (2) the General Assembly's intent, as stated in section 19-2.5-101(1)(a), to protect, restore, and improve public safety through a system of juvenile justice; and (3) the purposes of the Children's Code to determine that it had discretion to permit Martinez to remain in DYS custody. Then exercising that discretion, the court concluded that because (1) there was no indication that Martinez posed a risk to the safety of others; (2) his DYS sentence was for eighteen months; and (3) there was an unresolved reverse transfer motion pending before it, it was not in Martinez's best interest for him to be transferred to the county jail merely because he had turned eighteen.

¶36 Without opining on whether the district court correctly applied the law in Martinez's case, we note that that case is distinguishable from the case before us. As noted above, Martinez was serving a juvenile sentence in DYS custody at the time he turned eighteen and the People moved to transfer him to the county jail based on a separate direct-filed case. In contrast, Lawrence was not serving a separate juvenile sentence when he turned eighteen and was transferred to the county jail. As a result, section 19-2.5-1118(1), which arguably applied in

Martinez's case, does not apply here, and the two men were not similarly situated for purposes of establishing an equal protection violation.

¶37 Accordingly, Lawrence's equal protection challenge fails at its initial step.

III. Conclusion

¶38 For these reasons, we conclude that, under the plain and unambiguous language of section 19-2.5-305(4)(g), Lawrence was properly transferred from DYS custody to the county jail when he turned eighteen years old. We further conclude that Lawrence's right to equal protection was not violated by the transfer because, contrary to his assertions, he was not similarly situated to another defendant who was allowed to remain in DYS custody.

¶39 Accordingly, we discharge our order to show cause, and we remand this case to the district court for further proceedings consistent with this opinion.