



# **Overview:**

# **CY 2015 C.L.E.A.R. Act Report**

**Community Law Enforcement Action Reporting Act  
Pursuant to Senate Bill 2015-185**

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Colorado Commission on Criminal and Juvenile Justice  
March 10, 2017



## Presentation outline

- Background CLEAR Act
- Findings: race/ethnicity
  - Adult district court (violent offenses)
  - Juvenile district court
- Data dashboard demonstration
- Suggestions for reform from
  - President's Task Force on 21<sup>st</sup> Century Policing
  - Brennan Center for Justice



## Background

In 2015, the General Assembly passed Senate Bill 185, the **Community Law Enforcement Action Reporting** Act, or the CLEAR Act, mandating that the Division of Criminal Justice (DCJ) annually analyze and report data from:

- law enforcement agencies
- the Judicial Department
- the adult parole board

**to reflect decisions made at multiple points in the justice system process.**

The CLEAR Act requires that the data be analyzed by race/ethnicity and gender.

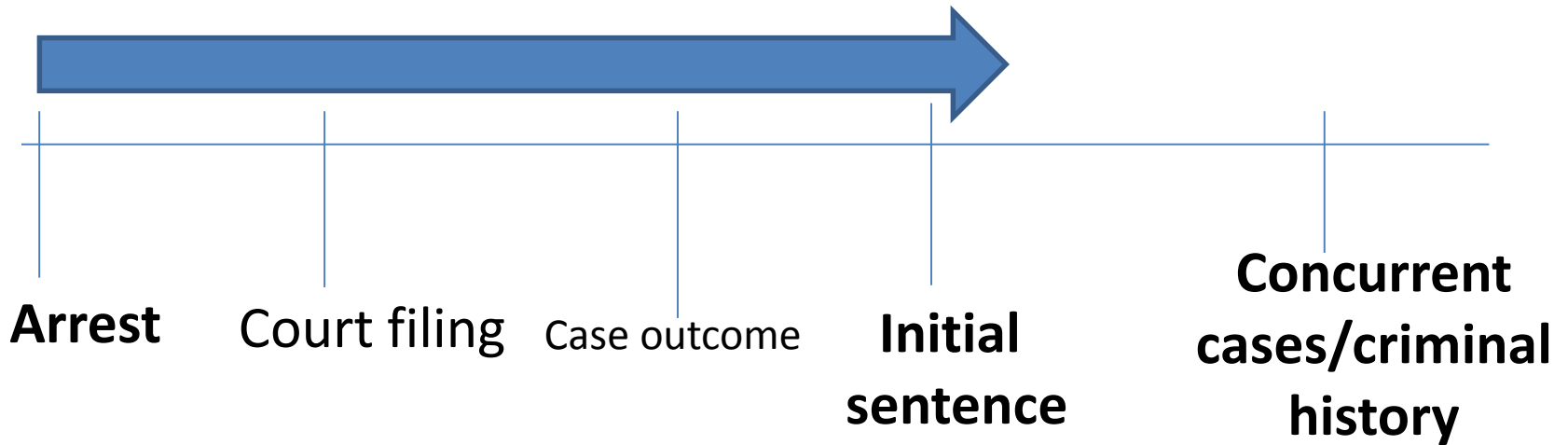
Links to the Full report and interactive Dashboard may be found at:

[colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185)

**This presentation reflects information for calendar year 2015.**



# Colorado Commission on Criminal & Juvenile Justice





## 2015 ARREST DATA

The arrest data were reduced to 17 categories of offenses (from more than 40; see Appendix A) that can be viewed on the interactive data dashboard and, for the summary report, further collapsed into four categories of

**Drugs**  
**Other**  
**Property**  
**Violent**

Arrests can contain multiple charges. The arrest charge presented here represents the most serious charge on the arrest as selected by the law enforcement officer.



## 2015 COURT DATA

The most serious filing or conviction charge was collapsed into 24 offense categories from more than 1500 criminal statutes.

These were further collapsed into four categories for the summary report

**Drug**  
**Other**  
**Property**  
**Violent**

Note that all offense categories include attempts, solicitations, and conspiracies.





## Race/ethnicity of Colorado population, 2015

Race/ethnicity	Adult %	Juvenile %	Total %
Black	3.9	5.0	4.2
Hispanic	19.1	32.4	22.2
Other	4.4	5.0	4.5
White	72.6	57.6	69.1
Total	100.0%	100.0%	100.0%

Data Source: Colorado Department of Local Affairs, Office of the State Demographer.



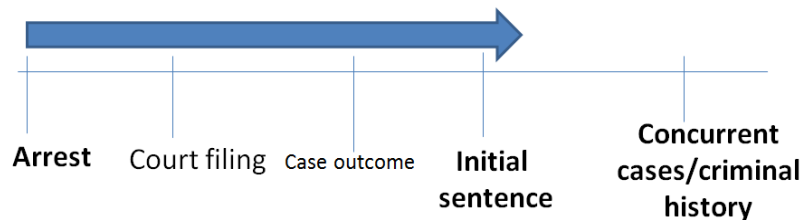


## Arrest/summons by race/ethnicity 2015

Race/ethnicity	%	N
Black	12.4%	27,567
Hispanic	23.3%	51,904
Other	2.6%	5,723
White	61.8%	137,896
Total	100.0%	223,090

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

- Blacks represented 4.2% of the state population in 2015, but accounted for 12.4% of arrests/summons
  - More likely to be arrested for robbery, agg assault, and homicide





## 2015 COURT DATA

*The Judicial Department systematically collects information on race but not ethnicity.*

*This means that many Hispanic defendants are classified as White, and the Hispanic classification underrepresents the number of Hispanics involved in court cases.*

*Consequently, the race/ethnicity designation for all the court decision points must be interpreted with caution.*

## Court of case filing, by most serious filing charge

Court	%	N
<b>County*</b>	53%	55,819
Drugs	4%	2,509
Other	31%	17,430
Property	19%	10,613
Violent	45%	25,267
<b>Adult District</b>	39%	41,191
Drugs	24%	9,850
Other	22%	9,227
Property	32%	13,036
Violent	22%	9,078
<b>Juvenile</b>	8%	8,146
Drugs	7%	564
Other	18%	1,434
Property	43%	3,499
Violent	33%	2,649
<b>Total</b>	100%	105,156

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice.

**Note these figures represent cases, not individuals.**

**\*Excludes Denver County Court cases.**



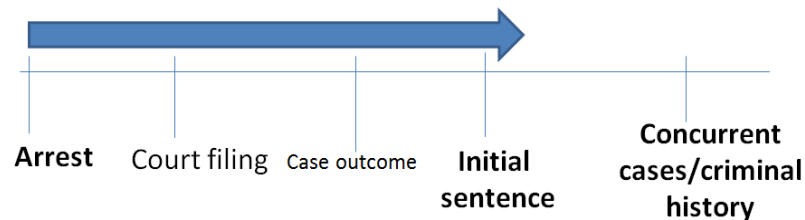
# Overall court filings by race/ethnicity, 2015

(County, district, juvenile courts combined)

Race/ethnicity	%	N
<b>Black</b>	<b>10.5%</b>	<b>10,046</b>
Hispanic	6.1%	6,398
Other	2.9%	3,100
White	81.5%	85,612
<b>Total</b>	<b>101%</b>	<b>105,156</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

- Blacks represented 4.2% of the state population in 2015
- In juvenile court, Blacks represented 16% of cases filed, compared to 5% of Black juveniles in the population

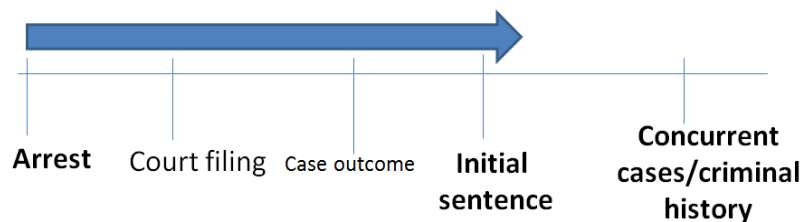




Regarding **case outcome**.....

- All charges dismissed
- All charges not guilty/acquitted
- Convicted as charged
- Convicted of other crime
- Dismissed/not guilty
- Not yet resolved

...there were few differences across race/ethnicity across the three court types



# Adult/District Court/All Offenses

**Initial Sentence** for Adult District Court, by race/ethnicity\* (N=31,981)

Initial Sentence	Black (n= )	Hispanic (n= )	Other (n= )	White (n= )
	%	%	%	%
Community Corrections				
Community Service				
Credit for Time Served				
<b>Deferred Judgment</b>				
<b>Dept of Corrections</b>				
Division of Youth Corrections				
Fines				
Jail				
<b>Probation/Intensive Supervision</b>				
Unsupervised Probation				
Youthful Offender System				
<b>Total</b>				

**Tutorial on  
Table Layout**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

# Adult/District Court/All Offenses

## Initial Sentence for Adult District Court, by race/ethnicity\* (N=31,981)

Initial Sentence	Black (n=3,654)	Hispanic (n= 2,119)	Other (n=774)	White (n=25,434)
	%	%	%	%
Community Corrections	4.8%	3.4%	3.0%	5.3%
Community Service	0.1%	0.1%	0.5%	0.3%
Credit for Time Served	0.6%	0.2%	0.6%	0.7%
<b>Deferred Judgment</b>	<b>9.0%</b>	<b>10.8%</b>	<b>13.0%</b>	<b>10.7%</b>
<b>Dept of Corrections</b>	<b>24.9%</b>	<b>16.9%</b>	<b>19.6%</b>	<b>17.7%</b>
Division of Youth Corrections	0.0%	0.0%	0.0%	<1%
Fines	1.3%	0.7%	1.4%	1.4%
Jail	8.3%	7.5%	7.1%	8.0%
<b>Probation/Intensive Supervision</b>	<b>47.1%</b>	<b>58.0%</b>	<b>50.8%</b>	<b>52.3%</b>
Unsupervised Probation	3.6%	2.0%	3.2%	3.4%
Youthful Offender System	0.4%	0.2%	0.6%	0.2%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

Blacks accounted for 20.9% of initial sentences in District Court in 2015



# Adults/District Court/Violent Offenses

**Initial Sentence** for Violent as most serious conviction charge in Adult District Court, by race/ethnicity\* (N=6,838)

Initial Sentence	Black (n=950)	Hispanic (n=486)	Other (n=234)	White (n=5168)
	%	%	%	%
Community Corrections	4.0%	2.3%	1.3%	3.7%
Community Service	0.0%	0.0%	0.0%	0.1%
Credit for Time Served	0.3%	0.2%	0.4%	0.4%
<b>Deferred Judgment</b>	<b>6.8%</b>	<b>10.1%</b>	<b>11.1%</b>	<b>11.1%</b>
<b>Dept of Corrections</b>	<b>32.2%</b>	<b>21.4%</b>	<b>23.9%</b>	<b>21.7%</b>
Fines	0.3%	0.8%	0.4%	0.7%
Jail	7.5%	9.3%	6.0%	7.8%
<b>Probation/Intensive Supervision</b>	<b>45.1%</b>	<b>54.1%</b>	<b>51.7%</b>	<b>51.1%</b>
Unsupervised Probation	3.1%	1.0%	3.0%	2.7%
Youthful Offender System	0.7%	0.8%	2.1%	0.7%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

27% of initial sentences for Blacks involved a violent crime compared to 22% overall







Many factors can influence the case outcome decision

- Concurrent cases\*
- Prior cases (criminal history)\*\*

\* In 2015 18% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes

\*\* In 2015 72% of district court cases had prior cases, and 42% of juvenile court cases had prior cases

# Adults/District Court/Violent/NO CONCURRENT Cases

**Initial Sentence** for Violent as most serious charge in Adult District Court, by concurrent cases and race/ethnicity\* (N=6,838)

	Black		Hispanic		Other		White	
Count of concurrent cases	%	N	%	N	%	N	%	N
<b>None</b>	66.5%	632	73.5%	357	72.2%	169	73.5%	3,800
Community Corrections	2.5%	16	2.5%	9	1.8%	3	3.3%	127
Community Service	0.0%	0	0.0%	0	0.0%	0	0.1%	5
Credit for Time Served	0.3%	2	0.3%	1	0.6%	1	0.5%	19
<b>Deferred</b>	<b>8.2%</b>	<b>52</b>	<b>12.3%</b>	<b>44</b>	<b>12.4%</b>	<b>21</b>	<b>13.2%</b>	<b>503</b>
<b>DOC</b>	<b>26.1%</b>	<b>165</b>	<b>17.6%</b>	<b>63</b>	<b>21.3%</b>	<b>36</b>	<b>18.9%</b>	<b>717</b>
Fines	0.5%	3	1.1%	4	0.6%	1	0.8%	30
Jail	6.6%	42	6.4%	23	4.7%	8	6.4%	244
<b>Probation/Intensive Supervision</b>	<b>51.7%</b>	<b>327</b>	<b>58.3%</b>	<b>208</b>	<b>53.8%</b>	<b>91</b>	<b>53.1%</b>	<b>2,018</b>
Unsupervised Probation	3.5%	22	0.8%	3	4.1%	7	3.2%	121
Youthful Offender System	0.5%	3	0.6%	2	0.6%	1	0.4%	16

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

33.5% of Blacks had concurrent cases compared to about 27% overall.

# Adults/District Court/Violent/1-2 CONCURRENT Cases

**Initial Sentence** for Violent as most serious charge in Adult District Court, by concurrent cases and race/ethnicity\* (N=6,838)

	Black		Hispanic		Other		White	
# concurrent cases	%	N	%	N	%	N	%	N
<b>1-2</b>	27.1%	257	22.0%	107	24.8%	58	22.0%	1,139
Community Corrections	6.6%	17	1.9%	2	0.0%	0	4.5%	51
Credit for Time Served	0.4%	1	0.0%	0	0.0%	0	0.1%	1
<b>Deferred</b>	<b>4.3%</b>	<b>11</b>	<b>3.7%</b>	<b>4</b>	<b>8.6%</b>	<b>5</b>	<b>5.8%</b>	<b>66</b>
<b>DOC</b>	<b>43.6%</b>	<b>112</b>	<b>29.9%</b>	<b>32</b>	<b>31.0%</b>	<b>18</b>	<b>26.5%</b>	<b>302</b>
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Fines	0.0%	0	0.0%	0	0.0%	0	0.5%	6
Jail	7.8%	20	17.8%	19	10.3%	6	11.0%	125
<b>Probation/Intensive Supervision</b>	<b>33.9%</b>	<b>87</b>	<b>44.9%</b>	<b>48</b>	<b>46.6%</b>	<b>27</b>	<b>48.6%</b>	<b>554</b>
Unsupervised Probation	2.3%	6	0.9%	1	0.0%	0	1.4%	16
Youthful Offender System	1.2%	3	0.9%	1	3.4%	2	1.5%	17

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

# Adults/District Court/Violent/ NO PRIOR Cases

**Initial Sentence** for Violent as most serious charge in Adult District Court, by prior cases and race/ethnicity\* (N=6,838)

	Black		Hispanic		Other		White	
# of prior cases	%	N	%	N	%	N	%	N
<b>None</b>	23.4%	222	31.9%	155	41.0%	96	29.9%	1,543
Community Corrections	2.7%	6	1.3%	2	1.0%	1	1.6%	24
Community Service	0.0%	0	0.0%	0	0.0%	0	0.3%	4
Credit for Time Served	0.5%	1	0.0%	0	0.0%	0	0.2%	3
<b>Deferred</b>	<b>13.5%</b>	<b>30</b>	<b>14.2%</b>	<b>22</b>	<b>16.7%</b>	<b>16</b>	<b>21.1%</b>	<b>326</b>
<b>DOC</b>	<b>17.6%</b>	<b>39</b>	<b>17.4%</b>	<b>27</b>	<b>18.8%</b>	<b>18</b>	<b>15.2%</b>	<b>235</b>
Fines	0.0%	0	1.3%	2	1.0%	1	0.5%	8
Jail	2.7%	6	1.9%	3	5.2%	5	2.9%	44
Probation/Intensive Supervision	59.0%	131	62.6%	97	53.1%	51	54.5%	841
Unsupervised Probation	4.1%	9	0.6%	1	3.1%	3	3.5%	54
Youthful Offender System	0.0%	0	0.6%	1	1.0%	1	0.3%	4

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

73.6% of Blacks had prior cases compared to about 70% overall

# Adults/District Court/Violent/1-4 PRIOR Cases

**Initial Sentence** for Violent as most serious charge in Adult District Court, by prior cases and race/ethnicity\* (N=6,838)

	Black		Hispanic		Other		White	
<b>1-4 Prior Cases</b>	37.3%	354	34.0%	165	32.1%	75	36.7%	1,897
Community Corrections	4.5%	16	3.0%	5	1.3%	1	3.5%	67
Community Service	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Credit for Time Served	0.6%	2	0.0%	0	0.0%	0	0.3%	5
<b>Deferred</b>	<b>7.6%</b>	<b>27</b>	<b>13.9%</b>	<b>23</b>	<b>9.3%</b>	<b>7</b>	<b>10.6%</b>	<b>201</b>
<b>DOC</b>	<b>29.1%</b>	<b>103</b>	<b>16.4%</b>	<b>27</b>	<b>20.0%</b>	<b>15</b>	<b>16.9%</b>	<b>320</b>
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Fines	0.8%	3	1.2%	2	0.0%	0	0.8%	16
Jail	6.2%	22	6.1%	10	6.7%	5	6.2%	118
<b>Probation/Intensive Supervision</b>	<b>48.3%</b>	<b>171</b>	<b>57.0%</b>	<b>94</b>	<b>61.3%</b>	<b>46</b>	<b>57.8%</b>	<b>1,096</b>
Unsupervised Probation	2.3%	8	2.4%	4	1.3%	1	2.7%	52
Youthful Offender System	0.6%	2	0.0%	0	0.0%	0	1.1%	20

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

# Adult/District Court/Drugs

**Initial Sentence** for Drugs as most serious conviction charge in Adult District Court, by race/ethnicity (N=8,073)

Initial Sentence	Black	Hispanic	Other	White
N	825	550	132	6,566
Community Corrections	5.0%	3.3%	1.5%	4.7%
Community Service	0.1%	0.0%	1.5%	0.4%
Credit for Time Served	1.0%	0.0%	0.0%	0.8%
<b>Deferred Judgment</b>	<b>3.9%</b>	<b>5.6%</b>	<b>6.1%</b>	<b>6.5%</b>
<b>Dept of Corrections</b>	<b>15.0%</b>	<b>17.6%</b>	<b>13.6%</b>	<b>10.4%</b>
Fines	1.3%	0.4%	1.5%	1.3%
<b>Jail</b>	<b>9.7%</b>	<b>5.1%</b>	<b>7.6%</b>	<b>7.2%</b>
Probation/Intensive Supervision	61.5%	66.5%	66.7%	66.2%
Unsupervised Probation	2.5%	1.3%	1.5%	2.5%
Youthful Offender System	0.0%	0.2%	0.0%	0.0%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

# Adult/District Court/Other

**Initial Sentence** for Other as most serious conviction charge in Adult District Court, by race/ethnicity (N=6,292)

Initial Sentence	Black	Hispanic	Other	White
N	808	391	174	4,919
Community Corrections	3.5%	3.3%	4.0%	4.8%
Community Service	0.4%	0.3%	1.1%	0.3%
Credit for Time Served	0.5%	0.8%	0.6%	1.2%
<b>Deferred Judgment</b>	<b>7.9%</b>	<b>10.2%</b>	<b>13.8%</b>	<b>8.5%</b>
<b>Dept of Corrections</b>	<b>38.2%</b>	<b>23.3%</b>	<b>25.3%</b>	<b>29.2%</b>
Fines	2.1%	1.3%	1.7%	2.4%
Jail	11.4%	9.5%	8.6%	11.1%
<b>Probation/Intensive Supervision</b>	<b>32.4%</b>	<b>48.8%</b>	<b>42.0%</b>	<b>38.8%</b>
Unsupervised Probation	3.2%	2.6%	2.9%	3.7%
Youthful Offender System	0.4%	0.0%	0.0%	0.0%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

# Juvenile/District Court/All Offenses

## Initial Sentence for Juvenile Court by race/ethnicity\* (N=5,338)

	Black (n=774)	Hispanic (n=654)	Other (n=219)	White (n=3,691)
<b>Initial Sentence</b>	%	%	%	%
Community Corrections	0.0%	0.0%	0.5%	0.0%
Community Service	0.4%	0.9%	0.9%	0.7%
Credit for Time Served	0.0%	0.2%	0.0%	0.1%
<b>Deferred Judg.</b>	<b>16.0%</b>	<b>25.8%</b>	<b>40.2%</b>	<b>38.7%</b>
Dept of Corrections <sup>†</sup>	0.1%	0.0%	0.0%	0.0%
<b>Division of Youth Corrections</b>	<b>13.4%</b>	<b>9.6%</b>	<b>8.7%</b>	<b>9.2%</b>
Fines	1.9%	2.1%	3.2%	2.9%
Jail	2.6%	2.8%	1.8%	1.1%
Juvenile Detention	1.3%	0.6%	1.8%	1.4%
<b>Probation/Intensive Supervision</b>	<b>63.2%</b>	<b>56.9%</b>	<b>42.0%</b>	<b>44.9%</b>
Unsupervised Probation	0.9%	0.8%	0.9%	1.0%
Youthful Offender System	0.1%	0.3%	0.0%	0.0%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

<sup>†</sup>Felony menacing with a weapon. Offender was 18 on filing date.





# Juvenile/District Court/Violent Offenses

**Initial Sentence** for Violent as most serious conviction charge in Juvenile Court, by race/ethnicity\* (N=1,635)

Initial Sentence	Black	Hispanic	Other	White
N	256	189	71	1,119
Community Corrections	0.0%	0.0%	0.0%	0.1%
Community Service	0.0%	0.0%	0.0%	0.3%
Credit for Time Served	0.0%	0.0%	0.0%	0.1%
<b>Deferred Judgment</b>	<b>14.8%</b>	<b>24.3%</b>	<b>45.1%</b>	<b>42.1%</b>
Dept of Corrections <sup>+</sup>	0.4%	0.0%	0.0%	0.0%
<b>DYC</b>	<b>16.0%</b>	<b>13.2%</b>	<b>12.7%</b>	<b>10.4%</b>
Fines	1.6%	0.5%	1.4%	1.0%
Jail	1.2%	1.6%	0.0%	0.6%
Juvenile Detention	0.4%	0.5%	1.4%	0.8%
<b>Probation/Intensive Supervision</b>	<b>65.2%</b>	<b>58.7%</b>	<b>39.4%</b>	<b>44.1%</b>
Unsupervised Probation	0.0%	0.0%	0.0%	0.4%
Youthful Offender System	0.4%	1.1%	0.0%	0.1%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

\*Felony menacing with a weapon. Offender was 18 on filing date.

# Juvenile/District Court/Drug Offenses

**Initial Sentence** for Drugs as most serious conviction charge in Juvenile Court, by race/ethnicity\* (N=385)

Initial Sentence	Black	Hispanic	Other	White
N	45	42	16	282
Community Service	2.2%	0.0%	0.0%	0.0%
<b>Deferred Judgment</b>	<b>15.6%</b>	<b>38.1%</b>	<b>56.3%</b>	<b>41.8%</b>
<b>DYC</b>	<b>13.3%</b>	<b>2.4%</b>	<b>0.0%</b>	<b>4.3%</b>
Fines	4.4%	4.8%	6.3%	8.9%
Jail	2.2%	4.8%	0.0%	2.1%
Juvenile Detention	0.0%	2.4%	0.0%	1.8%
<b>Probation/Intensive Supervision</b>	<b>60.0%</b>	<b>47.6%</b>	<b>37.5%</b>	<b>39.7%</b>
Unsupervised Probation	2.2%	0.0%	0.0%	1.4%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

# Juvenile/District Court/Property Offenses

**Initial Sentence** for Property as most serious conviction charge in Juvenile Court, by race/ethnicity\* (N=2,359)

Initial Sentence	Black	Hispanic	Other	White
N	341	315	98	1,605
Community Service	0.6%	1.0%	2.0%	0.9%
Credit for Time Served	0.0%	0.0%	0.0%	0.1%
<b>Deferred Judgment</b>	<b>17.9%</b>	<b>25.7%</b>	<b>36.7%</b>	<b>37.7%</b>
Division of Youth Corrections	8.5%	9.5%	7.1%	8.7%
Fines	2.1%	2.2%	3.1%	2.4%
Jail	3.8%	3.8%	4.1%	1.1%
Juvenile Detention	0.9%	0.6%	3.1%	1.3%
<b>Probation/Intensive Supervision</b>	<b>65.7%</b>	<b>55.9%</b>	<b>42.9%</b>	<b>46.5%</b>
Unsupervised Probation	0.6%	1.3%	1.0%	1.4%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

# Juvenile/District Court/Other Offenses

**Initial Sentence** for Other as most serious conviction charge in Juvenile Court, by race/ethnicity\* (N=959)

Initial Sentence	Black	Hispanic	Other	White
N	132	108	34	685
Community Corrections	0.0%	0.0%	2.9%	0.0%
Community Service	0.0%	2.8%	0.0%	1.5%
Credit for Time Served	0.0%	0.9%	0.0%	0.0%
<b>Deferred Judgment</b>	<b>13.6%</b>	<b>24.1%</b>	<b>32.4%</b>	<b>34.2%</b>
<b>DYC</b>	<b>21.2%</b>	<b>6.5%</b>	<b>8.8%</b>	<b>10.5%</b>
Fines	1.5%	3.7%	5.9%	4.5%
Jail	2.3%	0.9%	0.0%	1.6%
Juvenile Detention	4.5%	0.0%	0.0%	2.5%
<b>Probation/Intensive Supervision</b>	<b>53.8%</b>	<b>60.2%</b>	<b>47.1%</b>	<b>44.4%</b>
Unsupervised Probation	3.0%	0.9%	2.9%	0.9%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.



# Juvenile/District Court/All offenses/NO CONCURRENT Cases

**Initial Sentence** in Juvenile Court, by concurrent cases and race/ethnicity\* (N=5,338)

	Black		Hispanic		Other		White	
# Concurrent cases	%	N	%	N	%	N	%	N
<b>None</b>	53.5%	414	72.5%	474	67.1%	147	63.0%	2,325
Community Corrections	0.0%	0	0.0%	0	0.0%	0	0.0%	1
Community Service	0.7%	3	1.3%	6	0.7%	1	0.7%	17
Credit for Time Served	0.0%	0	0.2%	1	0.0%	0	0.1%	2
<b>Deferred</b>	<b>22.0%</b>	<b>91</b>	<b>30.4%</b>	<b>144</b>	<b>52.4%</b>	<b>77</b>	<b>47.5%</b>	<b>1,105</b>
Dept of Corrections	0.2%	1	0.0%	0	0.0%	0	0.0%	0
<b>DYC</b>	<b>5.8%</b>	<b>24</b>	<b>5.1%</b>	<b>24</b>	<b>3.4%</b>	<b>5</b>	<b>4.3%</b>	<b>99</b>
Fines	3.1%	13	2.1%	10	3.4%	5	3.5%	81
Jail	1.7%	7	1.9%	9	2.0%	3	1.0%	23
Juvenile Detention	1.2%	5	0.6%	3	1.4%	2	1.4%	33
<b>Probation/Intensive Supervision</b>	<b>63.8%</b>	<b>264</b>	<b>57.6%</b>	<b>273</b>	<b>35.4%</b>	<b>52</b>	<b>40.1%</b>	<b>932</b>
Unsupervised Probation	1.4%	6	0.8%	4	1.4%	2	1.3%	31
Youthful Offender System	0.0%	0	0.0%	0	0.0%	0	0.0%	1

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CIASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

46.5% of Black youth had concurrent cases compared to about 35% overall



# Juvenile/District Court/All offenses/1-2 CONCURRENT Cases

**Initial Sentence** in Juvenile Court, by concurrent cases and race/ethnicity\* (N=5,338)

	Black		Hispanic		Other		White	
<b>1-2 concurrent cases</b>	34.8%	269	21.1%	138	25.6%	56	29.1%	1,074
Community Service	0.0%	0	0.0%	0	0.0%	0	0.9%	10
<b>Deferred</b>	<b>8.9%</b>	<b>24</b>	<b>17.4%</b>	<b>24</b>	<b>14.3%</b>	<b>8</b>	<b>25.9%</b>	<b>278</b>
<b>DYC</b>	<b>20.4%</b>	<b>55</b>	<b>12.3%</b>	<b>17</b>	<b>12.5%</b>	<b>7</b>	<b>12.6%</b>	<b>135</b>
Fines	0.7%	2	2.2%	3	3.6%	2	2.1%	23
<b>Jail</b>	<b>3.3%</b>	<b>9</b>	<b>5.1%</b>	<b>7</b>	<b>1.8%</b>	<b>1</b>	<b>1.5%</b>	<b>16</b>
Juvenile Detention	1.9%	5	0.7%	1	1.8%	1	1.4%	15
Probation/Intensive Supervision	63.9%	172	61.6%	85	66.1%	37	55.1%	592
Unsupervised Probation	0.4%	1	0.7%	1	0.0%	0	0.5%	5
Youthful Offender System	0.4%	1	0.0%	0	0.0%	0	0.0%	0

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.



# Juvenile/District Court/All offenses/NO PRIOR Cases

**Initial Sentence** in Juvenile Court, by prior cases and race/ethnicity (N=5,338)

	Black		Hispanic		Other		White	
# of prior cases	%	N	%	N	%	N	%	N
<b>None</b>	28.9%	224	43.0%	281	47.0%	103	41.3%	1,526
Community Service	0.4%	1	2.1%	6	1.0%	1	0.5%	8
Credit for Time Served	0.0%	0	0.0%	0	0.0%	0	0.1%	2
<b>Deferred</b>	<b>30.4%</b>	<b>68</b>	<b>43.8%</b>	<b>123</b>	<b>60.2%</b>	<b>62</b>	<b>59.3%</b>	<b>905</b>
<b>DYC</b>	<b>2.2%</b>	<b>5</b>	<b>1.8%</b>	<b>5</b>	<b>1.0%</b>	<b>1</b>	<b>1.4%</b>	<b>21</b>
Fines	2.7%	6	1.8%	5	1.9%	2	3.0%	46
Jail	2.7%	6	0.0%	0	1.0%	1	0.4%	6
Juvenile Detention	2.2%	5	0.4%	1	1.9%	2	1.4%	21
<b>Probation/Intensive Supervision</b>	<b>57.6%</b>	<b>129</b>	<b>49.5%</b>	<b>139</b>	<b>31.1%</b>	<b>32</b>	<b>32.4%</b>	<b>495</b>
Unsupervised Probation	1.3%	3	0.7%	2	1.9%	2	1.4%	22

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

About 71% of Black youth had prior cases compared to about 58% overall

# Juvenile/District Court/All offenses/1-2 PRIOR Cases

**Initial Sentence** in Juvenile Court, by prior cases and race/ethnicity (N=5,338)

	Black		Hispanic		Other		White	
<b>1-2 Prior Cases</b>	34.8%	269	31.8%	208	32.9%	72	33.8%	1,246
Community Service	0.7%	2	0.0%	0	0.0%	0	1.2%	15
Credit for Time Served	0.0%	0	0.5%	1	0.0%	0	0.0%	0
<b>Deferred</b>	<b>15.2%</b>	<b>41</b>	<b>17.3%</b>	<b>36</b>	<b>33.3%</b>	<b>24</b>	<b>34.8%</b>	<b>434</b>
<b>DYC</b>	<b>7.4%</b>	<b>20</b>	<b>7.7%</b>	<b>16</b>	<b>5.6%</b>	<b>4</b>	<b>5.9%</b>	<b>74</b>
Fines	1.5%	4	2.9%	6	6.9%	5	2.5%	31
Jail	3.0%	8	2.4%	5	2.8%	2	1.4%	17
Juvenile Detention	0.7%	2	1.0%	2	0.0%	0	1.2%	15
<b>Probation/Intensive Supervision</b>	<b>70.6%</b>	<b>190</b>	<b>66.8%</b>	<b>139</b>	<b>51.4%</b>	<b>37</b>	<b>52.1%</b>	<b>649</b>
Unsupervised Probation	0.7%	2	1.0%	2	0.0%	0	0.8%	10
Youthful Offender System	0.0%	0	0.5%	1	0.0%	0	0.1%	1

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.





## Summary

- Blacks more likely to get arrested
- Blacks less likely to get deferred judgments
- Blacks more likely to receive sentence to confinement
- The last 2 bullets apply even when holding constant the number of concurrent cases and prior case history



## Web site demonstration

[colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185)



## From the President's Task Force on 21<sup>st</sup> Century Policing

### Law enforcement agencies should...

- Embrace a guardian mindset, promoting the dignity of all individuals and protecting everyone's Constitutional rights (Procedural Justice)
- Consider the collateral damage of any given safety strategy on public trust
- Strive to create a diverse workforce
- Infuse community policing and problem solving principles throughout the organizational structure
- Work with schools to develop alternatives to suspension/expulsion
- Ensure training occurs throughout an officer's career with procedural justice at the center/lessons to improve social interactions/lessons on addiction/ lessons on recognizing and confronting implicit bias



From the Brennan Center for Justice

## ***Reducing racial/ethnic disparities in jails (2015)***

Roundtable participants included Commissioner Raemisch

### **1. Focus on low level offenses**

- Once stopped, Blacks more likely to be arrested
  - Exploratory analysis by DCJ found Blacks were more likely to receive a court filing following arrest compared to Whites and Hispanics
- 2014 study by National Bureau of Economic Research found charges more likely to be filed following arrest compared to previous decades
- ***Expand pre-arrest diversion programs***
- ***Expand pre-charge and pretrial diversion programs***



From the Brennan Center for Justice

*Reducing racial/ethnic disparities in jails (2015)*

## 2. Focus on unnecessary use of pretrial detention

- Research shows length of pretrial detention is linked to longer post-sentence confinement in jail and prison
- Blacks more likely to be confined pre-trial
- Leads to loss of job, housing, healthcare
  
- *Use risk assessment tools*
- *Expand pretrial services programs*
- *Divert low-level offenders*
- *Eliminate money-based pretrial systems*



From the Brennan Center for Justice

*Reducing racial/ethnic disparities in jails (2015)*

### **3. Consider the aggressive collection of criminal justice debt**

- Racial disparities are reinforced by socioeconomic inequality
- *Assess individuals' abilities to pay*

### **4. Everyone who exercises discretion: Undergo training to identify and confront implicit racial/ethnic bias**



From the Brennan Center for Justice

*Reducing racial/ethnic disparities in jails (2015)*

## **Officials in local jurisdictions can create a cross-agency Task Force to reduce racial disparities**

1. Identify drivers; pinpoint where disparities are most pervasive.
2. Specify goals and measures of success for the jurisdiction
3. Require training for all system actors to overcome implicit racial bias; for anyone who exercises discretion
4. Encourage prosecutors to prioritize serious and violent offenses; don't conflate "success" with number of prosecutions or convictions
5. Increase indigent representation in misdemeanor cases when jail time is an available punishment
6. Provide "bench cards" to judges to combat implicit bias and unnecessary use of jail



**Thank you for your attention today**